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FILED FOR RECORD
At 1:12 O'clock P.M

APR 29 1992

SUE HODGES
Clerk and Recorder
BENTON COUNTY, ARK.

ORDINANCE # 45

AN ORDINANCE TO ESTABLISH A POLICE DEPARTMENT IN THE INCORPORATED TOWN OF BETHEL HEIGHTS, ARKANSAS; TO ESTABLISH THE DUTIES AND DEFINE THE POWERS OF THE POLICE DEPARTMENT; TO AUTHORIZE THE MAYOR TO HIRE POLICE OFFICERS AND PURCHASE EQUIPMENT NECESSARY TO ESTABLISH SAID DEPARTMENT AND FOR DECLARING AN EMERGENCY.

WHEREAS, the Town Council of the Incorporated Town of Bethel Heights, Arkansas has determined that it is in the best interests of the Town of Bethel Heights and its inhabitants that it establish and maintain a Police Department within its corporate limits; and

WHEREAS, it has previously contracted with the Town of Lowell, Arkansas for police protection and that contract has now expired;

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Incorporated Town of Bethel Heights, Arkansas:

SECTION 1. CREATION: There shall hereafter be established and created a Police Department within the corporate limits of Bethel Heights. That said Police Department will initially consist of one Chief of Police, to be hired by the Mayor with the consent of the Council; and such other officers as the Chief, the Mayor and the Council shall consider necessary to the efficient operation of the Department.

SECTION 2. POLICE CHIEF TO SUPERVISE: That the Police Department shall operate under the direct supervision of the Police Chief. The Police Chief shall report to the Mayor and the Town Council.

SECTION 3. DUTIES: The Police Department acting through the Police Chief and any other officers shall be responsible for preserving the peace; securing the citizens of the Town from personal violence; safeguarding their property from unlawful deprivations; enforcing the laws of the State and the ordinances of the Town and any other duties prescribed by law.

SECTION 4. SEVERABILITY: If any section, sentence, clause or phrase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any Court, such decision shall not affect the validity of the remaining portions of the Ordinance.

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SECTION 5. EMERGENCY CLAUSE: All ordinances or parts of ordinances in conflict herewith are hereby repealed. Because the Town of Bethel Heights has had police protection for the past two years and that that contract has now expired and therefore the citizens are without any police protection, this action is necessary for the preservation of the peace, health and safety of the Town of Bethel Heights, Arkansas, and the inhabitants thereof, an emergency is hereby declared to exist and this Ordinance shall take effect from and after its passage and publication.

PASSED AND APPROVED this 21 day of April, 1992.

THE TOWN OF BETHEL HEIGHTS, ARKANSAS

by: Gary Howard
GARY HOWARD, MAYOR

ATTEST:

Debbie Howard
TOWN CLERK/RECORDER

CERTIFICATION

I, Debbie Howard Town Recorder of the Town of Bethel Heights Arkansas, hereby certify that this Ordinance was duly passed and approved by a two-thirds vote of the total number of the governing body of the Town of Bethel Heights, Arkansas this 21 day of March, 1992.

Debbie Howard
TOWN RECORDER/TREASURER
TOWN OF BETHEL HEIGHTS

City of Bethel Heights
P. O. Box 222
Springdale, Arkansas 72765

STATE OF ARKANSAS
COUNTY OF WASHINGTON ss.

I do solemnly swear that I am general manager and/or editor of THE MORNING NEWS, a daily newspaper published in said county, and that I was general manager and/or editor on the dates of publication hereinafter stated, and that said newspaper has bona fide circulation in said county on said dates, and had been regularly published in said county for a period of one month next before the date of publication of advertisement hereto annexed, and that said advertisement was published in said newspaper 1 times for 1 weeks consecutively, the first insertion therein having been made on the 28 day of June, 1992 and the last on the day of , 19 .

Jim Morris
Authorized Signature

Subscribed and sworn before me this 9th day of July, 1992

Stephanie S. Keene
Notary Public.

My commission expires July 16,
192001

Cost of publication: \$ 78.10

ORDINANCE NO. 47

An Ordinance amending Ordinance No. 31 of the incorporated Town of Bethel Heights, Arkansas, to provide a penalty for violation of said Ordinance and providing for the enforcement thereof, and declaring an emergency.

Whereas, on the 8th day of January, 1990, The Town Council of the Incorporated Town of Bethel Heights, Arkansas passed Ordinance No. 31, and

Whereas, in a decision by the Honorable Circuit Judge Tom Keith, Section Eight (8) of that Ordinance was held invalid, and

Whereas, it is the desire of the Town Council of Bethel Heights, Arkansas to amend Ordinance No. 31 to provide a penalty for the violation of said Ordinance.

Now, therefore, be it ordained by the Town Council of the Town of Bethel Heights, Arkansas:

Section 1. That Section Eight of Ordinance No. 31 shall now read as follows:

"Section 8: Penalties. Whoever violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not less than Twenty-Five (\$25.00) Dollars and not more than Two Hundred and Fifty Dollars (\$250.00) for each separate offense Plus costs".

Section 2: That all other sections of Ordinance No. 31 are hereby readopted and re-enacted with no amendments thereto and shall remain in full force and effect.

Section 3: Severability. If any section, sentence, clause, or phase of this Ordinance is for any reason held invalid or unconstitutional by a decision of any court, such decision shall not effect the validity of the remaining portions of this Ordinance.

Section 4: All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are herein repealed.

Section 5: That because there is no provision for punishment for violation of Ordinance No. 31, this Ordinance is necessary to preserve the public peace, health, safety and welfare of the citizens of Bethel Heights, and because of such an emergency is declared to exist and this Ordinance shall be in full force and effect from the time of its passage and approval.

Passed and approved this 4th day of June, 1992.

Approved: Gary Howard,
Mayor

Attest: Debbie Howard
Clerk/ Recorder
June 28.

