ORDINANCE NO. 94- 02

AN ORDINANCE AMENDING THE AMOUNT OF THE ANNUAL FEE TO BE PAID BY LANDOWNERS OR POSSESSORS OF LAND IN THE ATKINS FIRE PROTECTION DISTRICT AND FOR OTHER PURPOSES.

WHEREAS, the formula for determining the annual fee to be paid by those owning or possessing land in the Atkins Fire Protection District has caused the determination of the fee in some instances to be a cumbersome and confusing process; and

WHEREAS, it is necessary to create a less confusing and more simple process of determining the annual fee; and

WHEREAS, it is presently the time of the year when statements are mailed to landowners and possessors of land in the Atkins Fire Protection District directing that such fees should be paid;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Atkins, Arkansas:

SECTION 1. Section 7.40.03 Fees of the Atkins Municipal Code is hereby amended to read as follows:

7.40.03 Fees: Any individual, firm, corporation, partnership or other entity owning or possessing real property as described in 7.40.02 shall pay an annual fee of $25.00 to the City Clerk of the City of Atkins for the services as described. For the year 1994, the annual fee shall be payable on or before April 1, 1994. For each year

thereafter the annual fee shall be payable on or before March 1st.

Failure of any such landowner or possessor of land to pay the annual fee shall effectively relieve the City of Atkins and the Atkins Fire Department from any obligation to provide the fire protection services as described in Section 7.40.02.

A charge of between $100 to $300 shall be assessed for each grass fire attended by the Atkins Fire Department to those landowners or possessors of land within the boundaries of the Atkins Fire Protection District who have not paid the annual fees as set forth above. The exact amount assessed shall be determined considering the extent of the fire, the length of time spent fighting the fire, the amount of equipment used in the fire, and the amount of manpower necessary to combat the fire.

A charge of between $100 to $300 shall be assessed for each structure fire attended by the Atkins Fire Department to those landowners or possessors of land within the boundaries of the Atkins Fire Protection District who have not paid the annual fees as set forth above. The exact amount assessed shall be determined considering the extent of the fire, the length of time spent fighting the fire, the amount of equipment used in the fire, and the amount of manpower

necessary to combat the fire.

SECTION 2. This Ordinance being necessary for the public peace, health, and safety of the citizens of Atkins, an emergency is declared and this Ordinance shall become effective immediately upon its passage and approval.

DATED this 8th day of February, 1994.

STEPHEN KENT, Mayor

Brenda Graves

BRENDA GRAVES, City Clerk