

ORDINANCE NO. 2016-39

FILED
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CLERK OF COURTS
WASHINGTON COUNTY ARK

BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING WASHINGTON
COUNTY CODE SECTIONS 2-2 THROUGH 2-17.

WHEREAS, the Quorum Court has been reviewing the
Washington County Code of Ordinances; and,

WHEREAS, it has been determined that sections of the Code
are in need of amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM
COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. Washington County Code Sections 2-2 through
2-17 are hereby amended to read as follows:

CHAPTER 2 – ADMINISTRATION
ARTICLE 2. – IN GENERAL

Sec. 2-2. Smoking Tobacco use - Smoking Tobacco use in County-owned or County-leased
buildings and in County vehicles prohibited.

(a) Smoking Tobacco use is prohibited in all buildings owned or building spaces leased by
the County government.

(b) Smoking Tobacco use will not be permitted is prohibited in County-owned vehicles.

(c) Definitions.

(1) County building means any enclosed, indoor area which is owned, leased, or
controlled by the County including, but not limited to, offices or other work areas,
restrooms, and rooms in which a public meeting, hearing, or other official
proceeding open to the public is in progress.

(2) County vehicle means any motor vehicle or road equipment owned or controlled by
the County.

(3) Smoking Tobacco use means holding a lighted pipe, cigar, or cigarette of any kind,
or lighting, or emitting or exhaling the smoke of a pipe, cigar, or cigarette of any
kind, and includes use of any tobacco product and electronic cigarettes.

- (d) Signs shall be posted at each public entrance informing both employees and the public that smoking tobacco use is prohibited.
- (e) The County may provide smoking tobacco use education and cessation programs during work hours for employees wishing to stop smoking tobacco use. This is an effort to promote a healthy attitude about the benefits of not smoking using tobacco.
- (f) No employee who makes a formal complaint regarding smoking tobacco use or rules governing ~~smoking or nonsmoking~~ tobacco use shall be subject to discrimination or termination.
- (g) Enforcement. The County Judge shall be responsible for enforcing the provisions of this section.
- (h) Penalty. The violation of any provision of this section shall be punishable by a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00), except that an inadvertent first offender may be given a warning. Each day a violation of this section continues shall be a separate offense.

Sec. 2-3. - Constitution adopted and recognized as law.

The Constitution of the State of Arkansas is hereby adopted and recognized as law in Washington County.

Secs. 2-4—2-15. - Reserved.

ARTICLE II. - QUORUM COURT
DIVISION 1. - GENERALLY

Sec. 2-16. - Regular meetings.

- (a) The regular meeting of the County Quorum Court shall be held at 6:00 p.m. on the third Thursday of each month at the Washington County Courthouse, Fayetteville, Arkansas.
- (b) ~~If an holiday or unforeseen contingency arises, the regular meeting may be rescheduled upon a majority vote of the Quorum Court.~~ By declaration of emergency or determination that an emergency exists and the safety of the general public is at risk, the County Judge shall change the date, place or time of the regular meeting of the Quorum Court.
- (c) Pursuant to A.C.A. § 25-19-106, the media shall be duly notified of such the time and place of each regular meeting shall be furnished to anyone who requests the information.

Sec. 2-17. - Special meetings.

- (a) The County Judge or a majority of the elected Justices of the Peace may call special meetings upon at least twenty-four (24) hours' notice.
- (b) Such notice shall include time, date, and place of the special meeting. The notice shall also include the purpose of the meeting, however, this does not preclude the Quorum Court from acting on, or considering other matters, which may appropriately come before the body at such special meeting.
- (c) Notice of a special meeting given at any regular or special meeting of the Quorum Court shall constitute due notice to the members present. The Court Secretary shall be responsible for giving timely notice to absent members, as well as giving public notice, containing the information specified in subsection (b).
- (d) Notice of a special meeting of the Quorum Court called by the County Judge at other than a meeting of the Quorum Court shall be accomplished by the County Judge notifying the Court Secretary in writing ~~if time permits~~ who shall be responsible for notifying each Justice of the Peace individually, in writing ~~if time permits~~, and giving due public notice.
- (e) Notice of a special meeting of the Quorum Court called by a majority of the Justices of the Peace shall be accomplished by one (1) member of the majority notifying the Court Secretary, in writing ~~if time permits~~. In addition to the information specified in subsection (b), the notice shall also include the name of each Justice of the Peace making up the majority calling the meeting. The Court Secretary shall be responsible for notifying the County Judge and each Justice of the Peace individually, not included in the majority calling the special meeting, in writing ~~if time permits~~ and giving due public notice.
- (f) In order to protect the rights and interests of all County officials concerned and the general public, it is the intent of this body that notice of a call for a special meeting shall be given as far in advance as possible consistent with the nature and immediacy of the purpose of the special meeting. The minimum twenty-four (24) hours' notice should, therefore, be resorted to only under extreme and unusual circumstances.


Marilyn Edwards, County Judge

6/20/16
DATE


Becky Lewallen, County Clerk

Sponsor: Bill Ussery
Date of Passage: June 16, 2016
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 2