

CITY OF BULL SHOALS
MARION COUNTY ARKANSAS
ORDINANCE 2016-03

AN ORDINANCE AUTHORIZING THE ADOPTION OF INTER-LOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BULL SHOALS, MARION COUNTY, ARKANSAS AND THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS.

WHEREAS, the Chiefs of Police for the City of Bull Shoals and the City of Lakeview have recommended that their respective cities enter into an Inter-local Cooperation Agreement in order to allow officers of their cities to have necessary authority and powers of detention and arrest outside their corporate limits so as to provide assistance when requested; and

WHEREAS, it is the intent of such agreement to allow officers to assist with disturbances or other incidents or complaints as may be requested by officers from the neighboring City; and

WHEREAS, by entering into this agreement, the officers of Bull Shoals and Lakeview may work more effectively and efficiently together when called upon to take law enforcement action for the safety and welfare of citizens.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bull Shoals, Marion County, Arkansas.

SECTION 1. The Mayor, Recorder/Treasurer and Chief of Police, action on behalf of the City of Bull Shoals, are hereby authorized and empowered to enter into an Inter-local Cooperation Agreement between the City of Bull Shoals and the City of Lakeview for the purpose of enhancing law enforcement services to citizens residing in and around its corporate limits.

SECTION 2. A copy of said Inter-local Cooperation Agreement is attached hereto and incorporated herein by reference in its entirety.

SECTION 3. That from and after the effective date of this agreement, officers of the respective Police departments are authorized and empowered by said agreement to have and exercise law enforcement authority including powers of detention and arrest, outside their corporate limits when specifically and directly asked or requested by the corresponding department or any of its officers.

SECTION 4. That upon the completion, resolution or termination of the disturbance, incident or complaint upon which a request for assistance was made, the extra-territorial authority of said officers shall cease to exist until such time as a subsequent specific and direct request for assistance is made.

SECTION 5. Neither the City Council by enactment of this Ordinance, nor any part, section, clause, or phrase of the attached Inter-local Cooperation Agreement shall serve to give either express or implied extra-territorial general law enforcement authority or jurisdiction to officers of the corresponding Police Department through their own initiative, until and unless there is a specific and direct request for assistance on a particular disturbance, incident, or complaint.

SECTION 6. The Chief of Police shall be responsible for administering the terms and conditions of said agreement on behalf of the City of Bull Shoals, based upon the intent of the City Council as outlined herein above.

SECTION 7. The Inter-local Cooperation Agreement adopted hereby is for no specific period or length of time and shall be subject to cancellation, annulment or revocation in whole or in part of Order of the City Council of either party, upon written notice to the corresponding party.

SECTION 8. SEVERABILITY – The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but same shall remain in full force and effect.

SECTION 9. EMERGENCY CLAUSE- This ordinance being necessary to insure compliance with terms, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of its passage.

PASSED, ADOPTED AND APPROVED this 7th day of April, 2016 by the Bull Shoals City Council comprised of A. Harper, A. Grady, M. Nickels, D. Lindman and H. Hudson and on motion by Ald. H. Hudson seconded by M. Nickels with a roll call vote of 6 Yeas and 0 Nays. P. Friese

Attest:

Kimberly M. Williams
Recorder/Treasurer

D. R. Heber
Mayor