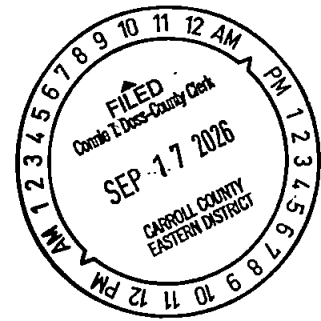




EMERGENCY ORDINANCE NO. 2026-30

AN ORDINANCE ENACTING REVISIONS TO THE CODE OF ORDINANCES FOR CARROLL COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY.

WHEREAS, Arkansas Code Annotated (A.C.A.) § 14-14-903 requires Carroll County, Arkansas, to codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one unified code in book form no later than 1980 and at a minimum every five years thereafter; and

WHEREAS, the Quorum Court of Carroll County, Arkansas, has authorized a general compilation, revision and codification of the ordinances of Carroll County, Arkansas, of a general and permanent nature and the publication of such ordinance in book form; and

WHEREAS, new ordinances have been passed since the adoption of the Code of Ordinances;

Now, therefore, be it ordained by the Quorum Court of Carroll County, Arkansas:

- 1) New ordinances have been adopted by the Quorum Court since the Code of Ordinances was adopted by Carroll County in Ord. No. 2014-9.
- 2) The Code of Ordinances referenced in Section 1 has hereby been revised to include the new ordinances which were adopted by the Quorum Court subsequent to the adoption of the Code of Ordinances.
- 3) The general ordinances of Carroll County, Arkansas, as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of Carroll County, Arkansas."
- 4) **REPEALER.** All prior ordinances pertaining to the subjects addressed in this Code of Ordinances are hereby repealed from the effective date of this Ordinance unless they are included and re-ordained, in whole or in part, in this Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this Ordinance.

Nor shall such repeal affect ordinances which levy taxes, appropriate funds, annex or detach territory, establish franchises, or grant special rights to persons, authorize public improvements, authorize the issuance of bonds, or borrowing of money, authorize the purchase or sale of real or personal property, grant or accept easements, plat or dedication of land to public use, vacate or set the boundaries of streets or other public places.

Quorum Court
2026-119

Nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code. Nor shall such repeal affect ordinances passed after August 18, 2026, or ordinances omitted, changed, or modified improperly or erroneously as a consequence of compilation, revision, or both, of the ordinances composing this Code of Ordinances.

- 5) PUBLICATION DATE. Such Code shall be deemed published as of the day of its adoption and approval by the County Judge of Carroll County, Arkansas. The County Clerk of Carroll County, Arkansas, is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the County Clerk.
- 6) EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of Carroll County, Arkansas, and therefore this Ordinance shall be in full force and effect from and after the date of its passage.

ATTEST: Connie T. Doss
Connie T. Doss, Carroll County Clerk

APPROVED: David Writer
David Writer, Carroll County Judge

DATE: September 15, 2026

SPONSOR: Matt Phillips

This Ordinance is paid for by the Quorum Court of Carroll County, AR. §14-14-116 \$ _____

	YES	NO
JP 1	✓	
JP 2	✓	
JP 3	✓	
JP 4	✓	
JP 5	✓	
JP 6	✓	
JP 7	✓	
JP 8		Absent
JP 9		Absent
JP10	✓	
JP11	✓	

Code of Ordinances
Carroll County, Arkansas

Association of Arkansas Counties
1415 W Third St. • Little Rock, Arkansas 72201
www.arcounties.org

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ASSOCIATION OF ARKANSAS COUNTIES

PREFACE

Every effort has been made in the publication of this Code of Ordinances to preserve the intent and meaning of original ordinances. Our goal is to make the ordinances of Carroll County, Arkansas easily accessible to all, including County officials and citizens.

This Code of Ordinances contains ordinances passed on and before August 16, 2026. For information about ordinances passed after August 16, 2026, contact the Carroll County Clerk.

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WHEREAS, the Quorum Court of Carroll County, Arkansas, has authorized a general compilation, revision and codification of the ordinances of Carroll County, Arkansas, of a general and permanent nature and the publication of such ordinance in book form; and

WHEREAS, new ordinances have been passed since the adoption of the Code of Ordinances;

Now, therefore, be it ordained by the Quorum Court of Carroll County, Arkansas:

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- 4) **REPEALER.** All prior ordinances pertaining to the subjects addressed in this Code of Ordinances are hereby repealed from the effective date of this Ordinance unless they are included and re-ordained, in whole or in part, in this Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this Ordinance.

Nor shall such repeal affect ordinances which levy taxes, appropriate funds, annex or detach territory, establish franchises, or grant special rights to persons, authorize public improvements, authorize the issuance of bonds, or borrowing of money, authorize the purchase or sale of real or personal property, grant or accept easements, plat or dedication of land to public use, vacate or set the boundaries of streets or other public places.

Nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code. Nor shall such repeal affect ordinances passed after August 18, 2026, or ordinances omitted, changed, or modified improperly or erroneously as a consequence of compilation, revision, or both, of the ordinances composing this Code of Ordinances.

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APPROVED: _____
David Writer, Carroll County Judge

ATTEST: _____
Connie T. Doss, Carroll County Clerk

DATE: _____ **SPONSOR: Matt Phillips**

This Ordinance is paid for by the Quorum Court of Carroll County, AR. §14-14-116 \$ _____

County Officials

County Officers

David Writer	Connie T. Doss	Sara Huffman	Daniel Klatt
County Judge	County Clerk	Circuit Clerk	Sheriff
David Slaton			
Bobby Thurman - (Appointed)	Makita Williams	Jeannie Davidson	Krista Burnett
Coroner	Treasurer	Assessor	Collector

Quorum Court

David Blankenship	Bruce Wright	Harrie Farrow
Gary Capcik (Appointed)	Jack Deaton (Appointed)	
Justice of the Peace	Justice of the Peace	Justice of the Peace
Hunter Rivett	Matt Phillips	Craig Hicks
Justice of the Peace	Justice of the Peace	Justice of the Peace
Kellie Matt	Bobby James	Aaron Hall
Justice of the Peace	Justice of the Peace	Justice of the Peace
Jerry King	Caroline Rogers	
Justice of the Peace	Justice of the Peace	

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CARROLL COUNTY CODE OF ORDINANCES

Chapter 1 – General Provisions

Chapter 1: General Provisions

Section

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100.01	Chapter titles and other headings.
100.02	References to chapters, sections or other subparts.
100.03	Definitions.
100.04	Supplementation of, or amendments to the Code.
100.05	Errors and omissions.
100.06	Code variance from original ordinance.
100.07	Ordinances not affected by the Code.
100.08	Repealed ordinances.
100.09	Severability.
100.10	Historical notes; editors' notes.
100.11	Prior offenses or rights.
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100.99	Penalty.

§ 100.00 TITLE OF CODE.

This Code of Ordinances, set forth by Carroll County, Arkansas, shall be designated and known as the Code of Carroll County, Arkansas, and may be cited as such.

§ 100.01 CHAPTER TITLES AND OTHER HEADINGS.

Any heading, caption or other subpart designation used in this Code of Ordinances other than chapter titles, article titles and subtitles, and section titles shall not be considered a part of the text of any section and are used for reference purposes only for the ease of use for the reader.

CARROLL COUNTY CODE OF ORDINANCES
Chapter 1 – General Provisions

§ 100.02 REFERENCES TO CHAPTERS, SECTION OR OTHER SUBPARTS.

All references in the Code to chapters, sections or other subparts, are to this Code, unless otherwise specified and cited.

§ 100.03 DEFINITIONS AND RULES OF CONSTRUCTION.

- 1) Words and phrases shall be taken in their plain and ordinary meaning, except for technical words and phrases that have a specific and peculiar meaning. Such technical words and phrases shall be taken in accordance with their peculiar and appropriate meaning.
- 2) The following definitions shall be applied throughout this Code, unless the context clearly indicates another meaning be used.
 - a. “A.C.A.” means the annotated Arkansas Code of 1987, as amended.
 - b. “Code” and “this Code” mean the Code of Carroll County, Arkansas.
 - c. “County” and “this County” mean Carroll County, Arkansas.
 - d. Any reference to gender, whether specifically or in gender-neutral terms, shall be construed to include both male and female genders.
 - e. “May” means an act is permissive.
 - f. “Month” means a calendar month.
 - g. “Oath” includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear and “sworn” shall be equivalent to the words “affirm” and “affirmed.”
 - h. “Office(s),” “officer(s),” “department(s),” “board(s),” “employee(s),” or “commission(s)” refer to the offices, officers, departments, boards, employees, or commissions of this County.

CARROLL COUNTY CODE OF ORDINANCES

Chapter 1 – General Provisions

- i. Whenever a specific time is referenced in this Code, it shall refer to Central Standard Time or Central Daylight Time, whichever is the current time measure used in this County.
- j. “Person” includes an individual, association, corporation, firm, organization, partnership or co-partnership, trustee, or any other group or person acting either as a unit or on behalf of another. “Person” used as a singular includes the plural.
- k. “Shall” means an act is mandatory.
- l. “Signature” or “subscription” includes a mark when the signor is unable to write.
- m. “State” or “this State” means the State of Arkansas.
- n. “Written” or “writing” includes any representation of words, letters, or symbols on paper, whether handwritten, typewritten, or printed.
- o. “Year” means a calendar year.

§ 100.04 SUPPLEMENTATION OF, OR AMENDMENTS TO THIS CODE.

Supplements and amendments to this Code shall be prepared when authorized by the Quorum Court. Each supplement or amendment will contain all substantive law laid out in the ordinances passed during the period covered by the supplement or amendment. The supplementary pages shall be so numbered as to fit properly into the Code as it exists. The pages will replace pages which have become outdated based on the new ordinances, when applicable.

§ 100.05 ERRORS AND OMISSIONS.

Any manifest error, such as the misspelling of any word, the omission of any word necessary to adequately express the intention of the ordinance, the use of a word to which no reasoning can be attached, or the use of a word when another word obviously was meant in its stead may be corrected to conform to the original intent of the ordinance.

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§ 100.06 CODE VARIANCE FROM ORIGINAL ORDINANCES.

In an effort to promote consistency in style and formatting; ensure proper spelling, punctuation, and grammar; and eliminate redundant language without affecting the meaning of ordinances adopted by the Quorum Court of Carroll County, Arkansas, changes have been made to original ordinances in the transcription of this Code of Ordinances. Because of such stylistic changes, this Code may not read verbatim to the original ordinance, and the section names or numbers may be different in the Code than they were laid out in the original ordinance.

§ 100.07 ORDINANCES NOT AFFECTED BY THIS CODE.

- 1) Neither this Code, nor the ordinance adopting this Code, shall be construed to affect any ordinance in one or more of the following categories:
 - a. Levying taxes;
 - b. Appropriating funds;
 - c. Annexing or detaching territory;
 - d. Establishing franchises;
 - e. Granting special rights to persons;
 - f. Authorizing public improvements;
 - g. Authorizing the issuance of bonds or the borrowing of money;
 - h. Authorizing the purchase or sale of real or personal property;
 - i. Granting or acceptance of easements;
 - j. Platting or dedication of land to public use;
 - k. Vacating or setting boundaries on streets or other public places;
 - l. Ordinances of a temporary or special nature;
 - m. Ordinances pertaining to subjects not contained in or covered by the Code.

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- 2) All ordinances covered by one of the categories above shall be considered in full force and effect to the same extent as if they had been laid out in the Code.

§ 100.08 REPEALED ORDINANCES.

- 1) From and after the effective date of this Code, all prior ordinances which pertain to the subjects covered by this Code, but are not included in this Code, shall be deemed repealed. Such repeal shall not affect ordinances passed after August 16, 2026; nor shall such repeal affect ordinances omitted, changed, or modified improperly or erroneously as a consequence of compilation, revision, or both, of the ordinances composing this Code of Ordinances.
- 2) When an ordinance which repeals a former ordinance shall be repealed itself, this repeal shall not be construed to revive the former ordinance, in whole or in part, that was previously repealed, unless expressly provided for by the repealing ordinance.

§ 100.09 SEVERABILITY.

If any part of this Code is held to be invalid by the decree of any court of competent jurisdiction or subsequent legislative action, such invalidity shall not affect the remaining parts of this Code which can be given effect without the invalid provision or application.

§ 100.10 HISTORICAL NOTES; EDITORS' NOTES.

The historical and editors' notes contained in this Code are not intended to have any legal effect, but are intended to assist the reader of this Code by providing additional information.

§ 100.11 PRIOR OFFENSES OR RIGHTS.

The adoption of this Code, amendments to this Code, or supplements to this Code shall not affect any offense or penalty committed or incurred or any contract or right established prior to the effective date of this Code, amendment or supplement contained herein.

§§ 100.12 – 100.98 [RESERVED].

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§ 100.99 PENALTY.

- 1) When an act is made unlawful or prohibited by this Code, or by a County ordinance, and there is no specific fine or penalty otherwise provided, the fine or penalty shall not exceed five hundred dollars (\$500.00) for any one (1) specified violation or offense nor shall the fine or penalty exceed double that amount for each repetition of the offense or violation.
- 2) When an act prohibited or made unlawful by this Code, or by County ordinance, is continuous in nature, the fine or penalty for the continuance thereof shall not exceed two hundred and fifty dollars (\$250.00) for each day the act is unlawfully continued.

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Chapter 2 – Administration

Chapter 2: Administration

Article

- I. QUORUM COURT**
- II. COUNTY OFFICERS AND PERSONNEL**
- III. COUNTY ORGANIZATIONS**
- IV. COUNTY POLICIES**
- V. EMERGENCIES: PLAN, SYSTEMS, FEES**
- VI. COUNTY FUNDS AND FEES**

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Article I. QUORUM COURT

Section

- 210.00 Copy of videotapes of regular meetings to be provided to production supervisor for Eureka Springs television. [Repealed]
- 210.01 Time and place of the regular monthly meeting.
- 210.02 Procedure for ejecting a member from a meeting.
- 210.03 Adoption of procedure guide for Arkansas county quorum court meetings.
- 210.04 Preparation and submission of proposed county legislation.
- 210.05 – 210.99 [Reserved].

§ 210.00 COPY OF VIDEOTAPES OF REGULAR MEETINGS TO BE PROVIDED TO PRODUCTION SUPERVISOR FOR EUREKA SPRINGS TELEVISION. [REPEALED]

[Repealed.]

(Ord. 2011-021, passed 07-15-2011; Am. Ord. 2011-024, passed 08-12-2011; Am. Ord. 2026-023, passed 08-18-2026)

§ 210.01 TIME AND PLACE OF THE REGULAR MONTHLY MEETING.

- 1) The Carroll County Quorum Court shall meet on the third Tuesday of each month at 5:00 p.m. in the Courtroom of the Eastern District Courthouse in Berryville, Arkansas, to transact any and all business that would come before the Court.
- 2) The Carroll County Quorum Court hereby adopts the Procedural Guide for Arkansas County Quorum Court meetings and Robert's Rules of Order (12th edition) to the extent that Robert's Rules of Order is not inconsistent with State law.
- 3) Upon concurrence of the majority of the members of this Court, the stipulations of this Ordinance may be waived and the Court may reschedule a meeting or move its location to another appropriate facility in the event of a County or State emergency at its pleasure during the course of the biennium.

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(Ord. 1977-001, passed 01-03-1977; Am. Ord. 1977-015, passed 08-10-1977; Am. Ord. 1981-002, passed 02-23-1981; Am. Ord. 1985-001, passed 01-07-1985; Am. Ord. 1991-001, passed 01-07-1991; Am. Ord. 1993-001, passed 01-04-1993; Am. Ord. 1995-001, passed 01-09-1995; Am. Ord. 1997-001, passed 01-06-1997; Am. Ord. 1999-001, passed 01-04-1999; Am. Ord. 2001-001, passed 01-08-2001; Am. Ord. 2003-001, passed 01-06-2003; Am. Ord. 2003-032, passed 12-19-2003; Am. Ord. 2004-001, passed 01-16-2004; Am. Ord. 2004-006, passed 02-19-2004; Am. Ord. 2007-001, passed 01-05-2007; Am. Ord. 2009-001, passed 01-02-2009; Am. Ord. 2011-001, passed 01-03-2011; Am. Ord. 2013-001, passed 01-04-2013; Am. Ord. 2015-001, passed 01-02-2015; Am. Ord. 2017-001, passed 01-03-2017; Am. Ord. 2019-001, passed 01-07-2019; Am. Ord. 2021-001, passed 01-04-2021; Am. Ord. 2021-002, passed 01-25-2021; Am. Ord. 2023-001, passed 01-03-2023; Am. Ord. 2025-001, passed 01-02-2025)

§ 210.02 PROCEDURE FOR EJECTING A MEMBER FROM A MEETING.

- 1) It is an affirmative duty of the presiding officer to protect the rights of the members of the Quorum Court to debate and vote on issues.
- 2) If the presiding officer calls a member of the Quorum Court to order and the member does not come to order, the presiding officer shall immediately refer the matter to the Quorum Court for authority to remove the member from the meeting until the debate on the issue that is before the Quorum Court is concluded and the Quorum Court is ready to vote.
- 3) Upon motion made and seconded, the Quorum Court shall consider the referral from the presiding officer and, by majority vote of the whole number of Justices comprising a quorum, determine whether the member is out of order and whether the member should be removed or ejected from the meeting.
- 4) If, by majority vote, the Quorum Court determines that the member is out of order and should be removed or ejected from the meeting during the discussion of the issue that is before the Quorum Court, then the presiding officer shall order the member removed or ejected from the meeting and the debate on the issue pending before the Quorum Court.
- 5) Once the debate on the issue before the Quorum Court is concluded but before the vote is taken, the member who has been removed or ejected may return to vote on the issue.

(Ord. 2007-029, passed 10-19-2007)

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§ 210.03 ADOPTION OF PROCEDURE GUIDE FOR ARKANSAS COUNTY QUORUM COURT MEETINGS.

The Carroll County Quorum Court desires to adopt the Procedural Guide for Arkansas County Quorum Court meetings, published by the University of Arkansas, Cooperative Extension Service, dated March 2006.

(Ord. 2006-013, passed 09-15-2006)

§ 210.04 PREPARATION AND SUBMISSION OF PROPOSED COUNTY LEGISLATION.

- 1) Ample time should be allowed to study legislation prior to final consideration by the Quorum Court, and for other purposes.
- 2) PROCEDURE. The following procedures shall be followed for all types of ordinances and resolutions, with the exception of emergency and appropriation measures demanding the immediate attention of the Quorum Court, and upon temporary suspension of this Ordinance by and upon approval of two thirds (2/3) of the whole number comprising the Quorum Court. Sub-paragraph (f) would be excepted as a requirement for submission of an emergency or appropriation ordinance:
 - a) Justices shall submit proposed legislation to the County Clerk at least one (1) week prior to the meeting during which items are to be introduced;
 - b) The County Clerk shall submit proposed ordinances and resolutions to the legal counsel for final drafting, making any changes necessary to conform to Arkansas law without changing legislative intent;
 - c) Legal counsel shall prepare final drafting, making any changes of style in syntax, spelling, or construction necessary;
 - d) Should proposed legislation be judged in non-conformance with Arkansas Statutes, constitutional law, or any pertinent Administrative Code, said Counsel will confer with the justice or administrative official sponsoring or authorizing legislation in question to convert any non-conformance prior to introduction;
 - e) Proposed legislation deemed in conformance with law may be introduced under agenda items “new business” or “announcements” at which time justices and other interested officials will receive copies;
 - f) The proposed legislation will then be on the Order of Business at the next regular meeting.

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- 3) SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications and to this extent, the provisions of this Ordinance are declared severable.

(Ord. 1977-020, passed 12-12-1977; Am. Ord. 1977-020A, passed 01-06-1978; Am. Ord. 1978-020, passed 10-20-1978)

§§ 210.05 – 210.99 [RESERVED].

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Article II. COUNTY OFFICERS AND PERSONNEL

Section

220.00	Collection of fines assessed in circuit courts.
220.01	Prosecuting Attorney designated as legal counsel for Carroll County, Arkansas.
220.02	Prosecuting Attorney authorized to provide service to indirect County entities.
220.03	Collection of fines assessed in district courts.
220.04	Arkansas Department of Finance and Administration to collect delinquent circuit court fines, fees, and court costs.
220.05	County Treasurer to prepare the Collector's Certificate for the distribution of property tax collections.
220.06	Deputy Prosecuting Attorney position.
220.07 – 220.99	[Reserved].

§ 220.00 COLLECTION OF FINES ASSESSED IN CIRCUIT COURTS.

The county department designated to collect fines assessed upon defendants in the circuit and chancery courts for Carroll County shall be the Office of the Circuit Clerk.

(Ord. 1995-020, passed 07-21-1995; Am. Ord. 2001-011, passed 05-18-01; Am. Ord. 2009-029, passed 08-21-2009; Am. Ord. 2010-029, passed 06-18-2010; Am. Ord. 2014-006, passed 07-18-2014; Am. Ord. 2014-007, passed 08-25-2014; Am. Ord. 2026-018, passed 07-21-2026)

§ 220.01 PROSECUTING ATTORNEY DESIGNATED AS LEGAL COUNSEL FOR CARROLL COUNTY, ARKANSAS.

- 1) The office of Carroll County Civil Attorney is abolished and Ordinance No. 2003-012 is hereby repealed.

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- 2) The duties formerly assigned to the Carroll County civil attorney pursuant to Ordinance No. 2003-012 are assigned to the office of the Prosecuting Attorney of the 19th Judicial District Eastern Division.
 - a) The duties of the Prosecuting Attorney shall include the commencement of and the defense of all civil actions to which the County is concerned.
 - b) The Prosecuting Attorney shall give his or her opinion to any township or County official on any question of civil law to which that township or County official is concerned.
 - c) All civil duties provided by the laws of the State of Arkansas to be performed by the prosecuting attorney shall hereafter be performed by the Prosecuting Attorney.

(Ord. 2003-012, passed 05-16-2003; Ord. 2006-021, passed 12-15-2006)

§ 220.02 PROSECUTING ATTORNEY AUTHORIZED TO PROVIDE SERVICE TO INDIRECT COUNTY ENTITIES.

The Carroll County Prosecuting Attorney is hereby authorized to provide and perform limited legal services to those entities properly established and authorized, as provided by the Arkansas Code, including but not limited to, entities such as Subordinate Service Districts, County Boards, and County Commissions, and in order to prevent the hindrance of the performance of the Prosecuting Attorney's statutory obligations to the County, the Prosecuting Attorney shall not engage in extensive legal services or litigation for these entities.

(Ord. 1999-016, passed 03-19-1999)

§ 220.03 COLLECTION OF FINES ASSESSED IN DISTRICT COURTS.

The agency designated to collect fines assessed upon defendants in the Third Judicial District Court will be the court's Eureka Springs Department for the Western District in Eureka Springs, and the court's Berryville Department for the Eastern District in Berryville.

(Ord. 2015-011, passed 05-18-2015; Am. Ord. 2026-018, passed 07-21-2026)

§ 220.04 ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION TO COLLECT CIRCUIT COURT FINES, FEES, AND COURT COSTS.

- 1) The Carroll County Judge and Circuit Clerk are approved to sign the Resolution of Authority and enter into an Application and Participation Agreement with the Arkansas Department of Finance and Administration's program on behalf of Carroll County, in

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accordance with the terms and provisions set forth in Arkansas Code § 16-13-709 concerning the collection of delinquent fines, fees, and court costs by an agency.

- 2) The Quorum Court, under its authority granted by Arkansas Code § 16-13-709 hereby delegates the responsibility for the collection of delinquent fines (as defined under Arkansas Code § 16-13-701) assessed in circuit court to the Arkansas Department of Finance and Administration – Individual Income Tax Section, a State of Arkansas governmental agency, through the Setoff Offset Program.

(Ord. 2022-036, passed 12-19-2022; Am. Ord. 2024-034, passed 11-19-2024)

§ 220.05 COUNTY TREASURER TO PREPARE THE COLLECTOR’S CERTIFICATE FOR THE DISTRIBUTION OF PROPERTY TAX COLLECTIONS.

Arkansas Code § 14-14-702(2) authorizes a county quorum court to reassign by ordinance any function or duty assigned by statute. Therefore, the Quorum Court hereby assigns the duty of issuing the Collector’s Certificate for the distribution of collected property taxes, whether current or delinquent, to the Carroll County Treasurer.

(Ord. 2023-047, passed 11-21-2023)

§ 220.06 DEPUTY PROSECUTING ATTORNEY POSITION.

- 1) The Quorum Court acknowledges and confirms that the deputy prosecuting attorney is necessary and required for the furtherance of the prosecuting attorney’s office’s duties.
- 2) The position of deputy prosecuting attorney is hereby created and shall be at the direction of the elected prosecuting attorney.

(Ord. 2025-015, passed 05-20-2025)

§§ 220.07 – 220.99 [RESERVED].

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Article III. COUNTY ORGANIZATIONS

Section

230.00	Carroll County Jail Oversight Committee.
230.01	Solid Waste Authority.
230.02	County Budget Committee and County Library Committee.
230.03	County Facilities and Property Committee, Public Water Development Committee, and Personnel Committee.
230.04	Catastrophic Sick Leave Bank Advisory Committee.
230.05	Public Safety Advisory Board.
230.06	County Grievance Committee.
230.07	Large Industrial and High-Impact Projects Committee.
230.08 – 230.99	[Reserved].

§ 230.00 CARROLL COUNTY JAIL OVERSIGHT COMMITTEE.

- 1) AMENDMENT OF CARROLL COUNTY ORDINANCE 2000-055. Any authority granted to the Carroll County Jail Advisory Board by Carroll County Ordinance No. 2000-505 is repealed and the Carroll County Jail Advisory Board, formed according to A.C.A. § 14-14-705, is terminated.
- 2) CREATION OF THE CARROLL COUNTY JAIL OVERSIGHT COMMITTEE. Pursuant to the powers granted to the Carroll County Judge in A.C.A. § 14-14-703, there is hereby created the Carroll County Jail Oversight Committee for the purpose of advising the Carroll County Judge on any aspects of designing, constructing, and maintaining the new Carroll County Jail.
- 3) MEMBERSHIP. The Carroll County Jail Oversight Committee shall consist of six (6) members, to wit:
 - a) Two appointed by the Carroll County Judge; one each appointed by the mayors of Berryville, Eureka Springs, and Green Forest; and a representative of Holiday Island appointed by the District Manager.
 - b) Each committee member shall be a qualified elector of Carroll County.

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- c) Committee appointments shall be for a three-year term.
 - d) Committee members shall not be appointed for more than two (2) consecutive terms.
 - e) Each committee member shall subscribe to the oath of office within ten (10) days of appointment and cause evidence of such oath to be filed in the office of the Carroll County Clerk.
- 4) MEETINGS. The Carroll County Judge or the Committee Chairman, through written or verbal notification of each committee member, shall establish the time and place for the meetings of the Carroll County Jail Oversight Committee.
- 5) REMOVAL OF COMMITTEE MEMBERS. Committee Members may be removed from the Committee by the County Judge. Written notification shall be given to the Committee member, stating the reasons for removal. The Committee member will be afforded a hearing.

(Ord. 2000-055, passed 09-15-2000; Am. Ord. 2001-030, passed 09-21-2001)

§ 230.01 SOLID WASTE AUTHORITY.

- 1) It is hereby determined that it is in the best interest of the County to have created and be a member of the Authority for the purpose of owning, acquiring, improving, constructing, reconstructing, extending, equipping, improving, operating, maintaining, selling, leasing, contract concerning, or otherwise dealing with solid waste facilities in the County.
- 2) Pursuant to the Joint County and Municipal Solid Waste Disposal Act, the creation of the Authority and the County's participation in the Authority are hereby authorized, ratified, and confirmed.
- 3) The name of the Authority is hereby confirmed as the "Carroll County Solid Waste Authority."
- 4) The names of the municipalities and the County which shall be the initial members of the Authority are confirmed as follows:
 - a) City of Green Forest;
 - b) City of Berryville;
 - c) City of Eureka Springs; and
 - d) Carroll County.

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- 5) The Authority shall have all of the rights and powers necessary or convenient to carry out and effectuate the purposes and provisions of the Act, including, but without limitation the generality of the foregoing, the rights and powers specifically set out in A.C.A. §§ 14-233-107, 14-233-109, and 14-233-114. The Authority shall not have the power to mandate, to any member body, solid waste collection program or specific solid waste pick-up providers. The obligations of the Authority shall be payable from and secured by revenues, property, and other resources of the Authority, and shall not constitute a general or limited obligation of the County or any of the members of the Authority.
- 6) The area in which the Authority shall operate shall be all of the County, including the three (3) municipalities, the City of Eureka Springs, the City of Berryville, and the City of Green Forest.
- 7) All of the action heretofore taken by the Authority, including execution and delivery of all contracts, are hereby ratified, confirmed, and approved.
- 8) The Authority shall consist of a Board of Directors (the “Authority Board”), consisting of four (4) members. The governing body of the respective municipalities which are members of the Authority and the County shall have the authority to appoint one member. Phillip Jackson is hereby confirmed as the director representing the County on the Board. Future appointments shall be by resolution of the Quorum Court. Each director shall have one vote.
- 9) Except as provided by the Amendment hereinafter authorized, the Application to create the Authority and for the County to be a member thereof, which Application has been filed with the Arkansas Secretary of State, is hereby approved, ratified, and confirmed.
- 10) There is hereby authorized the execution and delivery of an Amendment to the Application by and among the County, the City of Berryville, the City of Green Forest, and the City of Eureka Springs (the “Amendment”), and the County Judge and County Clerk are hereby authorized to execute and deliver the Amendment for and on behalf of the County. The Amendment is hereby approved in substantially the form submitted to this meeting, and the County Judge is hereby authorized to confer with the other parties thereto in order to complete the Amendment in substantially the form submitted to this meeting with such changes as shall be approved by such persons executing the document, their execution to constitute conclusive evidence of such approval.
- 11) The County Clerk is hereby authorized and directed to file in the office of the County Clerk, as part of the minutes of the meeting at which this Ordinance is adopted, for inspection by any interested person, a copy of the Application and the Amendment, and such documents shall be on file for inspection by any interested person.

(Ord. 1981-025, passed 12-02-1981; Am. Ord. 1998-010, passed 03-20-1998)

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§ 230.02 COUNTY BUDGET COMMITTEE AND COUNTY LIBRARY COMMITTEE.

The following committees are hereby created:

- 1) COUNTY BUDGET COMMITTEE: a committee tasked with (1) reviewing the current year's budget status on an ongoing basis; (2) planning and proposing to the whole Quorum Court future budgets; and (3) reviewing and evaluating Carroll County funding sources, when appropriate.
 - a) The County Budget Committee will be comprised of five Justices of the Peace who shall be appointed by the County Judge upon creation and every January thereafter. The County Budget Committee shall designate a chair from the members and shall set meeting times and dates.
- 2) COUNTY LIBRARY COMMITTEE: a committee to work with the Carroll County Library Board and with other county officials to resolve financing and funding issues among the county libraries.
 - a) The County Library Committee will be comprised of no less than three and no more than five Justices of the Peace who will be appointed by the County Judge upon creation and every January thereafter. The County Library Committee will designate a chair from the members and will set meeting times and dates, with notification of meetings going to each Justice of the Peace. Meetings are also subject to all Freedom of Information requirements.

(Ord. 2013-012, passed 06-21-2013; Am. Ord. 2018-022, passed 07-16-2018)

§ 230.03 COUNTY FACILITIES AND PROPERTY COMMITTEE, PUBLIC WATER DEVELOPMENT COMMITTEE, AND PERSONNEL COMMITTEE.

The following committees are hereby created:

- 1) COUNTY FACILITIES AND PROPERTY COMMITTEE. This Committee will be responsible for studying matters relating to county facilities and property that may arise and for making recommendations to the Quorum Court or County Judge as may be appropriate.
- 2) PUBLIC WATER DEVELOPMENT COMMITTEE. This Committee will be responsible for studying matters related to public water or rural water and for making recommendations to the Quorum Court or County Judge as may be appropriate.

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- 3) **PERSONNEL COMMITTEE.** This Committee will be responsible for studying matters relating to personnel issues and for making recommendations to the Quorum Court or County Judge as may be appropriate.
- 4) Each committee will be comprised of no less than three and no more than five Justices of the Peace who will be appointed by the County Judge upon creation and every January thereafter. Each committee will designate a chair from the members and will set meeting times and dates, with notification of meetings going to each Justice of the Peace. Meetings are also subject to all Freedom of Information requirements.

(Ord. 2013-010, passed 05-17-2013)

§ 230.04 CATASTROPHIC SICK LEAVE BANK ADVISORY COMMITTEE.

The Catastrophic Sick Leave Bank Advisory Committee is hereby created, with the following provisions:

- 1) **COMPOSITION.** The committee shall be made up of at least five (5) elected officials, department heads, or the designated deputy clerk of an elected official, with no more than seven (7) total members comprising the same. Of the members, at least one (1) shall be the County Clerk who is the County's payroll clerk. At least three (3) elected officials with voting privileges shall be in attendance at any meeting requiring a decision to be rendered in any employee request. All members shall be appointed by the County Judge.
- 2) **NON-VOTING CHAIRS.** As prescribed in Ordinance 2019-2, the elected official of the requesting employee will serve as the non-voting chair but may not necessarily be a member appointed by the County Judge.
- 3) **TERM.** The term duration for those serving on the committee shall be that of their respective current term as an elected official. The term duration for those designated deputies or department heads shall be the same as their elected official or at such time their elected official should designate another deputy, and must be approved and appointed by the County Judge.
- 4) **PURPOSE.** The purpose of the committee shall be to review the application forms of employee requests and to render a decision of same based on qualifying requirements as set forth in the Catastrophic Sick Leave Bank section of the Carroll County Employee Policy Manual.

(Ord. 2019-027, passed 04-15-2019)

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§ 230.05 PUBLIC SAFETY ADVISORY BOARD.

The Public Safety Advisory Board (PSAB) is hereby created with the following provisions:

- 1) COMPOSITION. The PSAB will be comprised of seven (7) qualified members: two (2) from law enforcement and three (3) from the fire service, and two (2) city or community managers, from throughout the entire County. The members will be appointed by the County Judge and serve no longer than two (2) years.
- 2) PURPOSE. The purpose of the PSAB will be to study options and advise the Quorum Court on the best way to proceed with updating the County's Emergency Communication System.

(Ord. 2019-028, passed 04-15-2019)

§ 230.06 COUNTY GRIEVANCE COMMITTEE.

The Justice of the Peace positions 2, 4, 7, 8, and 10 are hereby appointed as members of the County Grievance Committee until otherwise amended by ordinance by the Quorum Court.

(Ord. 2018-23, passed 07-16-2018; Ord. 2021-041, passed 09-20-2021)

§ 230.07 LARGE INDUSTRIAL AND HIGH-IMPACT PROJECTS COMMITTEE.

The Catastrophic Sick Leave Bank Advisory Committee is hereby created, with the following provisions:

- 1) There is hereby created a regular "standing" committee to be called the "Large Industrial and High-Impact Projects Committee", whose membership shall consist of five (5) members of the Carroll County Quorum Court who are to be appointed by the County Judge within 30 days upon creation and every January thereafter and as may be indicated in the bi-annual organizational ordinance of the Quorum Court.
- 2) The committee will designate a chair from among its members and will set meeting times and dates, with notification of meetings going to each Justice of the Peace and subject to all Freedom of Information requirements.
- 3) Following each of the standing committee's meetings, the committee will report on its progress to the full Quorum Court at the next regular Quorum Court meeting.

(Ord. 2026-020, passed 07-21-2026)

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§§ 230.08 – 230.99 [RESERVED].

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Article IV. COUNTY POLICIES.

Section

240.00 – 240.99 [Reserved].

Part A. General Policies

241.00 Carroll County Financial Management System.

241.01 Establishment of vote centers in Carroll County.

241.02 Federal Award Administration Policy.

241.03 Threshold for the capitalization of County purchases.

241.04 – 241.99 [Reserved].

Part B. Employment and Personnel Policies

242.00 Juvenile probation and intake officers classified as non-exempt employees.

242.01 Employment policy.

242.02 County employees required to read personnel policy.

242.03 Electronic warrants system for the direct deposit of funds.

242.04 Seasonal part-time positions available in the Assessor's and Collector's offices.

242.05 – 242.99 [Reserved].

Part C. Purchasing Policies

243.00 – 243.99 [Reserved].

§§ 240.00 – 240.99 [RESERVED].

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Part A. General Policies

§ 241.00 CARROLL COUNTY FINANCIAL MANAGEMENT SYSTEM.

- 1) FINANCIAL MANAGEMENT SYSTEM. The Carroll County Quorum Court does hereby adopt the County Financial Management System as developed by the Division of Legislative Audit as the required financial management system for Carroll County.
- 2) COMPLIANCE WITH MANUAL REQUIRED. Compliance with all requirements set out in the County Financial Management System Manual shall be required for any entity, persons, boards, departments, offices, and officials receiving County funds, or others subject to appropriation by the Quorum Court.
- 3) COMPLETIONS OF ALL SECTIONS OF FORMS REQUIRED. Anytime one of the approved forms listed therein are required or requested by the Quorum Court, the form shall be completed in its entirety. No form shall be deemed complete if any lines are submitted in blank. Should a line not apply the letters “n/a” shall be placed on the line. No form shall be deemed complete unless all sections of the form are submitted. Should a section of the form not apply, a diagonal line shall be drawn through that section, and the letters “n/a” shall be written across the section.

(Ord. 2006-015, passed 10-20-2006)

§ 241.01 ESTABLISHMENT OF VOTE CENTERS IN CARROLL COUNTY.

There are hereby authorized and established vote centers in Carroll County, Arkansas for all elections in the County.

(Ord. 2018-028, passed 09-24-2018)

§ 241.02 FEDERAL AWARD ADMINISTRATION POLICY.

There is an immediate need to adopt the Federal Award Administration Policy for Carroll County, Arkansas. A copy of the Federal Award Administration Policy was adopted as “Exhibit A” and filed in the office of the Carroll County Clerk.

(Ord. 2021-042, passed 10-18-2021)

§ 241.03 THRESHOLD FOR THE CAPITALIZATION OF COUNTY PURCHASES.

- 1) CAPITALIZATION THRESHOLD. There is hereby established a minimum dollar amount of two thousand dollars (\$2,000.00) for the capitalization of an asset of Carroll County,

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Arkansas. Any purchase of \$2,000 or more for land, buildings, motor vehicles, and equipment with a useful life of one (1) year or more shall be added to the fixed asset records of the County as required by Arkansas Code § 14-25-106.

- 2) **PROCESS FOR REIMBURSEMENT.** The Quorum Court finds it necessary under Arkansas Code § 14-25-106(a)(2) to designate the County Judge as the responsible official for maintaining the permanent list for the County as has been tradition for many years. Further, each County official and department head shall report purchases upon receipt of the asset and keep their own asset lists that are to be reported annually to the County Judge.

(Ord. 2023-052, passed 12-19-2023)

§§ 241.04 – 241.99 [RESERVED].

Part. B. Employment and Personnel Policies

§ 242.00 JUVENILE PROBATION AND INTAKE OFFICERS CLASSIFIED AS NON-EXEMPT EMPLOYEES.

- 1) Pursuant to A.C.A. § 9-27-308, the Circuit Court is required to employ a juvenile probation officer and a juvenile intake officer (“juvenile officers”).
- 2) The juvenile officers are to investigate complaints and charges and to perform all other functions assigned to him or her.
- 3) The performance of juvenile officers’ duties requires them to be available seven days per week and twenty-four hours per day.
- 4) Juvenile officers frequently work normal business hours after working the night and the demands of their employment do not permit them to take compensatory time.
- 5) Juvenile officers perform duties associated with law enforcement for which they should receive additional training.
- 6) Juvenile probation officers and the juvenile intake officers shall be designated non-exempt employees and they shall be allowed overtime compensation as permitted by the Fair Labor Standard Act (Title 29, Part 541 of the Code of Federal Regulations) and such designation shall be retroactive to January 1, 2010.

(Ord. 2010-010, passed 03-19-2010)

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§ 242.01 EMPLOYMENT POLICY.

The revisions to the Handbook, attached as “Exhibit A” and made a part of this section as though set out word for word, are hereby accepted and adopted as part of the procedures and standards for employees of Carroll County, Arkansas.

[Exhibit A may be accessed in the Office of the County Clerk.]

(Ord. 1980-014, passed 06-13-1980; Am. Ord. 1981-015, passed 06-19-1981; Am. Ord. 1984-004, passed 03-16-1984; Am. Ord. 1992-012, passed 07-17-1992; Am. Ord. 1994-006, passed 03-18-1994; Am. Ord. 1995-026, passed 11-17-1995; Am. Ord. 1998-014, passed 06-19-1998; Am. Ord. 2001-045, passed 11-16-2001; Am. Ord. 2002-041, passed 09-20-2002; Am. Ord. 2007-030, passed 10-19-2007; Am. Ord. 2009-015, passed 04-17-2009; Am. Ord. 2012-013, passed 04-20-2012; Am. Ord. 2016-018, passed 08-15-2016; Am. Ord. 2017-002, passed 01-23-2017; Am. Ord. 2017-015, passed 05-05-2017; Am. Ord. 2017-021, passed 06-19-2017; Am. Ord. 2017-027, passed 09-18-2017; Am. Ord. 2017-033, passed 10-16-2017; Am. Ord. 2018-023, passed 07-16-2018; Am. Ord. 2019-002, passed 01-28-2019; Am. Ord. 2019-038, passed 07-15-2019; Am. Ord. 2019-055, passed 11-18-2019; Am. Ord. 2022-018, passed 05-16-2022; Am. Ord. 2023-040, passed 10-18-2023; Am. Ord. 2023-041, passed 10-18-2023; Am. Ord. 2025-027, passed 11-18-2025)

§ 242.02 COUNTY EMPLOYEES REQUIRED TO READ THE PERSONNEL POLICY.

All Carroll County elected officials must maintain documentation signed and dated by each county employee under their supervision that each such employee has read a copy of the Carroll County Personnel policy.

(Ord. 1999-014, passed 03-19-1999)

§ 242.03 ELECTRONIC WARRANTS TRANSFER SYSTEM FOR THE DIRECT DEPOSIT OF FUNDS.

- 1) The County Clerk and the County Treasurer are hereby authorized, pursuant to A.C.A. § 14-24-121, to establish an electronic transfer system for the direct deposit of funds into payees’ accounts in financial institutions in payment of a valid payroll claim against the County. The electronic payment method established shall provide for the appropriate internal accounting controls and documentation for audit and accounting purposes.
- 2) The electronic warrants transfer system established under Section 1 shall be submitted to and approved by the Joint Auditing Committee of the Arkansas General Assembly prior

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to implementation. After approval by the Legislative Joint Auditing Committee, the County may institute direct deposit of payroll at the most opportune time to coincide with a scheduled payroll date.

(Ord. 2018-038, passed 11-19-2018)

§ 242.04 SEASONAL PART-TIME POSITIONS AVAILABLE IN THE ASSESSOR'S AND COLLECTOR'S OFFICES.

Seasonal part-time positions of no more than ninety (90) days shall be established. These positions are available to the Assessor's and Collector's offices and will be funded by their automation funds 3004-0105 and 3001-0104, respectively.

(Ord. 2023-008, passed 02-21-2023)

§§ 242.05 – 242.99 [RESERVED].

Part C. Purchasing Policies

§§ 243.00 – 243.99 [RESERVED].

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Article V. EMERGENCIES: PLANS, SYSTEMS AND FEES

Section

250.00 – 250.99 [Reserved].

Part A. General

251.00 Location and operational agency of the 9-1-1 communications center.

251.01 Election to fund the implementation of a 9-1-1 emergency telephone system.

251.02 – 251.99 [Reserved].

Part B. Flooding

252.00 – 252.99 [Reserved].

§§ 250.00 – 250.99 [RESERVED].

Part A. General

§ 251.00 LOCATION AND OPERATIONAL AGENCY OF THE 9-1-1 COMMUNICATIONS CENTER.

- 1) Pursuant to the powers granted to the Carroll County Judge in A.C.A. § 14-14-703, there was created the Carroll County 9-1-1 Central Dispatch Oversight Committee. The Carroll County 9-1-1 Central Dispatch Oversight Committee was created for the purpose of advising the Carroll County Judge on any aspects of designing, constructing, and maintaining the new Carroll County 9-1-1 Central Dispatch Facility.
- 2) ESTABLISHING THE LOCATION OF THE 9-1-1 CENTRAL DISPATCH FACILITY. The location of the proposed facility will be that space dedicated by the County Judge within the current Courthouse facility. This location will be maintained for the foreseeable future, or until such time as funds are available to provide a new facility.
- 3) ESTABLISHING THE OPERATING AGENCY. As provided by A.C.A. § 12-10-304(a), the chief executive of each political subdivision shall determine if a 9-1-1 public safety communications center should be created and, if such a center is created, will designate the operating agency for the political subdivision.

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- 4) The operating agency for Carroll County will be a department under the supervision of a department head under the overall direction of the County Judge. Access, utilization, and security of information obtained through Arkansas Crime Information Center (ACIC) and the National Crime Information Center (NCIC) will be as provided by A.C.A. § 12-10-316(a) and (b), and supervised by a person commissioned by the Carroll County Sheriff.

(Ord. 2002-049, passed 11-15-2002)

§ 251.01 ELECTION TO FUND THE IMPLEMENTATION OF A 9-1-1 EMERGENCY TELEPHONE SYSTEM.

- 1) An election will be held November 3, 1992, for the purpose of approving or rejecting an Ordinance to implement 9-1-1 emergency telephone service within Carroll County, Arkansas.
- 2) At the election to be held on that date, the voters will be asked to vote upon the following question:

For 9-1-1 Emergency Telephone System within Carroll County to be funded by a charge of up to 5% of the basic telephone tariff rate approved by the Arkansas Public Service Commission;

or,

Against 9-1-1 Emergency Telephone System within Carroll County to be funded by a charge of up to 5% of the basic telephone tariff rate approved by the Arkansas Public Service Commission.

(Ord. 1992-004, passed 03-20-1992)

§§ 251.02 – 251.99 [RESERVED].

Part. B. Flooding

§§ 252.00 – 252.99 [RESERVED].

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Article VI. COUNTY FUNDS AND FEES

Section

260.00	Undercover Operations Fund.
260.01	Fee charged to municipalities for housing prisoners in County Detention Center.
260.02	Health department fee for services provided. [Repealed]
260.03	Sheriff's department Petty Cash Fund.
260.04	County tax funds for us in central dispatch to be used in accordance with voter-approved purposes.
260.05	Detention Center Capital Project Fund.
260.06	Additional Motor Fuel Tax Fund.
260.07	Coronavirus Relief Fund.
260.08	American Rescue Plan Fund.
260.09	ARPA Revenue Replacement Fund.
260.10	Carroll County Health Department Grant Fund; Carroll County Health Department Grant/Tyson's.
260.11	Juvenile Officer Grant.
260.12	Local Assistance Tribal Consistency Fund.
260.13	Arkansas Disaster Relief Grant Fund.
260.14	County Sheriff Leased Vehicles Fund.
260.15	Central Dispatch Operations Fund.
260.16 – 260.99	[Reserved].

§ 260.00 UNDERCOVER OPERATIONS FUND.

- 1) The maximum amount for the undercover operations fund of the Carroll County Sheriff's Department shall not exceed ten thousand dollars (\$10,000.00). The drug enforcement fund shall be administered by the County Sheriff in accordance with the provisions of this

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Ordinance. All funds shall be deposited in a fund bank account. The fund account shall be established at a bank located in the State of Arkansas and authorized by law to receive the deposit of public funds.

- 2) The source of all funds and any subsequent reimbursements to the fund shall be appropriated by the Quorum Court and subject to the normal disbursement procedures required by law. No funds from other sources, including seized property, shall be deposited in the fund.
- 3) The fund may only be used for direct expenses associated with the investigation of criminal drug and theft laws of this state, such as, but not limited to, the purchase of evidence, payment of informants, relocation and/or security of witnesses, emergency supply purchases, emergency travel expenses.
- 4) The fund may not be used for equipment purchases or leasing, payment of salaries or wages, professional services, training, or any other purpose not directly related to drug or theft investigation. In addition, these funds may not be used for administrative costs associated with the Sheriff's Office.
- 5) The drug enforcement fund may be replenished upon presentation and approval of a claim as provided in the normal County disbursement procedures. The total amount of funds held in the fund bank account and cash funds held by the Sheriff's Office shall not exceed the maximum amount established by the Quorum Court. Accounting records shall be maintained by the Sheriff's Office for the receipt, disbursement, accounting, and documentation of funds according to the written procedures established by the Division of Legislative Audit.

(Ord. 1990-005, passed 02-16-1990; Am. Ord. 2002-001, passed 01-18-2002)

§ 260.01 FEE CHARGED TO MUNICIPALITIES FOR HOUSING PRISONERS IN COUNTY DETENTION CENTER.

- 1) The cities of Berryville, Green Forest and Eureka Springs shall be exempted from the payment of any fees for the supervision, housing, and feeding of prisoners at the "Carroll County Detention Center" effective on the first day said "Carroll County Detention Center" is open and operating as the County's only jail facility.
- 2) Due to the increasing costs of food and upkeep of the jail, the current fee of eighteen dollars (\$18.00) is insufficient to cover the costs for the housing, feeding, and care of municipal prisoners.

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- a) All fees presently due and payable for the care, housing and feeding of prisoners at the “Carroll County Jail” from each city listed under Section 1 shall be paid in full before that city shall be deemed exempted under Section 1.
 - b) A written affirmation of the sum owed and the intention to pay, signed by the Mayor of any city listed under Section 1, attested by that City’s Clerk, and properly presented to the County, shall be sufficient to obtain the exemption hereunder.
 - c) The denial of any one listed city’s exemption for failure to pay shall not cause any other listed city to be denied exemption.
 - d) Cities denied exemption shall continue to be charged, invoiced and obligated for the rate established under the Ordinance.
 - e) The County Judge shall enter into a written agreement with each city listed under Section 1, contingent upon their compliance with the above-referenced provisions of Section 2. Said agreement shall set forth the rights and obligations of both parties under this Ordinance. Termination of said agreement shall require the written consent of both parties.
- 3) All medical costs of any prisoner of any city exempted hereunder shall remain the responsibility of that city.
- 4) The fees established by Ord. 1993-15, or any future amendment thereto, shall be paid by all governments and agencies housing prisoners at the “Carroll County Detention Center” who are not specifically exempted hereunder, provided only that such payments shall be in contravention of existing federal or state law.

(Ord. 1993-015, passed 10-15-1993; Am. Ord. 2004-027, passed 11-04-2004)

§ 260.02 HEALTH DEPARTMENT FEE FOR SERVICES PROVIDED. [REPEALED]

[Repealed.]

(Ord. 1989-019, passed 10-20-1989; Am. Ord. 2026-025, passed 08-18-2026)

§ 260.03 SHERIFF’S DEPARTMENT PETTY CASH FUND.

- 1) There is hereby created, established, and approved, a “Petty Cash Fund” within and for the Sheriff’s Department in the initial sum of one hundred and fifty dollars (\$150.00).

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- 2) That same shall be maintained on a basis set forth in Act 173 of the Acts of Arkansas, 1973, and codified in Ark. Stat. § 17-1801 et seq.

(Ord. 1979-033, passed 12-14-1979)

§ 260.04 COUNTY TAX FUNDS FOR USE IN CENTRAL DISPATCH TO BE USED IN ACCORDANCE WITH VOTER-APPROVED PURPOSES.

The Carroll County tax funds appropriated to fund central dispatch are to be used in accordance with the voter-approved purpose, and dispatching service is to be provided to the cities that choose to participate in central dispatch at the same level of service as that provided to the deputy sheriffs, including but not limited to, full access to information from the data system maintained by the Arkansas Crime Information Center (ACIC).

(Ord. 2013-016, passed 08-16-2013)

§ 260.05 DETENTION CENTER CAPITAL PROJECT FUND.

The County Treasurer is hereby directed to establish Fund 4801 Detention Center Capital Project and to transfer thereto \$100,000 from Sales Tax Fund 3400.

(Ord. 2016-005, passed 03-21-2016)

§ 260.06 ADDITIONAL MOTOR FUEL TAX FUND.

- 1) ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer a fund to be known as the Additional Motor Fuel Tax Fund (Act 416 of 2019) with a fund number of 2003 as assigned by Arkansas Legislative Audit. The Revenue Code for the County Highway Turnback receipted to this fund is 7002.
- 2) OPERATION OF THE FUND. The Additional Motor Fuel Tax Fund (Act 416 of 2019) is subject to all the normal county budgeting, appropriation, and expenditure regulations of Title 14 and Title 27 of the Arkansas Code. The Additional Motor Fuel Tax Fund is subject to annual reporting and disclosure requirements to be submitted to the Director of the Department of Finance and Administration. The report shall detail the
 - a) amount of highway revenue turnback revenues received,
 - b) expenditures made from the highway revenue turnback revenues received, and

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- c) projects funded using the highway revenue turnback.

(Ord. 2019-057, passed 11-18-2019)

§ 260.07 CORONAVIRUS RELIEF FUND.

- 1) AFFIRMATION. There is a need to establish a fund on the books of the County as a sub-fund of the County General Fund (1000) to track the revenues, expenditures, and appropriated transfers of federal assistance through the CARES Act as received by the County from the State of Arkansas. The Quorum Court recognizes and affirms the need for such a fund to properly account for and control all such revenues received and expenditures made in compliance with all applicable laws.
- 2) ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a fund to be known as the Coronavirus Relief Fund (CRF) with a fund number of 1005 as assigned by Arkansas Legislative Audit. The revenue code for the federal assistance through the CARES Act, as assigned by Legislative Audit, is 7112 – Federal Coronavirus Relief.
- 3) OPERATION OF THE FUND. The Coronavirus Relief Fund is subject to all the normal County budgeting, appropriation, and expenditure regulations of Arkansas Code, Title 14, and the County Financial Management System. As a sub-fund of the County General Fund, any balance in the fund is considered accruable to County General and is part of the general fund balance in aggregate as defined in A.C.A. § 14-15-805(3). Any revenue received from the CRF for an approved County project shall be used exclusively for said project. Any revenue received from the CRF to compensate the County for eligible and approved expenditures made by the County due to the public health emergency with respect to COVID-19 is unrestricted County revenue and may be expended for any legal County expense.

(Ord. 2020-053, passed 12-21-2020)

§ 260.08 AMERICAN RESCUE PLAN FUND.

- 1) AFFIRMATION. There is a need to establish a fund on the books of the County to track the revenues, expenditures, and appropriated transfers of federal assistance through the American Rescue Plan Act. The Quorum Court recognizes and affirms the need for such a fund to properly account for and control all such revenues received and expenditures made in compliance with all applicable laws and guidance from the United States Department of the Treasury.

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- 2) ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a fund to be known as the “American Rescue Plan Fund” with a fund number of 3046 as assigned by Arkansas Legislative Audit. The revenue code for the federal assistance through the American Rescue Plan Act, as assigned by Legislative Audit, is 7112 – Federal Coronavirus Relief.
- 3) OPERATION OF THE FUND. The American Rescue Plan Fund is subject to all the normal County budgeting, appropriation, and expenditure regulations of Arkansas Code, Title 14, and the County Financial Management System implemented in accordance with Arkansas Code § 14-21-101. Funds must be used only in accordance with guidelines issued by the United States Department of the Treasury concerning the legal expenditures of revenues received pursuant to the American Rescue Plan Act of 2021 (Pub. L. 11–2), which established the Federal Coronavirus State and Local Fiscal Recovery Fund. Proper records and documentation must be maintained for federal audit purposes.

(Ord. 2021-020, passed 05-17-2021; Am. Ord. 2021-027, passed 06-21-2021)

§ 260.09 ARPA REVENUE REPLACEMENT FUND.

- 1) AFFIRMATION. There is a need to establish a County General sub-fund on the books of the County to track the revenue replacement funds taken from the American Rescue Plan Fund #3046 either calculated annually according to the formula articulated in the final rule or from the election of a standard allowance allowed by the final rule. The Quorum Court recognizes and affirms the need for such a fund to properly account for and control all such revenues allowed and expenditures made with replacement revenue in compliance with the Coronavirus State and Local Fiscal Recovery Funds Final Rule from the United States Department of the Treasury.
- 2) ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a County General sub-fund to be known as the ARPA Revenue Replacement Fund with a fund number of 1006 as assigned by Arkansas Legislative Audit. Any revenue or transfer codes, office or department codes, and expenditure codes are to be assigned locally using the County Financial Management System per the direction of Arkansas Legislative Audit.
- 3) OPERATION OF THE FUND. The ARPA Revenue Replacement Fund is subject to all the normal county budgeting, appropriation, and expenditure regulations of Arkansas Code, Title 14, and the County Financial Management System.
 - a) PERMITTED USES. Funds transferred to the ARPA Revenue Replacement Fund as “county revenue loss” may be used generally for government services

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traditionally provided by county government including, but not limited to: construction and maintenance of roads and bridges, other infrastructure projects, provision of public safety, purchase of government vehicles and equipment, and county administrative costs.

- b) PROHIBITED USES. Revenue replacement funds *cannot* be used to make an extraordinary contribution to a pension fund, for debt service, for replenishing county financial reserves, for settlements or judgments, or for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act.
- c) Proper records and documentation must be maintained on the use of these funds for federal audit purposes.

(Ord. 2022-010, passed 02-28-2022)

§ 260.10 CARROLL COUNTY HEALTH DEPARTMENT GRANT FUND; CARROLL COUNTY HEALTH DEPARTMENT GRANT/TYSON'S FUND.

- 1) AFFIRMATION. There is a need to establish two funds on the books of the County to track the revenues, expenditures, and appropriated transfers from grant monies received through the Northwest Arkansas Economic Development District and Tyson Foods for the Carroll County Health Department remodeling project. The Quorum Court recognizes and affirms the need for such funds to properly account for and control all such revenues received and expenditures made in compliance with all applicable laws and regulations.
- 2) ESTABLISHMENT OF THE CARROLL COUNTY HEALTH DEPARTMENT GRANT/TYSON'S FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a fund to be known as the Carroll County Health Department Grant/Tyson's whose fund and department number shall be 4901-0300. The revenue code for the assistance is 7055 Improvements Grant.
- 3) ESTABLISHMENT OF THE CARROLL COUNTY HEALTH DEPARTMENT GRANT FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a fund to be known as the Carroll County Health Department Grant Fund whose fund and department number shall be 4900-0300. The revenue code for the assistance is 7055 Improvements Grant.

(Ord. 2021-021, passed 05-17-2021)

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§ 260.11 JUVENILE OFFICER GRANT.

- 1) ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a fund to be known as the “Juvenile Officer Grant” with a fund number and office assigned as 3510-0415.
- 2) OPERATION OF THE FUND. The Juvenile Officer Grant fund is subject to all the normal county budgeting, appropriations, and expenditure regulations as set forth in accordance with the County Financial Management System implemented in Arkansas Code § 14-21-101.
- 3) ADMINISTRATION OF FUNDS. Carroll County will administer these funds.

(Ord. 2022-015, passed 05-16-2022)

§ 260.12 LOCAL ASSISTANCE TRIBAL CONSISTENCY FUND.

- 1) AFFIRMATION. There is a need to establish a County General sub-fund on the books of the County to track Local Assistance and Tribal Consistency Fund revenues made available to “eligible revenue sharing counties” under the American Rescue Plan Act (ARPA). The Quorum Court recognizes and affirms the need for such a fund to properly account for and control all such revenues allowed and expenditures made.
- 2) ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a County General sub-fund to be known as the Local Assistance Tribal Consistency (LATC) Fund. The fund number is 1007 and the revenue code is 7112 as assigned by Arkansas Legislative Audit. Any transfer codes, officer or department codes, and expenditure codes are to be assigned locally using the County Financial Management System per the direction of Arkansas Legislative Audit.
- 3) OPERATION OF THE FUND. The LATC Fund is subject to all the normal county budgeting, appropriation, and expenditure regulations of Arkansas Code, Title 14, and the County Financial Management System. In accordance with the American Rescue Plan Act, the LATC funds are available for any governmental purpose other than a lobbying activity. LATC funds can be treated like general revenue funds or PILT payments. Proper records and documentation must be maintained on the use of these funds for the annual Obligation and Expenditure Report until all funds are expended and for federal audit purposes.

(Ord. 2022-030, passed 10-17-2022)

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§ 260.13 ARKANSAS DISASTER RELIEF GRANT FUND.

ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a fund to be known as the Arkansas Disaster Relief Grant Fund with a fund number of 3404, Office of Social Services Grants (0803).

(Ord. 2024-021, passed 07-16-2024)

§ 260.14 COUNTY SHERIFF LEASED VEHICLES FUND.

- 1) AFFIRMATION. There is a need to establish a County General unique fund on the books of the County to track the revenues and expenses of a vehicle lease program for the Sheriff's Department that was signed by the County Judge on October 3, 2024. The Quorum Court recognizes and affirms the need for such a fund to properly account for and control all such revenues allowed and expenditures made.
- 2) ESTABLISHMENT OF FUND. There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a County General unique to be known as the County Sheriff Leased Vehicles Fund. The fund number is 1801. Any transfer codes, officer or department codes, and expenditure codes are to be assigned using the County Financial Management System.
- 3) OPERATION OF THE FUND. The County Sheriff Leased Vehicles Fund (1801) is subject to all the normal county budgeting, appropriation, and expenditure regulations of Arkansas Code, Title 14, and the County Financial Management System. Proper records and documentation must be maintained for audit purposes.

(Ord. 2024-032, passed 10-15-2024)

§ 260.15 CENTRAL DISPATCH OPERATIONS FUND.

- 1) AFFIRMATION. The Quorum Court of Carroll County, Arkansas, recognizes and affirms the need for such a fund to properly account for and track the financial activities of any newly completed and existing 911 Central Dispatch towers and associated equipment belonging to the county, including, but not limited to their utilities, repairs & maintenance, and property insurances.

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- 2) **FUNDING.** It is further recognized by this Court that the Sales Tax Fund (3400) is an appropriate funding source for these day-to-day operations of the 911 Central Dispatch system of the county.
- 3) **ESTABLISHMENT OF THE FUND.** There is hereby created on the books of the Carroll County Treasurer and the books of the Carroll County Clerk a fund to be known as the Central Dispatch Operations Fund with a fund number of 3405, Central Dispatch (0501) and that financial activity pertaining to this fund are subject to all the normal county budgeting, appropriations, and expenditure regulations of Arkansas Code Annotated, Title 14 and the County Financial Management System.

(Ord. 2025-035, passed 12-16-2025)

§§ 260.16 – 260.99 [RESERVED].

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Article I. COUNTY POLICIES

Section

- 310.00 County Judge's authority to enter into an interlocal agreement to provide treatment to mentally ill inmates.
- 310.01 Reimbursement to Sheriff's Office CID officers for street clothing; limit; process.
- 310.02 – 310.99 [Reserved].

§ 310.00 COUNTY JUDGE'S AUTHORITY TO ENTER INTO AN INTERLOCAL AGREEMENT TO PROVIDE TREATMENT TO MENTALLY ILL INMATES.

The Quorum Court authorizes the County Judge to enter into an agreement with Washington County, Arkansas for the purpose of providing treatment to mentally ill inmates booked into the Carroll County Detention Center, with knowledge that the cost will be \$40.00 per patient per day.

(Ord. 2019-035, passed 07-15-2019)

§ 310.01 REIMBURSEMENT TO SHERIFF'S OFFICE CID OFFICERS FOR STREET CLOTHING; LIMIT; PROCESS.

- 1) REIMBURSEMENT AND LIMIT. Criminal investigators of the Carroll County Sheriff's Office may be reimbursed up to, but not more than, three hundred fifty dollars (\$350.00) per year for appropriate clothing allowed by the County Sheriff for the performance of their duties. The reimbursement shall be allowed only if there is a proper appropriation for such.
- 2) PROCESS FOR REIMBURSEMENT.
 - a) Reimbursement to criminal investigation division employees of the Sheriff's Office shall be made directly to the employee and only when personal funds have been expended for the approved clothing items. Reimbursement shall be made only upon a proper county claim itemizing the expenses with a copy of the paid invoice(s) and based on the actual expenses incurred. The expense must be approved by the Sheriff prior to the claim going through the county claims

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process. All reimbursements must be made during the budget year in which the clothing was purchased.

- b) Reimbursements under this Ordinance shall be handled in accordance with Internal Revenue Service regulations concerning reimbursements to employees. If clothing provided does not qualify as a deductible expense (*i.e.*, as a uniform), then the clothing, or reimbursement for the clothing, must be treated as a taxable fringe benefit and is subject to income, Social Security, and Medicare taxation.

(Ord. 2023-050, passed 12-19-2023)

§§ 310.02 – 310.99 [RESERVED].

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Article II. COUNTY JAILS

Section

- 320.00 Healthcare policy for inmates at the Carroll County Detention Center.
- 320.01 Emergency Furloughs in the Carroll County Jail.
- 320.02 – 320.99 [Reserved].

§ 320.00 HEALTHCARE POLICY FOR INMATES AT THE CARROLL COUNTY DETENTION CENTER.

- 1) All inmates in the Carroll County Detention Center shall be required to pay a thirty-dollar (\$30.00) co-pay fee for any inmate-initiated medical services. Said services include, but are not limited to, visits with doctors and dentists.
- 2) All inmates in the Carroll County Detention Center shall be required to pay a twenty-dollar (\$20.00) co-pay fee for any inmate-initiated visits with nursing staff.
- 3) All inmates in the Carroll County Detention Center shall be required to pay for doctor-ordered testing, which includes, but is not limited to, a fifty-dollar (\$50.00) co-pay for x-rays, a thirty-five-dollar (\$35.00) co-pay for lab work, and a ten-dollar (\$10.00) co-pay for pregnancy testing.
- 4) All inmates in the Carroll County Detention Center shall be required to pay a ten-dollar (\$10.00) co-pay fee for each prescription drug.
- 5) All inmates in the Carroll County Detention Center shall pay an over-the-counter fee for non-prescription drugs and toiletries. This fee shall be established by the Sheriff or Sheriff's designee.
- 6) Commissary accounts shall be established at the Carroll County Detention Center for each inmate and funds reported to and deposited with the Carroll County Treasurer, by which the above fees shall be deducted any time any inmate initiates a healthcare service request.
- 7) If any inmate lacks sufficient funds in his or her commissary account to pay for the aforementioned medical services, said inmate shall not be denied access to healthcare based on his or her inability to pay, or for any other reason. Said inmate will, however, have an outstanding balance in his or her commissary account with the Carroll County

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Detention Center that will be subject to payment at any time said inmate should return to the Carroll County Detention Center. The Carroll County Sheriff will maintain that account balance, and any and all outstanding bills incurred under this Ordinance by any inmate in the Carroll County Detention Center will be charged to that commissary account.

- 8) When each inmate is delivered to the court, the Sheriff or Sheriff's designee shall provide the Prosecuting Attorney any invoice for the expenses incurred under this Ordinance not covered by the inmate's commissary account. The judge then can hear the inmate's side of the story regarding the imposition of the expenses incurred under this Ordinance as an additional element of cost to be assessed as part of the judgment upon conviction and reduce the assessed amount to judgment.
- 9) Once the collectible expenses have been reduced to judgment, they shall be collected in the same manner that fines, court costs, and restitutions are collected. Properties of the inmate shall be subject to the payment of such expenses in accordance with A.C.A. § 12-41-505.

(Ord. 2007-040, passed 11-16-2007; Am. Ord. 2020-015, passed 04-02-2020; Am. Ord. 2020-019, passed 05-18-2020)

§ 320.01 EMERGENCY FURLOUGHS IN THE CARROLL COUNTY JAIL.

The Quorum Court, in compliance with A.C.A. § 12-41-104, hereby approves the rules created by the Sheriff regulating Emergency Furloughs. See "Exhibit A" which is attached to Ordinance no. 2019-59 and shall be incorporated herein and shall be understood to be a part thereof.

[Exhibit A may be accessed in the Office of the County Clerk.]

(Ord. 2019-059, passed 12-17-2019)

§§ 320.02 – 320.99 [RESERVED].

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Article III. COURT COSTS

Section

- | | |
|-----------------|---|
| 330.00 | Additional \$20 fine to help defray the expense of incarcerating prisoners. |
| 330.01 | Expenses of transporting and housing billed to prisoners. |
| 330.02 – 330.99 | [Reserved]. |

§ 330.00 ADDITIONAL \$20.00 FINE TO HELP DEFRAY THE EXPENSE OF INCARCERATING PRISONERS.

- 1) Under authority of Act 209 of 2009, there is hereby levied and shall be collected an additional fine in the amount of twenty dollars (\$20.00) from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture in all cases in the first and second class of accounting records as described in A.C.A. § 16-17-707. The additional fine shall apply to each charge, count, violation, or offense that a defendant pleads guilty or nolo contendere to, is found guilty of, or forfeits bonds for, including each misdemeanor or violation.
- 2) The additional fine levied in Section 1 hereinabove shall apply to all applicable cases brought before all District Courts and departments thereof that now exist and are in operation, or may hereafter be created and placed into operation, within Carroll County.
- 3) All additional fines levied and collected under the provisions of this Ordinance shall be deposited into a special Fund (Fund 03 Detention Center) within the County Treasury to be used for the maintenance, operation, and capital expenditures of the County Jail or as otherwise specifically permitted under the provisions of Act 209 of 2009.

(Ord. 2009-022, passed 05-15-2009)

§ 330.01 EXPENSES OF TRANSPORTING AND HOUSING BILLED TO PRISONERS.

- 1) The Carroll County Quorum Court hereby finds that the average cost of carrying a prisoner to the Carroll County Detention Center shall be five dollars (\$5.00) per prisoner for local arrests. The total cost of transporting a prisoner to the Detention Center will be determined on a case-by-case basis.

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- 2) The Carroll County Quorum Court hereby finds that the daily average cost of housing a prisoner in the Carroll County Detention Center shall be thirty-five dollars (\$35.00) for room and board for each prisoner. A “day” is defined to be immediately upon booking, and then each twenty-four (24) hour period thereafter.
- 3) When each prisoner being housed or previously housed at the Carroll County Detention Center is delivered to court, the Sheriff or Sheriff’s designee shall provide the Prosecuting Attorney an invoice for the expenses of carrying him or her to the Detention Center, and for the cost of their support while incarcerated. The Judge can then hear the detainee’s side of the story regarding the imposition of the Pay for Stay Ordinance expenses as an additional element of cost to be assessed as part of the judgment upon conviction, and reduce the assessed amount to judgment.
- 4) Once the collectible expenses have been reduced to judgment, they shall be collected in the same manner as fines, court costs, and restitutions are collected. The property of the detainee shall be subject to payment of such expenses in accordance with A.C.A. § 12-41-505 (Expenses and Support).
- 5) The collectible expenses revenues received under this Ordinance shall be deposited into a special fund within the Carroll County Treasury, and shall be used exclusively for maintenance, operation, and capital expenditures of the Carroll County Detention Center, and shall not offset or reduce funding from other sources for the maintenance, operation, and capital expenditures of the Carroll County Detention Center.

(Ord. 2007-033, passed 11-16-2007)

§§ 330.03 – 330.99 [RESERVED].

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Article IV. COUNTY LAW

Section

340.00	Criminal penalties for the destruction, removal, or possession of road signs.
340.01	Prohibition against littering; penalty.
340.02	Prohibition against operation of tracked equipment on county hard-surfaced roads; penalty.
340.03	Prohibition against certain trucks travelling on County road 219; penalty.
340.04 – 340.99	[Reserved].

§ 340.00 CRIMINAL PENALTIES FOR THE DESTRUCTION, REMOVAL, OR POSSESSION OF ROAD SIGNS.

Any person who willfully destroys, removes, or possesses any County road sign shall be deemed guilty of a misdemeanor and be punished by a fine, not to exceed five hundred dollars (\$500.00) and/or imprisonment in the County jail, not to exceed ninety (90) days.

(Ord. 1997-016, passed 08-15-1997)

§ 340.01 PROHIBITION AGAINST LITTERING; PENALTY.

- 1) DEFINITION. "Litter" means all waste material which has been discarded or otherwise disposed of as prohibited in this sub-chapter including, but not limited to, convenience food and beverage packages or containers, trash, garbage, all other product packages or containers, and other post-consumer solid wastes. Litter does not include waste from the primary processing of mining, logging, sawmilling, farming, the raising of poultry, manufacturing, or waste deposited in proper receptacles.
- 2) PROHIBITION. It shall be unlawful to drop, deposit, discard, or otherwise dispose of litter upon any public or private property in this county or upon or into any river, lake, pond, or other stream or body of water within the county unless:
 - a) The property has been designated by the Department of Pollution Control and Ecology as a permitted disposal site.

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- b) The litter is placed into a receptacle intended by the owner or tenant in lawful possession of that property for the deposit of litter, if it is deposited in such a manner as to prevent the litter from being carried away or deposited by the elements upon any part of the private or public property or waters.
 - c) The person is the owner or tenant in lawful possession of the property and the litter remains upon the property and the act does not create a public health or safety hazard, a public nuisance, or a fire hazard. However, a property owner shall not be held responsible for action of his tenant.
- 3) It shall be unlawful for any person to place, or cause to be placed, any junk motor vehicle, old vehicle tire, or inoperative or abandoned household appliance, or part thereof, upon the right-of-way of any public highway, upon any other public property, or upon any private property which he does not own, lease, rent, or otherwise control, unless it is a salvage yard, a permitted disposal site, or at the business establishment of a demolisher.
 - 4) If the throwing, dumping, or depositing of litter was done from a motor vehicle, except a motor bus, it shall be prima facie evidence that the throwing, dumping, or depositing was done by the driver of the motor vehicle.
 - 5) Every person convicted of a violation of any part of this Ordinance shall, for a first offense, be fined not exceeding two hundred dollars (\$200.00) and sentenced up to forty (40) hours of community service, and, for a second offense, be fined from two hundred dollars (\$200.00) to five hundred dollars (\$500.00) and sentenced up to two hundred (200) hours of community service.
 - 6) The County Judge shall prepare signs notifying the public of pertinent portions of this Ordinance and post the same in appropriate places in Carroll County.

(Ord. 1995-013, passed 06-16-1995)

§ 340.02 PROHIBITION AGAINST OPERATION OF TRACKED EQUIPMENT ON COUNTY HARD-SURFACED ROADS; PENALTY.

- 1) The using, driving, or operating upon any improved hard-surfaced County road, bridge, or highway of this County of any tractor, truck, automobile, or other vehicle having corrugated, spiked, tracked, jointed, or other rough-surfaced, metal tires is hereby prohibited without first procuring from the County Judge of Carroll County a license permitting such use or operation.
- 2) Any person violating Section 1 of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than twenty-five

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dollars (\$25.00) or more than one hundred dollars (\$100.00). Each day's use of any such vehicle shall constitute a separate offense.

(Ord. 1990-030, passed 11-24-1980)

§ 340.03 PROHIBITION AGAINST CERTAIN TRUCKS TRAVELLING ON COUNTY ROAD 219; PENALTY.

- 1) It is hereby declared unlawful for any person driving a truck weighing more than 37,000 pounds to access County Road 219. However, this Ordinance does not apply if such truck has a specific destination at a residence or property on County Road 219 and it is necessary for the truck to access that property by using County Road 219.
- 2) Any person found to be in violation of this Ordinance shall be guilty of a violation and subject to a fine not to exceed two hundred fifty dollars (\$250.00).

(Ord. 2011-003, passed 01-31-2011)

§§ 340.04 – 340.99 [RESERVED].

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Article

I. ADMINISTRATION

II. ASSESSMENT

III. COLLECTION

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Article I. ADMINISTRATION

Section

410.00 Designation of tax book preparer.

410.01 – 410.99 [Reserved].

§ 410.00 DESIGNATION OF TAX BOOK PREPARER.

- 1) In accordance with A.C.A. § 26-28-102, entitled Electronic Data Processing Equipment, the County Tax Collector shall be designated as the appropriate county officer to prepare the tax books and to prepare the collector's records and receipts for property taxes.
- 2) The records of all assessments shall be maintained by the office of the assessor.
- 3) The cost of the collector preparing the tax books and preparing collector's receipts by use of electronic data processing equipment shall be prorated among the respective taxing units in the same manner as is not provided by law for defraying the cost of operating the assessor's office.
- 4) It is the intent of this Ordinance to transfer the tax book preparation responsibility from the county assessor's office to the county collector's office.

(Ord. 1990-023, passed 08-17-1990)

§§ 410.01 – 410.99 [RESERVED].

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Article II. ASSESSMENT

Section

Part A. General

421.00 – 421.99 [Reserved].

Part B. Personal Property

422.00 – 422.99 [Reserved].

Part C. Real Property

423.00 – 423.99 [Reserved].

Part D. Local Option

- | | |
|--------|--|
| 424.00 | Special election for levy of 1% sales and use tax; County General Fund. |
| 424.01 | Levy of 1% sales and use tax; County General Fund. |
| 424.02 | Special election for levy of 1% sales and use tax; County General Fund. |
| 424.03 | Levy of 1% sales and use tax; County General Fund. |
| 424.04 | Special election for levy of 0.5% sales and use tax; jail facilities. |
| 424.05 | Special election for levy of 0.5% sales and use tax; jail facilities. |
| 424.06 | Levy of 0.5% sales and use tax; road equipment. |
| 424.07 | Special election for levy of 0.5% sales and use tax; road equipment |
| 424.08 | Special election for levy of 1% sales and use tax. |
| 424.09 | Special election for levy of 1% sales and use tax; roads, emergency services. |
| 424.10 | Election for levy of 1% sales and use tax; roads, emergency services. |
| 424.11 | Special election for levy of 1% sales and use tax; roads, County General Fund. |
| 424.12 | Allowing road tax money to be redirected to Holiday Island.
[Repealed] |

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424.13 – 424.99 [Reserved].

Part A. General

§§ 421.00 – 421.99 [RESERVED].

Part. B. Personal Property

§§ 422.00 – 422.99 [RESERVED].

Part C. Real Property

§§ 423.00 – 423.99 [RESERVED].

Part. D. Local Option

§ 424.00 SPECIAL ELECTION FOR LEVY OF 1% SALES AND USE TAX; COUNTY GENERAL FUND.

- 1) There be, and there is hereby called, a special election to be held on November 4, 2003, at which election there shall be submitted to the electors of the County the question of the levy of the Sales and Use Tax.
- 2) The question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

Vote on measure by placing an “X” in the square opposite the
measure either for or against:

1% SALES AND USE TAX

FOR adoption of a 1% local Sales and Use Tax within Carroll
County, Arkansas, for a period of five (5) years

AGAINST adoption of a 1% local Sales and Use Tax within
Carroll County, Arkansas, for a period of five (5) years

The Net Collections of the Sales and Use Tax shall, after deduction of the administrative charges of the State of Arkansas, be distributed to the County and each municipality therein based upon population as determined by the State legislation authorizing the tax. The Net Collections to be received by the municipalities shall be used by each municipality to assist in financing the general operations and other purposes of its government as determined from time to time by its government, including the pledge thereof to the retirement of bonds issued by a municipality and approved by its voters.

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The Net Collections of the tax to be received by the County shall be used by the County for any purpose for which monies in the County's General Fund may be lawfully expended. The County's share of Net Collections of the Sales and Use Tax may also be pledged to retire bonds issued by the County and approved by the voters.

- 3) The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for County elections and only qualified voters of the County shall have the right to vote at the election.
- 4) A copy of this Ordinance shall be given to the Carroll County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.
- 5) The County Judge and County Clerk, for and on behalf of the County, be and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.
- 6) In the event the Arkansas Legislature shall define "single transaction," the Arkansas Legislature's definition shall replace the definition hereinafter set forth. "Single transaction" is defined according to the nature of the goods purchased as follows:
 - a) When two or more devices in which, upon which, or by which any person or property is, or may be, transported or drawn, including but not limited to on-road vehicles, whether required to be licensed or not, off-road vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles, and mobile homes, or sold to a person by a seller, each individual unit, whether part of a "fleet" sale or not, shall be treated as a single transaction for the purposes of the Sales and Use Tax.
 - b) The charges for utility services, which are subject to the taxes levied under this ordinance, and which are furnished on a continuous service basis, whether such services are paid daily, weekly, monthly, or annually, shall be computed in daily increments, and each such daily charge increment shall be considered to be a single transaction for the purpose of the Sales and Use Tax.
 - c) For sales of building materials and supplies to contractors, builders, or other persons, a single transaction, for the purposes of the Sales and Use Tax, shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales (or use) tax figure has been reported and remitted to the State of Arkansas.

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- d) When two or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as a single transaction for the purposes of the Sales and Use Tax. “Major household appliances, commercial appliances, major equipment and machinery” shall be defined as any item valued at or in excess of one thousand dollars (\$1,000.00).
- e) For groceries, drug items, dry goods, and other tangible personal property and/or services not otherwise expressly covered in this Section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales tax figure has been reported and remitted to the State of Arkansas.

(Ord. 2003-024, passed 10-03-2003)

§ 424.01 LEVY OF 1% SALES AND USE TAX; COUNTY GENERAL FUND.

- 1) Under the authority of the Authorizing Legislation, there is hereby levied a new one percent (1%) tax on gross receipts from the sale at retail within the county of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§ 26-52-101, et seq.), and the imposition of a new excise (or use) tax on the storage, use, distribution, or other consumption within the County of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §§ 26-53-101, et seq.), at a rate of one percent (1%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the “Sales and Use Tax”).
- 2) The Sales and Use Tax shall be levied and collected only on the first two thousand five hundred dollars (\$2,500.00) of the gross receipts, gross proceeds, or sales price from each single transaction.
- 3) The Sales and Use Tax shall be levied for a period of five (5) years.
- 4) After the charge (currently 3%) is deducted by the State Treasurer for the services of the State of Arkansas in collecting and distributing the collections of the Sales and Use Tax, the remaining collections of the Sales and Use Tax (the “Net Collections”) shall be distributed to the County and the municipalities therein based on population as described in the Authorizing Legislation.
- 5) Net Collections of the Sales and Use Tax to be received by the municipalities in the County shall be used by the municipalities to assist in funding the general operations and other purposes of their respective governments. Each such municipality shall make the determination as to how its share of the Net Collections shall be expended from time to time. Each municipality’s share of the Net Collections of the Sales and Use Tax may be

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pledged to retire bonds issued by such municipality and approved by the voters of such municipality.

- 6) The County's share of the Net Collections of the Sales and Use Tax shall be used for any purpose for which monies in the County's General Fund may be expended. In addition, the County's share of Net Collections of the Sales and Use Tax may also be pledged to retire bonds issued by the County and approved by the voters.
- 7) This Ordinance shall not take effect until an election is held on the question of levying the Sales and Use Tax at which a majority of the electors voting on the question shall have approved the levy of the Sales and Use Tax.

(Ord. 2003-023, passed 10-03-2003)

§ 424.02 SPECIAL ELECTION FOR LEVY OF 1% SALES AND USE TAX; COUNTY GENERAL FUND.

- 1) There be, and there is hereby called, a special election to be held on November 4, 2003, at which election there shall be submitted to the electors of the County the question of the levy of the Sales and Use Tax.
- 2) The question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

Vote on measure by placing an "X" in the square opposite the
measure either for or against:

1% SALES AND USE TAX

FOR adoption of a 1% local Sales and Use Tax within Carroll
County, Arkansas, for a period of five (5) years

AGAINST adoption of a 1% local Sales and Use Tax within
Carroll County, Arkansas, for a period of five (5) years

The Net Collections of the Sales and Use Tax shall, after deduction of the administrative charges of the State of Arkansas, be distributed to the County and each municipality therein based upon population as determined by the state legislation authorizing the tax. The Net Collections to be received by the municipalities shall be used by each municipality to assist in financing the general operations and other purposes of its government as determined from time to time by its government, including the pledge thereof to the retirement of bonds issued by a municipality and approved by its voters. The Net Collections of the tax to be received by the County shall be used by the county for any purpose for which monies in the County's General Fund may be lawfully

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expended. The county's share of Net Collections of the Sales and Use Tax may also be pledged to retire bonds issued by the county and approved by the voters.

- 3) The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for county elections and only qualified voters of the county shall have the right to vote at the election.
- 4) A copy of this Ordinance shall be given to the Carroll County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.
- 5) The County Judge and County Clerk, for and on behalf of the county, be and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.
- 6) In the event the Arkansas Legislature shall define "single transaction," the Arkansas Legislature's definition shall replace the definition hereinafter set forth. "Single transaction" is defined according to the nature of the goods purchased as follows:
 - a) When two or more devices in which, upon which, or by which any person or property is, or may be, transported or drawn, including but not limited to on-road vehicles, whether required to be licensed or not, off-road vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles, and mobile homes, or sold to a person by a seller, each individual unit, whether part of a "fleet" sale or not, shall be treated as a single transaction for the purposes of the Sales and Use Tax.
 - b) The charges for utility services, which are subject to the taxes levied under this Ordinance, and which are furnished on a continuous service basis, whether such services are paid daily, weekly, monthly, or annually, shall be computed in daily increments, and each such daily charge increment shall be considered to be a single transaction for the purpose of the Sales and Use Tax.
 - c) For sales of building materials and supplies to contractors, builders, or other persons, a single transaction, for the purposes of the Sales and Use Tax, shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales (or use) tax figure has been reported and remitted to the State of Arkansas.

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- d) When two or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as a single transaction for the purposes of the Sales and Use Tax. “Major household appliances, commercial appliances, major equipment and machinery” shall be defined as any item valued at or in excess of one thousand dollars (\$1,000.00).
- e) For groceries, drug items, dry goods, and other tangible personal property and/or services not otherwise expressly covered in this Section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales tax figure has been reported and remitted to the State of Arkansas.

(Ord. 2003-021, passed 09-15-2003)

§ 424.03 LEVY OF 1% SALES AND USE TAX; COUNTY GENERAL FUND.

- 1) Under the authority of the Authorizing Legislation, there is hereby levied a new one percent (1%) tax on gross receipts from the sale at retail within the County of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§ 26-52-101, et seq.), and the imposition of a new excise (or use) tax on the storage, use, distribution, or other consumption within the County of tangible personal property subject to the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §§ 26-53-101, et seq.), at a rate of one percent (1%) of the sale price of the property or, in the case of leases or rentals, of the lease or rental price (collectively, the “Sales and Use Tax”).
- 2) The Sales and Use Tax shall be levied and collected only on the first two thousand five hundred dollars (\$2,500.00) of the gross receipts, gross proceeds, or sales price from each single transaction.
- 3) The Sales and Use Tax shall be levied for a period of five (5) years.
- 4) After the charge (currently 3%) is deducted by the State Treasurer for the services of the State of Arkansas in collecting and distributing the collections of the Sales and Use Tax, the remaining collections of the Sales and Use Tax (the “Net Collections”) shall be distributed to the County and the municipalities therein based on population as described in the Authorizing Legislation.
- 5) Net Collections of the Sales and Use Tax to be received by the municipalities in the County shall be used by the municipalities to assist in funding the general operations and other purposes of their respective governments. Each such municipality shall make the determination as to how its share of the Net Collections shall be expended from time to time. Each municipality’s share of the Net Collections of the Sales and Use Tax may be

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pledged to retire bonds issued by such municipality and approved by the voters of such municipality.

- 6) The County's share of the Net Collections of the Sales and Use Tax shall be used for any purpose for which monies in the County's General Fund may be expended. In addition, the County's share of Net Collections of the Sales and Use Tax may also be pledged to retire bonds issued by the County and approved by the voters.
- 7) This Ordinance shall not take effect until an election is held on the question of levying the Sales and Use Tax at which a majority of the electors voting on the question shall have approved the levy of the Sales and Use Tax.

(Ord. 2003-020, passed 09-19-2003)

§ 424.04 SPECIAL ELECTION FOR LEVY OF 0.5% SALES AND USE TAX; JAIL FACILITIES.

- 1) The levy of a one half of one percent (0.5%) Sales and Use Tax within Carroll County, Arkansas, to be used to construct and equip a jail facility and sheriff's department and to be used to operate the jail facility and a central dispatch office shall be submitted by election to the qualified electors of Carroll County, Arkansas, for approval or disapproval.
- 2) The ballot title to be submitted to the electors of Carroll County for vote shall be set out as follows:

A proposal to levy a one half of one percent (0.5%) Sales and Use Tax within Carroll County to be used to construct and equip a jail facility and sheriff's department and to be used to operate the jail facility and a central dispatch office.

Any excess revenues generated by the (0.5%) Sales and Use Tax after the Quorum Court has appropriated needed jail and central dispatch operating funds shall be used for future jail expansion, capital improvements, or County roads.

FOR adoption a of one half of one percent (0.5%) Sales and Use Tax within Carroll County to be used to construct and equip a jail facility and sheriff's department and to be used to operate the jail facility and a central dispatch office. Any excess revenues generated by the (0.5%) Sales and Use Tax after the Quorum Court has appropriated needed jail and central dispatch operating funds shall be used for future jail expansion, capital improvements, or county roads.

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AGAINST adoption a of one half of one percent (0.5%) Sales and Use Tax within Carroll County to be used to construct and equip a jail facility and sheriff's department and to be used to operate the jail facility and a central dispatch office. Any excess revenues generated by the (0.5%) Sales and Use Tax after the Quorum Court has appropriated needed jail and central dispatch operating funds shall be used for future jail expansion, capital improvements, or county roads.

- 3) The election on the said question shall be held on the 11th day of July, 2000, between the hours of 7:30 a.m. and 7:30 p.m., and the Carroll County Election Commission is directed to do all things necessary and required by law to prepare for and to set up the election on said question.
- 4) The Sales and Use Tax shall be collected only upon, and the County shall provide a rebate for taxes collected in excess of the first two thousand five hundred dollars (\$2,500) of gross receipts, gross proceeds, or sales price from a single transaction.
- 5) For purposes of administering the Sales and Use Tax, a "single transaction" is defined according to the nature of the good purchased as follows:
 - a) When two or more devices in which, upon which, or by which any person or property is, or may be, transported or drawn, including but not limited to on-road vehicles, whether required to be licensed or not, off-road vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles, and mobile homes, or sold to a person by a seller, each individual unit, whether part of a "fleet" sale or not, shall be treated as a single transaction for the purposes of the Sales and Use Tax.
 - b) The charges for utility services, which are subject to the taxes levied under this Ordinance, and which are furnished on a continuous service basis, whether such services are paid daily, weekly, monthly, or annually, for the purposes of the Sales and Use Tax, shall be computed in daily increments, and each such daily charge increment shall be considered to be a single transaction for the purposes of the Sales and Use Tax.
 - c) For sales of building materials and supplies to contractors, builders, or other persons, a single transaction, for the purposes of the Sales and Use Tax, shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales (or use) tax figure has been reported and remitted to the State of Arkansas.

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- d) When two or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as a single transaction for the purposes of the Sales and Use Tax. “Major household appliances, commercial appliances, major equipment and machinery” shall be defined as any item valued at or in excess of one thousand dollars (\$1,000.00).
- e) For groceries, drug items, dry goods, and other tangible personal property and/or services not otherwise expressly covered in this Section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales tax figure has been reported and remitted to the State of Arkansas.
- 6) The County Clerk of Carroll County shall forthwith certify a copy of the Ordinance upon its approval by the Quorum Court to the Carroll County Election Commission in order that the question may be timely put on the ballot for such election.
- 7) The Sales and Use Tax provided for in this Ordinance shall be levied and collected if it is approved by the voters.

(Ord. 2000-039, passed 06-12-2000)

§ 424.05 SPECIAL ELECTION FOR LEVY OF 0.5% SALES AND USE TAX; JAIL FACILITIES.

- 1) The levy of a one half of one percent (0.5%) Sales and Use Tax in Carroll County, Arkansas, to construct and equip a jail facility and sheriff’s department and to be used to operate the jail facility once constructed shall be submitted by election to the qualified electors of Carroll County, Arkansas, for approval or disapproval.
- 2) The ballot title to be submitted to the electors of Carroll County for vote shall be set out as follows:

A PROPOSAL TO LEVY A ONE HALF OF ONE PERCENT (0.5%)
SALES AND USE TAX WITHIN CARROLL COUNTY TO BE USED
TO CONSTRUCT AND EQUIP A JAIL FACILITY AND SHERIFF’S
DEPARTMENT AND TO BE USED TO OPERATE THE JAIL
FACILITY ONCE CONSTRUCTED.

FOR adoption of a one half of one percent (0.5%) Sales and Use Tax
within Carroll County to be used to construct and equip a jail facility and
Sheriff’s Department and to be used to operate the jail facility once
constructed.

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AGAINST adoption of a one half of one percent (0.5%) Sales and Use Tax within Carroll County to be used to construct and equip a jail facility and Sheriff's Department and to be used to operate the jail facility once constructed.

- 3) The election on said question shall be held on the 3rd day of November, 1998, between the hours of 7:30 a.m. and 7:30 p.m. and the Carroll County Election Commission is directed to do all things necessary and required by law to prepare for and to set up the election on said question.
- 4) The County shall provide a rebate from the County for taxes collected in excess of twenty-five dollars (\$25.00) paid to the County on a single transaction.
- 5) For purposes administering the Sales and Use Tax, a "single transaction" is defined according to the nature of the goods purchased as follows:
 - a) When two or more devices in which, upon which, or by which any person or property is, or may be, transported or drawn, including but not limited to on-road vehicles, whether required to be licensed or not, off-road vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles, and mobile homes, or sold to a person by a seller, each individual unit, whether part of a "fleet" sale or not, shall be treated as a single transaction for the purposes of the Sales and Use Tax.
 - b) The charges for utility services, which are subject to the taxes levied under this Ordinance, and which are furnished on a continuous service basis, whether such services are paid daily, weekly, monthly, or annually, for the purposes of the Sales and Use Tax, shall be computed in daily increments, and each such daily charge increment shall be considered to be a single transaction for the purposes of the Sales and Use Tax.
 - c) For sales of building materials and supplies to contractors, builders, or other persons, a single transaction, for the purposes of the Sales and Use Tax, shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales (or use) tax figure has been reported and remitted to the State of Arkansas.
 - d) When two or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as a single transaction for the purposes of the Sales and Use Tax. "Major household appliances, commercial appliances, major equipment and machinery" shall be defined as any item valued at or in excess of one thousand dollars (\$1,000.00).

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- e) For groceries, drug items, dry goods, and other tangible personal property and/or services not otherwise expressly covered in this Section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales tax figure has been reported and remitted to the State of Arkansas.
- 6) The County Clerk of Carroll County shall forthwith certify a copy of the Ordinance upon its approval by the Quorum Court to the Carroll County Election Commission in order that the question may be timely put on the ballot for such election.
- 7) The Sales and Use Tax provided for in this Ordinance shall be levied and collected if it is approved by the voters.

(Ord. 1998-021, passed 08-28-1998)

§ 424.06 LEVY OF 0.5% SALES AND USE TAX; ROAD EQUIPMENT.

- 1) There is hereby levied a one half of one percent (0.5%) Sales and Use Tax in Carroll County, Arkansas, for road equipment to expire December 31, 2006, as authorized by Act 885 of 1991, as amended and as approved by the voters of Carroll County, Arkansas, on November 8, 1994.
- 2) For purposes of administering the Sales and Use Tax, a “single transaction” is defined according to the nature of the goods purchased as follows:
 - a) When two or more devices in which, upon which, or by which any person or property is, or may be, transported or drawn, including but not limited to on-road vehicles, whether required to be licensed or not, off-road vehicles, farm vehicles, airplanes, water vessels, motor vehicles, or non-motorized vehicles, and mobile homes, or sold to a person by a seller, each individual unit, whether part of a “fleet” sale or not, shall be treated as a single transaction for the purposes of the Sales and Use Tax.
 - b) The charges for utility services, which are subject to the taxes levied under this Ordinance, and which are furnished on a continuous service basis, whether such services are paid daily, weekly, monthly, or annually, for the purposes of the Sales and Use Tax, shall be computed in daily increments, and each such daily charge increment shall be considered to be a single transaction for the purposes of the Sales and Use Tax.
 - c) For sales of building materials and supplies to contractors, builders, or other persons, a single transaction, for the purposes of the Sales and Use Tax, shall be

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deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales (or use) tax figure has been reported and remitted to the State of Arkansas.

- d) When two or more items of major household appliances, commercial appliances, major equipment and machinery are sold, each individual unit shall be treated as a single transaction for the purposes of the Sales and Use Tax.
 - e) For groceries, drug items, dry goods, and other tangible personal property and/or services not otherwise expressly covered in this Section, a single transaction shall be deemed to be any single sale which is reflected on a single invoice, receipt, or statement, on which an aggregate sales tax figure has been reported and remitted to the State of Arkansas.
- 3) Pursuant to Act 885 of 1991 as codified at A.C.A. § 26-74-408, the County shall provide a rebate from the County for taxes collected in excess of twenty-five dollars (\$25.00) paid to the County on a single transaction.

(Ord. 1994-023, passed 11-18-1994)

§ 424.07 SPECIAL ELECTION FOR LEVY OF 0.5% SALES AND USE TAX; ROAD EQUIPMENT.

- 1) The levy of a one half of one percent (0.5%) Sales and Use Tax in Carroll County, Arkansas, for road equipment to expire December 31, 1996, as authorized by Act 885 of 1991 in Acts of Arkansas, as amended, shall be submitted by election to the qualified electors of Carroll County, Arkansas, for approval or disapproval.
- 2) The ballot title to be submitted to the electors of Carroll County for vote shall be set out as follows:

FOR adoption of a one half of one percent (0.5%) Sales and Use Tax within Carroll County to be used for road equipment to expire on December 31, 1996.

AGAINST adoption of a one half of one percent (0.5%) Sales and Use Tax within Carroll County to be used for road equipment to expire on December 31, 1996.

- 3) Pursuant to Act 885 of 1991 as codified at A.C.A. § 26-74-408, the County shall provide a rebate from the County for taxes collected in excess of twenty-five dollars (\$25.00) paid to the County on a single transaction.
- 4) The election on the said question shall be held on the 8th day of November, 1991, between the hours of 7:30 a.m. and 7:30 p.m. and the Carroll County Election

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Commission is directed to do all things necessary and required by law to prepare for and to set up the election on said question.

- 5) The County Clerk of Carroll County shall forthwith certify a copy of the Ordinance upon its approval by the Quorum Court to the Carroll County Election Commission in order that the question may be timely put on the ballot for such election.

(Ord. 1994-017, passed 09-16-1994)

§ 424.08 SPECIAL ELECTION FOR LEVY OF 1% SALES AND USE TAX.

- 1) The levy of a 1% Sales and Use Tax in Carroll County, Arkansas, as authorized by Act 991 of 1981 Acts of Arkansas and by Act 26 of the 1981 Special Legislative Session, as amended, shall be submitted by special election to the qualified electors of Carroll County, Arkansas, for approval or disapproval.
- 2) The ballot title to be submitted to the electors of Carroll County for vote shall be set out as follows:

FOR ADOPTION OF A 1% SALES AND USE TAX WITHIN
CARROLL COUNTY

AGAINST ADOPTION OF A 1% SALES AND USE TAX WITHIN
CARROLL COUNTY

- 3) Pursuant to section 10(a) of Act 26 of the 1981 Special Legislative Session, the County shall provide a rebate from the County for taxes collected in excess of twenty-five dollars (\$25.00) paid to the County on a single transaction.
- 4) The Special Election on the said question shall be held on the 27th day of July, 1993, between the hours of 7:30 a.m. to 7:30 p.m. and the Carroll County Election Commission is directed to do all things necessary and required by law to prepare for and to set up the Special Election on said question.
- 5) The County Clerk of Carroll County shall forthwith certify a copy of the Ordinance upon its approval by the Quorum Court to the Carroll County Election Commission in order that the question may be timely put on the ballot for such election.

(Ord. 1993-007, passed 05-21-1993)

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§ 424.09 SPECIAL ELECTION FOR LEVY OF 1% SALES AND USE TAX; ROADS, EMERGENCY SERVICES.

- 1) ELECTION. A special election shall be held for the levy of a one percent (1%) county-wide Sales and Use Tax.
- 2) ELECTION DATE. The election shall be held within one hundred and twenty (120) days of the passage of this Ordinance calling the election.
- 3) BALLOT. The County Clerk shall notify the Carroll County Board of Election Commissioners of said election, and shall submit to said Board of Election Commissioners a copy of the ballot title which shall read as follows:

FOR Adoption of a one percent (1%) Sales and Use Tax within
Carroll County.

AGAINST Adoption of a one percent (1%) Sales and Use Tax
within Carroll County.

- 4) USE OF REVENUES. The revenues generated to Carroll County from this one percent (1%) Sales and Use Tax shall be utilized approximately as follows unless it shall be determined at a later time that the revenues should be utilized in another manner:
 - a) Roads – 70%
 - b) Emergency Services – 30%
- 5) REBATES. There shall be a rebate from the County for taxes collected herein in excess of twenty-five dollars (\$25.00) paid to the County on a single transaction. Provided further that where a rebate would be due as a result of the purchase of a new or used motor vehicle, where the tax thereon is collected directly from the purchaser, then the Commissioner of Revenues shall collect only the amount of tax due less the amount to which the purchaser would be entitled under the rebate provisions herein set out. Where the rebate is credited against tax paid as set out herein, then no other rebate of the tax shall be given.

(Ord. 1985-009, passed 04-19-1985)

§ 424.10 ELECTION FOR LEVY OF 1% SALES AND USE TAX; ROADS, EMERGENCY SERVICES.

- 1) The Quorum Court of Carroll County, State of Arkansas, hereby calls for an election to refer to a vote of the people of Carroll County, Arkansas, the levy of a one percent (1%) county-wide sales tax.

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- 2) Said issues shall be placed on the ballot for the general election to be held on Tuesday, November 2, 1982.
- 3) The proceeds of such a tax, if approved, shall be allocated as follows:
 - a) 75% to the County Road Department.
 - b) 15% to the Carroll General Hospital; Eureka Springs Hospital.
 - c) 5% to Rural Fire Departments.
 - d) 5% to Carroll General Hospital Ambulance Service and City of Eureka Springs Ambulance Service.
- 4) The ballot title to be used shall be in the following form:

FOR adoption of a one percent (1%) sales tax within Carroll County, Arkansas.

or,

AGAINST adoption of a one percent (1%) sales tax within Carroll County, Arkansas.

(Ord. 1982-011, passed 09-17-1982)

§ 424.11 SPECIAL ELECTION FOR LEVY OF 1% SALES AND USE TAX; ROADS, COUNTY GENERAL FUND.

- 1) ELECTION. A special election shall be held for the levy of a one percent (1%) county-wide sales tax.
- 2) ELECTION DATE. This special election shall be held on July 28, 1981.
- 3) BALLOT. The County Clerk shall notify the Carroll County Board of Election Commissioners of said election, and shall submit to said BEC a copy of the ballot title which shall read as follows:

FOR Adoption of a 1% sales tax within Carroll County.

AGAINST Adoption of a 1% sales tax within Carroll County.
- 4) CONTINGENCY. This Ordinance shall be contingent upon Act 991 of 1981 becoming effective before July 28, 1981.

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- 5) **USE OF REVENUES.** The revenues generated to Carroll County from this one percent (1%) sales tax shall be utilized approximately as follows unless it shall be determined at a later time that the revenues should be utilized in another manner:

- a) Roads – 80%
- b) County General – 20%

(Ord. 1981-016, passed 06-19-1981)

§ 424.12 ALLOWING ROAD TAX MONEY TO BE REDIRECTED TO HOLIDAY ISLAND. [REPEALED]

[Repealed.]

(Ord. 2022-002, passed 01-24-2022; Am. Ord. 2025-038, passed 12-16-2025)

§§ 424.13 – 424.99 [RESERVED].

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Article III. COLLECTION

Section

- 430.00 Terms and conditions on the collection of volunteer fire department dues on the real property tax statements by the County Collector.
- 430.01 Grassy Knob Rural Fire District Association dues authorized to be placed on property tax statements.
- 430.02 – 430.99 [Reserved].

§ 430.00 TERMS AND CONDITIONS ON THE COLLECTION OF VOLUNTEER FIRE DEPARTMENT DUES ON THE REAL PROPERTY TAX STATEMENTS BY THE COUNTY COLLECTOR.

- 1) **AFFIRMATION.** Volunteer fire departments may have their volunteer fire department dues listed annually on real property tax statements after compliance with the requirements pursuant to Arkansas Code § 14-20-108. This general ordinance shall set forth the terms and conditions on which the volunteer fire department dues are to be collected by the County and for remission of the dues to the volunteer fire department. The Quorum Court affirms that an additional ordinance, specific to the fire department requesting these services of the County, shall be required for the commencement of collection of the dues on tax statements after it is ascertained that all legal requirements have been met by the volunteer fire department.
- 2) **PROCESS.** Each fire department that has qualified to have the dues listed annually on the real property tax statements shall by December 15 of each year provide an annual report to the Carroll County Clerk that contains the following information in compliance with § 14-20-108(g):
 - a) Identification of the volunteer fire department board members and contact information,
 - b) The contact information for the volunteer fire department chief,
 - c) Identification of the official for the volunteer fire department to whom the Carroll County Treasurer shall remit the collected volunteer fire department dues and to what address they shall be sent, and

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- d) The amount of the annual dues charged by the volunteer fire department by parcel or on each residence or business having an occupiable structure.

The volunteer fire department must, within five (5) days of filing the report, deliver a file-marked copy to the Carroll County Collector and provide a list of the parcels on which dues are to be listed on tax statements. The list provided shall be in the format and medium required by the Collector.

- 3) **COLLECTION AND REMITTANCE OF DUES.** The volunteer fire department dues, for any volunteer fire department that has complied with the requirements of Arkansas Code § 14-20-108 for collection of dues on real property tax statements, shall be collected by the Carroll County Collector at the same time and in the same manner as real property taxes. The Collector shall deposit with the County Treasurer within the first ten (10) days of the month all such dues collected for a fire department the previous month in accordance with Arkansas Code § 21-6-310. The County Treasurer shall properly receipt such funds and, under a proper certificate of distribution, credit such dues to the proper fire department fund established on the books of the County. The County Treasurer shall promptly remit the dues to the official of the fire department named in the annual report to receive the dues for the department. Cost for the collection and remittance of fire department dues shall not exceed the allowances of Arkansas Code §§ 21-6-302 and -305.

(Ord. 2022-034, passed 11-22-2022)

§ 430.01 GRASSY KNOB RURAL FIRE DISTRICT ASSOCIATION DUES ALLOWED TO BE PLACED ON PROPERTY TAX STATEMENTS.

- 1) **COLLECTION AND REMITTANCE OF DUES.** The Carroll County Collector shall collect the dues of the Grassy Knob Volunteer Rural Fire Association listed on the real property tax statements as certified by the Board of Directors of the fire department. Said dues shall be remitted to the Grassy Knob Volunteer Fire Association by the Carroll County Treasurer. Both offices shall transact their respective responsibilities in accordance with the terms and conditions set forth in Carroll County Ordinance no. 2022-34.
- 2) **ESTABLISHMENT OF FUND.** The Carroll County Treasurer is hereby ordered to establish, on the books of the County, a fund to be entitled Grassy Knob Rural Fire Association for receipt and disbursement of the volunteer fire department dues.
- 3) **RESPONSIBILITY OF THE FIRE DEPARTMENT.** The Grassy Knob Rural Fire Association shall file an annual report with the Carroll County Clerk and Collector providing all information as required by Carroll County Ordinance no. 2022-34.

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(Ord. 2022-035, passed 11-22-2022)

§§ 430.02 – 430.99 [RESERVED].

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§§ 500.00 – 500.99 [RESERVED].

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Chapter 6 – Agriculture and Livestock

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§§ 610.00 – 610.99 [RESERVED].

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§§ 620.00 – 620.99 [RESERVED].

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§§ 630.00 – 630.99 [RESERVED].

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Chapter 7 – Animals

Chapter 7: Animals

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710.00 – 710.99 [Reserved].

§§ 710.00 – 710.99 [RESERVED].

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Article II. ANIMAL CONTROL

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720.00 Regulations against the ownership or possession of any vicious dogs; exemptions; penalties.

720.01 – 720.99 [Reserved].

§ 720.00 REGULATIONS AGAINST THE OWNERSHIP OR POSSESSION OF ANY VICIOUS DOGS; EXEMPTIONS; PENALTIES.

- 1) No person shall keep, harbor, or possess a vicious dog within the County.
- 2) In addition, no person shall possess, harbor, or maintain care or custody of any dog for the purpose of dog fighting; nor shall a person train, torment, badger, bait, or use any dog for the purpose of causing or encouraging the dog to attack human beings or domestic animals.
- 3) DEFINITIONS. The term “vicious dog” is defined as follows:
 - a) Any dog with a known propensity, tendency, or disposition to unprovokedly attack, cause injury to, or otherwise threaten the safety of human beings or domestic animals.
 - b) Any dog which, without provocation, attacks or bites or has attacked or bitten a human being or domestic animal.
 - c) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.
- 4) EXEMPTIONS. The following dogs shall be specifically exempted from the provisions of this section:
 - a) Police and other public safety dogs;
 - b) Dogs acting to protect its owners’ private property or person;
 - c) Service dogs acting in the performance of duties for which they were trained; and
 - d) Stock dogs while being used to work with cattle or other farm animals.
- 5) PENALTIES. Whoever violates any provision of this section shall be guilty of a misdemeanor. The Sheriff may issue a citation, and, upon conviction, a person who

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violates this section shall be fined a sum not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). In addition thereto, upon conviction, the owner or possessor of the vicious dog shall, within 30 days, euthanize said animal or permanently remove the animal from the County. If after the expiration of 30 days, said vicious dog has not been removed from the County or euthanized, the Sheriff may seize said vicious dog to be euthanized and all associated costs to euthanize shall be the responsibility of the owner or possessor.

(Ord. 2021-024, passed 05-17-2021)

§§ 720.01 – 720.99 [RESERVED].

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- I. CEMETERY, BURIAL AND MEMORIAL**
- II. CONSUMER EDUCATION AND PROTECTION**
- III. LIBRARIES, MUSEUMS, HISTORICAL AND NATURAL SITE SERVICES**
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§§ 810.00 – 810.99 [RESERVED].

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Article III.

**LIBRARIES, MUSEUMS, AMUSEMENTS, ENTERTAINMENT
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Part A. Libraries

831.00 Carroll County Library Board.

831.01 – 831.99 [Reserved].

Part B. Museums

832.00 – 832.99 [Reserved].

Part C. Amusements and Entertainment Halls

833.00 – 833.99 [Reserved].

Part D. Historical and Natural Site Services

834.00 – 834.99 [Reserved].

Part A. Libraries

§ 831.00 CARROLL COUNTY LIBRARY BOARD.

- 1) The existing Carroll County Library Board is hereby declared to be terminated and dissolved, effective on the effective date of Ordinance 78-13, except that such Board shall be deemed to have the power to conduct to the new Board created by this Ordinance, provided that such transfer shall be completed prior to June 30, 1978.
- 2) The functions, duties, and jurisdiction formerly vested in the Carroll County Library Board shall henceforth be vested in the Carroll County Library Department and its Administrative Board, both of which are hereby created by this Ordinance, in accordance with Section 107 of Act 742 of 1977, Acts of Arkansas.
- 3) The Administrative Board of the Carroll County Library Department shall be empowered with all powers enumerated in Section 103 of Act 742 of 1977, as well as with all powers normally incidental to the administration of a Library Department, and Administrative Board is hereby assigned responsibility for the operation of the Library Department. The Administrative Board of the Library Department shall number five (5) and each of those

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five shall be appointed by the County Judge of Carroll County with each appointment requiring confirmation by the Carroll County Quorum Court. Said Board shall consist of one (1) member from each of the local library boards; one (1) member residing in the Eastern District of Carroll County outside the city limits of Berryville and Green Forest, not appointed on any other local, Friends, or Foundation library board; and one (1) member residing in the Western District of Carroll County outside the city limits of Eureka Springs, not appointed on any other local, Friends, or Foundation library board. The term of any administrative Board members so appointed shall be for a term of five (5) years; provided, however, that the initial appointment of the Administrative Board shall provide for the appointment of one (1) member for a one (1) year term; one (1) member for a two (2) year term; one (1) member for a three (3) year term; one (1) member for a four (4) year term; and one (1) member for a five (5) year term, thereby providing for the appointment of one (1) member of the Administrative Board each year after the initial appointment. No administrative Board Member shall be appointed for more than two (2) consecutive terms. Each person appointed to the Administrative Board shall be a qualified elector of Carroll County, and each person so appointed shall within ten (10) days from the date of appointment subscribe to the oath of office and shall file evidence thereof with the Carroll County Clerk.

- 4) The Administrative Board of the Carroll County Library Department shall be empowered to contract with the appropriate bodies of Baxter, Boone, Madison, Marion, Newton, and Searcy Counties in order that the North Arkansas Regional Library may continue to function.
- 5) The County Clerk of Carroll County shall maintain a register of all county administrative board appointments and shall include therein all appointments to the Administrative Board created by this Ordinance, as well as all pertinent information incidental to such appointments, as specified by Section 104 of Act 742 of 1977.
- 6) All sections of this Ordinance are deemed to be separable and any section thereof which may be declared to be unlawful or unconstitutional shall have no effect on the sections or parts of sections which are not deemed to be unlawful or unconstitutional. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

(Ord. 1978-013, passed 05-20-1978; Am. Ord. 1980-012, passed 05-09-1980; Am. Ord. 2024-035, passed 11-19-2024)

§§ 831.01 – 831.99 [RESERVED].

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Part B. Museums

§§ 832.00 – 832.99 [RESERVED].

Part C. Amusements and Entertainment Halls

§§ 833.00 – 833.99 [RESERVED].

Part D. Historical and Natural Site Services

§§ 834.00 – 834.99 [RESERVED].

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Article IV. PARKS AND RECREATION

Section

840.00 – 840.99 [Reserved].

§§ 840.00 – 840.99 [RESERVED].

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Article V. EDUCATION

Section

- 850.00 Distribution of funds received from Arkansas Game and Fish Commission.
- 850.01 – 850.99 [Reserved].

§ 850.00 DISTRIBUTION OF FUNDS RECEIVED FROM ARKANSAS GAME AND FISH COMMISSION.

Monies received from the Arkansas Game and Fish Commission will be distributed equally on a yearly basis or as funds are received between Berryville, Green Forest, and Eureka Springs Public Schools and the Carroll County 4-H Foundation.

(Ord. 2011-046, passed 12-16-2011; Am. Ord. 2012-028, passed 10-19-2012; Am. Ord. 2013-024, passed 11-22-2013; Am. Ord. 2015-003, passed 02-23-2015)

§§ 850.01 – 850.99 [RESERVED].

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Chapter 9 – Emergency Services

Chapter 9: Emergency Services

Article

- I. AMBULANCE**
- II. OFFICE OF EMERGENCY MANAGEMENT**
- III. FIRE PREVENTION AND PROTECTION**
- IV. JUVENILE SERVICES**

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Chapter 9 – Emergency Services

Article I. AMBULANCE

Section

- 910.00 Ambulance service improvement district established.
- 910.01 Eastern Carroll County ambulance service improvement district established.
- 910.02 – 910.99 [Reserved].

§ 910.00 AMBULANCE SERVICE IMPROVEMENT DISTRICT ESTABLISHED.

- 1) ESTABLISHMENT AND SERVICE AREA. An ambulance service improvement district serving the area which includes the Beaver, Holiday Island, Johnson Springs, Packard Springs, and Winona voting precincts is hereby established.
- 2) NAME. This district shall be called the Western Carroll County Ambulance District.
- 3) FUNDING. An assessment of two (2) mills shall be levied on all real and personal property in the district. Funds will be for the purpose of acquiring vehicles and equipment and for maintenance and operation of an ambulance service for the use and benefit of property owners residing in the district.
- 4) BOARD OF COMMISSIONERS. The County Court shall appoint five (5) Commissioners who are residents of the district. The County Court shall appoint two (2) additional members to the Board of the WCCAD, one of whom shall serve for an initial term of five (5) years and one of whom shall serve for an initial term of four (4) years, after which the positions will be for three (3) year terms. The term of each Commissioner of the Western District Ambulance Service Improvement District shall begin on July 1 and shall run for three years, with each term staggered according to law and practice. The currently serving Commissioners' terms are either extended to or abbreviated to July 1 in the year in which each term is set to expire. The Commissioners are authorized to acquire ambulance services to the residents. They are further authorized to purchase, lease, rent, contract, and be contracted with, and any other function in order to manage the provision of ambulance services to the district. The Board of Commissioners of Western Carroll County Ambulance District shall have the authority to contract with any qualified emergency service provider which it determines to be in the best interest of the people of the ambulance service district.

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- 5) PROVIDER OF SERVICE. The Eureka Springs Ambulance Service, under the management of the Emergency Services Department of the City of Eureka Springs, shall be the provider of ambulance and emergency medical services for the district (except for the Kings River voting precinct), unless otherwise provided by County Ordinance. The District Board of Commissioners shall secure a contract with the City of Eureka Springs for the provision of services to the district (except for the Kings River voting precinct).

(Ord. 1992-013, passed 08-21-1992; Am. Ord. 1995-027, passed 12-15-1995; Am. Ord. 2012-014, passed 05-18-2012; Am. Ord. 2013-020, passed 11-22-2013)

§ 910.01 EASTERN CARROLL COUNTY AMBULANCE SERVICE IMPROVEMENT DISTRICT ESTABLISHED

- 1) ESTABLISHMENT AND SERVICE AREA. An Ambulance Service Improvement District is hereby created to serve the areas including the following voting precincts: Kings River, NW Prairie, NE Prairie, SW Prairie, SE Prairie, BV-I, BV-II, Polo, N Yocum, S Yocum, NW Hickory, NE Hickory, SW Hickory, SE Hickory, GFW-I, GFW-II, Cabanal, Omega, Liberty, Piney, Dry Fork, Long Creek, Coin, Carrollton, and Osage.
- 2) NAME. This District shall be called the Eastern Carroll County Ambulance District (ECCAD).
- 3) FUNDING AND REFERRAL. An assessment of 2.5 mills is hereby levied on all real and personal property in the district. This Ordinance and levying of the 2.5 mills shall be referred to the electors in the affected area not less than sixty (60) days and not more than ninety (90) days after the passage of this Ordinance and before any taxes are levied, assessed, or collected. In the event this referred ordinance is approved, it shall be in full force and effect upon certification of the election results by the county election commission, and said 2.5 mill tax shall be levied, assessed and collected. Funds will be used for the operation of the ECCAD for the use and benefit of residents within the district. The taxes collected pursuant to this Ordinance shall be administered by the County as an enterprise fund but shall be levied and collected as county taxes.
- 4) BOARD OF COMMISSIONERS. The County Court will appoint five commissioners to serve on the Board, all of whom must be residents within the ECCAD boundaries. The commissioners shall serve initial staggered terms of one (1), two (2), three (3), four (4), and five (5) years, with these designations made by the County Court. After the initial term, the commissioners shall serve three (3) year terms as outlined in Ark. Code Ann. § 14-282-104. Commissioners may be reappointed by the County Court on the expiration of their term. The commissioners are authorized to purchase, lease, rent, contract and be

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contracted with, and any other lawful function in order to manage the provision of ambulance services to the district.

- 5) PROVIDER OF SERVICE. The Board of Commissioners of the Eastern Carroll County Ambulance District shall have the authority to contract with any qualified emergency service provider which the commissioners determine to be in the best interest of the people of the ambulance service district.

(Ord. 2016-021, passed 08-23-2016)

§§ 910.02 – 910.99 [RESERVED].

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Article II. OFFICE OF EMERGENCY MANAGEMENT

Section

920.00 – 920.99 [Reserved].

§§ 920.00 – 920.99 [RESERVED].

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Article III. FIRE PREVENTION AND PROTECTION

Section

- | | |
|-----------------|--|
| 930.00 | Confirmation of the boundaries of the nine fire districts. |
| 930.01 | Division of Act 833 Monies to County fire departments. |
| 930.02 – 920.99 | [Reserved]. |

§ 930.00 CONFIRMATION OF THE BOUNDARIES OF THE NINE FIRE DISTRICTS.

- 1) The attached maps indicating the nine (9) fire districts in the county are hereby designated as the official fire district maps of Carroll County.
- 2) That Ordinances 2002-16 and 2012-3 are hereby deemed as obsolete and that this ordinance supersedes both Ordinances.

[The map may be accessed in the Office of the County Clerk.]

(Ord. 2002-003, passed 01-18-2002; Am. Ord. 2002-016, passed 05-17-2002; Am. Ord. 2004-024, passed 09-09-2004; Am. Ord. 2012-003, passed 01-20-2012; Am. Ord. 2026-015, passed 06-16-2026)

§ 930.01 DIVISION OF ACT 833 MONIES TO COUNTY FIRE DEPARTMENTS.

- 1) Funds are divided among all of the Fire Departments as follows: Eureka Springs, Berryville, Green Forest, Holiday Island, Inspiration Point, Grassy Knob, Oak Grove, and South Carroll County who will each receive one full equal share, and Alpena who will receive a one-half share for a total of eight and one half (8 ½) shares.
- 2) The Quorum Court hereby confirms and approves the shares as indicated above for the fire departments in accordance with Act 833 of 1991.
- 3) The Quorum Court hereby designates the Office of Emergency Management as the County Fire Services Coordinator who shall be responsible for seeing that standard guidelines established by the Arkansas Fire Protection Services Board pursuant to A.C.A. § 20-22-801 are followed as required by Act 833 of 1991.

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4) Ordinance 2002-21 is hereby repealed as obsolete.

(Ord. 1993-006, passed 03-19-1993; Am. Ord. 2002-021, passed 06-21-2002; Am. Ord. 2026-019, passed 07-21-2026)

§§ 930.02 – 930.99 [RESERVED].

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Article IV. JUVENILE SERVICES

Section

940.00 – 940.99 [Reserved].

§§ 940.00 – 940.99 [RESERVED].

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Chapter 10 – Human Services

Chapter 10: Human Services

Article

- I. AIR AND WATER POLLUTION CONTROL**
- II. CHILD, YOUTH, AND SENIOR SERVICES**
- III. PUBLIC HEALTH AND HOSPITALS**
- IV. SOCIAL AND REHABILITATION SERVICES**

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Chapter 10 – Human Services

Article I. AIR AND WATER POLLUTION CONTROL

Section

1010.00 – 1010.99 [Reserved].

§§ 1010.00 – 1010.99 [RESERVED].

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Chapter 10 – Human Services

Article II. CHILD, YOUTH, AND SENIOR SERVICES

Section

1020.00 – 1020.99 [Reserved].

§§ 1020.00 – 1020.99 [RESERVED].

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Chapter 10 – Human Services

**Article III. PUBLIC HEALTH, HOSPITALS AND NURSING
HOMES**

Section

1030.00 – 1030.99 [Reserved].

§§ 1030.00 – 1030.99 [RESERVED].

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Article IV. SOCIAL AND REHABILITATION SERVICES

Section

1040.00 – 1040.99 [Reserved].

§§ 1040.00 – 1040.99 [RESERVED].

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Chapter 11 – Public Works

Chapter 11: Public Works

Article

- I. SOLID WASTE COLLECTION / DISPOSAL**
- II. RECYCLING**
- III. UTILITY SERVICES**
- IV. SANITARY, STORM SEWERS**
- V. SEWAGE TREATMENT SERVICES**
- VI. WATER SUPPLY AND DISTRIBUTION SERVICES**

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Article I. SOLID WASTE COLLECTION / DISPOSAL

Section

1110.00 Prohibition against unauthorized disposal of solid waste; penalty.

1110.01 Regulation of the solid waste transfer station.

1110.02 – 1110.99 [Reserved].

§ 1110.00 PROHIBITION AGAINST UNAUTHORIZED DISPOSAL OF SOLID WASTE; PENALTY.

1) DEFINITIONS.

- a) “Person” means any individual, corporation, company, firm, partnership, association, trust, state agency, government instrumentality or agency, institution, county, city, town, municipal authority or trust, venture, or other legal entity, however organized.
- b) “Solid Waste” means all putrescible and non-putrescible refuse in solid or semisolid form including but not limited to garbage, rubbish, street refuse, dead animals, demolition waste, construction waste, hazardous wastes which include explosives, pathological wastes, chemical wastes, herbicide and pesticide wastes, and all other solid and semisolid waste materials resulting from industrial, commercial, agricultural, and residential activities.
- c) A “disposal site” is any place at which solid waste is dumped, abandoned, or accepted or disposed of for final disposition by incineration, land filling, composting, or any other method.

2) UNLAWFUL ACTIONS.

- a) It shall be unlawful for any person to:
 - i) Violate any provision of this Ordinance.
 - ii) Dispose of solid waste at any disposal site or facility other than a disposal site or facility for which a permit has been issued by the Arkansas Pollution Control and Ecology Commission. However, no provision of this Ordinance shall be construed so as to prevent an individual from disposing of solid waste resulting from his own household activities on his own land,

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if the disposal does not violate a city or County Ordinance or other law and does not involve the open dumping of garbage.

- iii) Dump, deposit, throw, or in any manner leave or abandon any solid wastes including but not limited to garbage, tin cans, bottles, rubbish, refuse, or trash upon property owned by another person or upon any public highway, street, road, public park, or recreation area, or any other public property except as designated for disposal of wastes.
- b) There is hereby created a rebuttable presumption that shall arise in any actions under this Ordinance to the effect that if it can be proven that two or more items of solid waste bear the name or names of one or more persons in such a form as to indicate that the person or persons are or were the owner of those items and those items were unlawfully disposed of, then the person or persons are presumed to have committed or have knowledge of the unlawful act of disposal.
- 3) RELIEF. Any person adversely affected by a violation of this Ordinance or of any rules or regulations or orders issued pursuant thereto, shall have a private right of action for relief against the violation.
- 4) PENALTIES. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor. Upon conviction, that person shall be subject to serving a minimum two hundred fifty (250) hours of community service or a fine of not more than one thousand dollars (\$1,000.00), or subject to both fine and community service. Each day or part of a day during which the violation is continued or repeated shall constitute a separate offense.

(Ord. 1995-014, passed 07-21-1995)

§ 1110.01 REGULATION OF THE SOLID WASTE TRANSFER STATION.

- 1) The Carroll County Solid Waste Transfer Station may accept any single load less than or equal to 6 cubic yards of solid waste during normal business hours. Any person bringing any single load of greater than 6 cubic yards of solid waste to the Transfer Station shall be required to first enter into a written contract with Carroll County for the use of the Transfer Station.
- 2) The written contract between Carroll County and the waste hauler will specify the conditions under which the Transfer Station will accept solid waste from the hauler. The conditions specified in the contract will include, but not be limited to, the following:
 - a) Price per volume;

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- b) Minimum and/or maximum volumes per week or month; and
 - c) Acceptance of extraordinary loads.
- 3) Carroll County may set conditions for the operation of the Transfer Station which may be changed from time to time as Carroll County sees fit. Such conditions may include, but not be limited to:
- a) Hours of operation;
 - b) Price per cubic yard of accepted waste; and
 - c) Types of waste accepted.

(Ord. 1993-012, passed 08-20-1993)

§§ 1110.02 – 1110.99 [RESERVED].

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Article II. RECYCLING

Section

1120.00 – 1120.99 [Reserved].

§§ 1120.00 – 1120.99 [RESERVED].

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Article III. UTILITY SERVICES

Section

1130.00 – 1130.99 [Reserved].

§§ 1130.00 – 1130.99 [RESERVED].

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Article IV. SANITARY, STORM SEWERS

Section

1140.00 – 1140.99 [Reserved].

§§ 1140.00 – 1140.99 [RESERVED].

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Article V. SEWAGE TREATMENT SERVICES

Section

1150.00 – 1150.99 [Reserved].

§§ 1150.00 – 1150.99 [RESERVED].

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Article VI. WATER SUPPLY AND DISTRIBUTION SERVICES

Section

1160.00 Minimum standards for the construction of all water wells.

1160.01 – 1160.99 [Reserved].

§ 1160.00 MINIMUM STANDARDS FOR THE CONSTRUCTION OF ALL WATER WELLS.

- 1) Unused steel casings with a minimum wall thickness of .156 inch must be used in all new water well construction, and such steel casings may be welded, or threaded and collared; and,
- 2) The use of plastic outer casings is hereby prohibited; however, this provision does not apply to the use of plastic lines that are used to transport water from the well to the outlets; and,
- 3) A minimum of eighty (80) feet of steel casing will be set, or the steel casing will be set thirty (30) feet into ground rock, whichever is the greater; and,
- 4) All steel casings will be grouted with cement from the bottom of the casing to the ground surface; and,
- 5) All steel casings will be extended a minimum of twelve (12) inches above the ground level, or the flood line, whichever is greater; and,
- 6) All water well construction performed in Carroll County, Arkansas, will be performed by licensed Arkansas Water Well Contractors as is provided in Arkansas Act 641 of 1969, and the provisions of that said Act are hereby adopted by reference.
- 7) PENALTY. Any person who violates this Ordinance shall be guilty of a misdemeanor which shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) and imprisonment in the County Jail not to exceed one (1) month.

(Ord. 1990-029, passed 11-16-1990; Am. Ord. 1991-020, passed 10-18-1991)

§§ 1160.01 – 1160.99 [RESERVED].

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Chapter 12 – Roads and Transportation

Chapter 12: Roads and Transportation

Article

- I. ROADS, BRIDGES, AIRPORTS, AVIATION**
- II. FERRIES, WHARVES, DOCKS, MARINE SERVICES**
- III. PARKING**
- IV. PUBLIC TRANSPORTATION**

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Article I. ROADS, BRIDGES, AIRPORTS, AVIATION

Section

1210.00	County Airport Commission.
1210.01	Highland Park Subordinate Service District. [Dissolved]
1210.02	Technical code for accommodation and adjustment of utilities of county roads.
1210.03	Grassy Knob Subordinate Service District.
1210.04	County road department authorized to maintain roads of certain municipalities.
1210.05	Airport vehicle ordinance; adoption.
1210.06	Airport hanger ordinance; adoption.
1210.07	Airport hanger rental fees.
1210.08	Minimum standards for upgrading existing bridges and constructing and erecting replacement and new bridges.
1210.09	Mundell Heights Estates Subordinate Service District.
1210.10	Standards and specifications for sub-division road system acceptance into County road system.
1210.11	Sylvan Shores Subordinate Service District.
1210.12	Silver Summit Subordinate Service District.
1210.13	The Bluffs at Jackson Cove Subordinate Service District.
1210.14	Lake Forest Acres Subordinate Service District.
1210.15 – 1210.99	[Reserved].

§ 1210.00 COUNTY AIRPORT COMMISSION.

- 1) Pursuant to Section 103 of Act 742, there is to be created a Carroll County Airport Commission composed of seven (7) members.

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- 2) The Carroll County Airport Commission shall be empowered to perform all administrative functions normally incidental to the administration of an airport.
- 3) Said Commission shall number seven (7) and each of these seven shall be appointed by the County Judge of Carroll County, with each appointment requiring confirmation by the Carroll County Quorum Court. The term of commission members shall be for a term of seven (7) years; provided, however, that the initial appointment of the commission shall be provided for the appointment of one (1) member for a one (1) year term; one (1) member for a two (2) year term; one (1) member for a three (3) year term; one (1) member for a four (4) year term; and one (1) member for a five (5) year term; thereby providing for the appointment of one (1) member of the commission each year after the initial appointment.

No commission member shall be appointed for more than two (2) consecutive terms. Each person appointed to the commission shall be a qualified elector of Carroll County, and each person so appointed shall within ten (10) days from the date of appointment subscribe to the oath of office and shall file evidence thereof with the Carroll County Clerk.

- 4) The commissioners hereinunder appointed shall have full and complete authority to manage, operate, improve, extend, and maintain the airport and its related properties and facilities, and shall have full and complete charge of said airport and its related properties and facilities, including the right to establish charges and fees for the services and facilities of the airport and to collect, handle, disburse all revenues devised therefrom, the right to contract, and the right to employ and remove any and all assistants and employees of whatsoever nature, kind, or character, and to fix, regulate, and pay their compensation.

It is the intention of this ordinance to vest in said commission authority to operate, manage, maintain, improve, and extend the County owned airport and to have full and complete charge thereof except as to statutory limitations enumerated in Act 742 of 1977 or any amending action thereof or by ordinance of the Carroll County Quorum Court. Said commissioners shall not have authority or power to sell, mortgage, or encumber said airport and its related properties and facilities.

- 5) All revenues derived from the operation of such airport after paying the operating expenses and maintenance, may be set aside and used for additional improvements on such airport.
- 6) The commissioners hereinunder appointed shall have full and complete authority to manage, operate, improve, extend, and maintain the airport and its related properties and facilities, and shall have full and complete charge of said airport and its related properties and facilities, including the right to establish charges and fees for the services and facilities of the airport and to collect, handle, and disburse all revenues derived therefrom,

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the right to contract, and the right to employ and remove any and all assistants and employees of whatsoever nature, kind, or character, and to fix regulate, and pay their compensation. It is the intention of this ordinance to vest in said commissioners the authority to operate, manage, maintain, improve, and extend the county-owned airport and to have full and complete charge thereof; provided, said commissioners shall not have authority or power to sell, mortgage, or encumber said airport and its related properties and facilities.

(Ord. 1978-16A, passed 09-11-1978; Am. Ord. 2021-053, passed 12-20-2021; Am. Ord. 2026-026, passed 08-18-2026)

§ 1210.01 HIGHLAND PARK SUBORDINATE SERVICE DISTRICT. [DISSOLVED]

The Highland Park Subordinate Service District established under Ordinance 1994-16 is hereby dissolved and no longer a legal entity.

(Ord. 1994-016, passed 09-16-1994; Am. Ord. 2009-053, passed 12-18-2009; Am. Ord. 2019-031, passed 06-17-2019; Am. Ord. 2021-011, passed 03-15-2021)

§ 1210.02 TECHNICAL CODE FOR ACCOMMODATION AND ADJUSTMENT OF UTILITIES OF COUNTY ROADS.

- 1) **PURPOSE.** To update the technical code by the adoption of new administrative regulations for the accommodation and adjustment of all utilities on Carroll County right-of-way property and roads maintained by Carroll County. This Ordinance is an amendment to the administrative regulations authorized by Carroll County Ordinance No. 1978-015, enacted August 14, 1978.
- 2) **APPLICATION.** This Ordinance shall apply to all public utilities with facilities located on Carroll County right-of-way property and roads maintained by Carroll County.
- 3) **REQUIREMENTS.** The technical code shall be updated to include Ordinance Nos. 1977-008 and 1983-024, which set forth standards and specifications for roads within Carroll County and any and all repairs to underground utilities shall return the right-of-way and roads to their original condition, not to be less than the standards and specifications set forth within the aforementioned Ordinances. Additionally, the following requirements for new utilities shall be adopted:
 - a) All utilities must be at least four (4) feet from the outer edge of the drainage ditch adjacent to said roads;

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- b) Utilities must be buried at least twenty-four (24) inches below the lowest point of any drainage ditch;
- c) Utilities placed under any roads which are not dirt roads shall be bored. No cutting of the surface shall be permitted;
- d) No new utility shall be placed prior to the granting of an easement by the County.

The County Judge finds that this Ordinance conforms to nationally recognized standards, accepted engineering practices, and/or state and national model codes.

4) NOTICE.

- a) No less than five (5) working days prior to any work being performed upon existing utilities within the right-of-way of road, the party performing said work shall notify the Carroll County Judge in writing at 210 W. Church, Berryville, Arkansas, 72616. Said notification shall contain the location and nature of the work to be performed.
- b) In the event of emergency conditions where immediate remedial action by the easement owner is necessary for the protection of persons and/or property of the easement owner, the owner may take said action without the five (5) day notice, provided said owner gives notice to the Carroll County Judge as soon thereafter as is practical.

- 5) PENALTY. The penalty for each violation of this Ordinance shall be two thousand five hundred dollars (\$2,500.00) per occurrence plus any cost incurred in returning the premises to the original condition.

(Ord. 1978-015, passed 08-14-1978; Am. Ord. 2006-002, passed 12-15-2006)

§ 1210.03 GRASSY KNOB SUBORDINATE SERVICE DISTRICT.

- 1) Ordinance number 2006-001 approved by the Grassy Knob Subordinate Service District Commissioners is hereby adopted by reference.
- 2) Ordinance numbers 1999-001, 1999-002, and 1999-003 approved by the Grassy Knob Subordinate Service District Commissioners are hereby adopted by reference.

(Ord. 1997-025, passed 11-21-1997; Am. Ord. 1999-037, passed 09-17-1999; Am. Ord. 2006-001, passed 01-16-2006; Am. Ord. 2006-009, passed 04-21-2006)

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§ 1210.04 COUNTY ROAD DEPARTMENT AUTHORIZED TO MAINTAIN ROADS OF CERTAIN MUNICIPALITIES.

- 1) Carroll County has the capability to assist incorporated municipalities without the benefit of a sales tax, subordinate services road districts, and suburban improvement districts within the County in the maintenance of public roads located within their jurisdictions.
- 2) The County Road Department has manpower, vehicles, and equipment suitable for work upon such public roads.
- 3) Incorporated municipalities without the benefit of a sales tax, subordinate services districts, and suburban improvement districts agree to pay for and provide all materials related to such road work.
- 4) The County Judge and the County Road Department agree that the County Road Department will not commit more than 10% of its entire annual road maintenance efforts to these purposes.
- 5) Now, therefore, be it ordained by the Quorum Court of Carroll County, Arkansas, that the Carroll County Road Department is authorized to assist incorporated municipalities without the benefit of a sales tax, subordinate services road districts, and suburban improvement districts within the County in the maintenance of public roads within those jurisdictions to the extent set forth in this Ordinance.

(Ord. 2004-021, passed 08-16-2004)

§ 1210.05 AIRPORT VEHICLE ORDINANCE; ADOPTION.

The Quorum Court of Carroll County, Arkansas, hereby adopts a new Airport Vehicle Ordinance. The new Airport Vehicle Ordinance, a copy of which is attached to Ordinance No. 2003-006, is incorporated into this Ordinance by reference and made a part hereof as if set forth herein word for word.

[The attachment may be accessed in the Office of the County Clerk.]

(Ord. 2003-006, passed 03-21-2003)

§ 1210.06 AIRPORT HANGER ORDINANCE; ADOPTION.

The Quorum Court of Carroll County, Arkansas, hereby adopts a new Airport Hanger Ordinance. The new Airport Hanger Ordinance, a copy of which is attached to Ordinance No. 2003-005, is

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incorporated into this Ordinance by reference and made a part hereof as if set forth herein word for word.

[The attachment may be accessed in the Office of the County Clerk.]

(Ord. 2003-005, passed 03-21-2003)

§ 1210.07 AIRPORT HANGER RENTAL FEES.

- 1) The monthly rental fee for the six (6) “T” Hangers shall be set at sixty dollars (\$60.00) per month.
- 2) The monthly rental fee for an Open-Ended Hanger with gate shall be set at seventy-five dollars (\$75.00) per month.
- 3) The monthly rental fee for Closed Hangers with doors shall be set at eighty-five dollars (\$85.00) per month.
- 4) The monthly rental rates contained hereinabove shall take effect January 1, 2003.
- 5) Effective January 1, 2004, and on the first day of each year thereafter, the monthly rental fee shall automatically escalate by the amount of the previous year’s composite Consumer Price Index (CPI) of inflation rate.

(Ord. 2002-054, passed 12-20-2002)

**§ 1210.08 MINIMUM STANDARDS FOR UPGRADING EXISTING BRIDGES AND
CONSTRUCTING AND ERECTING REPLACEMENT AND NEW BRIDGES.**

- 1) After thorough study, it has been determined by the Quorum Court of the County of Carroll, State of Arkansas, that the upgrading of existing bridges and the construction and erection of replacement and new bridges on County roads shall meet certain minimum bridge design standards as set forth in Section 2 of this Ordinance.
- 2) The hydraulic design for bridges shall provide for the twenty-five (25) year flood frequency. Freeboard will be based on the site specific hydrology.
- 3) The exceptions to these minimum standards are:
 - a) Bridge being routinely repaired.
 - b) Bridges that serve less than two households on dead end roads or non-thoroughfare roads.

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- c) Bridges providing limited access to agricultural fields, pasturelands, oil fields, timberlands, etc.
- 4) The minimum bridge design standards for the upgrading of existing bridges and for the construction and erection of all replacement and new bridges on County roads shall be as follows:

MINIMUM BRIDGE STANDARDS FOR REPLACEMENT OR NEW BRIDGES BUILT ON COUNTY ROADS

Standard Number	1			2			3			4			5		
Current ADT	Over 6,000			1,600 to 6,000			750 to 1,600			400 to 750			0 to 400		
Terrain Design Spread	F	R	M	F	R	M	F	R	M	F	R	M	F	R	M
	50	40	30	50	40	30	50	40	30	50	40	30	50	40	30
Design Loading	HS-20			HS-20			HS-20			HS-20			HS-20		
*Bridge Width (FT)	40	32	32	40	30	30	32	28	28	28	28	24	24	24	24

* Railing required on all bridges.

KEY – (F) designates “flat” terrain.

(R) designates “rolling” terrain.

(M) designates “mountainous” terrain.

- 5) The upgrading of existing bridges and the construction and erection of replacement and new bridge on the County road system shall be subject to and meet the provisions as set forth in A.C.A. §§ 12-80-101—106 (Act 1100 of 1991), requiring earthquake resistant design for public structures.

(Ord. 1992-002, passed 02-21-1992)

§ 1210.09 MUNDELL HEIGHTS ESTATES SUBORDINATE SERVICE DISTRICT.

- 1) NAME. The area described herein shall be established as a subordinate service district known as the Mundell Heights Estates Subordinate Service District, and shall be governed and regulated as hereinafter set forth.
- 2) AREA INCLUDED. The area included in the Mundell Heights Estates Subordinate Service District shall be that area known as Mundell Heights Estates county subdivision, as recorded in Plat Book A at pages 1 and 3, Survey Record Book B at page 41, and Survey Record Book C at page 7, in the office of the Circuit Clerk and Ex-Officio Recorder in and for Carroll County, Arkansas. This real property is shown on the map which is attached as “Exhibit A,” and included herein and made a part of this Ordinance. However,

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the following described lots located within the subdivision shall not be subject to the assessment stated in Section 7 herein until such time as the owners of the lots shall request certain road improvements as provided in Section 11 herein. The lots not initially subject to assessment are described as follows:

- a) Lots 3, 4, 7, 8, 9, and 10; Block 2
 - b) Lots 1, 2, 3, 4, 5, and 6; Block 6
 - c) Lots 11, 12, 13, and 14; Block 8
 - d) Lots 7, 8, 9, 10, 11, 12, and 13; Block 9
 - e) Lots 9, 10, and 11; Block 10
 - f) Lots 12, 13, 14, 15, and 16; Block 13
 - g) Lots 8 through, and including, 20; Block 17
 - h) Lots 4, 5, 6, 7, 8, 9, and 10; Block 18
 - i) Lots 1, 2, 3, 4, 5, and 6; Block 20
- 3) **PURPOSES OF DISTRICT.** The Mundell Heights Estates Subordinate Service District shall be empowered to provide all services mentioned in A.C.A. § 14-14-708(c).
- 4) **SERVICES TO BE PROVIDED.** The Mundell Heights Estates Subordinate Service District shall provide road improvement services for the residents and property owners of the district. The Mundell Heights Estates Subordinate Service District may also provide funding for emergency water system services as may be determined by the commissioners. The Mundell Heights Estates Subordinate Service District is authorized to provide all services mentioned in A.C.A. § 14-14-708(c) and specifically the District may own and operate a water supply and distribution system to supply water to the property owners within the district. The district shall provide no road improvement services for the following roads located within the district until the owners of the lots adjoining the named roads have commenced paying the assessment stated herein for at least one (1) year, as provided in Section 11 herein. The roads not eligible for immediate improvement are as follows:
- a) Northwest Ridge Road
 - b) Southwest Ridge Road
 - c) Northeast Ridge Road (east of the intersection with East Bluff Road)
 - d) Spring Road

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- e) West Center Road
 - f) Roller Bend Place
 - g) Southeast Ridge Road
- 5) **CONVENIENCE AND NECESSITY.** The Mundell Heights Estates Subordinate Service District is found by the Quorum Court of Carroll County, Arkansas, to be convenient and necessary for the reason that provisions must be made to establish a satisfactory means for improvement and preservation of the roadway in the district and for the continued maintenance, improvement, and preservation of a water supply.
- 6) **ROAD IMPROVEMENT FEES.** The annual cost of services to be provided by the subordinate service district created herein is estimated to be one hundred thousand dollars (\$100,000.00).
- 7) **METHOD OF FINANCING.**
- a) The services to be provided by this subordinate service district shall be financed by an assessment to each property owner in the district in the amount of one hundred dollars (\$100.00) per lot, except those lots exempted in Section 2 above, which sum shall be entered on the tax notices and shall be collected with the real and property taxes of the County. The Carroll County Tax Collector shall not accept payment of any property tax where such taxpayer has been billed for services authorized by the subordinate service district unless the service charge provided herein is receipted. If a property owner fails to pay the service charge, it shall become a lien on the real property assessed to the said property owner within the district. The assessment provided herein shall be collected on the same basis as county property tax.
 - b) The service providing water to the various lots within the service district shall be financed by an assessment of a hook-up or tap fee for each lots owner not now attached to the water distribution system as presently constructed in accordance with the following schedule:
 - i) Three hundred fifty dollars (\$350.00) for all lots, whether or not subject to the road assessment fee set out in Ordinance No. 1990-035. In addition, such lots not subject to the road assessment fee as set out in Ordinance No. 1990-035, shall upon connection to the water system be subject to the fifty dollars (\$50.00) assessment stated in Ordinance No. 90-35.
 - ii) The service district shall provide each lot owner, after payment of the above tap fee, a water meter which shall be installed by the lot owner on

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the water distribution line of the road right-of-way, but within 10 feet thereof and before the water line shall be connected to the house for water use.

- c) The service district shall bill each water users a usage rate in accordance with the following schedule:
 - i) Minimum charge eight dollars (\$8.00) for all users of 0 to 3,000 gallons of water per month.
 - ii) Three dollars fifty cents (\$3.50) for each 1,000 gallons or portion thereof used per month between 3,001 gallons and 5,000 gallons.
 - iii) Four dollars fifty cents (\$4.50) for each 1,000 gallons or portion thereof used per month in excess of 5,001 gallons.
 - iv) The three (3) commissioners are authorized to adjust usage rates as necessary to meet expenses.
 - v) The service district herein established, may bill each water user on monthly, quarterly, semi-annual, or annual basis.
 - d) The service district is hereby empowered and authorized to cease providing water services to any user who fails to pay any usage charge within ten (10) days of mailing the bill to the user. Upon payment of any past due charge, the service district shall immediately restore water service to that user.
- 8) **COUNTY LIABILITY.** In the even the Mundell Heights Estates Subordinate Service District shall be terminated for any reason by the Quorum Court of Carroll County, the County shall have no obligation whatsoever to operate or maintain water wells or distribution systems or provide any services to the area in the district no otherwise provided to the other residents of Carroll County.
- 9) **ADMINISTRATION.** The Mundell Heights Estates Subordinate Service District shall be administered as a separate department of this County, with an administrative board comprised of three persons who shall be appointed by the County Judge and shall be owner-electors residing in the Mundell Heights Estates Subordinate Service District. The persons comprising the administrative board shall serve at the will of the County Judge until their removal from the district or until their resignation is accepted by the County Judge.
- 10) **BUDGET.** The budget of the Mundell Heights Estates Subordinate Service District shall be appropriated as other funds of the County.

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- 11) NOTIFICATION TO OBTAIN SERVICES. At such time as a majority of the owners of lots adjoining any of the roads named in Section 4 above shall notify the commissioners of the district in writing that they desire to commence paying the assessment, the commissioners shall notify the remaining owners adjoining the road that all such lots are at that time subject to the assessment. Such notification shall also be given to the Carroll County Tax Collector. The road in question shall then be eligible for improvement the year following the first collection of the assessment.
- 12) ACCOUNTING. Funds raised through service charges for the Mundell Heights Estates Subordinate Service District shall be used only for subordinate service district purposes. Such funds shall be maintained in the County Treasury and accounted for as enterprise funds. Disbursements of all subordinate service district funds shall be made in accordance with the following procedures. Disbursements of all subordinate service district funds shall be made upon an order signed by any two of the duly appointed members of the Mundell Heights Estates Subordinate Service District Administrative Board.

[Exhibit A may be accessed in the Office of the County Clerk.]

(Ord. 1990-035, passed 12-21-1990; Am. Ord. 1991-008, passed 03-15-1991; Am. Ord. 2012-016, passed 07-20-2012)

§ 1210.10 STANDARDS AND SPECIFICATIONS FOR SUB-DIVISION ROAD SYSTEM ACCEPTANCE INTO COUNTY ROAD SYSTEM.

- 1) All road systems located in Carroll County including those in county sub-divisions should meet certain minimum standards, prior to being accepted into and maintained by the Carroll County Road System. These standards shall be as hereafter set out.
- a) RIGHT-OF-WAY.
 - i) All road rights-of-way shall be a minimum of 50 feet in width.
 - ii) All road rights-of-way shall be cleared to a minimum of 40 feet.
 - 2) GRADE.
 - a) No roadway shall have greater than 15% grade, meaning 15 feet change in altitude per 100 feet of roadway.
 - b) Road surface shall have a minimum width of 22 feet, being free of rock larger than 1 ½" in diameter SB2 having at least a 3 inch crown in road surface.

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3) BASE.

- a) All road base shall meet Class 8 standards. Road base shall be constructed of firm, compacted soil free of clay pockets, water seeps, and other undesirable material. Such undesirable material shall be disposed of offsite and good approved material shall be hauled in to replace it.
- b) After such road base is found by County Judge or his authorized representative to meet such standards, a layer of crushed limestone 3" deep, no larger than 1 ½" and with enough fines to bind Class 8 SB2 shall be spread over the approved base. The road shall then be well watered and rolled using a smooth drum roller to compact the Class 8 SB2 base rock.
- c) Road base SB2 shall cover the full width of the road.

4) DRAINAGE.

- a) Drainage ditches on both sides of road, where necessary, shall have a minimum depth of 15 inches.
- b) Drainage structures shall have a minimum diameter of 15 inches and be constructed of corrugated galvanized metal.
- c) A sufficient number of culverts shall be installed to provide proper drainage.
- d) Diameter of culverts shall be sufficient to carry water run-off during hard downpour of rain.
- e) Culverts shall be installed with minimum of ¼ inch fall per linear foot and have at least 6 inches of good road base material, well compacted over drainage structures.

5) Specifications pertaining to point of intersection of proposed new road and existing County road.

- a) Surface of road at intersection shall have flare on both sides with radius of not less than 18 feet.
- b) If point of intersection is other than a crown intersection, a drainage structure of proper diameter and length shall be furnished and installed by developer or owner or his contractor.

6) Specifications for existing hard surface roads before being incorporated into the county road system.

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- a) Base preparation shall be in accordance with the specifications set forth in Section 3 (a) of this Ordinance.
 - b) Grade shall conform to specifications set forth in Section 2 (a), (b), and (c) of this Ordinance.
 - c) Hard Surface. The minimum amount of hard surface materials shall be as follows: one primer coat, two seal coats. Primer coat use emulsified prime oil. Seal coat use MC 3000 (.3 gallon per sq. yd.) and (26# chips per sq. yd.). Paving Contractor shall use a power broom to sweep between the two seal coats.
- 7) All roads shall be certified as completed a minimum period of 2 years before being accepted into the County Road System.
- a) Subdivision streets and roads shall have been completed a minimum of two (2) years before a subdivider may apply to the County Judge for acceptance of said roads into the County Road System. In order to determine the beginning of the two year period, the subdivider shall notify the County Judge in writing of the completion of said roads or streets and a record will be maintained thereof. Upon receiving said notice of completion by the subdivider, the County Judge, or his authorized representative, shall inspect the roads or streets to determine compliance with the standards and specifications set forth herein. If the roads or streets meet said standards and specifications, the subdivider will be notified and a record thereof will be maintained along with the notice of completion furnished by the subdivider. In the event that the roads do not meet said standards and specifications, the subdivider will be notified of the deficiency in writing, and no further action will be taken until the deficiencies are corrected and a new notice of the completion is furnished by the subdivider.
 - b) Upon the expiration of two (2) years after the completion of said roads or streets, the subdivider may apply to the County Judge for acceptance of said roads or streets into the County Road System. Said application shall be made in writing and a record thereof shall be maintained in the County Judge's Office. Upon receiving said application, the County Judge, or his authorized representative, shall inspect the roads or streets to determine their compliance with the standards and specifications set forth herein. If the County Judge, or his authorized representative, determines that the subdivision roads or streets are in acceptable condition and in compliance with this Ordinance, then said roads or streets may be accepted into the County Road System at the discretion of the County Judge. However, the County Judge shall not be obligated or bound to accept said roads or streets into the County Road System, and nothing herein contained shall be construed as making their acceptance into County Road System mandatory.

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- 8) No subdivision roads or streets shall be accepted into the County Road System until a plat of said subdivision containing a metes and bounds description of said road has been filed in the office of the Circuit Clerk.

(Ord. 1978-014, passed 07-16-1978; Am. Ord. 2012-030, passed 11-16-2012)

§ 1210.11 SYLVAN SHORES SUBORDINATE SERVICE DISTRICT.

- 1) NAME. The area described herein shall be established as a Subordinate Service District known as the Sylvan Shores Subordinate Service District and shall be governed as regulated and hereinafter set forth.
- 2) AREA INCLUDED. The area included in the Sylvan Shores Subordinate Service District shall be that area known as Sylvan Shores Estates, a county subdivision, as recorded in Book A at pages 33, 33A, 33B, and 33C in the Office of the Circuit Clerk and Ex-Officio Recorder in and for the Western District of Carroll County, Arkansas, and as shown on the attached map which is made a part hereof.
- 3) SERVICES TO BE PROVIDED. The Sylvan Shores Subordinate Service District shall provide the following services for the residents and property owners of the district, to-wit:
 - a) Water supply and distribution services; and
 - b) Transportation and road services, including but not limited to, construction and repair of roads and bridges.
- 4) CONVENIENCE AND NECESSITY. The Sylvan Shores Subordinate Service District is found by the Quorum Court of Carroll County, Arkansas, to be convenient and necessary for the following reasons:
 - a) The district is presently served by a private water supply and provisions must be made to both perfect the water supply and establish a satisfactory means for its continued maintenance and improvement.
 - b) That the roads in the Service District are deteriorating and, in order to be properly maintained and improved, additional sums must be expended and the most equitable method is by the establishment of this Service District.
- 5) COST OF SERVICES. The costs of services provided by the Subordinate Service District is estimated to be two thousand six hundred dollars (\$2,600.00) plus five dollars (\$5.00) for each 3,000 gallons of water provided for a used in the district and one dollars fifty cents (\$1.50) for each additional 1,000 gallons of water provided to the same user.

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- 6) **METHOD OF FINANCING.** The services to be provided by this Subordinate Service District shall be financed by an assessment on each lot in the amount of \$250.00; which sum shall be entered on the tax notices and shall be collected with the real and personal property taxes of the County. The Carroll County Tax Collector shall not accept payment of any property tax where such taxpayer has been billed for services authorized by the Subordinate Service District unless the service charge provided herein is receipted. If a property owner fails to pay the service charge, it shall become a lien on the property of that property owner. The assessment provided herein shall be collected on a current year basis. In addition, the Subordinate Service District shall bill each water user on a per gallon basis in accordance with the following schedule:

- a) One hundred and ten dollars (\$110.00) billed quarterly on the first nine thousand (9,000) gallons of water consumed by the user.
- b) An additional \$0.012 per gallon of water consumed by the user in excess of 9,000 gallons.

These rates shall be evaluated in accordance with Act 605 of 2021 and the implementation of a rate decrease or increase shall be done by approval of the residents of the Sylvan Shores Subordinate Service District and amended through ordinance of the Carroll County Quorum Court. Any rate adjustments shall be included in the Annual Budget of the Subordinate Service District. The Subordinate Service District herein established may bill each water user for the gallons consumed on a monthly, quarterly, semi-annual, or annual basis. If the same is not paid by any water user within thirty (30) days receipt of the bill, the Subordinate Service District is hereby empowered and authorized to cease providing water services to that user. Upon collection of any past due service charges, the Subordinate Service District shall immediately restore water service to that user.

- 7) **ADMINISTRATION.**

- a) The Sylvan Shores Subordinate Service District shall be administered as a separate department of this County with an administrative board comprised of three (3) persons who shall be appointed by the County Judge and shall be electors residing in the Sylvan Shores Subordinate Service District. The persons comprising the administrative board shall serve at the will of the County Judge, until their removal from the district or until their resignation is accepted by the County Judge.
- b) The budget of the Sylvan Shores Subordinate Service District shall be appropriated as other funds of the County.

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- c) Funds raised through service charges for the Sylvan Shores Subordinate Service District shall be used only for Sylvan Shores Subordinate Service District purposes. Such funds shall be maintained in the County Treasury and accounted for as enterprise funds. Disbursements of all Sylvan Shores Subordinate Service District funds shall be made in accordance with the following procedures. Disbursements of all Sylvan Shores Subordinate Service District funds shall be made upon an order signed by any two of the duly appointed members of the Sylvan Shores Subordinate Service District Administrative Board.
- d) The administrative board shall have the authority to promulgate such rules and regulations as shall be necessary to safeguard the water supply and the roads of the district.

[The map referenced in Section 2 may be accessed in the Office of the County Clerk.]

(Ord. 1983-007, passed 03-19-1983; Am. Ord. 1985-032, passed 09-20-1985; Am. Ord. 2008-034, passed 10-17-2008; Am. Ord. 2014-010, passed 10-17-2014; Am. Ord. 2025-023, passed 06-17-2025)

§ 1210.12 SILVER SUMMIT SUBORDINATE SERVICE DISTRICT.

- 1) NAME. The area described herein shall be established as a subordinate service district known as the Silver Summit Subordinate Service District, and shall be governed and regulated as hereinafter set forth.
- 2) AREA INCLUDED. The area included in the Silver Summit Subordinate Service District shall be that area known as Silver Summit county subdivision, as recorded in Plat Book “0” at page 138 in the office of the Circuit Clerk and Ex-Officio Recorder in and for Benton County, Arkansas; said real property was formerly situated in Benton County, Arkansas, but by reason of Act 806 of 1983 of the 74th General Assembly of the State of Arkansas, the said real property became part of Carroll County, Arkansas. This real property is shown on the map which is attached as “Exhibit A,” and included herein and made a part of this Ordinance. This area no longer includes that area shown as Tract 6 of Silver Summit county subdivision as recorded in Plat Book “0” at page 138.
- 3) SERVICES TO BE PROVIDED. The Silver Summit Subordinate Service District shall provide water supply and distribution services for the residents and property owners of the district. The Silver Summit Subordinate Service District shall also provide any emergency road maintenance and right-of-way clearance as may be required due to unusual or extreme weather or other conditions. In addition, the District shall maintain all name and direction sign posts.

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- 4) **CONVENIENCE AND NECESSITY.** The Silver Summit Subordinate Service District is found by the Quorum Court of Carroll County, Arkansas, to be convenient and necessary for the reason that the District is presently served by a private water supply and provisions must be made to establish a satisfactory means for the continued maintenance, improvement, and preservation of said water supply.
- 5) **FEES FOR WATER USE.** That the cost of services to be provided by the subordinate service district created herein is estimated to be nine hundred fifty dollars (\$950.00) plus one hundred dollars (\$100.00) per year for water provided to each user in the district.
- 6) **METHOD OF FINANCING.** The services to be provided by this subordinate service district shall be financed by an assessment to each property owner in the district in the amount of fifty dollars (\$50.00) per lot, which sum shall be entered on the tax notices and shall be collected with the real and property taxes of the County. The Carroll County Tax Collector shall not accept payment of any property tax where such taxpayer has been billed for services authorized by the subordinate service district unless the service charge provided herein is receipted. If a property owner fails to pay the service charge, it shall become a lien on the real property assessed to the said property owner within the district. The assessment provided herein shall be collected on the same basis as county property tax. In addition, the subordinate service district shall bill each water user on an annual basis in the amount of one hundred dollars (\$100.00). The three (3) member Board of Commissioners is authorized to adjust usage rates as necessary to meet expenses, provided that they shall be the same for all users until such time as water meters may be installed and then the rate shall be on a per-gallon-used basis. The service district herein established may bill each water user for the gallons consumed on a monthly, quarterly, semi-annual, or annual basis. If the same be not paid by any water user within ten (10) days of receipt of the bill, the service district is hereby empowered and authorized to cease providing water services to that user. Upon collection of any past-due service charge, the service district shall immediately restore water service to that user.
- 7) **ADMINISTRATION.** The Silver Summit Subordinate Service District shall be administered as a separate department of this County, with an administrative board comprised of three (3) persons who shall be appointed by the County Judge and shall be electors residing in the Silver Summit Subordinate Service District. The persons comprising the administrative board shall serve at the will of the County Judge until their removal from the district or until their resignation is accepted by the County Judge.
- 8) **BUDGET.** The budget of the Silver Summit Subordinate Service District shall be appropriated as other funds of the County.
- 9) **ACCOUNTING.** Funds raised through service charges for the Silver Summit Subordinate Service District shall be used only for subordinate service district purposes. Such funds

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shall be maintained in the county treasury and accounted for as enterprise funds. Disbursements of all subordinate service district funds shall be made in accordance with the followings procedures. Disbursements of all subordinate service district funds shall be made upon an order signed by any two of the duly appointed members of the Silver Summit Subordinate Service District Administrative Board.

- 10) The Administrative Board shall have the authority to promulgate such rules and regulations as shall be necessary to safeguard the water supply and of the district.
- 11) SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable. If any provision shall be held invalid or inapplicable to any person or circumstances, such invalidity in inapplicability shall not affect the remainder of the provisions of this Ordinance.

[Exhibit A may be accessed in the Office of the County Clerk.]

(Ord. 1987-046, passed 11-20-1987; Am. Ord. 1990-026, passed 10-19-1990)

§ 1210.13 THE BLUFFS AT JACKSON COVE SUBORDINATE SERVICE DISTRICT.

- 1) NAME. The area described herein shall be established as a Subordinate Service District known as The Bluffs at Jackson Cove Subordinate Service District (“SSD”) and shall be governed as regulated and hereinafter set forth.
- 2) AREA INCLUDED. The area included in the SSD shall be that area known as The Bluffs at Jackson Cove, a County subdivision, lots 1-15 inclusive as filed of record in the Office of the Circuit Clerk and Ex-Officio Recorder in and for the Western District of Carroll County, Arkansas in Plat Cabinet F, slide 92.
- 3) SERVICES TO BE PROVIDED. The SSD shall provide the following services for the residents and property owners of the district, to wit:
 - a) Water supply and distribution services; and
 - b) Transportation and road services, including but not limited to construction and repair of roads and bridges.
- 4) CONVENIENCE AND NECESSITY. The SSD is found by the Quorum Court of Carroll County, Arkansas, to be convenient and necessary for the following reasons:

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- e) The district is presently served by a private water supply and provisions must be made to both perfect the water supply and establish a satisfactory means for its continued maintenance and improvement; and
 - f) The roads in the service district are deteriorating and, in order to be properly maintained and improved, additional sums must be expended and the most equitable method is by the establishment of this service district.
- 5) **COST OF SERVICES.** The cost of services to be provided by the SSD is estimated to be \$7,500.00 per annum.
- 6) **METHOD OF FINANCING.**
- a) The services to be provided by the SSD shall be financed by an assessment on each lot in the amount of \$500.00 per year, which sum shall be entered on the tax notices and shall be collected with the real and personal property taxes of the County. The Carroll County Tax Collector shall not accept payment of any property tax where such taxpayer has been billed for services authorized by the SSD unless the service charge provided herein is receipted. If a property owner fails to pay the service charge, it shall become a lien on the property of the property owner. The assessment provided herein shall be collected on a current year basis.
 - b) The SSD herein established may bill each water user for the gallons consumed a in monthly, quarterly, semi-annual, or annual basis. If the same be not paid by any water user within 21 days of receipt of the bill, the SSD is hereby empowered and authorized to cease providing water services to that user. Upon collection of any past due service charge, the SSD shall immediately restore water service to that user.
 - c) Rates shall be evaluated and changed (raised or lowered) as deemed necessary by the SSD and included in the Annual Budget.
- 7) **ADMINISTRATION.**
- a) The SSD shall be administered as a separate department of this County with an administrative board comprised of five persons who shall be appointed by the County Judge and confirmed by the Quorum Court. Board members shall be electors owning property in the SSD. The persons comprising the administrative

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board shall be appointed for terms, with the first members being appointed as follows:

- i) Two members shall be appointed for a term of one year; two members shall be appointed for a term of two years; and one member shall be appointed for a term of three years.
- ii) After the initial staggered terms, all members shall serve three year terms.
- b) Funds raised through service charges for the SSD shall be used only for subordinate service district purposes and the funds shall be distributed by the County Treasurer and accounted for as agency funds. Disbursements of all subordinate service district funds will be made in accordance with the following procedures: disbursements of subordinate service funds shall be made upon an order signed by any of the duly appointed members of the SSD.
- c) The administrative board shall have the authority to promulgate such rules and regulations as shall be necessary to safeguard the water supply and the roads of the SSD.

(Ord. 2018-018, passed 06-25-2018; Am. Ord. 2019-008, passed 02-25-2019)

§ 1210.14 LAKE FOREST ACRES SUBORDINATE SERVICE DISTRICT.

- 1) NAME. The area described herein shall be established as a subordinate service district known as the Lake Forest Acres Subordinate Service District, and shall be governed and regulated as hereinafter set forth.
- 2) AREA INCLUDED. The area included in the Lake Forest Acres Subordinate Service District shall be that area known as Lake Forest Acres No. 1 and Lake Forest Acres No. 2, county subdivisions as recorded in Plat Book A at page 22 and Survey Book B at page 36, respectively, in the office of the Circuit Clerk & Ex-Officio Recorder in and for the Western District of Carroll County, Arkansas, and as shown on the attached maps, which are made part of this Ordinance. Map of Lake Forest Acres No. 1 is attached hereto as “Exhibit A” and included herein and the map of the Lake Forest Acres No. 2 is attached hereto as “Exhibit B” and included herein.
- 3) SERVICES TO BE PROVIDED. The Lake Forest Acres Subordinate Service District shall provide water supply and distribution services for the residents and property owners of the district. The Lake Forest Acres Subordinate Service District shall also provide any

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emergency road maintenance and right-of-way clearance as may be required due to unusual or extreme weather or other conditions. In addition, the District shall maintain all name and direction sign posts.

- 4) **CONVENIENCE AND NECESSITY.** The Lake Forest Acres Subordinate Service District is found by the Quorum Court of Carroll County, Arkansas, to be convenient and necessary for the reason that the District is presently served by a private water supply and provisions must be made to establish a satisfactory means for the continue maintenance, improvement and preservation of said water supply.
- 5) **FEES AND WATER USE.** The costs of services to be provided by the subordinate service district created herein is estimated to be Three Thousand Five Hundred Dollars (\$3,500.00) plus eight dollars (\$8.00) for each three thousand (3,000) gallons of water provided for a single user in the district and one and 50/100 dollar (\$1.50) for each additional one thousand (1,000) gallons of water provided to the same user.
- 6) **METHOD OF FINANCING.** The services to be provided by this subordinate service district shall be financed by an assessment to each property owner in the district in the amount of twenty-five dollars (\$25.00) per lot, which sum shall be entered on the tax notices and shall be collected with the real and property taxes of the County. The Carroll County Tax Collector shall not accept payment of any property tax where such taxpayer has been billed for services authorized by the subordinate service district unless the service charge provided herein is receipted. If a property owner fails to pay the service charge, it shall become a lien on the real property assessed to the said property owner within the district. The assessment provided herein shall be collected on the same basis as county property tax. In addition, the subordinate service district shall bill each water user on a per gallon used basis in accordance with the following schedule: Eight dollars (\$8.00) for the first three thousand (3,000) gallons of water consumed by the user in any given monthly billing period. One and 50/100 dollars (\$1.50) for each additional one thousand (1,000) gallons consumed by the same user in said monthly billing period. The five (5) member Board of Commissioners is authorized to adjust usage rates as necessary to meet expenses. The service district herein established may bill each water user for the gallons consumed in monthly, quarterly, semi-annual, or annual basis. If the same be not paid by any water user within ten (10) days of receipt of the bill, the service district is hereby empowered and authorized to cease providing water services to that user. Upon collection of any past-due service charge, the service district shall immediately restore water service to that user.
- 7) **ADMINISTRATION.** The Lake Forest Acres Subordinate Service District shall be administered as an administrative board under § 14-14-705 comprised of five (5) persons

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who shall be appointed by the County Judge and shall be electors residing in the Lake Forest Acres Subordinate Service District. The Board shall require confirmation by the Quorum Court through Resolution. The persons comprising the administrative board shall serve for a period of five (5) years serving no more than two (2) consecutive terms.

- 8) BUDGET. The budget of the Lake Forest Acres Subordinate Service District shall be appropriated as other funds of the County.
- 9) ACCOUNTING. Funds raised through service charges for the Lake Forest Acres Subordinate Service District shall be used only for subordinate service district purposes. Such funds shall be maintained in the County treasury and accounted for as enterprise funds. Disbursements of all subordinate service district funds shall be made in accordance with the following procedures. Disbursements of all subordinate service district funds shall be made upon an order signed by any two of the duly appointed members of the Lake Forest Acres Subordinate Service District administrative board. The administrative board shall have the authority to promulgate such rules and regulations as shall be necessary to safeguard the water supply and of the district.

[Exhibit A and Exhibit B may be accessed in the Office of the County Clerk.]

(Ord. 1987-39A, passed 10-16-1987; Am. Ord. 2022-026, passed 08-12-2022; Am. Ord. 2026-027, passed 08-18-2026)

§§ 1210.15 – 1210.99 [RESERVED].

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Article II. FERRIES, WHARVES, DOCKS, MARINE SERVICES

Section

1220.00 – 1220.99 [Reserved].

§§ 1220.00 – 1220.99 [RESERVED].

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Article III. PARKING

Section

1230.00 – 1230.99 [Reserved].

§§ 1230.00 – 1230.99 [RESERVED].

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Article IV. PUBLIC TRANSPORTATION

Section

1240.00 Interlocal agreement for the Ozark Regional Transit Authority.
[Repealed]

1240.01 – 1240.99 [Reserved].

**§ 1240.00 INTERLOCAL AGREEMENT FOR THE OZARK REGIONAL TRANSIT
AUTHORITY. [REPEALED]**

[Repealed.]

(Ord. 2002-007, passed 03-15-2002; Am. Ord. 2010-048, passed 11-19-2010; Am. Ord.
2026-025, passed 08-18-2026)

§§ 1240.01 – 1240.99 [RESERVED].

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Article

- I. BUILDING**
- II. PLANNING AND ZONING**
- III. ECONOMIC DEVELOPMENT**
- IV. HOUSING**
- V. WATERCOURSE, DRAINAGE, IRRIGATION, AND FLOOD CONTROL SERVICES**

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Article I. BUILDING

Section

- | | |
|-------------------|---|
| 1310.00 | Regulations concerning external noise attenuation of data centers; prevention of noise disturbance; penalties. |
| 1310.01 | Temporary moratorium on the construction of commercial wind and solar energy facilities for the purpose of commercial marketing or electricity. |
| 1310.02 | Carroll County High-Impact Industrial and High-Intensity Digital Infrastructure Moratorium Ordinance. |
| 1310.03 – 1310.99 | [Reserved]. |

§ 1310.00 REGULATIONS CONCERNING EXTERNAL NOISE ATTENUATION OF DATA CENTERS; PREVENTION OF NOISE DISTURBANCE; PENALTIES.

- 1) PURPOSE AND APPLICABILITY. All data centers constructed within the jurisdiction of Carroll County, Arkansas shall be designed and built to incorporate external noise attenuation measures in order to minimize the impact of noise disturbance on the residents of this County.
- 2) DEFINITIONS. For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:
 - a) Ambient Noise: the all-encompassing noise level associated with a given environment, being a composite of sounds from all sources, excusing the alleged offensive noise, at the locations and approximate time at which comparison with the alleged offense noise is to be made
 - b) Data Center: a facility constructed and operated that is engaged in storage, management, processing, and transmission of digital data, including facilities used for cryptocurrency mining, which houses networked computer systems along with supporting equipment such as batteries, back-up power generators, HVAC, and cooling systems
 - c) Decibel (dB): a unit for measuring the volume of a sound, equal to twenty (20) times to the base ten (10) of the ratio of the pressure of the sound measured to the referenced pressure, which is twenty (20) micropascals (twenty (20) micronewtons per square meter)

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- d) Mechanical Equipment: the networked computer system along with supporting equipment such as batteries, backup generators, and cooling systems housed on the data center's property
 - e) Noise Attenuation: the reduction of noise levels through the use of sound-absorbing material, architectural design techniques, and any other suitable means
 - f) Noise Disturbance: any sound which
 - i) Endangers or injures the safety or health of humans or animals;
 - ii) Annoys or disturbs a reasonable person of normal sensitivities; or
 - iii) Endangers or injures personal or real property
 - g) Person: an individual, association, partnership, or corporation, including any officer, employee, department, or agency
 - h) Property Line: an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from the real property owned by another person, but not including intra-building real property divisions
 - i) Sound: an oscillation in pressure, particle displacement, particle velocity, or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of the sound may include any characteristic of such sound, including duration, intensity, and frequency
 - j) Sound Level: the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B, or C as specified in American National Standards Institute specification for sound level meters (ANSI SI. 4-1971, or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply
 - k) Sound Level Meter: an instrument which includes a microphone, amplifier, RMS detector, integrator or time average, output meter, and weighting networks used to measure sound pressure levels
- 3) NOISE ATTENUATION REQUIREMENTS. Before a data center has commenced construction or operations within Carroll County, Arkansas, the property owner and operator proposing to build the data center shall comply with the following:
- a) NOTICE REQUIREMENTS.
 - i) Notice to Residents. The property owner and operator must notify all residents within a one-half (1/2) mile radius of the parcel, including any affiliated homeowners' association operating within the half-mile radius, that the property owner and operator intends to build and operate a data center on the property. The notice required in this section must be mailed to all postal addresses and homeowners' association addresses contained within a half-mile radius extending from the property line where the

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proposed data center will be built. Proof of notification shall be filed with the County Clerk's office within thirty (30) days of providing notice.

- ii) Notice to the County Judge. The property owner and operator must notify the County Judge that the property owner and operator intends to build and operate a data center. The notification must include the location for the proposed center.
- b) NOISE STUDY REQUIREMENTS. The property owner of the lands upon which the data center is to be located shall conduct a sound study performed by a third-party acoustic engineer to document baseline sound levels in the area of the proposed data center, including noise levels measured at the property line in eight locations (north, south, east, west, northeast, northwest, southeast, and southwest). The report of the study must include sound mitigation recommendations based on the results of the sound study. The property owner must provide a copy of the report of the study to the County Judge and file it with the County Clerk within thirty (30) days of completion of the report.
- c) NOISE ATTENUATION PLAN REQUIREMENTS.
 - i) The property owner must consult with a third-party architectural or design firm to develop a building plan that includes necessary noise attenuation measures in order to prevent the external sound level emanating from the data center from exceeding the sound level limitations below, which will be considered a noise disturbance. The building plan is not required to adopt any or all of the noise attenuation recommendations so long as the plan includes noise attenuation measures that the architectural or design firm deems adequate to be in compliance with this Ordinance. Noise attenuation measures may include, but are not limited to, the following:
 - 1. Soundproofing walls, screens, panels, fences, or enclosures;
 - 2. Buffer yards; and
 - 3. Other noise attenuation measures recommended by the third-party acoustic engineer.
 - ii) Mechanical equipment must be shown on any proposed plan and must be fully screened on all sides. Mechanical equipment not screened by a façade of the building must be screened by a visually solid fence, screen wall or panel, or parapet wall, and constructed with a design, materials, details, and treatment compatible with those used on the nearest façade of the building.
 - iii) The property owner must provide a copy of the building plan to the County Judge and file it with the County Clerk within thirty (30) days of completion of the plan prior to construction.

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- iv) Any additions, changes, or expansions of the data center must comply with the noise attenuation requirements of this Ordinance and must be designed and submitted to the County Judge and filed with the County Clerk within thirty (30) days of completion of the report.
- d) POST-COMPLETION NOISE STUDY REQUIREMENTS.
 - i) Upon the data center's completion, the data center operator must conduct a post-construction noise study performed by a third-party acoustic engineer to document noise levels emanating from the data center when mechanical equipment is running at full capacity, including all HVAC units and generators necessary for peak operation. Noise levels are to be measured at the property line in the original eight locations used during the baseline study. The data center operator must provide a copy of the report to the County Judge and file it with the County Clerk within thirty (30) days of the completion of the study.
 - ii) The data center shall not begin operations until the completion of the post-construction noise study and submission to both the County Judge and County Clerk, as required above. In order for the data center to be in compliance, the noise study results must show that its operation is in compliance with this Ordinance. If the results show that the data center is *not* in compliance with this Ordinance, the data center will be unable to commence operation until the required noise attenuation measures and noise limitations are met.
 - iii) The data center operator must further conduct annual noise studies under the baseline and post-construction studies specifications in accordance with subsections (d)(i) and (d)(ii) above. The data center operator must provide the results to the County Judge and file it with the County Clerk within thirty (30) days after the anniversary date of the first noise study report.
- 4) PROCEDURE FOR MEASUREMENT. All tests shall be conducted according to the following procedures:
 - a) Complaint Driven: When the measurement is the result of a complaint, measurements will be taken at the property line of the receiving property.
 - i) The Carroll County Judge's Office and the Carroll County Sheriff's Office shall be equipped with decibel meters with a measuring range of up to 130 dB, date and time-stamped measurements, memory, and software. Upon receiving a complaint, these departments may conduct an on-site investigation and take sound measurements as prescribed herein.

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- b) Normal Monitoring: When the measurement procedure is in the normal course of monitoring sound, the measurements will be taken at the real property line of the source of the sound.
 - c) Outdoor Conditions: No outdoor measurements must be taken while winds (including gusts) exceed fifteen miles per hour (15 mph), under conditions that will allow the sound level meter to become wet, or when the ambient temperature is out of range tolerance on the sound meter.
 - d) Calibration: The sound level meter must be verified and calibrated according to the manufacturer's specifications immediately prior to taking the measurements.
 - e) Meter Placement: The sound level meter must be placed a minimum of four (4) feet above the ground or from any reflective surface. The microphone must be pointed at the sound source.
 - f) Measurements: Measurements must include "high," "average," and "low" readings. If the sound level meter does not provide these multiple readings, a minimum of three separate measurements must be taken at a single location at varying time intervals. The average sound level reading shall be used to determine whether there has been a violation of this Ordinance.
 - g) Monitoring Report: The report for each measurement session must include the:
 - i) Day, date, and time of the measurements;
 - ii) Date and time of the sound level meter's recent calibration;
 - iii) Temperature and wind speed at the time of the measurement;
 - iv) Identification of the monitoring equipment;
 - v) Location, land use, and description of the source;
 - vi) Location and land use of the listener; and the
 - vii) Sound level measurements.
 - h) Extraneous Sounds: If there are extraneous sound sources that are unrelated to the measurements and increase the monitored sound level, the measurement shall be postponed until these noises subside.
- 5) NOISE LIMITATIONS. It shall be unlawful for any data center to make, continuously cause, or permit to be made or continued, noise levels constituting a noise disturbance. For the purposes of this section, the external noise level emanating from data centers shall be deemed disturbing to a person, reasonably calculated to disturb the peace, and unreasonably offensive and injurious to the public or their property if the sound level is:
- a) Sixty-five decibels (65 dBa) or higher during the hours of 8 A.M. to 10 P.M., or fifty-five decibels (55 dBa) or higher during the hours of 10 P.M. to 8 A.M. (as determined by a third-party acoustic engineer) measured at the property line of the receiving property.
 - b) The standard which may be considered in determining whether a violation of this Ordinance exists includes, but is not limited to, the following:
 - i) The level or volume of the noise,

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- ii) The time of day or night the noise occurs,
- iii) The duration of the noise,
- iv) Whether the noise is recurrent, intermittent, or constant, and
- v) Whether proper and reasonable noise attenuation methods were followed and maintained.

6) VIOLATIONS.

- a) Any or all of the following persons may be held responsible for noise violations:
 - i) The person operating the equipment or creating the noise,
 - ii) The person who employs the person(s) operating the equipment or creating the noise at the time of the violation, and
 - iii) The person who owns or rents the property where the violation occurs.
- b) A person is in violation of this Ordinance when any of the following occur:
 - i) The sound level emanating from the data center exceeds sixty-five decibels (65 dBa) during the hours of 8 A.M. to 10 P.M., or fifty-five decibels (55 dBa) during the hours of 10 P.M. to 8 A.M. measured at the property line of the receiving property.
 - ii) The noise attenuation measures provided in the design plan submitted to the County Judge are not incorporated in the construction of the data center.
 - iii) Any of the required sound study results are not filed with the County Judge and the County Clerk within thirty (30) days of completion of the report.
 - iv) The building plan is not filed with the County Judge and the County Clerk within thirty (30) days of completion of the plan prior to the construction.
 - v) A person fails to act in accordance with any other provision of this Ordinance.
- c) All data centers shall be in compliance with the requirements of this Ordinance before commencing operation. Failure to do so will be deemed in violation of this Ordinance and result in an injunction or stay against the commencement of operation.

7) PENALTIES.

- a) Any person, firm, corporation, partnership, association, owner, occupant, or agent of the subject property, or any person, firm, corporation, partnership, association, owner, occupant, or agent with supervision or control over the data center, that violates any provision of this Ordinance shall be guilty of a misdemeanor.
- b) Upon conviction of such violation, any offending party shall be punished by fine of \$1,000 for any one specified offense or violation, or double that sum for repetition of the offense or violation. If the act prohibited is continuous in time,

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the fine or penalty for allowing the continuance thereof, in violation of this Ordinance, shall be \$500 for each day that it may unlawfully continue. If the prohibited act continues after a conviction under this section, an injunction to abate the nuisance or violation of this Ordinance may be sought and awarded by a court of proper jurisdiction.

- c) The County or any citizen shall be entitled to pursue all legal and equitable remedies available under the law in order to abate the nuisance and compel compliance with this Ordinance, including through injunctive relief and civil damages as the court deems appropriate.
 - d) A data center shall cease operations until it is in compliance with this Ordinance and meets both the noise attenuation requirements and noise limitations prescribed.
- 8) SEVERABILITY. If any provision of this Ordinance is found to be invalid by the decision of any court of competent jurisdiction, such invalidity shall not affect the remaining sections, phrases, and provisions of this Ordinance, which remain valid and enforceable.

(Ord. 2023-029, passed 07-18-2023)

§ 1310.01 TEMPORARY MORATORIUM ON THE CONSTRUCTION OF COMMERCIAL WIND AND SOLAR ENERGY FACILITIES FOR THE PURPOSE OF COMMERCIAL MARKETING OR ELECTRICITY.

- 1) TEMPORARY MORATORIUM. A moratorium is hereby imposed on the construction of commercial wind and solar energy facilities, and expansion of any such facilities already under construction, within Carroll County, Arkansas, effective immediately upon adoption.
- 2) DEFINITIONS.
 - a) Definition of “construct” or “construction,” or “expansion” means any clearing of land, excavation, relocation of utilities, grading, construction of access roads at proposed sites, erection of any energy generation components, and any positioning or location of equipment to accomplish same, but shall not include preliminary assessment work defined as; erection of meteorological towers, environmental assessments, surveys, necessary borings to ascertain foundation conditions, preliminary engineering, or other activities associated with assessment of development of wind or solar resources on a given parcel of property.
 - b) For purposes of this ordinance, “commercial wind or solar energy facility” refers to any electrical energy generation facility consisting of one or more wind turbines or solar panels designed to generate electric power for sale, marketing, or

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distribution beyond the immediate demands of the property on which it is located and which it intended to be connected or has an interface for connection to the local, state or national electrical grid.

- c) For the purpose of this ordinance, “facility” refers to the total combined components that are needed for the functioning and distribution of wind or solar powered energy for commercial use, including but not limited to one or more of the following: industrial electrical energy producing structures including but not limited to wind turbines or solar panels, cables, transmission lines, substations, transformers, control systems and operation and maintenance buildings. Each planned phase of an electrical generation facility is a separate facility.

3) EXCLUSIONS.

- a) Residential solar panels and small-scale wind energy systems intended for on-site use.
- b) Solar or wind energy systems installed on municipal buildings, schools, business parks as established by relevant administration authority or commercial/industrial buildings for the exclusive use of occupants.

- 4) EXISTING FACILITY. This moratorium does not apply to any industrial wind or solar energy facility within Carroll County, including but not limited to the Scout Clean Energy/Nimbus 40 turbine wind farm, the construction of which began on or before December 31, 2024, provided it complies with all applicable federal, state, and local laws. Any facility preexisting the date of this ordinance shall provide to the Quorum Court of Carroll County, Arkansas annually on or before the first day of April each year the revenue and energy production statistics for each wind turbine or solar array and a collective total of those statistical categories for the entire facility by filing a report with the office of the Carroll County Judge.

- 5) PURPOSE AND DURATION. This temporary moratorium is enacted to provide time for the Quorum Court to consider adopting appropriate regulations for commercial wind and solar energy facilities. The moratorium will remain in effect until:

- a) The fifth anniversary of the date the last wind turbine in the Scout Clean Energy/Nimbus wind turbine facility currently under construction begins to produce electricity, or
- b) The Quorum Court passes an ordinance lifting the moratorium.

- 6) MORATORIUM DECLARATION. The Quorum Court finds that this ordinance is necessary to protect public health, safety, and welfare. Therefore, this ordinance shall take effect IMMEDIATELY upon adoption.

7) PENALTIES.

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- a) Any person(s), firms, corporation, partnership, association, owner, occupant, agent or anyone having ownership in the subject property or supervision or control over the facility that violates or fails to comply with any provision of this Ordinance, shall be guilty of a misdemeanor.
- b) Upon conviction of such violation, any offending party shall be punished by fine of up to \$500 for any one specified offense. If the act prohibited is continuous in time, each day will be considered a separate offense under this Ordinance, and the maximum fine shall be \$500 per day.
- c) Carroll County or any citizen shall be entitled to pursue all legal and equitable remedies available under the law in order to abate the nuisance and compel compliance with this Ordinance, including injunctive relief and any civil damages to which they may be entitled.

(Ord. 2025-014, passed 05-20-2025)

§ 1310.02 CARROLL COUNTY HIGH-IMPACT INDUSTRIAL AND HIGH-INTENSITY DIGITAL INFRASTRUCTURE MORATORIUM ORDINANCE.

- 1) TITLE. This Ordinance shall be known as the “Carroll County High-Impact Industrial and High-Intensity Digital Infrastructure Moratorium Ordinance.”
- 2) AUTHORITY. This Ordinance is adopted pursuant to:
 - a) Arkansas Constitution Amendment 55.
 - b) Arkansas Code §14-14-801.
 - c) Arkansas Code provisions governing county planning and land-use authority.and is intended to preserve the public health, safety, and welfare while Carroll County evaluates and adopts permanent regulations governing high-impact industrial and high-intensity digital infrastructure use.
- 3) LEGISLATIVE FINDINGS. The Quorum Court finds:
 - a) High-impact industrial and high-intensity digital infrastructure (HIDI) facilities, including, but not limited to, data centers, artificial intelligence computing facilities, cryptocurrency mining operations, cloud computing campuses, and related large-scale digital processing facilities, are industrial land uses with infrastructure demands significantly different from traditional commercial, office, warehouse, agricultural, and other industrial land uses with respect to utility demand, infrastructure requirements, environmental impacts, emergency response requirements, and fiscal impacts.

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- b) Such facilities may require extraordinary electrical demand, water consumption, telecommunications infrastructure, emergency response capacity, road improvements, and utility infrastructure investments.
- c) Industrial facilities exceeding fifteen (15) megawatts of electrical demand may require substations, transmission upgrades, distribution system modifications, backup generation systems, and specialized fire suppression systems.
- d) HIDI facilities may require electrical loads ranging from tens to hundreds of megawatts.
- e) A HIDI facility requiring fifty (50) megawatts of continuous electrical demand may consume approximately 438,000 megawatt-hours annually.
- f) HIDI facilities exceeding one hundred (100) megawatts may consume electrical energy comparable to that used by substantial residential populations or major industrial operations.
- g) Utility infrastructure necessary to support high-impact industrial and HIDI facilities may include dedicated substations, new transmission facilities, distribution system upgrades, switching stations, transmission interconnections, and long-term generation commitments.
- h) HIDI facilities frequently contain substantial concentrations of electrical equipment, battery systems, transformers, backup generation equipment, fuel storage systems, and cooling infrastructure.
- i) Carroll County presently lacks a comprehensive regulatory framework governing the siting, review, permitting, monitoring, and mitigation of impacts associated with high-impact industrial and HIDI facilities.
- j) Existing development regulations do not adequately address:
 - i) Electrical demand impacts;
 - ii) Utility infrastructure requirements;
 - iii) Water consumption impacts;
 - iv) Fire suppression and emergency response needs;
 - v) Noise and thermal impacts;
 - vi) Transportation impacts;
 - vii) Fiscal impact on County services;
 - viii) Ratepayer protection considerations.
- k) Rural fire districts and emergency response providers serving unincorporated Carroll County may face substantial operational and infrastructure demands associated with high-impact industrial and large-scale digital infrastructure facilities.
- l) The County has a legitimate governmental interest in understanding and evaluating the impacts of concentrated electrical demand on infrastructure planning, public services, economic development, other land uses, and to what extent, if any, that proposed high-impact industrial and HIDI projects will result in

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material subsidization of required electric infrastructure by existing ratepayers (meaning allocation of high-impact industrial or HIDI project-specific infrastructure costs to the general rate base that would not be incurred but for high-impact industrial or HIDI projects).

- m) The County has a legitimate governmental interest in determining whether and to what extent hyperscale infrastructure projects (meaning those above 50 megawatts) may require substantial utility investments extending beyond project boundaries, may affect adjacent land uses, roadway corridors, agricultural lands, residential lands, and environmentally sensitive areas.
- n) The County has a legitimate governmental interest in determining whether and to what extent transmission corridors, substations, and utility infrastructure for high-impact industrial and HIDI facilities may produce visual, noise, maintenance, safety, and land-use compatibility impacts.
- o) High-impact industrial and digital infrastructure facilities may utilize significant quantities of water for cooling operations. Water consumption may vary substantially depending upon facility size, climatic conditions, cooling technology, operating schedules, and computing intensity. Certain facilities may utilize evaporative cooling systems, chilled-water systems, hybrid cooling systems, or other technologies requiring substantial water withdrawals.
- p) Water demand associated with large-scale HIDI facilities may affect local water supply planning, infrastructure capacity, drought resiliency, and future development opportunities.
- q) The County has a legitimate governmental interest in evaluating anticipated water demand and cooling technologies before development approvals are granted.
- r) High-impact industrial and HIDI facilities frequently contain substantial concentrations of electrical equipment, battery systems, transformers, backup generation systems, fuel storage systems, and cooling systems. Certain battery technologies may present unique fire suppression and emergency response challenges. Emergency incidents involving high-impact industrial or digital infrastructure facilities may require coordination among fire departments, rural and primarily volunteer fire districts, emergency management agencies, utilities, and law enforcement agencies. The County has a legitimate governmental interest in evaluating fire and emergency medical response capabilities before approving such facilities.
- s) Cooling equipment, mechanical systems, backup generators, transformers, substations, and related high-intensity digital infrastructure may generate continuous or intermittent noise. Such impacts may affect neighboring residential, agricultural, institutional, recreational, and conservation land uses.
- t) High-impact industrial and high-intensity digital infrastructure facilities may generate electronic waste, construction waste, and operational waste streams

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requiring proper management. Large-scale digital facilities may alter development patterns, infrastructure demands, and land-use compatibility with surrounding areas.

- u) The County has a legitimate governmental interest in ensuring compatibility between high-impact industrial and HIDI facilities and surrounding land uses.
- v) High-impact industrial and HIDI development proposals may generate direct and indirect demands upon County services and infrastructure. County review of large-scale projects would require engineering, legal, environmental, planning, and consulting expertise. Existing county fee structures do not exist to adequately recover costs associated with review and monitoring of high-impact industrial and HIDI facilities.
- w) The County has a legitimate governmental interest in ensuring that project review and regulatory costs are not shifted to County taxpayers. Development of cost recovery mechanisms, review fees, escrow requirements, and monitoring and enforcement fees warrants further study.
- x) Existing County ordinances and regulations were not envisioned or designed to address the unique characteristics of high-impact industrial and digital infrastructure facilities. County officials presently lack a standardized mechanism for receiving advance notice concerning utility infrastructure requirements associated with those facilities.
- y) Advance notice of utility demands, water requirements, cooling technologies, transmission infrastructure needs, emergency response requirements, phased development plans, and environmental impacts is necessary for informed and fair-minded governmental decision-making.
- z) A permitting process and a Notice of Industrial Impact and Intent (NOII) process and framework would provide transparency, advance notice, meaningful opportunities for public participation and intergovernmental cooperation, and will assist the County in evaluating and coordinating infrastructure impacts before high-impact industrial and HIDI development approvals are issued.
- aa) The County needs time to evaluate the adoption of a high-impact industrial and high-intensity digital infrastructure permitting process and Notice of Industrial Impact and Intent (NOII) regulatory framework to address these impacts.
- bb) Any construction of, or approval of high-impact industrial and high-intensity digital infrastructure facilities before completion of that review may result in irreversible infrastructure commitments, inadequate mitigation of impacts, and inconsistent land-use decisions.
- cc) A temporary moratorium is necessary to preserve the status quo while the County completes its planning and regulatory process.

4) DEFINITIONS.

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- a) *High-Intensity Digital Infrastructure (HIDI) Facility.* Any facility or campus primarily engaged in:
 - i) Data center operations.
 - ii) Artificial intelligence computing.
 - iii) Cryptocurrency mining.
 - iv) Blockchain processing.
 - v) Cloud Computing.
 - vi) High-performance computing; or
 - vii) Similar digital processing activities and having either: Electrical demand of fifteen (15) megawatts or greater or water demand of one hundred thousand (100,000) gallons per day or greater.
- b) *High-Impact Industrial Use.* Any use meeting one or more of the following objective criteria: Electrical demand of fifteen (15) (MW) or greater or water use of 100,000 gallons per day or greater.
- c) *Moratorium.* A temporary suspension of the construction in the county related to high-impact industrial and high-intensity digital infrastructure facilities.
- d) *Construction.* Any clearing of land, excavation, relocation of utilities, grading, construction of access roads, erection of any structure to facilitate a high-impact industrial facility or high-intensity digital infrastructure facility, erection of any energy generation components structure to facilitate a high-impact, and/or any positioning or location of equipment to accomplish same

5) MORATORIUM.

- a) During the term of this Ordinance, no construction related to high-impact industrial and high-intensity digital infrastructure facilities shall commence.
- b) During the term of this Ordinance, no county department, board, commission, official, or employee shall approve, issue, grant, or authorize:
 - i) Conditional use permits.
 - ii) Development permits.
 - iii) Land disturbance permits.
 - iv) Site plan approvals.
 - v) Rezoning requests.
 - vi) Subdivision approvals; or
 - vii) Other discretionary County approvals for construction, development, redevelopment, or expansion of high-impact industrial and high-intensity digital infrastructure facilities within the unincorporated areas of Carroll County.
- c) No application submitted after the effective date of this Ordinance shall be approved until expiration or termination of the moratorium.

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- 6) **INTENT.** In accordance with Arkansas Act 851 of 2023 (also known as the Arkansas Data Centers Act), this moratorium is not intended to be and should not be construed as a ban or prohibition on HIDI projects, but is intended to be a recognized permitted tool for preserving the status quo so the County can undertake and complete a period of regulatory study. The Quorum Court finds that a temporary moratorium is the least restrictive available means of preserving the status quo while development of a comprehensive regulatory framework is completed.
- 7) **STUDY AND REGULATORY DEVELOPMENT.** During the moratorium period, Carroll County may:
- a) Evaluate and develop:
 - i) A permitting process for high-impact industrial and high-intensity digital infrastructure facilities.
 - ii) A Notice of Industrial Impact and Intent (NOII) process.
 - iii) Utility coordination procedures.
 - iv) Infrastructure impact standards.
 - v) Emergency response standards.
 - vi) Water and wastewater review standards.
 - vii) Fee and cost-recovery mechanisms.
 - viii) Monitoring and enforcement provisions.
 - ix) Public participation procedures; and
 - x) Other regulations necessary to protect the public health, safety, and welfare.
 - b) Provide quarterly progress reports to the Quorum Court.
- 8) **DURATION.** This moratorium shall remain in effect for twelve (12) months from the effective date of this Ordinance unless repealed earlier by the Quorum Court.
- 9) **NON-RETROACTIVITY.** This Ordinance shall not apply to projects that: (a) have executed binding utility interconnection agreements; or (b) have received final County approvals; or (c) have submitted complete interconnection applications and received final utility study acceptance before the effective date of this Ordinance. For purposes of this Ordinance and any related Notice of Industrial Impact and Intent (NOII) or permitting framework, “final utility study acceptance” means the issuance by the applicable utility provider of a written determination, approval, facilities study agreement, service commitment, interconnection agreement, utility service agreement, construction authorization, or other final action indicating that:
- a) All material engineering, feasibility, system impact, load flow, facilities, capacity, transmission, distribution, water, wastewater, or other utility studies required by the utility provider have been completed;

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- b) The utility provider has identified the infrastructure, upgrades, facilities, easements, transmission facilities, distribution facilities, water system facilities, wastewater system facilities, or other infrastructure improvements necessary to serve the proposed project;
- c) The utility provider has determined that utility service can be provided subject only to identified conditions, construction requirements, tariffs, regulatory approvals, or contractual obligations.
- d) The applicant has accepted, or has been offered the opportunity to accept, the utility provider's identified utility service conditions and infrastructure requirements; and;
- e) No additional discretionary utility feasibility, system impact, facilities, capacity, or engineering study required by the utility provider remains pending that could materially alter the utility provider's determination regarding the ability to service the proposed project. "Final utility study acceptance" shall not include:
 - i) Preliminary inquiries;
 - ii) Expressions of interest
 - iii) Nonbinding correspondence;
 - iv) Conceptual utility study service discussions;
 - v) Preliminary load reviews;
 - vi) Preliminary feasibility reviews;
 - vii) Screening studies;
 - viii) Requests for information;
 - ix) Letters indicating only that utility studies will be performed; or
 - x) Any provider communication that expressly states that utility service availability, required utility infrastructure, costs, capacity, timing, or interconnection feasibility remain subject to further study or approval.

(Ord. 2026-017, passed 06-16-2026)

§§ 1310.03 – 1310.99 [RESERVED].

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Article II. PLANNING AND ZONING

Section

1320.00 Carroll County land heritage preservation plan.

1320.01 – 1320.99 [Reserved].

§ 1320.00 CARROLL COUNTY LAND HERITAGE PRESERVATION PLAN.

- 1) The Carroll County Quorum Court recognizes the need for a land use plan to guide the use of public lands and public resources in Carroll County, Arkansas, and to protect the rights of private land owners.
- 2) The Land Use Policy Plan is hereby adopted and made a part of this Ordinance as though set out word for word to serve as a set of policies that shall provide a general planning framework to remain in effect upon passage of this Ordinance.
- 3) This up-to-date Land Plan, and Ordinance, shall replace the previous Land Plan, which is Ordinance 1998-02, and upon passage of this Ordinance, 1998-02 shall be repealed.

(Ord. 2011-037, passed 11-18-2011)

§§ 1320.01 – 1320.99 [RESERVED].

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Article III. ECONOMIC DEVELOPMENT

Section

1330.00 – 1330.99 [Reserved].

§§ 1330.00 – 1330.99 [RESERVED].

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Article IV. HOUSING

Section

1340.00 – 1340.99 [Reserved].

§§ 1340.00 – 1340.99 [RESERVED].

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**Article V. WATERCOURSE, DRAINAGE, IRRIGATION, AND
FLOOD CONTROL SERVICES**

Section

1350.00 – 1350.99 [Reserved].

§§ 1350.00 – 1350.99 [RESERVED].

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Chapter 14 – Other Community Services

Chapter 14: Other Community Services

Section

1400.00 – 1400.99 [Reserved].

§§ 1400.00 – 1400.99 [RESERVED].

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