

City of Dyer, Arkansas
Resolutions and Ordinances
Adopted by the City Council

- 2025-01-08-01 – Resolution – Approval of Adoption of Policies and Procedures
- 2025-01-28-xx – Resolution – Approval of Change of Authorized Signors for City Financial Accounts
- 2025-01-28-01 – Ordinance – Approval of 2025 Water Rates
- 2025-01-28-02 – Ordinance – Approval of M-2 Zoning Mixed-Use District
- 2025-01-28-03 – Resolution – Approval of City Zoning Map dated 1/18/2025
- 2025-02-25-01 NEED
- 2025-02-25-02 – Resolution – Grant Approval for Fire Apparatus Project
- 2025-02-25-03 – Resolution – Approval for Mayor to sell 2-2010 Dodge Charger Police Cars
- 2025-03-10-02 – Ordinance – City Street Bore Procedure
- 2025-04-22-01 – Ordinance – Water Department Customer Service Policy Update
- 2025-04-22-02 – Ordinance – Electronic Funds Payment System
- 2025-04-22-03 – Ordinance – Burning
- 2025-06-24-01 – Resolution - Engagement of Backup Water/Wastewater Services
- 2025-09-29-01 – Resolution – 2025 Tax Levy (Personal and Real Property)
- 2025-12-16-01 – Resolution – 2025 Amended Budget
- 2025-12-16-02 – Resolution – 2026 Budget

CITY OF DYER, ARKANSAS

RESOLUTION NO. 1015-01-08-1

A RESOLUTION SETTING THE POLICIES AND PROCEDURES FOR THE CITY COUNCIL OF THE CITY OF DYER.

WHEREAS, the Dyer City Council has determined that the city will be better served with a set of formally adopted policies and procedures governing the operation of the City Council of Dyer, Arkansas.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: MEETING SCHEDULE

The City Council will meet at 6:30 p.m. at the City of Dyer, City Hall, City Council Chambers, on the fourth Tuesday of each month.

A regularly scheduled meeting cannot be cancelled prior to the meeting's date and time. It can be cancelled if, after 15 minutes past the start time, a quorum is not present.

If a quorum is present, but the mayor is absent, the city Recorder/Treasurer shall serve as president pro tempore.

SECTION 2: AGENDA

The Mayor shall delegate collection, initial organization, and distribution of the final draft of the agenda to the City Recorder/Treasurer; however, the Mayor shall maintain responsibility for and control of the agenda. At a regular meeting of the City Council, the Council, by majority vote, may rearrange the order of the agenda.

All items for discussion at regular City Council meetings shall be organized under the following headings:

1. Call to order by Mayor
2. Pledge of Allegiance
3. Roll Call by the City Recorder/Treasurer
4. Approval of Previous Meeting Minutes
5. Approval of Financials
6. Department Reports
7. Old Business
8. New Business

9. Public Comment

10. Adjournment

Any person may have an item placed on the agenda by contacting the City Mayor or Recorder/Treasurer no later than 12:00 p.m. noon on the second Tuesday of the month preceding each regular city council meeting. All items for discussion or action at the regular city council meeting shall be included in a Final Agenda provided by the Recorder/Treasurer or Mayor to the Aldermen and City Attorney no later than 5:00pm on the third Tuesday of the month preceding each regular city council meeting. The Recorder/Treasurer shall publish the Final Agenda and supporting items on the City's website as soon as reasonably practicable.

Any ordinance or resolution which was not included on the Final Agenda may only be brought before the Council after approval by majority vote of the City Council.

SECTION 3: SPECIAL MEETINGS

If during a regular city council meeting, the council schedules a special meeting (by majority vote), the date, reason, time, and place for the meeting shall be stated and proper notice as required by the Arkansas Freedom of Information Act shall be made. The mayor shall also post the notice of the meeting at City Hall and if practicable other city owned signage.

A public hearing may also be scheduled by a majority vote of the City Council as to date, time, place, and subject. The discussion shall be only on one subject. The meeting shall be noticed just as a special meeting.

A special meeting may also be scheduled if the Mayor decides that a special meeting is necessary. The required two (2) hour notice shall be given as required by the Arkansas Freedom of Information Act and if practicable the Mayor shall provide the same notice as for any other meeting.

A special meeting may also be scheduled by three (3) city council members if they determine that a special meeting is required. The required two (2) hour notice shall be given as required by the Arkansas Freedom of Information Act and if practicable the Mayor or other city official shall provide the same notice as for any other meeting.

SECTION 4: PARLIAMENTARY RULES

Unless specifically addressed in this resolution, the City Council of the City of Dyer shall follow the parliamentary rules as described in the *Procedural Rules for Municipal Officials* as published by the Arkansas Municipal League in the May 2014 edition. A copy of the said pamphlet is attached as Exhibit A to this resolution, and copies of said pamphlet shall be maintained at City Hall for inspection by the public. The public or officials may order individual copies by contacting the Arkansas Municipal League.

SECTION 5: PUBLIC COMMENT

Any person shall be allowed to make public comments at city council meetings subject to the procedures in this resolution. Public comments shall only be made during the public comment period unless an Alderman shall recognize a citizen during the discussion of an agenda item.

All public comments shall be limited to five (5) minutes unless the City Council shall by majority vote move to suspend the rules to allow more time. Public comments shall be made to the City Council as a whole and may not be directed to any individual. A question may be asked of council members or city employees, but must be directed through the Mayor or other presiding officer.

Citizens desiring to make public comments during the comment period must sign up on the sheet in the back of the council chamber prior to the start of any city council meeting. Citizens may not make comments until recognized by the Mayor or presiding officer.

Individuals shall approach the microphone and speak into it during their entire comment period. Immediately after being recognized by the Mayor or presiding officer, the individual making a public comment must state his or her full name and legal address for the record.

Repetitive comments should be avoided. All members of the public are requested to accord the utmost courtesy to members of the City Council, to other members of the public, and to city staff or employees, and are asked to refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

The City Council shall provide thirty (30) minutes during each regular council meeting for public comment on non-agenda business.

SECTION 6: DECORUM

There will be no smoking or vaping of any kind allowed in the City Hall. With the exception of on-duty emergency services personnel, cell phones, pagers, and other electronics must be turned off or put in silent mode within the Council Chambers during meetings. Recording of the meetings are welcome and encouraged.

SECTION 7: CODE OF ETHICS

a) General

Aldermen, other elected city officials and the city's administrative officers and department heads occupy positions of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly must be subject to the scrutiny of public opinion both to the legality and to the propriety of such transactions.

b) Conflict of Interest

Aldermen, other elected officials, and the city's administrative officers and department heads shall refrain from making use of special knowledge or information gained by virtue of their elected office or position before it is made available to the general public; shall refrain from making or influencing decisions involving business associates, customers, clients, competitors, and immediate family members and shall comply with all lawful actions, directives and orders of duly constituted municipal officers as such may be issued in the normal and lawful discharge of the duties of these municipal officer. Nothing herein, however, shall serve to deny any of the above-mentioned of their legal rights and privileges available to all Dyer citizens.

c) Responsibility to All Citizens

Aldermen, other elected officials and the city's administrative officers and department heads shall conduct themselves so as to bring credit upon the city as a whole and so as to set a good example of good ethical conduct for all citizens of the community. Aldermen, other elected officials, and the city's administrative officers and department heads shall bear in mind at all times their responsibility to all Dyer citizens, shall refrain from actions benefiting special interest groups at the expense of the city as a whole, and shall do everything in their power to ensure equal and impartial law enforcement throughout the city without respect to race, creed, color, sex, or the economic or social position of individual citizens.

d) Responsibility to Disclose

In an effort to allow the public full knowledge of financial and personal interest, Aldermen and other elected officials are expected to file an annual statement of financial interest as required in AR Code Ann. § 21-8-701. Aldermen, and other elected officials and the city's administrative officers and department heads are also expected to disclose any business or financial interest which could affect or be affected by decisions of the City Council, other elected city officials or the city's administrative officers or department heads. This language shall be interpreted to include real estate holdings and business or financial interests held by the individual, his/her spouse, children, parents or siblings or beneficial interests in a partnership, corporation or any other legal entity.

Aldermen, and other elected officials and the city's administrative officers and department heads shall also disclose any familial relationships with any other city official or employee which could affect or be affected by decisions of the City Council, the Mayor, a city administrative officer or department head.

The financial and familial disclosures should be made in writing and filed with the City Recorder/Treasurer before February 1st of each year; any changes in

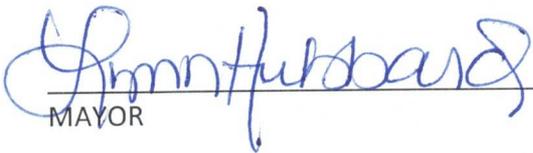
disclosure information during the year must be filed with the City Recorder/Treasurer within thirty (30) days of such change.

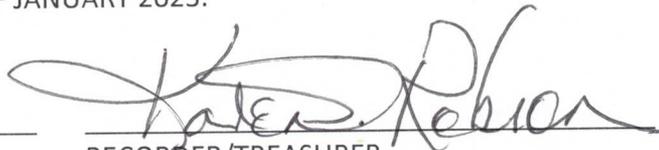
No non-elected city officials and employees are required to include his or her home address on disclosure documents per Ark. Code Ann. § 25-19-105

SECTION 8: ELECTRONIC PARTICIPATION IN MEETINGS

As may be necessary or advisable, meetings may be conducted all or in part through virtual or electronic means instead of or in addition to, in-person meetings. In order to comply with the Arkansas Freedom of Information Act Statute, all meetings shall be open to the public, and the public shall be afforded a means to hear and be heard and otherwise participate in the meeting in a legitimate and reasonably practicable manner whether the meeting should be in person, virtual, or some combination thereof.

PASSED AND APPROVED THIS 8th DAY OF JANUARY 2025.


MAYOR


RECORDER/TREASURER

ACKNOWLEDGED:


COUNCIL MEMBER


COUNCIL MEMBER


COUNCIL MEMBER


COUNCIL MEMBER


COUNCIL MEMBER


COUNCIL MEMBER

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2025-01-08

A RESOLUTION REMOVING AUTHORIZED SIGNERS FROM THE CITY'S FINANCIAL ACCOUNTS AND ADDING NEW SIGNERS.

Whereas, on January 1st a new slate of elected officials took office for the city of Dyer, Arkansas.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: The following individuals shall hereby removed as authorized signers from the City of Dyer's Financial Accounts: Charles Blaine Kiser and Donna Staton.

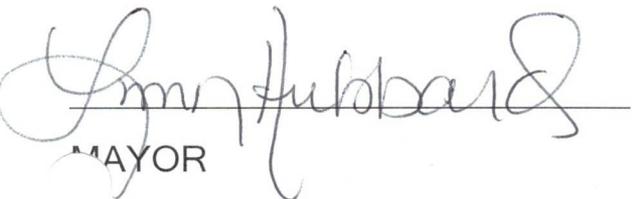
Section 2: The following individuals shall hereby added as authorized signers to the City of Dyer's Financial Accounts: Lynn Hubbard, Karen Robson, Eric Bixby and Stacey Gunn.

Section 3: The following individuals shall hereby be added to authorized drop-off and pick-up list for all City of Dyer's bank deposits: Lynn Hubbard and Karen Robson. The Mayor Lynn Hubbard may also designate in writing various city employees as necessary to be authorized on the drop-off and pick-up list.

PASSED AND APPROVED THIS 8th DAY OF JANUARY, 2025.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2025-01-28-01

AN ORDINANCE SETTING WATER RATES FOR CUSTOMERS OF THE DYER CITY WATER SYSTEM AND FOR OTHER RELATED PURPOSES.

WHEREAS, the cost of purchasing water and operating the water system have increased for the City of Dyer and these increases must be passed on to the customers and other users in order to maintain a fiscally responsible water system.

WHEREAS, the maintenance and operating costs of operating the water system outside the municipal boundaries is greater than the maintenance and operating cost of the water system within the municipal boundaries due in part to the length of the system and distance to rural customers;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: Inside City Limits: The amount to be paid for water for customers of the Dyer City Water System shall be a base rate of \$21.95 for the first 1,000 gallons of water per billing cycle and thereafter \$9.73 per 1,000 gallons on a pro rata basis determined by the user's actual water consumption for customers within the municipal limits of Dyer, Arkansas.

SECTION 2: Outside City Limits: The amount to be paid for water for customers of the Dyer City Water System shall be a base rate of \$31.95 for the first 1,000 of water per billing cycle and thereafter \$14.35 per 1,000 gallons on a pro rata basis determined by the user's actual water consumption for customers outside the municipal limits of Dyer, Arkansas.

SECTION 3: Any water system connected structures containing multiple separate family residential units shall be billed the base rate for each separate family residential unit. **Residential unit** means a residential dwelling unit housing a single family or group of persons with shared common space that is built such that it excludes access by others. shall include single-family unattached homes, and each separate unit of condominiums, town homes, duplex, triplex, fourplex, and individual apartments units in multi-family buildings.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to reflect the new rates and charges set out above.

SECTION 5: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety and welfare of the citizens of Dyer, Arkansas, because the existing water rates were fiscally unsupportable and this ordinance will make the water rates reflect the actual costs of operating the system such that the system can be financially sound. Failure to implement the rate increase immediately could jeopardize the safe operation of the water system to the possible detriment of the health and safety of the City and its citizens. Therefore, an emergency is hereby declared and this ordinance shall take effect and be in full force after its passage, approval and publication.

SECTION 6: The rate increase contemplated herein shall be effective for the February, 2025 bills for water used in January , 2025.

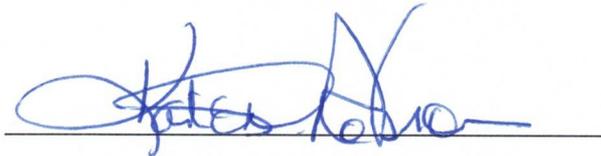
PASSED AND APPROVED THIS 18th DAY OF JANUARY, 2025.

APPROVED:



MAYOR

ATTESTED:



RECORDER/TREASURER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2019-01-28-01

AN ORDINANCE CREATING AN M-2 MIXED USE DISTRICT FOR THE PURPOSES OF ZONING WITHIN THE CITY OF DYER, ARKANSAS; REPEALING CONFLICTING ORDINANCES; DECLARING AN EMERGENCY; AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City Council of the City of Dyer, Arkansas, believes that the long-term planning goals and plan for the growth of the city contemplates commercial and multi-family development in the area of the old downtown and;

WHEREAS, the area between Washington and Main Streets south of the Highway 64 corridor is currently zoned R-1 prohibiting commercial uses and multi-family;

WHEREAS, the City Council of Dyer, Arkansas, believes that a mixed commercial and multi-family residential use district in this area may complement the long term planning goals for the City of Dyer, Arkansas;

WHEREAS, an ordinance has been proposed creating a mixed use zoning district that combines the permissible uses of the existing R-2 and C-2 zoning districts for the area between Washington and Main Streets south of the Highway 64 corridor through Dyer, Arkansas; and

WHEREAS, after careful scrutiny, study, and due diligence, the City Council of Dyer, Arkansas, has determined that it is in the best interests of the city and its citizens to create a mixed-use planning district that permits a combination of residential and commercial uses in the same district.

WHEREAS, a public hearing has been held regarding this matter;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: A zoning district is hereby created call the "M-2 Mixed Use District."

SECTION 2: This M-2 zoning district shall have the following permitted uses:

I. For structures with a primary commercial purpose:

(1)

- a. Retail establishments providing goods and/or services;
- b. Office buildings and compatible uses;
- c. Hotels, motor hotels;
- d. Restaurants;
- e. Processing and Manufacturing that are not a nuisance in respect to noise, odor, dust, vibrations, etc.
- f. Wholesaling and warehousing;

- g. Bulk storage of non-combustible materials;
- h. Automotive service, repair, and storage, provided that wrecked or salvage vehicles are stored inside a building or are enclosed by a solid fence and are not visible to the public from the street or sidewalk.

(2) The maximum height of commercial structures in the M-1 District shall be three stories not to exceed 48 feet.

(3) The following street and yard requirements shall apply to commercial structures in the M-1 District:

- a. Front yard: Minimum of 25 feet from all street property lines or 50 feet from center line of existing right of way, whichever is greater;
- b. Side yard: 15 feet from street property lines or 35-feet from centerline of existing right of way, whichever is greater; and
- c. Rear yard: 20 feet from property line or center of alley if one exists.

(4) The following loading, unloading, and on-lot parking requirements shall apply to commercial structures in the M-1 District:

- a. Loading and unloading facilities shall be provided so as not to block any public way;
- b. On lot parking facilities shall be provided for all employees; and
- c. Provisions shall be made for on lot and customer parking to handle normal anticipated demand.

II. For structures with a primary residential purpose:

1. Permitted Uses

- a. One-family dwellings
- b. Two-family dwellings
- c. Churches
- d. Parks, playgrounds, etc.
- e. Schools offering a general education course
- f. Kindergartens (public or private)
- g. Hospitals, nursing homes, doctor and dental clinics, etc.
- h. Accessory structures and uses pertinent to the principals structure and use.

2. Lot Area

- a. One-family: Minimum 7,000 square feet for first unit
- b. Two-family: Minimum 9,000 square feet

3. Yard Requirements

- a. Front yard: 25 feet fro property line or 50 feet from center line of existing Right-of-way, whichever is greater.
- b. Side yard: Minimum 7 1/2 feet from each property line. EXCEPTION: One open Attached carport may be constructed to within five feet of one side yard boundary.
- c. Rear yard: Minimum of 20 feet from property line of center of alley where one exists.
- d. Side yard: Minimum of 15 feet from street property line or 35 feet from Street: center Line of existing right-of-way whichever is greater.

4. Width

Minimum width of a lot at the front yard line or building line shall be 60 feet for one-family dwelling and 75 feet for two-family dwellings.

5. Height

Maximum height of a structure shall be two stories and not to exceed 35 feet.

6. On-Lot Parking Space

One-Family and two-family: One on-lot parking space shall be provided for each family unit.

7. Places of Public Assembly

a. Height

Maximum height shall be two stories and not to exceed 35 feet for that portion of the structure used for assembly or offices.

b. Yard Requirements

Minimum of 25 feet from all property lines. On property abutting a street, 25 feet from property line or 50 feet center of street, whichever is greater.

c. On-lot Parking

Places of public assembly shall provide one on-lot parking space per each six persons accommodated in the assembly hall.

SECTION 3: The provisions of any ordinances that conflict with this ordinance are hereby amended or repealed as necessary to effectuate the purposes of this ordinance.

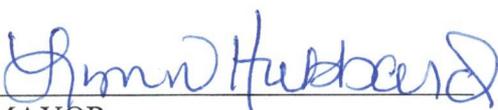
SECTION 4: In the event that a court of competent jurisdiction shall declare any portion of this ordinance invalid or unenforceable, the remaining provisions shall remain in full force and effect.

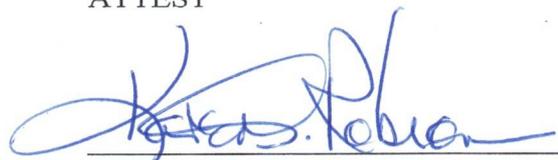
SECTION 5: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, comfort, convenience, and welfare of the citizens of Dyer, Arkansas, because the creation of this classification will permit the necessary development of the city and will allow currently desirable but non-permitted uses in the proposed mixed use district areas. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 28th DAY OF JANUARY 2025.

APPROVED:

ATTEST


MAYOR


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2025-01-28-3

AN ORDINANCE MODIFYING THE “ZONING MAP” OF THE CITY OF DYER; REPEALING CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: The current “Zoning Map” of the City of Dyer, Arkansas shall be amended and modified such that the zoning district between Highway 64 and South to the Railroad and encompassing all properties that front on Main Street and Washington Streets presently zoned and classified as “R-1 Single Family Residential District” shall be re-classified as “M-2 Mixed Use District.”

SECTION 2: Said modified “Zoning Map” shall be known as the “Zoning Map of the City of Dyer, Arkansas, dated January 28, 2025,” and shall be the map used for all future zoning and planning purposes.

SECTION 3: The Mayor shall cause this new map, the “Zoning Map of the City of Dyer, Arkansas, dated January 28, 2025,” to be kept on file in the Dyer City Hall and shall cause all old maps on display or kept on file to be changed to reflect the passage of this ordinance.

SECTION 4: All existing ordinances referring to the “Zoning Map” shall be amended to refer to said modified “Zoning Map, dated January 28, 2025.”

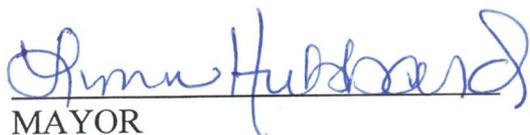
SECTION 5: The provisions of any ordinances that conflict with this map change are hereby amended or repealed as necessary to effectuate the purposes of this ordinance.

SECTION 6: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because this district primarily consists of single family residences and the classification as a commercial district has caused severe hardship on the citizens. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 28th DAY OF JANUARY 2025.

APPROVED:

ATTEST


MAYOR


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2025-02-25-02

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AN ARKANSAS DEPARTMENT OF RURAL SERVICES GRANT FOR THE CITY OF DYER FIRE DEPARTMENT PROJECT.

WHEREAS, the City Council of the City of Dyer, Arkansas has determined that the fire department could be better equipped with the addition of more fire apparatus; and

WHEREAS, the city officials have learned that grant funds may be available for the addition of fire apparatus;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

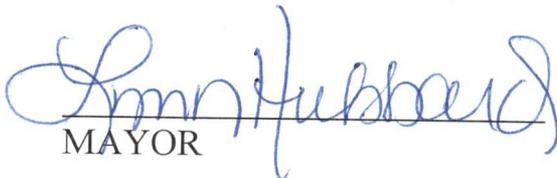
SECTION 1: The Mayor or his representative is hereby authorized to complete the grant application for an Arkansas Department of Rural Services grant to fund the city's Fire Apparatus Project and execute any necessary documents as long as the matching contribution from the city does not exceed the amount of

\$ 15,000 coming from city funds. This matching amount does not include any funds or in kind donations derived from other sources.

PASSED AND APPROVED THIS 25th DAY OF FEBRUARY 2025.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

City of Dyer, Arkansas

Resolution NO. 2025-02-25-3

A RESOLUTION AUTHORIZING THE SALE, TRANSFER OR AUCTION OF TWO 2010 DODGE CHARGERS (VINS 3616,3617) CURRENTLY OWNED BY THE CITY OF DYER AND AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS, AND FOR RELATED PURPOSES.

WHEREAS, the City of Dyer Police Department has accepted donation of a used police vehicle and no longer has a need for the two Dodge Chargers (VIN 3616,3617) due to the cost of repair and cost of insurance.

SECTION 1: The Dyer City Council authorizes the Mayor and/ or her designee to sell, transfer or auction two 2010 Dodge Chargers (VIN 3616, 3617) in a manner that conforms to all laws and ordinances.

SECTION 2: The Dyer Council authorizes the Mayor and/ or her designee to execute all necessary documents.

SECTION 3: After the disposal of the two 2010 Dodge Chargers (VIN 3616, 3617), they will be removed from the City's fixed asset list.

PASSED AND APPROVED THIS 25th DAY OF February, 2025

APPROVED:

ATTESTED:


MAYOR


RECORDER/ TREASURER

ORDINANCE NO. 1095-03-10-02

AN ORDINANCE PRESCRIBING THE MANNER IN WHICH EXCAVATION, CUTS AND/OR ALTERATIONS MAY BE MADE TO RIGHTS-OF-WAY, STREETS AND PAVED OR UNPAVED ROADS FOR THE PURPOSE OF INSTALLING AND/OR MAINTAINING PUBLIC UTILITIES WITHIN THE LIMITS OF THE CITY OF DYER, AR; REPEALING PREVIOUS ORDINANCES; PROVIDING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS; AND DECLARING AN EMERGENCY.

WHEREAS, excavation and alterations are a necessary part of installation and maintenance of public utilities; and

WHEREAS, such excavations and alterations may result in damage to rights-of-way and other property; and

WHEREAS, the City of Dyer has experienced difficulties with a consistent procedure heretofore in effect allowing people to obtain a permit to excavate and repair city streets; and

WHEREAS, the purpose of this ordinance is to insure inspection of the repair of damage to any right-of-way, streets and paved or unpaved roads to provide a procedure for obtaining permits to excavate, alter and/or repair;

NOW, THEREFORE, be it ordained by the City Council of the City of Dyer, AR:

Section 1: Definitions. For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. The word “shall” is always mandatory and not merely directory.

- a. “Applicant” is any person making application for an excavation, alteration and/or repair permit issued hereunder.
- b. “City Inspector” is the inspector (or other duly authorized official) of the City of Dyer, Arkansas.
- c. “Excavate” or “Excavation” or “Alteration” shall include, but not be limited to, digging, trenching, cutting, drilling, tunneling into or under the surface, modification, removal or moving of surface structure or structures, or property below the surface, removal of dirt, topsoil, rock or other geological materials from their position prior to said removal, or in any other manner disturbing the surface of any right-of-way within the City for the purpose of installing or maintaining Public Utilities.

- d. "Permittee" is any person who has been granted and has in full force and effect an Excavation or Alteration permit issued hereunder.
- e. "Person" is any individual, firm, partnership, association, corporation, company, public utility, public entity or organization of any kind.
- f. "Public Utilities" means any line, system and appurtenance or facility used for producing, storing, conveying, transmitting or distributing communications, electricity, gas, heat, water, steam and sewage.
- g. "Repair and/or Restoration" is the return of disturbed substrate and/or Rights-of-Way and/or the existing Public Utilities to their original condition.
- h. "Right-of-Way" means any area along which Public Utilities are located.
- i. "Roads" means any paved or unpaved road within the Dyer City limits.
- j. "Street" means any city street, road, highway, alley, sidewalk or other public way, curb or gutter.

Section 2: Prohibition. It shall be unlawful for any person to excavate, alter and/or repair rights-of-way, roads or streets within the city, unless such person meets the requirements for obtaining a permit hereunder and has been granted and has in full force and effect an Excavation or Alteration permit issued hereunder and notice has been given as prescribed hereunder.

Section 3: Services Performed by the City. The City shall make all routine repairs to city streets, except as hereinafter provided.

Section 4: Permits: Application for Permit: Permit Fees; Cash Deposit or Bond, Notice. Permits may be issued to people who, in the opinion of the City Inspector, are property qualified to make the Excavations and repair. The permit shall be submitted to the City Recorder/Treasurer along with a fifty dollar (\$50) processing fee and shall include the following information:

- A. Application for Permit: An application for an Excavation, Alteration or repair permit shall be made, in writing, to the City Recorder/Treasurer and shall contain the following:
 - 1. The name, address, and telephone number of the person or entity making application and proposing to perform the excavation
 - 2. The qualifications and experience of the party performing the work
 - 3. The location and purpose of the proposed excavation
 - 4. The name, address and telephone of the owner(s) of the property or abutting property to excavation site
 - 5. A plan or description of the excavation proposed, including, but not limited to:

- a. The number of square feet to be excavated
 - b. The way the excavation will be accomplished
 - c. The anticipated damage to the right-of-way, street and/or roads
 - d. The estimated cost of repair or restoration
 - e. Detailed or engineered drawings of the project
 - f. A plan or description of the measures intended to restore the site to its original condition following the Excavation
6. Such other information as the city inspector shall find reasonably necessary to decide of whether the permit should be issued.
- B. Boring Permit: Based upon documentation submitted with the permit application, the City Inspector may require the applicant to bore under the street in lieu of a permit to excavate.
- C. Permit Fees:
1. Filing Fee: The fee for a permit hereunder shall be fifty dollars (\$50) and shall accompany the application.

Section 5: Cash Deposit or Surety Bond. No person shall make any Excavation, Alteration or repair for which a permit is required by this ordinance unless such person has deposited with the Recorder/Treasurer a cash deposit or provided a copy of sufficient surety bond for the purpose of guaranteeing the repair or restoration of the excavated site. The amount of the cash or surety bond shall be no less than two thousand five hundred dollars (\$2,500).

1. Forfeiture. The cash or surety bond shall be forfeited for failure by Permittee to complete the repairs and/or restoration, complete the necessary cleanup, cause unnecessary inconvenience or damage to vehicles or other traffic or failure to otherwise adhere to the requirements of this ordinance.
2. Exemption. The Public Utilities operated by companies franchised by the City shall be exempt from the cash deposit or surety bond requirements of this ordinance.

Section 6: Permit issuance, Expiration and Renewal. A permit required by this ordinance shall be issued only after a proper application has been filed along with a copy of the surety bond or receipt of cash deposit. A permit issued shall expire six (6) months from the date of issuance, but may be renewed upon application. The procedure for renewal of applications shall be in the same manner and with the same fees as the original application.

Section 7: Notice. No person shall make any excavation or bore unless such person has given notice of the issuance of the permit to the City's water department and street department and has complied with the Arkansas Underground Facilities Damage Prevention Act.

Section 8: Protective Measures. Every person performing Excavation, Alteration or repairs governed by this ordinance shall place and maintain property and adequate caution lights, guards and other appropriate protective measures around the same for the protection of the public. Such protective measures shall comply with State rules and regulations.

Section 9: Clearance for Fire Equipment.

1. The Excavation, Alteration or repair work shall be performed and conducted so as not to interfere with access to fire stations and fire hydrants. Materials or obstructions shall not be placed within ten (10) feet of fire hydrants. Passageways leading to fire escapes or firefighting equipment shall be kept free of piles of material or other obstructions.
2. The Permittee shall construct and maintain adequate and safe crossings over Excavations to accommodate firefighting and emergency equipment as well as pedestrian and vehicular traffic of the public.

Section 10: Repairs.

1. Each person making an Excavation under this ordinance shall repair the street at such a person's own expense and under the direction and supervision of the City Inspector to the following standards:
 - a. All Excavations shall be backfilled with SB-2 material applied in eight-inch (8") lifts and each lift shall be individually compacted to a minimum of 95% (ninety-five percent) proctor density. All street Excavations shall be resurfaced with the type of surface materials which exist immediately prior to such Excavations unless otherwise directed by the City Inspector.
 - b. Any grass or vegetation shall be replaced or re-seeded per the specifications of the City Inspector.
 - c. All curbs and gutters shall be replaced and restored to the condition which existed immediately before the excavation.
2. The Permittee shall notify the City Inspector prior to the beginning of such repair work of the time and manner of repair and obtain the approval of the City Inspector prior to the beginning of such repair and afford the City Inspector the opportunity of being present during the progress of such repair until completed.

Section 11: Inspection of Repair Work. After the repair work required by Section 10 has been completed, the Permittee shall notify the City Inspector. The City Inspector shall inspect to ensure that the work has been done in accordance with the requirements of Section 10 and the other reasonable specifications provided to the Permittee by the City Inspector prior to commencement of the repair work. In the event any or part of any work is

not done in a satisfactory manner or not in conformity with this ordinance or such specifications, the City Inspector shall issue a "notice of non-compliance" stating deficiencies and explaining corrective actions necessary. All corrective actions shall be accomplished as required in Section 10 within fourteen (14) days of receipt of the notification.

Section 12: Deposit or Bond Refund. When the repairs required by this ordinance are satisfactorily completed and approved and paid for, the City Inspector shall authorize the return of any sum deposited as provided in this ordinance. In the event that the Permittee shall fail, refuse or neglect to make such repairs, or shall fail, refuse or neglect to remove and replace any rejected work, the City may make such repair or cause such repair to be made and deduct the cost from the amount on deposit or process a claim through the surety bond with the City and the balance, if any, shall be paid to the Permittee. In any case where the cash deposit is not sufficient to cover the cost incurred by the City in making the required repairs, the City may recover the excess cost from Permittee as permitted by law.

Section 13: Penalty. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding two thousand five hundred dollars (\$2,500) and such violation shall be stopped until a proper permit has been issued. Each day such violation continues shall constitute a separate offense and shall be punishable as such hereunder.

Section 14: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 15: Ordinances Repealed. All ordinances and parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

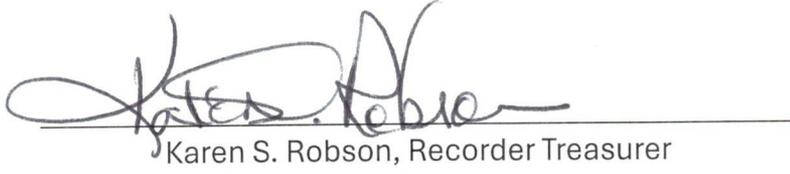
Section 16: Emergency. The council has determined that the improper Excavation or Alteration of any roads, streets or rights-of-way within the City is a detriment to public health, safety and welfare, an emergency is hereby found to exist and this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED THIS 10th **DAY OF** March, 2025.

APPROVED:


Lynn Hubbard, Mayor

ATTEST:


Karen S. Robson, Recorder Treasurer

CITY OF DYER, ARKANSAS

ORDINANCE NO. 2025-04-22-01

AN ORDINANCE APPROVING THE DYER WATER DEPARTMENT CUSTOMER SERVICE POLICY.

WHEREAS, the City of Dyer, Water Department has updated its customer service policy and recommended its adoption by the City Council;

WHEREAS, the proposed policy contains water and wastewater/sewer rates that were previously adopted by separate ordinance and are only contained in this policy for informational purposes;

WHEREAS, this ordinance does not change any existing water or wastewater rates;

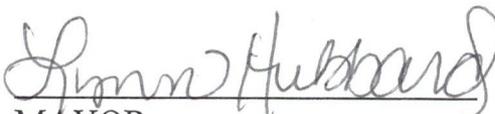
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

Section 1. That the Dyer Water Department Customer Service Policy attached hereto as Exhibit A is hereby adopted and approved effective ninety (90) days from the adoption and posting of this ordinance.

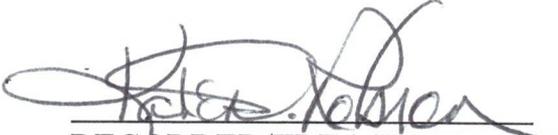
Section 2. Any ordinances or provisions of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 22ND DAY OF April, 2025.

APPROVED:


MAYOR

ATTESTED:


RECORDER/TREASURER

ORDINANCE NO. 2025-04-22-02

AN ORDINANCE ESTABLISHING AN ELECTRONIC FUNDS PAYMENT SYSTEM, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, Arkansas Code Annotated 14-59-105 (e) provides for municipal payments by electronic funds transfer provided that a procedure with accounting controls and proper documentation is adopted by ordinance;

WHEREAS, The City of Dyer has determined that it is in the best interest of the city to adopt an electronic funds payment procedure for the city to facilitate repetitious approved payments and any payments approved by the Board of Alderman for specific purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS:

SECTION 1: When conducting city business, the City of Dyer shall establish an Electronic Funds Payment System through the bank used by the City. The payment shall be back drafted and deposited by the processing company and accounted for in the accounting software of the Treasurer's office. Such Electronic Funds Payment System shall be adopted for all EFT payments from the date January 1, 2025.

SECTION 2: ELECTRONIC FUND TRANSFERS.

- (a) For purposes of this ordinance, an electronic fund transfer is defined to be a transfer by electronic means of the City's funds through banking channels directly into the payee's account in financial institutions in payment of any account allowed against the City of Dyer.
- (b) Electronic fund transfers are specifically authorized for such accounts of third parties as the Mayor designate in writing, so long as the requirements of electronic funds payment system as established herein as followed.

(c) For its electronic funds payment system, the City of Dyer hereby requires:

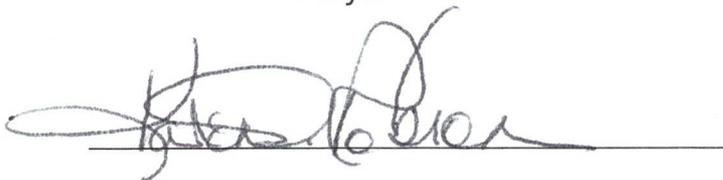
- a. the receipt of an invoice from the payee, which if received electronically shall be printed for the file;
- b. both the Mayor and Treasurer, as the two authorized disbursing officers of the City, to initial and date the invoice to authorize the issuance of the electronic transfer of funds to that payee prior to the date of the funds transfer;
- c. all electronic fund transfers shall be posted to the appropriate check register and reconciled with the bank statements monthly the by Treasurer; and
- d. the bank statement reconciliation report shall be given to the Mayor.

SECTION 3: EMERGENCY CLAUSE. This ordinance being necessary for the effective and accurate management of the fiscal affairs of the City and in turn to protect health, safety, and welfare of the City and residents of the City of Dyer, Arkansas, an emergency is declared to exist, and this Ordinance shall go into effect immediately upon and after passage by the Board of Aldermen.

PASSED AND APPROVED this 22nd day of April, 2025



Mayor



Recorder Treasurer

DYER, ARKANSAS
ORDINANCE NO. 025-04-22-03

AN ORDINANCE PROHIBITING CERTAIN BURNING WITHIN THE CITY; AND PROVIDING A PENALTY FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, the City of Dyer has seen an increase in burning of such a character as to be detrimental to life and health and disturbing to the peace and welfare of its citizens;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS:

Section 1. No person shall conduct, permit, or otherwise allow open burning of solid waste, refuse, garbage, trade waste, or other waste material, and also shall not conduct a salvage operation by open burning within the municipal boundaries of the City of Dyer, Arkansas.

Section 2. Infrequent burning of agricultural wastes, silvicultural wastes, land-clearing debris, diseased trees, residential limbs, sticks and/or leaves, and debris from emergency clean-up operations shall be permitted provided that such burning does not cause a public or private nuisance or create the reasonable likelihood of harm or danger to others. Burning more frequently than once every two weeks shall create a rebuttable presumption that the burning is unlawful in violation of this ordinance.

Section 3. Any person conducting a controlled burn shall remain on-site and supervise the fire at all times until the fire is completely extinguished. The fire shall not be left unattended at any time while burning or smoldering.

Section 4. Any individual or entity planning to conduct a controlled burn shall notify the Crawford County Emergency Communication Center prior to ignition. The notification shall include the name of the responsible party, the exact location of the burn, and the scheduled date and time. This notification is required to ensure public safety and proper emergency response awareness.

Section 5. No person shall conduct any open or controlled burning at any time when Crawford County is under a burn ban issued by the County Judge. All burning is strictly prohibited during the duration of the ban, regardless of the nature or intent of the burn.

Section 6. Any person failing to comply with the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished upon conviction in any sum not less than one hundred dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), and each subsequent offense may result in an increased fine imposed by the Court.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because this

ordinance strives to reduce damaging fires and pollution that are detrimental to health. Therefore, an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED ON THIS THE 22ND DAY OF April IN 2025.

APPROVED:

ATTEST:



Mayor



Recorder/Treasurer

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2025-06-24-01

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF DYER TO ENTER INTO A CONTRACT FOR WATER OPERATOR, WASTEWATER/SANITARY SEWER OPERATOR, AND BACK-UP OPERATORS FOR EACH POSITION FOR THE CITY OF DYER, ARKANSAS.

WHEREAS, the City Council of the City of Dyer, Arkansas, recognizes the need to provide its citizens with a reliable source of municipal water and disposition of wastewater/sanitary sewer;

WHEREAS, the City Council of the City of Dyer, Arkansas, acknowledges that it does not presently have a sufficient licensed operators;

WHEREAS, the City Council of the City of Dyer deems it prudent and reasonable for the City to secure multiple sources of licensed water/wastewater operators so as to protect its citizens from unforeseen circumstances in the future; and

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: The Mayor is hereby authorized to enter into a reasonable contract to provide primary and back-up water and wastewater license services for the City of Dyer, Arkansas.

SECTION 2: The Mayor is authorized to negotiate reasonable terms on behalf of the City of Dyer.

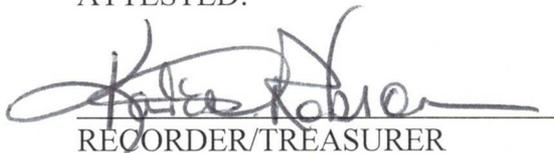
SECTION 3: The Mayor is further authorized to execute any documents necessary to complete the process and enter into a binding contract for the City of Dyer.

PASSED AND APPROVED THIS 24th DAY OF June 2025.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2025-09-29-01

AN RESOLUTION FOR THE CITY OF DYER LEVYING A TAX FOR GENERAL MUNICIPAL PURPOSES FOR THE YEAR 2025 AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Dyer, Arkansas, is a duly incorporated city of the second class pursuant to the laws of the State of Arkansas;

WHEREAS, the City of Dyer must have funds to operate the city and provide city services to its citizens, and can only obtain the necessary funding by levying a 5 mill tax on personal property and a 5 mill tax on real estate for the general municipal purposes of the city;

WHEREAS, the City of Dyer has levied a tax in the past at this same amount, kind, and purpose such that this resolution does not cause any change in circumstance to any citizens; and

WHEREAS, the need to fund the city government is immediate so that there is no lapse in services to the citizens such as police protection;

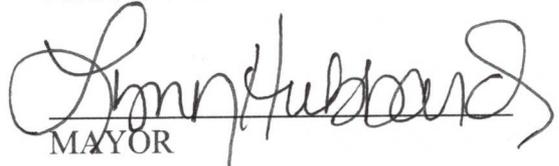
THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: The City of Dyer shall levy a tax pursuant to the Arkansas Constitution as amended for general municipal purposes for the year 2025 on all taxable real and personal property in the City of Dyer, Arkansas, fixed at a rate of 5 mills on personal property and 5 mills on real property on the dollar of the assessed valuation of all real and personal property subject to taxation in the City of Dyer, Arkansas.

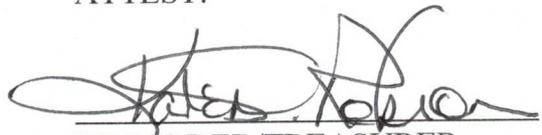
SECTION 2: A certified copy of this resolution once adopted shall be furnished to the County Clerk of Crawford County, Arkansas, such that the Quorum Court of Crawford County, Arkansas, may include this levy in the general levy for the year 2025 and cause the same to be entered upon the tax books and collected as required by law.

PASSED AND APPROVED THIS 29th DAY OF September 2025.

APPROVED:


MAYOR

ATTEST:


RECORDER/TREASURER

CERTIFICATION

I, the City Recorder/Treasurer of Dyer, Arkansas, certify that the foregoing resolution was passed by a vote of 6 to 0 by the City Council of Dyer, Arkansas, at its meeting held on September 29, 2025, such that the resolution was duly adopted and approved.


Recorder/Treasurer

CITY OF DYER, ARKANSAS

RESOLUTION NO. 2025-12-16-201

A RESOLUTION APPROVING A 2025 AMENDED BUDGET FOR THE CITY OF DYER, ARKANSAS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

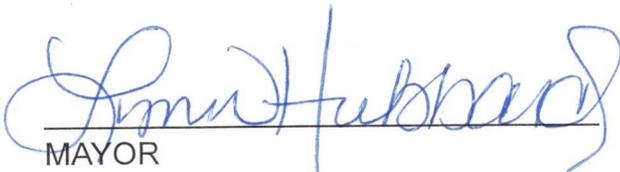
SECTION 1: After intense scrutiny, careful consideration, and due diligence, it is the opinion of the majority of the City Council of Dyer, Arkansas, that the 2025 AMENDED BUDGET proposed by the Mayor meets the requirements as currently determined for the year 2025.

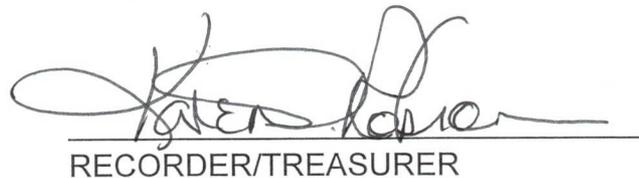
SECTION 2: The Dyer City Council hereby approves the 2025 City of Dyer Amended Budget as described in the attached EXHIBIT A.

PASSED AND APPROVED THIS 16th DAY OF December, 2025.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER

CITY OF DYER, ARKANSAS

RESOLUTION NO. 8085-12-16-02

A RESOLUTION APPROVING A 2026 BUDGET FOR THE CITY OF DYER,
ARKANSAS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS
FOLLOWS:

SECTION 1: After intense scrutiny, careful consideration, and due diligence, it is the
opinion of the majority of the City Council of Dyer, Arkansas, that the 2026 BUDGET
proposed by the Mayor meets the requirements as currently determined for the year 2026.

SECTION 2: The Dyer City Council hereby approves the 2026 City of Dyer Budget as
described in the attached EXHIBIT A.

PASSED AND APPROVED THIS 16th DAY OF December, 2025.

APPROVED:

ATTESTED:


MAYOR


RECORDER/TREASURER