



Legislation Text

File #: 2015-0395, Version: 1

ENACT ARTICLE XXVIII CITY BOARD OF HEALTH:

AN ORDINANCE TO ENACT ARTICLE XXVIII CITY BOARD OF HEALTH IN CHAPTER 33 DEPARTMENTS, BOARDS, COMMISSIONS AND AUTHORITIES OF THE FAYETTEVILLE CODE

WHEREAS, the City Board of Health was first created by Resolution No. 02-03 on January 7, 2003, but those provisions have never been codified; and

WHEREAS, the current City Board of Health recommends that the City continue to fill the position of City Health Officer, even though it is no longer required by state law, and that the City Health Officer serve without compensation.

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals Resolution No. 02-03.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby enacts Article XXVIII **City Board of Health** in Chapter 33, **Departments, Boards, Commissions and Authorities** as shown below:

33.400 Composition; Membership

The City Board of Health shall consist of five members appointed by the Mayor, at least two of whom shall be physicians of good professional standing. Members shall serve during the term of the Mayor who appoints them. The Mayor shall also serve as an ex-officio member of the City Board of Health.

33.401 City Health Officer

A City Health Officer, who shall be a competent physician of reputable professional standing who is legally qualified to practice medicine in Arkansas, shall be appointed by the Mayor and approved by the City Council. The City Health Officer shall serve as the chairperson of the City Board of Health during the term of the Mayor who appoints him or her. The City Health Officer shall have those powers and duties conferred by state law or city ordinance, but shall not be required to treat patients, prescribe medicine or do anything else not statutorily required pursuant to Ark. Code Ann. § 14-262-103.

33.402 Powers and Duties

The City Board of Health shall have those powers and duties conferred by Ark. Code Ann. § 14-

City of Fayetteville Staff Review Form

2015-0395

Legistar File ID

9/15/2015

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

David Dayringer

8/25/2015

Fire /
Fire Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Ordinance establishing the City Board of Health in the City of Fayetteville Code

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget
Funds Obligated

Current Balance

\$ -

Does item have a cost? NA

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget

\$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 15, 2015

TO: Mayor and City Council
FROM: David Dayringer, Fire Chief
DATE: August 25, 2015
SUBJECT: Ordinance establishing the City Board of Health in the City of Fayetteville Code

RECOMMENDATION:

Staff recommends the City Council adopt an ordinance that enacts Article 28 in Chapter 33 establishing the City Board of Health in the City of Fayetteville Code and repeals Resolution No. 02-03 which established the City Board of Health under a previous state law.

BACKGROUND:

In 2003 the City established the City Board of Health in Resolution No. 02-03 in accordance with Ark. Code Ann. §14-262. The controlling state law has since been amended and the current Board of Health recommends updating the City Code accordingly.

DISCUSSION:

Under the current resolution, the Board of Health Chairman shall be the City Health Officer and receive an annual honorarium of \$100. This honorarium has been declined by all City Health Officers, including Dr. David Crittenden, the sitting chair of the Board of Health. In addition, under the current language, the City Health Officer shall be a member of the Board of Trustees of the Municipal Judge and Municipal Court Clerk Retirement Fund, which does not exist anymore. This ordinance will update the language with the current statute, do away with the honorarium, remove the requirement for the Health Officer to be a member of a non-existent board, and codify the City Board of Health.

BUDGET/STAFF IMPACT:

None

ATTACHMENTS:

AN ORDINANCE TO ENACT ARTICLE XXVIII CITY BOARD OF HEALTH IN CHAPTER 33 DEPARTMENTS, BOARDS, COMMISSIONS AND AUTHORITIES OF THE FAYETTEVILLE CODE

ORDINANCE NO. _____

AN ORDINANCE TO ENACT ARTICLE XXVIII **CITY BOARD OF HEALTH** IN CHAPTER 33 **DEPARTMENTS, BOARDS, COMMISSIONS AND AUTHORITIES OF THE FAYETTEVILLE CODE**

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33.402 Powers and Duties

The City Board of Health shall have those powers and duties conferred by Ark. Code Ann. § 14-262-102.

33.403 Conduct of Meetings

The City Board of Health shall promulgate rules and regulations necessary for the conduct of its meetings and for carrying out its statutory powers and duties.

PASSED and **APPROVED** this ____ day of _____, 2015.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk-Treasurer