

ORDINANCE NO. 90-25

ORDINANCE REPEALING SECTION 2-47(2) OF THE
FORT SMITH MUNICIPAL CODE REGARDING BOARD MEMBER ATTENDANCE
AT MEETINGS BY ELECTRONIC MEANS

WHEREAS, Ordinance No. 23-20, adopted March 17, 2020, amended Chapter 2 of the Fort Smith Municipal Code to define the word present to include attendance by electronic means; adopting temporary Board procedures; declaring an emergency; and for other purposes; and,

WHEREAS, Ordinance No. 23-20 was codified as Section 2-47 of the Fort Smith Municipal Code whereby Section 2-47(2) permits a board member to attend a meeting by "electronic means"; and,

WHEREAS, Section 2-47 of the Fort Smith Municipal Code notes that board members attending a meeting by electronic means are entitled to engage in discussion, debate and voting as if the member were physically present; and;

WHEREAS, Subdivision (e)(2) of Act 505 of 2025 requires that a member of the governing body shall be physically present at a public meeting to be counted for purposes of establishing a quorum or to vote; and,

WHEREAS, Subdivision (e)(3) of Act 505 of 2025 notes that governing bodies of municipalities may not adopt a policy permitting members of the governing body to attend a public meeting remotely, except in the event the Governor declares a disaster emergency;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

Section 2-47(2) of the Fort Smith Municipal Code is hereby repealed.

THIS ORDINANCE ADOPTED THIS 2nd day of December, 2025.

APPROVED:



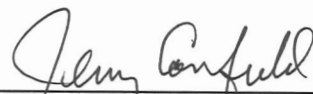
VICE-MAYOR JARRED REGO

ATTEST:



CITY CLERK

Approved as to Form:



Publish One Time