

Bond Case Briefs

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ANNEXATION - ARKANSAS

Pritchett v. Spicer

Supreme Court of Arkansas - March 9, 2017 - S.W.3d - 2017 Ark. 82 - 2017 WL 942619

Petitioner sought writ of mandamus commanding city clerk to accept and certify referendum petition challenging land-annexation ordinance.

The Circuit Court denied petition. Petitioner appealed.

The Supreme Court of Arkansas held that:

- Filing deadline for referendum petition challenging land-annexation ordinance was 30 days after passage of ordinance, and
- Statutes dictating deadline within which to circulate referendum petition did not conflict with municipal ordinance setting time for filing referendum petition with city clerk.

Under municipal ordinance providing that time for filing referendum petition would be within 30 days after passage of any ordinance or resolution, filing deadline for referendum petition challenging land-annexation ordinance was 30 days after passage of ordinance.

Under municipal ordinance providing that time for filing referendum petition would be within 30 days after passage of any ordinance or resolution, time within which to file petition began to run from date of passage of ordinance rather than from date of publication.