

ORDINANCE NO. 6444

AN ORDINANCE AUTHORIZING THE DESTRUCTION OF CERTAIN DISTRICT COURT RECORDS; AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. 16-10-211 specifies the manner in which certain district court records may be destroyed; and

WHEREAS, the Garland County District Court periodically has need to destroy qualifying records that are no longer required to be retained pursuant to the retention schedule set forth in Ark. Code Ann. 16-10-211(a) and (b); and

WHEREAS, pursuant to state law, Garland County and the City of Hot Springs will establish a procedure and provide continuing authority to destroy such records; and

WHEREAS, the Garland County Quorum Court is concurrently approving an ordinance authorizing the destruction of such district court records pursuant to Ark. Code Ann. 16-10-211.


NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF HOT SPRINGS, ARKANSAS:

SECTION 1. That qualifying records of the Garland County District Court shall be destroyed pursuant to the procedure set forth in Ark. Code Ann. 16-10-211 (c) and (d), which shall, at a minimum, require an affidavit stating (i) which records are being destroyed; (ii) the time period for which the records apply; (iii) and the method of destruction.


SECTION 2. The affidavit referenced herein shall be signed by the city or county employee performing the destruction and witnessed by one (1) employee of the governing body or, if applicable, governing bodies that contribute to the expenses of the court.

SECTION 3. The approval of the governing body or, if applicable, governing bodies that contribute to the expenses of the court shall be obtained before the destruction of district court records and an appropriate note of the approval indicated in the minutes of the governing body or bodies along with the destruction affidavit.

PASSED: October 4, 2022

APPROVED: 
PAT McCABE, MAYOR

ATTEST: 
HARMONY MORRISSEY, CITY CLERK

APPROVED AS TO FORM: 
BRIAN W. ALBRIGHT, CITY ATTORNEY