

ORDINANCE NO. 0-89- /

AN ORDINANCE AMENDING CHAPTER 5.04 OF THE CONWAY MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS, THAT:

Section 1. Section 5.04.03 Business or commercial fees, subsection (a) by amended to read as follows:

"(a) Each separate retail or wholesale business or commercial establishment, as hereinafter defined, a fee of not less than \$8.00 per month shall be collected. The amount of the fee to be charged any such establishment shall be \$2.00 per stop plus \$.50 per yard, having due regard to the quantity, type and weight of garbage collected therefrom. The term "business or commercial establishment" as used herein is defined to include any person, firm or corporation engaged in displaying, selling, buying or servicing of goods, wares, merchandise or other property, or the rendering or receiving of professional services, and including, but not limited to banks, barber shops, beauty parlors, department stores, markets, motor vehicle service stations, garages, offices, radio stations, super markets, telephone exchanges, theaters, repair shops, and livestock auction barns."

Section 2. Section 5.04.04 Charge for dumping, subsections (b), (c), (d), (e), and (g) be changed to read as follows:

"(b) Any person, firm or corporation situated within the corporate limits of the City of Conway but which is excepted from the provisions of this ordinance with regard to subscription to the collection and transportation of garbage in Section 5.04.03 hereof, which desires to transport its garbage to and dump the same upon the city's sanitary landfill shall be permitted to do so and the following schedule of fees is hereby established for the exercise of that privilege. Auto and pick-up - \$6.00; single axle trailers - \$7.00; dual axle trailers - \$10.00; single axle bob trucks - \$10.00; dual axle trucks & long trailers - \$15.00; \$1.00 per yard (uncompacted) and \$2.00 per yard (compacted).

(c) Any person, firm or corporation situated outside the corporate limits of the city of Conway which is engaged in the operation of an industrial plant, wherein the activities therein carried on consist of assembling, fabricating, furnishing, manufacturing, packaging or other processing, and which desires to transport its garbage to and deposit the same upon the city's sanitary landfill shall be permitted to do so and the following schedule of fees is hereby established for the exercises of that privilege. Auto and pick-up - \$6.00; single axle trailers - \$7.00; dual axle trailers - \$10.00; single axle bob trucks - \$10.00; dual axle trucks & long trailers - \$15.00, \$1.00 per yard (uncompacted) and \$2.00 per yard (compacted).

(d) Any person residing outside the corporate limits of the City of Conway, or any person, firm or corporation engaged in the operation of a business or commercial establishment, as defined hereinabove, which is situated outside the corporate limits of said city, which desires to transport its garbage and to dump the same upon the city's sanitary landfill shall be permitted to do so and the following schedule of fees is hereby established for the exercise of that privilege. Auto and pick-up - \$6.00; single axle trailers - \$7.00; dual axle trailers - \$10.00; single axle bob trucks - \$10.00, dual axle trucks & long trailers - \$15.00, \$1.00 per yard (uncompacted) and \$2.00 per yard (compacted).

(e) All persons, firms or corporations who engage in the construction, erection, remodeling, alteration or repair of buildings, residences or improvements, at a site or sites within the corporate limits of the City of Conway other than its principal office and place of business shall be permitted to transport to and to dump the same upon the city's sanitary landfill and the fees shall be as follows: Auto and pick-up - \$6.00; single axle trailers - \$7.00; dual axle trailers - \$10.00; single axle bob trucks - \$10.00; dual axle trucks & long trailers - \$15.00, \$1.00 per yard (uncompacted) and \$2.00 per yard (compacted). Payment of fees shall be made either by payment of monies to the attendant in charge of dumping grounds or by presenting coupons in lieu of monies as may be purchased from the Sanitation Department. It is the intention of this provision and it is expressly provided that the payor shall therefor utilize the city dumping ground for the purpose of garbage only from the specific acts of construction, erection, remodeling, alteration or repairs of building, residences or improvements and shall not imply entitlement to dumping for purposes covered by any other provision of this ordinance where other fees shall be collected.

(g) For homes, apartments, residences, mobile homes and dwelling units, per month:

Each separate family dwelling	\$3.50
Each duplex apartment house, per unit	3.50
Each apartment house, per unit	3.50
Each mobile home or house trailer not situated in mobile home park	3.50
Each mobile home or house trailer situated in mobile home park	3.50
Each separate dwelling unit owned and operated by the Conway Housing Authority or other such public agency	3.50"

Section 3. Section 5.04.11 Collection of the Conway Municipal

Code be changed to read as follows:

"5.04.11 Collection. Garbage shall be collected from business houses and other such establishments each day except Sunday and holidays and from dwelling houses and homes once each week on designated routes and schedules; and it is hereby made the duty of the persons having garbage on their premises to place it where it may be easily reached by the city garbage employees."

Section 4. The rate increases for commercial and residential collection is determined to be adequate with other resources that are available to meet the needs of the Sanitation Department for the next 12 months, however, as the transition to a full new landfill takes place there is a great likelihood that there will be logical and legitimate increases in the cost of operation which will have to be serviced by increased fees at a later date.

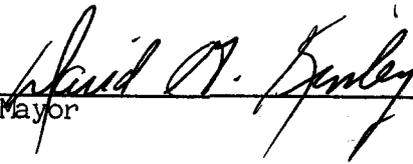
Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

0-89-

Section 6. This ordinance being for the protection of the public health and safety, an emergency is hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this 10th day of January, 1989.

APPROVED:



Mayor

ATTEST:



City Clerk