

Published
09/29/2013

ORDINANCE NO. 1754

**AN ORDINANCE REPEALING ORDINANCE 1564, 1605, 1673, 1688
AND ANY OTHER CONFLICTING ORDINANCE SETTING
UP SANITATION FEES AND REGULATIONS FOR
THE CITY OF BLYTHEVILLE, ARKANSAS.**

WHEREAS, the Sanitation Committee of the City Council of Blytheville, Arkansas (hereinafter "CITY"), has recommended certain changes in the sanitation fees and regulations.

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

SECTION I. COLLECTION FEES

RESIDENTIAL

The fees to be charged and paid for the collection and disposal of residential garbage and trash will be on a monthly basis as follows:

	<u>Monthly Fee</u>
Each residence or apartment occupied by one family, separate metered	Garbage: \$9.84 Trash: \$7.24
	<hr/> Total: \$17.08
Apartment buildings or trailer parks not served by individual water meters, each apartment or trailer.	Garbage: \$9.84 Trash: \$7.24
	<hr/> Total: \$17.08

COMMERCIAL INDUSTRIAL

The fees to be charged and paid for the collection and disposal of commercial garbage will be as follows:

Dumpsters:

Uncompacted Per Cubic Yard:

All fees will be billed monthly. Dumpster fees will be computed by the number of pickups (customer will be charged for the full capacity of the dumpster each time it is emptied) based on Five Dollars and Ninety-five Cents (\$5.95) per uncompacted cubic yard. No dirt, sand, rocks, concrete, lumber, limbs,

construction materials, appliances, furniture, or similar debris may be placed in dumpsters for pickup.

Cans Monthly Fees:

For each commercial business using cans with a maximum capacity of 90 gallons, the minimum fee for one to four cans will be Sixty-three Dollars and Eighty-four Cents (\$63.84) quarterly, billed monthly on the water bill at Twenty-one Dollars and Twenty-eight Cents (\$21.28). The City Collector will bill any business not serviced by Waterworks. Any business requiring more than four cans will be required to acquire an approved dumpster with either two, four, six or eight cubic yard capacity.

Home Occupations:

All home occupations including existing beauty shops located at a residence will be billed as commercial customers, with a minimum quarterly charge of Sixty-three Dollars and Eighty-four Cents (\$63.84), billed monthly on the water bill at Twenty-one Dollars and Twenty-eight Cents (\$21.28).

SECTION II. COLLECTION TIME, PREPARATION:

Garbage will be collected from business and commercial dumpsters as deemed necessary. The Sanitation Department will collect trash and garbage from private residences and apartments once a week as scheduled by the Sanitation Department. Each residence and apartment complex (unless otherwise noted) shall be required to own and use a city-approved 90-gallon solid waste receptacle for their garbage. Receptacles are available for purchase from the City at the amount of cost incurred by the City for the purchase of the receptacles. Residence owners must pay the City Collector prior to delivery of the receptacle.

It is made the duty of the occupants of every residence in the City to have garbage on their premises properly placed in the approved receptacle and available for collection by the Sanitation Department on the scheduled day of pickup. All receptacles shall be placed within five (5) feet of the curbside. Receptacles should not be curbside before 6:00 P.M. the day preceding the collection day and must be removed from the curb no later than 6:00 P.M. the day of collection.

If a resident is disabled or for any reason unable to meet curbside requirements the resident must notify the Sanitation Department and be able to produce reasonable evidence of disability.

No garbage, waste or refuse will be collected unless same is in plastic bags in a covered container with a maximum capacity of ninety (90) gallons or a dumpster with a maximum capacity of six (6) cubic yards, both of which must be approved by the City of Blytheville. No explosives,

ashes, cinders, animal or human waste, grass or hedge clippings or non-compactable items will be placed in solid waste receptacles or dumpsters. All collections will be made from the street side curb of dwellings in residential districts. All garbage will be drained of liquids before being placed in garbage containers.

SECTION III. RECYCLING REQUIREMENTS FOR:

All yard waste, such as leaves, grass, hedge clippings and tree limbs will be prepared for collection separate from garbage and other household trash. Yard waste will be bagged for collection separate from all other trash.

Residences and commercial businesses will comply with all publicized recycling programs, whether pilot or city-wide, including proper preparation and placement of required recyclable items.

SECTION IV. COLLECTION OF OTHER THAN GARBAGE:

As part of its duty, the Sanitation Department may collect and haul large or excessive accumulations of weeds, limbs, vegetation, refuse, debris or other like substances as set forth in Ordinance No. 172.6 from an alley or premises of any person or business and said responsible party will be required to pay for such services the sum of One Hundred Fifty Dollars (\$150.00) per load. Public Works will notify the City Collector the amount and person to be billed. The City Collector will receive payment for such services.

It is distinctly provided that this Ordinance does not in any way obligate the city employees or city trucks to clean or pickup refuse or debris resulting from construction or any other contracted work. The removal of construction debris is the responsibility of the contractor. However, this refuse may be removed by the Sanitation Department at a charge of One Hundred Fifty Dollars (\$150.00) per load.

SECTION V. PAYMENT - PERSON RESPONSIBLE:

The fees chargeable against dwelling houses and other establishments are levied on and collected from the person as named on the monthly statement from the Blytheville Waterworks or by such entity as may be contracted by the CITY.

The owners of any trailer park or apartment complex or such other entity as may be contracted by CITY in the City of Blytheville, where trailers or apartments are occupied as residences and are not served by an individual water meter, will be responsible for the payment of sanitation fees for each unit. The owner will provide an appropriate size dumpster and will pay the City Collector or such other entity as may be contracted by CITY the commercial dumpster rate. Any other dwelling in the City of Blytheville not serviced by the water meter will be billed through the City Collector's office.

SECTION VI. COLLECTION - MONTHLY RESIDENTIAL FEES:

The Blytheville Waterworks is hereby directed to collect the garbage fee in the City of Blytheville for each residential customer. Said fees will be listed as separate items on every residential water bill at the rate of Nine Dollars and Eighty-four Cents (\$9.84) per month for garbage, and Seven Dollars and Twenty-Four Cents (\$7.24) per month for trash, for a total of Seventeen Dollars and Eight Cents (\$17.08) per month for sanitation service per residential unit.

Late fees will be assessed on the trash and garbage services at the same rate and on the same schedule as the Waterworks.

The Blytheville Waterworks will issue a check to the City Collector of the City of Blytheville no later than the 10th of each month for all monies collected the previous month.

Can commercial, industrial and home occupation fees will be billed and collected by the City water department or such other entity as may be contracted by CITY.

SECTION VII. EXCLUSIVE SERVICE, RESTRICTION:

All garbage, waste, trash and refuse in the City of Blytheville will be collected by the Sanitation Department of the City of Blytheville, Arkansas, or by such other entity as may be exclusively contracted by CITY.

SECTION VIII. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION IX. The provisions of this Ordinance are hereby declared to be severable. If any provision will be held to be invalid or to be inapplicable to any persons or circumstances, such invalidity or inapplicability will not affect the remainder of the provisions of this Ordinance.

SECTION X. Any person, firm, corporation or association of persons violating any provision of this Ordinance, or failing to pay any of the fees herein provided, will be deemed guilty of a misdemeanor, and upon conviction in the District Court of Mississippi County - Chickasawba District, will be fined any sum not exceeding Five Hundred Dollars (\$500.00) for each violation.

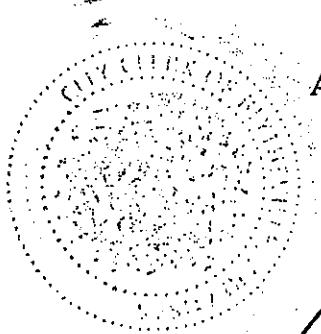
SECTION XI.: The rates in the Ordinance shall be reviewed regularly by the Blytheville City Council Finance Committee and shall be subject to change as need be, by the approval of the full City Council.

SECTION XII. This Ordinance being necessary for the efficient and proper operation of the Sanitation Department and for the health, welfare and well-being of the

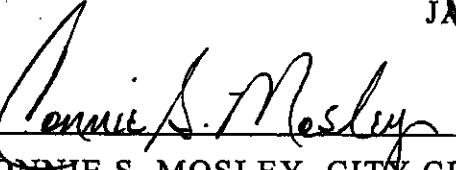
citizens of Blytheville, Arkansas, an emergency is hereby declared and this Ordinance shall become effective immediately on and after its passage by the City Council of the City of Blytheville, Arkansas and its publication as required by law.

ADOPTED this 20th day of September, 2013.

APPROVED

 James W. Sanders
JAMES W. SANDERS, MAYOR

ATTEST


CONNIE S. MOSLEY, CITY CLERK