

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. 5 - 2017

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REPEALING ORDINANCE NO. 15-2009 AND ESTABLISHING MONTHLY RATES FOR MANDATORY RESIDENTIAL SOLID WASTE COLLECTION SERVICE FOR THE CITY OF VAN BUREN, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Van Buren, Arkansas has implemented a mandatory residential solid waste management system and recycling program pursuant to Ordinance No. 10-2009; and

WHEREAS, it is the duty of the City Council of the City of Van Buren, Arkansas to approve rates, charges or contractual fees to be charged by residential solid waste disposal firms; and

WHEREAS, the cost of residential solid waste collection within the City of Van Buren, Arkansas has increased since the same were last established by Ordinance No. 15-2009, passed and approved August 17, 2009; and

WHEREAS, the City of Van Buren Municipal Utilities Commission, acting as agent for the City of Van Buren, Arkansas has recommended a schedule of fees and charges for the operation of the residential solid waste management program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The monthly rate to be charged for each residential unit as defined in Ordinance No. 10-2009 or hereinafter amended shall be Fourteen Dollars and Eighty One Cents (\$14.81). These charges shall cover, at a minimum, once per week residential solid waste and residential curbside recycling collection, the operation of a recycle drop-off facility, and residential yard waste curbside collection and drop - off facility (operated by the Van Buren Street Department).

SECTION 2: The billing and collection for the residential solid waste management program shall be performed by the Van Buren Municipal Utilities according to its customary billing and collection procedures and in accordance with the Agreement between the residential solid waste disposal firm and the Van Buren Municipal Utilities Commission. The Van Buren Municipal Utilities shall deduct the sum of One Dollar and Forty Eight Cents (\$1.48) for each customer for whom a collection was made.

SECTION 3: The sum of Two Dollars and Zero Cents (\$2.00) for each customer for whom a collection was made shall be remitted to the City of Van Buren for the operation of a residential yard waste collection and drop-off program.

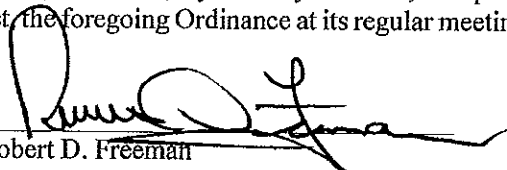
SECTION 4: The remainder of charges collected shall be remitted to the residential solid waste disposal firm in accordance with the Agreement between the residential solid waste disposal firm and the Van Buren Municipal Utilities Commission.

SECTION 5: If any section or part of this Ordinance shall be held to be invalid or unconstitutional, it shall not affect the remaining Sections thereof, and the Sections and parts of said Ordinance shall be treated severally.


SECTION 6: All Ordinances or parts of Ordinances in conflict herein, are hereby repealed.

SECTION 7: Due to the need to maintain and enforce a comprehensive, city-wide, solid waste management program, and this Ordinance being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.


IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of 6 for and 0 against, the foregoing Ordinance at its regular meeting held on the 15th day of May 2017.


Robert D. Freeman
Mayor

ATTESTED:


Phyllis Thomas
City Clerk/Treasurer

APPROVED AS TO FORM:


Candice A. Settle
City Attorney

RESOLUTION

A RESOLUTION RECOMMENDING TO THE MAYOR AND CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT RATES FOR THE CITY'S MANDATORY RESIDENTIAL SOLID WASTE COLLECTION SERVICE BE MODIFIED

WHEREAS, the City of Van Buren, Arkansas (the "City") has implemented a mandatory residential solid waste and recycling collection system pursuant to Ordinance 10-2009; and,

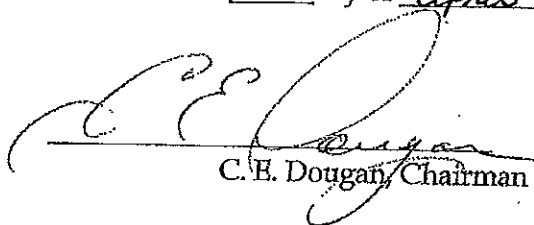
WHEREAS, the cost of residential solid waste and recycling collection within the City of Van Buren, Arkansas has increased since the same were established by Ordinance No. 15-2009, passed and approved August 17, 2009; and,

WHEREAS, the City of Van Buren Municipal Utilities Commission acting as agent for the City, has received, from the current Residential Solid Waste Disposal Firm, a request for an increase in fees of \$0.41 per residential unit per month; and,

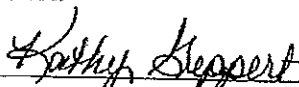
WHEREAS, the City of Van Buren Municipal Utilities Commission, after a necessary and complete review, recommends the rate increase to the City Council as being in the best interest of the City and its inhabitants.

NOW THEREFORE, be it resolved that the City of Van Buren Municipal Utilities Commission recommends to the City Council that the existing ordinance establishing current rates and charges for mandatory residential solid waste collection services be repealed and new rates and charges be enacted and become effective as shown in the proposed ordinance before the City Council.

PASSED AND APPROVED THIS 18th day of April, 2017.


C. E. Dougan, Chairman

Attest:


Kathy Geppert, Secretary