

ORDINANCE NO. 0-97- 10

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

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

SECTION 1. That Sections 5.04.03 Subsection (a) is hereby amended to read as follows:

“Each separate retail or wholesale business or commercial establishment, as hereinafter defined, a fee of not less than \$15.00 per month shall be collected. The amount of the fee to be charged any such establishment shall be \$2.00 per stop plus \$4.00 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, supermarkets, telephone exchanges, theaters, repair shops, and livestock auction barns.”

SECTION 2: That Section 5.04.04 Subsection (b), (c), and (d), are hereby amended 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 this privilege:

\$5.00 per yard (uncompacted) and  
\$6.00 per yard (compacted)”

“(c) Any person, firm or corporation situated outside the corporate limits of the City of Conway but within Faulkner County 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:

\$7.00 per yard (uncompacted) and  
\$7.00 per yard (compacted)”

“(d) Any person residing outside the corporate limits of the City of Conway but within Faulkner County, 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 but within said county, 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:

\$7.00 per yard (uncompacted) and  
\$7.00 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 shall be permitted to do so and the fees are as follows:

\$5.00 per yard (uncompacted) and  
\$6.00 per yard (compacted)”

Payment of fees shall be made either by payment of monies to the attendant in charge of dumping grounds or by pre-arranged credit. It is the intention of this provision and it is expressly provided that the payor shall therefore utilize the city dumping ground for the purpose of garbage only from the specific acts of construction, erection, remodeling, alteration or repairs of buildings, 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.”

SECTION 3. That Section 5.04.04 Subsection (g) is hereby amended to read as follows:

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

Each separate family dwelling	\$9.75
Each duplex apartment house, per unit	\$9.75
Each apartment house, per unit	\$9.75
Each mobile home or house trailer, not situated in mobile home park	\$9.75
Each mobile home or house trailer, situated in mobile home park	\$9.75
Each separate dwelling unit owned and operated by the Conway Housing Authority or other such public agency	\$9.75

Residential customers, regardless of age, race, creed, color or national origin can receive a discounted rate of \$6.50 if they are financially incapable of paying the regular rate and meet the following qualifications. Verification and qualification of financial handicap is

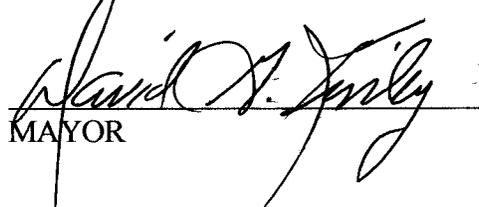
made by written application to the city Sanitation Department for such a reduced rate. Those households eligible for the discounted rate must receive Social Security as a source of income and must be enrolled under Arkansas Act 120 of 1983, as amended in 1991, with the Conway Corporation.”

SECTION 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of that conflict.

SECTION 7. That it is ascertained and declared that it is necessary for the public peace and welfare of the citizens of the City of Conway, Arkansas, an emergency is hereby declared to exist, and this ordinance shall take effect and be in force from and after its passage and publication.

PASSED this 11<sup>th</sup> day of February, 1997.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK