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RDJ

City of Conway, Arkansas
Ordinance No. O-11-21

AN ORDINANCE CLARIFYING PROCEDURES BY WHICH FEES, SURCHARGES AND REVENUES ARE ASSESSED FOR RESIDENTIAL AND COMMERCIAL TRASH PICK-UP; ESTABLISHING THAT ALL FEES, SURCHARGES AND SANITATION REVENUES SHALL BE COLLECTED IN THE AGGREGATE AS ONE REVENUE STREAM; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the current procedures and methodology for the collection of sanitation service fees have become burdensome and confusing in that several different sanitation fee ordinances set out different requirements for the recording and allocation of sanitation revenues; and

WHEREAS, this ordinance is intended to repeal the assessment and collection methodology contained in prior ordinances relating to sanitation fee collection.

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

SECTION 1: That the residential sanitation collection fees for residents of the City of Conway (as defined in prior ordinances for homes, apartments, residences, mobile homes and dwelling units) which includes all fees and surcharges currently set out in prior ordinances, including Ordinance No. A-454, as amended; No. O-97-10 as amended; No. O-00-165 as amended and No. O-03-18 as amended, shall be collected in the aggregate as one revenue stream.

SECTION 2: That the current commercial sanitation collection fees for each separate retail or wholesale business or commercial establishment, as defined in prior ordinances, including all fees and surcharges currently set out in prior ordinances, including Ordinance No. A-454, as amended; No. O-97-10 as amended; No. O-00-165 as amended and No. O-03-18 as amended shall be collected in the aggregate as one revenue stream.

SECTION 3: That the City shall make all necessary budget and accounting entries in order to remit any necessary payments to the Arkansas Department of Environmental Quality or other state entity for state waste disposal pursuant to state law or Ordinance No. O-00-165. Any funds in excess of that which is necessary to make required payments to the State of Arkansas for state waste disposal shall not be restricted and may be payable to the general fund by approval by the City Council.

SECTION 4: That the City shall make all necessary budget and accounting entries in order to remit any necessary payments to the Landfill Closure Trust Account pursuant to state law or Ordinance No. O-03-18. Any funds in excess of that which is necessary to make required payments to the State of Arkansas to the Landfill Closure Trust Account shall not be restricted and may be payable to the general fund by approval by the City Council.

SECTION 5: That the City shall make all necessary budget and accounting entries in order to give effect to Ordinance No. O-00-165 with respect to funding capital improvements. Any funds in excess of that which is necessary to fund capital improvements shall not be restricted and may be payable to the general fund.

SECTION 6: All ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 7. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

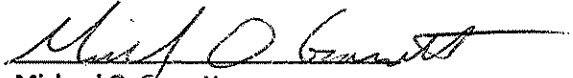
PASSED this 8th day of March, 2011.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer