

ORDINANCE NO. 2016-_____

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE AMENDING SECTION 53.07 RATES OF CHAPTER 53:
GARBAGE OF THE TONTITOWN MUNICIPAL CODE IN IN ITS
ENTIRETY, DECLARING AN EMERGENCY AND FOR OTHER
PURPOSES**

WHEREAS, on or about June 7, 2016, the City Council of Tontitown adopted Ordinance No. 2016-06-578 to provide residential sanitation rates within the city and said Ordinance No. 2016-06-578 was thereafter codified within Chapter 53: GARBAGE in the Tontitown Municipal Code; and

WHEREAS, the City Council of the City of Tontitown now finds it to be in the best interest of the citizens of the City of Tontitown to amend Section 53.07 RATES of the Tontitown Municipal Code; and

WHEREAS, having fully reviewed the proposed amendment, the Tontitown Planning Commission has determined that Section 53.07 RATES of Chapter 53: GARBAGE, of the Tontitown Municipal Code should be revised and amended, as set forth herein below.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the City Council of the City of Tontitown, as follows:

Section 1. Section 53.07 RATES of Chapter 53: GARBAGE, of the Tontitown Municipal Code is hereby revised, and as attached hereto as Exhibit "A".

Section 2. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 3. Declaration of Emergency. It is hereby found and determined that Section 53.07 RATES of Chapter 53: GARBAGE, of the Tontitown Municipal Code should be immediately amended in order to clarify and amend the residential sanitation rates within the City of Tontitown. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

PASSED AND APPROVED this _____ day of November, 2016.

Paul Colvin, Jr., Mayor

ATTEST:

Rhonda Ardemagni, City Recorder-Treasurer

“EXHIBIT A”

§ 53.07 SANITATION RATES.

The rates to be charged for sanitation services shall be as follows:

(A) *Residential rates.*

<i>Tontitown Solid Waste Service Rates - Effective June 16, 2016</i>				
	<i>4 Bag</i>	<i>8 Bag</i>	<i>12 Bag</i>	<i>1 Yellow Bag*</i>
<i>Rate</i>	\$14.51	\$28.23	\$42.36	\$1.51
<i>State Tax 6.5%</i>	\$0.94	\$1.83	\$2.75	\$0.10
<i>City Tax 2.0%</i>	\$0.29	\$0.56	\$0.85	\$0.03
<i>County Tax 1.25%</i>	\$0.18	\$0.35	\$0.53	\$0.02
<i>Franchise Fee 4.25%</i>	\$0.62	\$1.20	\$1.80	-
<i>Billing Fee</i>	\$0.60	\$0.60	\$0.60	\$0.60
<i>Total</i>	17.14	\$32.77	\$48.89	\$2.26
<i>Recycling</i>				
Rate	\$3.88			
State Tax	\$0.25			
City Tax	\$0.08			
County Tax	\$0.05			
Total	\$4.26			
* Available to citizens 65 or greater. (Persons on the program do not have to pay the monthly rate, just the bags used.)				
Each residential account shall be allowed the equivalent of four 35-gallon plastic trash bags per week.				

(B) For commercial/industrial/multi-family residential contracts, the rates assessed by any approved private collector shall be negotiated and agreed upon by and between the customer and the private collector.

(Ord. 2016-06-578, passed 6-7-16)

