

These are the proposed amendments to codes and recommended legislation/ laws to be brought forth to the City of Tontitown.

Amend the Exclusive Landfill Code to include:

1. No Eco Vista landfill related traffic allowed on any approved or non-approved route before 6am.

-Includes all equipment, trucks, contractors, and companies servicing the landfill

-Noise ordinance CC just passed probably best solution

-To be ticketed appropriately for noise violations

-Warning, ticket, fine as outlined in code, after 5 fines a suspension will be issued

-currently in process for proper fine procedure

2. New studies need to be brought before the city in a timely manner in the following areas:

Air –Quarterly **insert under F (3) of 153.086**

Water –Quarterly **insert under F (3) of 153.086**

Soil – Quarterly **insert under F (3) of 153.086**

Gas- Quarterly **insert under F (3) of 153.086**

Traffic Study - 3 years **currently required at LSD**

Geographic impact (Karst) - 3 years ?

Compatibility to the surrounding area (Impact on the citizens and the surrounding area)

– Yearly **currently accessed at time of LSD request**

Health Studies - 1-3 years ?

-City to have Environmental Attorney to review environmental studies **CC has hired EA**

-Steering Committee (Mark/Penny) to pick the provider ? **Mark is head of Steer committee**

- All studies to be submitted to the city, city council, and planning board

Think any study would be public information already

3. A second entrance for EMERGENCY USE ONLY (ie. fire and other catastrophic peril) No WM vehicles.

-Currently 2 existing locations that have gates that could be readily used with some additional maintenance **if fire marshall approves, not sure we can enforce E.U.O entrance**

4. No more large-scale landfill extensions. Plan B- A new landfill to be Licensed and Permitted within 5 (five) years. **LSD will have to be reviewed at time of request. Plan B would be for WM to figure out if situation arises**

5. Change the operations time of the landfill to 7am to accommodate the growing environment of the city **not sure we can enforce private business operating hours**

-Prohibit the lining up of the trucks and equipment on the roads and associated noises
-code enforcement issue. Currently in process

6. Code to include Noise, truck route, buffer area, odor enforcement, setbacks
- Violations to warnings, tickets, fines, and suspension of use
-code enforcement issue. Currently in process

7. Update code to meet or exceed Regulation 22 codes
153.086 (C)- current ordinance states Reg 22 must be met

8. Code to address standing water in dug out pits, drainage, and water run-off to be addressed
code enforcement issue for standing water? Drainage to be addressed at time of LSD review

9. Wastewater code: Onsite treatment and transfer of wastewater via sewage to NACA and spillage clause with penalty ? LSD at time of review, must meet current waste water, drainage, etc

10. Add code addressing the odor 24/7/365 ? not sure

11. Change code to not allow active landfill within 1000 feet of a residence
-F (2) C of 153.086 increase setback requirements (currently is 250')

12. Appeal to state legislature for compatibility Study ? not sure

13. Make city regulation to allow the Planning Commission to add conditions. ?
conditions are usually done by Garver and staff I believe

Hosting Contract to be amended to include a Citizens Agreement to be formed between Waste Management and the Citizens of Tontitown that would include the following:

1. A revolving fund to be established and maintained that would be contributed by Waste Management to assist in funding for legal action and representation for the citizens separate from the city attorney for matters on the city contract or any other environmental related issues. Not sure city can enforce. WM decision
2. Voucher program to be established for car washes, power washing, and replacement of property (mailboxes, windshields, tires) so that liability is removed from Waste Management and citizens receive compensation. Not sure city can enforce. WM decision
3. Create a complaint system database linked to code enforcement that is a system that will submit environmental related complaints to Arkansas

Legislature, State Representative, ADEE, BMSWD, Waste Management Corporate, Eco-Vista Management, Code Enforcement Officer, City Officials
Should be link on city website for complaints? Not sure about sending up to chain?

Resolutions:

Through his position on the Boston Mountain Solid Waste District, we ask the mayor to sponsor a resolution to support the location, permitting, and licensing of a second landfill, whether municipal or privately owned and to be established within ADEE guidelines in an area that is rural and would accept the more odorous types of waste, location to be determined within 2 years and permits/licenses processed for an opening date within 5 years. **CC passed similar resolution against the landfill already**

Identify state and federal monies and/or grants that are available to assist the citizens with environmental and infrastructure issues **Mark Latham is currently in place for these duties**

Create a Steer Committee to guide and assist in all environmental related issues, recommend studies and solutions as needed. Steer Committee to handle Citizen Agreement related items. **Pretty sure Mark Calcagni is in charge of Steer Committee**

General:

Add a code to allow planning board to have ability to add reasonable conditions to large scale developments **? conditions are usually done by Garver and staff I believe**

Add a code to allow planning board to take in to consideration affected citizen concerns and/or a public vote of the decision before approval of select items **PC does this at time of LSD request**

Code enforcement to give fines each day (ie odor, noise, red mud, etc) once an initial complaint is established.

- Address complaints cumulatively
- Fines acquire cumulatively

Currently in process

****see my thoughts in red. not real sure how/if we can make all these changes, but would be a good start****