

ORDINANCE NO. A- 560

AN ORDINANCE AMENDING SECTIONS 3, 4(d), 4(g) AND 5 OF ORDINANCE NO. A-454 OF THE CITY OF CONWAY, ARKANSAS; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

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

SECTION 1, Section 3 of Ordinance No. A-454, adopted by the City Council of the City of Conway, Arkansas, on the 24th day of October, 1967, is hereby amended to read as follows;

"SECTION 3. For gathering, transporting and disposing of garbage as herein provided, the City of Conway shall charge and collect fees each month as follows, to-wit:

- (a) For each separate retail or wholesale business or commercial establishment, as hereinafter defined, a fee of not less than \$2.50 per month shall be collected. The amount of the fee to be charged any such establishment shall be determined upon the experience with that establishment, 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, super markets, telephone exchanges, theaters, repair shops, and livestock auction barns. It is expressly provided, however, that the foregoing definition shall exclude the following: educational institutions, wherein persons are assembled for the purpose of learning or of receiving educational instruction; industrial

plants, where the activities therein consist of assembling, fabricating, finishing, manufacturing, packaging or other processing operations are carried on; and institutional facilities owned or operated by a governmental agency wherein the premises are occupied by persons harbored or detained for the purpose of receiving medical, charitable or other care or treatment, or are occupied by persons for civic, governmental, or religious purposes.

SECTION 2. Section 4 (d) of said Ordinance No. A-454 is hereby amended to read as follows:

"(d) Any person residing outside the corporate limits of the City of Conway, 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, which desires to transport its garbage and to dump the same upon the City's dumping grounds shall be permitted to do so upon payment of a permit fee of not less than ONE AND NO/100 (\$1.00) DOLLAR for each load or part of load so transported and dumped.

SECTION 3. Section 4 (g) of said Ordinance No. A-454 is hereby amended to read as follows:

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

Each separate family dwelling	\$2.50	to	\$3.50
Each duplex apartment house, per unit	\$2.50	to	\$3.50
Each apartment house; per unit	\$2.50	to	\$3.50
Each mobile home or house trailer not situated in mobile home park	\$2.50	to	\$3.50
Each mobile home or house trailer situated in mobile home park			\$2.50
Each separate dwelling unit owned and operated by the Conway Housing Authority or other such public agency			\$2.50

Ordinance No, _____

Page 3

SECTION 4. Section 5 of said Ordinance No. A-454 is hereby amended to read as follows:

"SECTION 5. The fees **as** herein provided shall be paid monthly at the office or offices in said City which may now or hereafter be designated by the City. Provided, however, that in instances wherein more than one **apartment**, home, **mobile** home, house trailer or other housing unit, or more than one business establishment, office or store, **is** situated upon or within the same premises, the **charges** shall be made on **a** unit basis and the bill therefor rendered to the person, firm or corporation owning the property, in the same manner as hereinabove set forth. If such **fees** be not paid on or before the 10th day of the calendar month **next** preceding the month for which said bill is rendered **a** penalty of 10% of the total amount of such fee shall **be** added thereto; and if any fee shall remain unpaid for **a** period of **thirty** (30) days after the **date** such bill is rendered the City shall have the right to institute an action for its **recovery**. On the first day of each calendar month the Sanitation Officer shall physically count the number of mobile homes situated in each mobile home park within the City limits **and** the bill of charges due from each mobile home park operator for the month immediately preceding shall be computed by multiplying the number of mobile homes then present in **such** park by **\$2.50**.

SECTION 5. It is ascertained and **declared** that, due to the greatly increased cost of operating the City's dumping ground, the fees and charges heretofore established for the uses and services hereinabove set out are insufficient **and** the increase in such fees as contained in this Ordinance and the collection thereof **is** necessary for the proper operation of the Sanitation Department and the City's dumping ground; that proper **operation** of such

Ordinance No. _____

Page 4

Department and grounds is a necessary governmental function and is vital to the public health and welfare of the residents of the City of Conway and by reason thereof an emergency is declared to exist and this Ordinance shall take effect and be in force from and after its passage and publication.

PASSED: ~~December 12, 1972.~~

January 9, 1973

APPROVED: _____
Mayor

ATTEST : _____
Clerk-Treasurer