ORDINANCE 2008-05

AN ORDINANCE TO AMEND ORDINANCE NO. 2007-09 BY ADDING AN ADDENDUM TO ALLOW A DIESEL FUEL SURCHARGE TO RATES SET FOR RESIDENTIAL SANITATION SERVICES, AND FOR OTHER PURPOSES.

WHEREAS, the cost of diesel fuel continues to escalate in today's market, and

WHEREAS, the City must charge a sufficient rate to ensure the operational integrity of its servicing contractor, but keep rates as low as possible for its citizens.

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

SECTION 1. An add-on rate increase of $1.00 per month per residential customer shall begin with July 2008 billing.

SECTION 2 Using $4.65 per gallon as a base price at this point, future increases may be added in $ .30 increments each month if average prices of diesel fuel increase up to $ .30 during the monthly billing cycle. Any increase less than $ .30 will not merit an add-on for that month. Rate increases will only be implemented when the average fuel price meets or exceeds $4.95, $5.25, $5.55, $5.85, etc. The price of fuel will be determined according to the US Dept of Energy Price Index for the Gulf Coast Region, furnished with billing by ROLL OFF.

SECTION 3. Should diesel fuel prices decrease, the fuel surcharge will decrease in the same manner described above; however, in no event shall the rate decease below the stated rate in the June 1, 2007, contract between ROLL OFF SERVICE, INC. and the City of Mulberry, which expires June 1, 2012.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. It is hereby determined by the City of Mulberry that in order to meet the fuel surcharge request under the sanitation contract, an emergency is hereby declared to exist and this ordinance, being necessary for the general welfare of the citizens of Mulberry, shall be in full force and effect from the day of its passage and approval.

PASSED AND APPROVED THIS 15TH DAY OF JULY 2008.

APPROVED: Betty Feller
Betty Feller, Mayor

ATTEST: Jerry Dickerson
Jerry Dickerson, Recorder-Treasurer