ORDINANCE 2012-04

AN ORDINANCE TO IMPOSE FRANCHISE FEES FOR COMMERCIAL AND INDUSTRIAL WASTE COLLECTION SERVICE COMPANIES.

WHEREAS. It is imperative that the City maintain its road system in the highest form of repair; and

WHEREAS Various waste collection service companies regularly travel the streets of the City of Mulberry in trucks that exceed the weight of regular passenger vehicles; and the weight of these vehicles causes gradual damage to City streets and roadways;

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

Section 1: All waste collection service companies are hereby assessed a privilege-franchise charge in the amount of four (4) percent of the gross sales of its services and product by such company in each preceding calendar quarter to its commercial and industrial customers within the corporate limits of the city.

Section 2: The privilege-franchise charge shall be payable on or before July 31, 2012, for the calendar quarter ending June 30, 2012, and quarterly thereafter on or before the thirtieth day of each month following the end of the preceding calendar quarter.

Section 3: The maximum amount to be collected in franchise fees from any one (1) customer shall be $2,000.00 per month per utility.

Section 4: As an incident to the privilege and franchise hereby extended, all waste collection service companies paying said privilege-franchise fees shall have the right to occupy present or future streets, highways, alleys or other public ways of the city for the purpose of carrying on its business.

Section 5: Either prior to or concurrently with the payment of such privilege-franchise charges, all waste collection service companies operating commercial or industrial collections inside the City limits of Mulberry, AR shall submit to the City a copy of a financial statement reporting the gross revenues of the company from its operations within the City for the applicable fiscal period. The City shall have the right to inspect, either by employees or by an independently retained certified public accountant, at any reasonable time, the financial records of the company relating to the company's revenues from the above listed classes of customers within the City.

PASSED AND APPROVED THIS 20th DAY OF MARCH, 2012.

APPROVED: _____
Gary D. Baxter, Mayor

ATTEST: _____
Jerry Dickerson, Recorder-Treasurer