CITY OF MULBERRY, ARKANSAS

ORDINANCE 2024-07

AN ORDINANCE TO REPEAL PREVIOUS ORDINANCES RELATED TO SOLID WASTE COLLECTION, INCREASE RATES PURSUANT TO CONTRACTUAL OBLIGATIONS, AND FOR OTHER PURPOSES.

WHEREAS, the City of Mulberry has entered into a contract with CARDS Holdings Inc. for the collection and disposal of solid waste within the city limits, which includes provisions for rate adjustments based on changes in the contractor's cost of doing business, as outlined in Section 6.2.3 of the contract; and

WHEREAS, the contractor has petitioned the City for an adjustment to the rates charged for solid waste collection services due to unusual changes in its costs, including but not limited to changes in laws, regulations, and other factors affecting the cost of providing services; and

WHEREAS, the City Council of Mulberry, Arkansas, after careful consideration, has determined that it is necessary to increase the rates charged for solid waste collection to ensure the continued provision of these essential services; and

WHEREAS, the City Council further finds it necessary to repeal previous ordinances related to solid waste collection to ensure consistency with the current contractual obligations and to avoid any conflicts or inconsistencies.

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

ARKANSAS:

SECTION 1: REPEAL OF PRIOR ORDINANCES All previous ordinances and resolutions or parts thereof related to solid waste collection, including but not limited to Ordinance No. 2017-06, Ordinance No. 2020-04, and Ordinance No. 2023-06, are hereby repealed in their entirety.

SECTION 2: DEFINITIONS For the purposes of this Ordinance, the following definitions shall apply:

- "Solid Waste Container" shall mean a 96-gallon poly cart(s) provided by the contractor.
- "Residential Unit" means any single-family household, duplex, triplex, or multi-unit requiring solid waste services.
- "Acceptable Solid Waste" means all solid and semi-solid putrescible and non-putrescible refuse and garbage as outlined in the current sanitation contract.

- "Extra Solid Waste" means any solid waste that will not fit inside the provided container.
- "Bulky Waste" or "Bulky Items" means waste as defined in the current sanitation contract.

SECTION 3: RATE INCREASE FOR SOLID WASTE COLLECTION

- **A.** In accordance with Section 6.2.3 of the current contract with CARDS Holdings Inc., the monthly charge for the collection and disposal of solid waste for each residential unit shall be increased to **$ 15.44**
- **B.** The monthly charge for each additional 96-gallon cart shall remain at **$6.00.**

SECTION 4: PROVISIONS REGARDING SOLID WASTE CONTAINERS

- **A.** The contractor shall retain ownership of all carts provided for residential use. Upon request, the contractor shall replace damaged or lost carts at a cost of **$75.00** per container, billable to and payable by the resident.
- **B.** Residents shall be limited to the amount of solid waste that will fit inside the provided container. Extra solid waste that does not fit inside the provided container(s) will not be collected unless a special collection is scheduled with the contractor.

SECTION 5: SEVERABILITY The provisions of this Ordinance are separable, and if any section, phrase, or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6: EFFECTIVE DATE This ordinance shall go into effect immediately upon its passage, approval, and posting, and the new rates shall be applied beginning with the first billing cycle after such approval.

SECTION 7: EMERGENCY CLAUSE It is hereby found and determined that this Ordinance is necessary for the preservation of public peace, health, and safety; therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED THIS 20 DAY OF Aug, 2024.

APPROVED:

Gary D. Baxter, Mayor

ATTEST: Carla Dickerson

Carla Dickerson, Recorder/Treasurer