CHAPTER 14
GARBAGE DISPOSAL

Sec. 14-1. City Garbage Department Created; Appointment of Committee; Employees; Fees.

There is hereby created a "city garbage department" within and for the City of Searcy, Arkansas, to be supervised and operated by a committee composed of the Mayor and three (3) members of the City Council. The Council members of the committee shall be named by the Mayor at the first regular meeting in January of each year. Said committee shall have power to employ a foreman and such other laborers as may appear necessary to efficiently and systematically gather, transport, and dispose of all garbage inside the City limits; to demand and collect fees as herein authorized; to maintain said department, and to exercise a general supervisory control over the garbage operations of the City. Notwithstanding any contrary provision hereof, or any contrary provision of any Ordinance or Resolution of the City of Searcy, the City of Searcy reserves unto the City the sole and exclusive right, within the limits of the City, to gather, collect, transport and dispose of, or provide for the disposition of, all non-hazardous garbage, refuse and waste materials, (as defined in Section 14.2 of the Code of Ordinances as amended) generated within the limits of the City of Searcy, or by its citizens, residents or business or industry, or to contract for the gathering, collection, transportation or disposition of such garbage, refuse and waste materials; provided, however, that nothing herein shall be deemed to prevent any person, firm or corporation from gathering, collecting, transporting or disposing of any such garbage, refuse or waste material generated by or arising out of the operations of such person, firm or corporation utilizing employees of and equipment owned by such person, firm or corporation; and provided further, that nothing herein shall be deemed to prevent any person, firm or corporation from processing, purchasing, or selling any paper, glass, cans or other recyclable materials; and provided further, any person, firm, corporation or other business or entity engaged, as of January 24, 1991, in the business of gathering, collecting, transporting or disposing of, for a fee or other compensation, non-hazardous garbage, refuse or waste materials (as defined in Section 14-2, as amended) for commercial or residential customers within the City limits of the City of Searcy shall be permitted to continue such business and such continuation shall not be deemed a violation hereof. (Ord. No. 370, § 1, 6-5-56; Ord. No. 91-2, § 1 & 2, 1-24-91)

Sec. 14-2. Garbage Defined.

The word "garbage" used in this chapter shall include all waste matter and materials coming from human habitations and places of business not of a kind to run through sewers, including street filth, droppings from animals, decayed foods, flesh, vegetables and fruits; dead animals and bones; waste from slaughterhouses, processing plants and factories; all used boxes, barrels, containers, wastepaper and sweepings from stores, warehouses, restaurants, hotels and other such places of business; grass, leaves, shrubbery and small trees, discarded furniture, machinery, and other such matter not exceeding one hundred (100) pounds in weight; discarded cans, jars, glass containers, crockery and other utensils and vessels; all house, storehouse and warehouse trash and sweepings, as well as all other unsightly and unsanitary materials and things that appear detrimental to the
beauty of the City or the health of its inhabitants. Notwithstanding any contrary provision hereof, the term "garbage" shall not include grease, fat or related products or materials generated by restaurants or other institutional food preparation services or entities, nor shall the term "garbage" mean or include any hazardous waste or material so designated by the United States Environmental Protection Agency, or any other State or Federal agency or instrumentality. (Ord. No. 370, § 2, 6-5-56; Ord. No. 91-2, § 3, 1-24-91)


Hereafter the City of Searcy, or its designated representative, shall charge and collect fees for gathering, transporting and disposing of garbage on the basis of a fee schedule adopted and approved by the City Council. The fee schedule shall be based upon a fair and equitable allocation of truck hours, or proportionate part thereof, and the quantity of garbage attributable to each classification of customers. All revenues derived from fees generated by the collection and disposition of garbage shall be reserved for use solely by the Sanitation Department and shall be utilized in payment of "tipping fees," capital expenditures and other charges or expenses related to such Sanitation Department. (Ord. No. 89-09, 3-14-89; Ord. No. 370, § 3, 6-5-56; Ord. No. 494, § 1, 3-7-67; Ord. No. 544, § 1, 4-10-72)

Sec. 14-4. Monthly Payment of Fees.

The fees as herein fixed are on a monthly basis or schedule and shall be due and payable on the first day of each month at the City Hall or as may be designated by the City Council in the same manner as water bills are paid and shall be paid by the person owning the property or by the person paying the water bill charged to the property. In cases where one water meter serves more than one apartment or dwelling house or more than one business establishment, the fees shall be collected on a unit basis. (Ord. No. 370, § 4, 6-5-56)

Sec. 14-5. Delinquency in Payment of Fees.

Fees herein authorized shall be paid at the City Hall or at such other place as may be designated by the City Council; if such are not paid at the time and manner herein provided, a penalty of ten per cent (10%) per annum shall attach and be charged against each such person, firm or corporation, and if any fee remains unpaid for a period of thirty (30) days from its due date, the City shall have the right to institute an action for the recovery of the fee. (Ord. No. 494, § 4, 3-7-67)

Sec. 14-6. Garbage Containers.

14-6-1 All persons having trash to be transported as provided in this chapter, shall have trash in bags or in bags in trash containers and shall place them at a place on their premises where the same may be accessible for the sanitation employee. Said containers shall have suitable handles attached for the convenience of the sanitation employee. In the event that any trash container is excessive in size or weight, the
trash collector may refuse to remove the trash from the location. (Ord. No. 2014-21 § 14-6-1)

14-6-2 All persons for whom residential garbage collection is provided within the City of Searcy, shall place such residential trash at or near the curb for collection, no earlier than 5:00 p.m. on the day prior to scheduled collection. (Ord. No. 370, § 6, 6-5-56; Ord. No. 94-24, 8-9-94; Ord. No. 2014-21 § 14-6-2)

14-6-3 No trash containers may be left at the curbside for longer than 24 hours after the scheduled collection time. (Ord. No. 2014-21 § 14-6-3)

14-6-4 No trash container may be placed in storage receptacle at the curb of a residence which is used for the purpose of permanently keeping or maintaining the trash container at the curb of any residence. (Ord. No. 2014-21 § 14-6-4)


All garbage must be drained of all liquid substances before being placed in cans or containers. (Ord. No. 370, § 7, 6-5-56)


It shall be unlawful for any person, firm or corporation to burn any trash or garbage except in incinerators approved by the Chief of the Fire Department, or to dump or throw any garbage upon any vacant lot or into any street or alley in said City. (Ord. No. 370, § 8, 6-5-56)


Garbage shall be collected on schedules and on designated routes to be determined by the City Council or its designated representatives; and it is hereby made the duty of persons having garbage on their premises to place it where it may be easily reached by the City garbage employees. (Ord. No. 370, § 11, 6-5-56)

Sec. 14-10. Trash Inspectors.

The code Enforcement Department and Police Department shall be responsible for the enforcement of the provisions of this chapter. (Ord. No. 370, § 11, 6-5-56; Ord. No. 2014-21 § 14-10)

Sec. 14-11. Lease of Lands.

Subject to the approval of the City Council, the committee is authorized and empowered to lease lands outside of the City limits to be used in the disposal of garbage. (Ord. No. 370, § 13, 6-5-56)
Sec. 14-12. Authority of City and County Health Officers.

For the purpose of enforcing the provisions of this chapter and other ordinances pertaining to the health or sanitation of the inhabitants of the City, the health officer and employees of the City and of White County are hereby granted full power and authority to act within said City and to perform all and singular duties of such health units on behalf of the City of which they have under the laws of the State of Arkansas and the rules and regulations of the State Board of Health of the State of Arkansas. (Ord. No. 370, § 14, 6-5-56)


14-13-1 Any Residential trash customer of the City of Searcy who violates the provisions of Section 14-6-1, shall, upon the direction of the Code Enforcement Department of the Police Department, be assessed penalties, as follows:

First Violation - Written Warning

Second Violation occurring within six (6) months of the First Violation - $25.00

Third Violation occurring within six (6) months of the First Violation - $50.00

Fourth Violation occurring within six (6) months of the First Violation - $100.00

(Ord. No. 370, § 12, 6-5-56; Ord. 94-24, 8-9-94; Ord. No. 2014-21 § 14-13)
APPENDIX TO CHAPTER 14

Schedule of Fees

**Residential Rates:** Effective January 1, 2020, the monthly fee for residential garbage service, and including any apartment unit or manufactured home or other residential unit receiving a statement from the Searcy Board of Public Utilities, shall be $18.00.

**Small Businesses:** Effective January 1, 2020, monthly rates for small business garbage service which includes hand pick-up and expressly excludes garbage bins shall the greater of the rate currently charged to such user or $35.00.

**Garbage Dumpsters:** Effective January 1, 2020, the rates to be charged for the disposition of garbage within garbage bins owned by the City of Searcy or by private individuals shall be as follows:

### FEES FOR SCHEDULED PICK-UPS
#### INSIDE CITY LIMITS

<table>
<thead>
<tr>
<th>No. of Pickups Per Week</th>
<th>4 Yard</th>
<th>6 Yard</th>
<th>8 Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>74.00</td>
<td>111.00</td>
<td>148.00</td>
</tr>
<tr>
<td>2</td>
<td>148.00</td>
<td>222.00</td>
<td>296.00</td>
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<tr>
<td>3</td>
<td>222.00</td>
<td>333.00</td>
<td>444.00</td>
</tr>
<tr>
<td>4</td>
<td>296.00</td>
<td>444.00</td>
<td>592.00</td>
</tr>
<tr>
<td>5</td>
<td>370.00</td>
<td>555.00</td>
<td>740.00</td>
</tr>
<tr>
<td>6</td>
<td>444.00</td>
<td>666.00</td>
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<td>518.00</td>
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<tr>
<td>10</td>
<td>740.00</td>
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<td>1480.00</td>
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### FEES FOR SCHEDULED PICK-UPS
#### OUTSIDE CITY LIMITS

<table>
<thead>
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<th>No. of Pickups Per Week</th>
<th>4 Yard</th>
<th>6 Yard</th>
<th>8 Yard</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>149.00</td>
<td>186.00</td>
<td>223.00</td>
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<tr>
<td>2</td>
<td>298.00</td>
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<td>447.00</td>
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<tr>
<td>4</td>
<td>596.00</td>
<td>744.00</td>
<td>892.00</td>
</tr>
</tbody>
</table>
FEE FOR UNSCHEDULED PICK-UPS
INSIDE THE CITY LIMITS

For all unscheduled pickups of 4, 6 and 8 yard bins, there shall be a charge, in addition to any other fees assessed under this Schedule, of $75.00.

FEE FOR UNSCHEDULED PICK-UPS
OUTSIDE THE CITY LIMITS

For all unscheduled pickups of 4, 6 and 8 yard bins there shall be a charge, in addition to any other fees assessed under this Schedule, of $100.00.

“BUMP” FEES

For any request for the City of Searcy Sanitation Department to “bump” any bin (a move of location that did not include a dump charge) there will, in addition to any other fees assessed under this Schedule, there shall be a charge as follows:

Within the corporate limits of the City of Searcy: $75.00
Outside the corporate limits of the City of Searcy: $100.00

EMPLOYEE CALL-BACK FEE

There will also be a call-back charge (when the City of Searcy Sanitation Department has to call in a driver for a pick-up request), which shall be in addition to any fees otherwise set forth in this Schedule, as follows:

Within the corporate limits of the City of Searcy: $75.00
Outside the corporate limits of the City of Searcy: $100.00

TWENTY YARD BIN

The following fees shall be assessed, in addition to any other charges set forth in this Schedule, for pick-ups of any twenty yard bin:
Within the corporate limits of the City of Searcy: $353.00
Outside the corporate limits of the City of Searcy: $388.00

FORTY YARD BIN

The following fees shall be assessed, in addition to any other charges set forth in this Schedule, for pick-ups of any forty yard bin:

Within the corporate limits of the City of Searcy: $565.00
Outside the corporate limits of the City of Searcy: $625.00

DAMAGES TO CITY PROPERTY

Customer shall be responsible and shall pay to the City for all actual damages to any bins, receptacles or other City property. All damage to any such property shall be the responsibility of the user once the bin or receptacle is placed for the said user.

(Ord. No. 89-09, 3-14-89; Ord. No. 89-17, 6-15-89; Ord. No. 92-13, 5-12-92; Ord. No. 96-29, 11-12-96; Ord. No. 99-03, 12-12-99; Ord. No. 2000-17, 12-12-2000; Ord. No. 2019-32)
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