

ORDINANCE 2019 - 32

AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF SEARCY, ARKANSAS; REPLACING AN APPENDIX TO CHAPTER 14 OF THE CODE OF ORDINANCES; PROVIDING FOR A MODIFICATION OF SANITATION RATES FOR RESIDENTIAL AND COMMERCIAL USERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

The City Council of the City of Searcy, Arkansas, meeting in regular session, makes the following findings of fact and enacts the following provisions:

WHEREAS, the Searcy City Council has adopted sanitation rates for providing services to residents of the City of Searcy and other users of sanitation services operated by the City of Searcy; and

WHEREAS, Section 14-3 of the Code of Ordinances provides that the City of Searcy shall provide for the collection of fees for providing sanitation services; and

WHEREAS, the Searcy City Council has determined that the fees for providing sanitation services should be increased;

WHEREAS, the Searcy City Council finds that the need to provide for uninterrupted services within City Departments, and the ability to fund those services, is an emergency and that, in light of the need to provide these services an emergency is hereby declared and this ordinance is necessary to protect the public peace, health, safety and welfare.

NOW, THEREFORE, the Searcy City Council adopts the following amendment to the Code of Ordinances:

Section 1. The Code of Ordinances of the City of Searcy, Arkansas, is hereby amended by replacing the Appendix to Chapter 14 of the Searcy Code of Ordinances, with such replacement to read as reflected on the attached Exhibit A set forth here as though stated word for word.

Section 2. The revenue to be derived from the fees associated with this Ordinance shall be paid into the unappropriated reserves of the City of Searcy to be distributed pursuant to budgets adopted from time to time by the City of Searcy, and as may be amended from time to time.

Section 3. The provisions of this ordinance are separable and, upon any finding that any provision of this ordinance is unenforceable, the remaining provisions shall be enforceable according to their terms.

Section 4. All ordinances, resolution or other acts of the City in conflict with the terms hereof are repealed to the extent of any such conflict.

Section 5. Emergency Clause. The Searcy City Council has determined that an emergency exists and that the immediate adoption and enforcement of this ordinance being necessary for the public peace, health, safety and welfare, the provisions hereof shall be in full force and effect from and after its passage.

Adopted this 12<sup>th</sup> day of November, 2019.

The City of Searcy, Arkansas

By:

/s/ Kyle Osborne  
Mayor of Searcy

Attest:

/s/ Jerry Morris  
Searcy City Clerk-Treasurer

**Exhibit A**

**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 be 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**

NO. OF PICKUPS PER WEEK	4 YARD	6 YARD	8 YARD
1	74.00	111.00	148.00
2	148.00	222.00	296.00
3	222.00	333.00	444.00
4	296.00	444.00	592.00
5	370.00	555.00	740.00
6	444.00	666.00	888.00
7	518.00	777.00	1036.00
8	592.00	888.00	1184.00
9	666.00	999.00	1332.00
10	740.00	1110.00	1480.00

**FEES FOR SCHEDULED PICK-UPS**  
**OUTSIDE CITY LIMITS**

NO. OF PICKUPS PER WEEK	4 YARD	6 YARD	8 YARD
1	149.00	186.00	223.00
2	298.00	372.00	446.00
3	447.00	558.00	669.00
4	596.00	744.00	892.00
5	745.00	930.00	1115.00
6	894.00	1116.00	1338.00
7	1043.00	1302.00	1561.00
8	1192.00	1488.00	1784.00
9	1341.00	1674.00	2007.00
10	1490.00	1860.00	2230.00

**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.