ORDINANCE NO. 86-10

AN ORDINANCE AMENDING ORDINANCE PARTS OF CHAPTER 5.08 OF THE ATKINS MUNICIPAL CODE CHANGING THE DATE OF BID OPENINGS, LENGTHENING THE FRANCHISE PERIOD TO TWO YEARS AND CLARIFYING CERTAIN DEFINITIONS, AND FOR OTHER PURPOSES

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

SECTION 1. That Section 5.08.03. Conditions and Requirements of the Atkins Municipal Code is hereby amended to read as follows:

Section 5.08.03 Conditions and Requirements. Prior to the end of each odd numbered year, the City shall call for sealed bids from all garbage disposal firms interested in operating a garbage disposal service for the benefit of the residential customers in the City and for residential customers lying outside the City receiving water service from the City. The City reserves the right to reject any and all bids received. The successful bidder shall operate the garbage disposal service subject to the terms and conditions of Chapter 5.08 of the Atkins Municipal Code for the following two year period beginning January of each even numbered year after which the bids were taken and continuing for a two year period thereafter during which time the successful bidder shall charge for his services the amount of his bid accepted by the City. During the year 1986, bids shall be accepted during the month of December. During all subsequent years, bids shall be accepted during the month of November.

SECTION 2. That Section 5.08.06. Service Schedule of the Atkins Municipal Code is hereby amended to read as follows:

Section 5.08.06. Service Schedule. The Grantee shall collect and dispose of garbage, trash and refuse each week from each residential unit in the City, or outside the City and receiving water service from the City, for each residential customer benefiting from the garbage disposal services of the Grantee. The Grantee shall collect and dispose of such garbage,

trash and refuse on the same day of each week thereafter, provided, however, that the Grantee's schedule for collecting and disposing of garbage, trash and refuse shall be subject to the approval of the City. The grantee shall notify the City at least two (2) weeks prior to any change in the schedule due to conflicts with holidays, and shall inform the City which day during that particular week that the Grantee shall collect and dispose of trash, garbage and refuse. The failure of the Grantee to provide the services in the manner outlined in this section shall be grounds for the cancellation of the privileges granted to the Grantee pursuant to Chapter 5.08. The Grantee will not collect and dispose of building rubbish unless special arrangements are made between the Grantee and the residential customer concerning the charges for removal of the building rubbish.

SECTION 3. That Section 5.08.07 Special Garbage Disposal Service of the Atkins Municipal Code is amended to read as follows:

Section 5.08.07 Special Garbage Disposal Service. During the months of March, June, September and December the Grantee shall provide spring, summer, fall and winter "clean-up" services, respectively, for the residential customers covered by Chapter 5.08 of the Atkins Municipal Code. The exact days and times of such services shall be agreed upon by the Grantee and the City at least one month in advance of the date that these services will be rendered. It shall be the duty of the Grantee to contact the City for the purpose of agreeing on such dates. During these special clean-up periods, the Grantee shall remove and dispose of discarded furniture, including beds, mattresses, overstuffed furniture and other furniture, appliances, bicycles, sleds, swing sets, tools, and other comparable items of residential customers. These services shall be provided at no additional cost to the residential customers. Should the Grantee

fail to perform such special garbage disposal services, such failure shall be grounds for cancellation of the privileges granted to the Grantee pursuant to Chapter 5.08.

SECTION 4. That Section 5.08.10 Conditions for Collection, Subsection (c). of the Atkins Municipal Code is amended to read as follows:

Section 5.08.10 Conditions for Collection.

c. All garbage bags shall be placed on the curb line in front of each residential unit. Beginning January 1, 1987, all garbage bags shall be placed along the road or street bordering the residential customer's property beginning no further than two feet away from the pavement line or gravel line of such street or road adjacent to each such residential customer's property; provided however, that the garbage bags may be placed in garbage containers. Lids shall be kept on the garbage containers when placed outside for collection. In the event garbage containers are used by the residential customer, the Grantee shall return the containers and lids to the residential customer's customary collection point, along the road or street after the container is emptied.

DATED this 11 day of November, 1986.

Dallas L. Swain
DALLAS L. SWAIN, MAYOR

ATTESTED:

Syble Marple
SYBLE MARPLE, CITY CLERK