

## ORDINANCE NO. 184

**AN ORDINANCE APPROVING THE TERMS AND CONDITIONS OF A CONTRACT BETWEEN THE CITY OF GARFIELD, ARKANSAS AND CARDS TRASH SERVICE FOR THE PROVISION OF COLLECTION, TRANSFER AND DISPOSAL OF SOLID WASTE; AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY AND DECLARING AN EFFECTIVE DATE FOR COMMENCEMENT OF SERVICES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Garfield wishes to engage the services of CARDS through its local operating division, for the provision of collection, transfer and disposal of solid waste; and

**WHEREAS**, the City of Garfield wishes to provide for a safer and more healthful environment for its residents and businesses by encouraging regular residential, industrial commercial solid waste collection within the city limits and to our water customers; and

**WHEREAS**, CARDS is desirous of providing thorough, competent and quality solid waste disposal services to the City of Garfield;

**NOW, THEREFORE, be it ordained by the City Council of Garfield, Arkansas** that the following language shall provide by Ordinance for collection of residential and commercial solid waste for the citizens and water customers of the City of Garfield by CARDS, pursuant to the applicable statutes of the State of Arkansas including, but not limited to, A.C.A. §14-232-101 et. Seq.

**SECTION 1:** The terms and conditions of a contract with CARDS, for the provisions of collection, transfer and disposal of residential and commercial solid waste, a copy of which is attached hereto and incorporated herein by reference as if set out word by word herein, are hereby approved.

**SECTION 2:** The Mayor of Garfield, Arkansas, is hereby authorized and directed to execute the contract on behalf of the City of Garfield.

**SECTION 3:** The City Council of Garfield is aware of no other person or entity located or situated so as to provide the services which are the subject of the attached contract; CARDS has obtained a long-term disposal contract with the most accessible, permitted solid waste disposal facility located outside the four (4) county solid waste management district pursuant to Arkansas Act 752 of 1991. CARDS is in the best position to ensure payment of all solid waste collection, transfer and disposal fees to the solid waste disposal facility, including, but not limited to, all fees required by any United States, Arkansas and local statutes, regulations, and ordinances including the Resource Conservation and Recovery Act of 1976, as amended.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of that conflict.

**SECTION 5:** Effective Date: Declaration of Emergency. It has been found that proper notification of the adoption of Ordinances of the City of Garfield, Arkansas, is essential to the governance of the City of Garfield, Arkansas. Therefore, an emergency is declared and this ordinance, being necessary for preservation of the public peace, health and safety, shall be in force upon its passage and approval.

**NOW THEREFORE BE IT ORDAINED,** that the City of Garfield hereby enters into the attached Solid Waste Franchise Agreement with CARDS effective on the 1<sup>st</sup> day of January 2020.

**PASSED AND APPROVED THIS 10th DAY OF December, 2019.**

APPROVED:



MAYOR – GARY BLACKBURN

ATTEST:



RECORDER/TREASURER – TERESA VINING