



## Legislation Text

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AN ORDINANCE PROVIDING FOR THE COLLECTION OF GARBAGE AND REFUSE IN THE CITY OF JONESBORO, PROVIDING FOR THE INSPECTION OF PREMISES, FIXING A SCHEDULE OF FEES FOR SAID SERVICES, PROVIDING FOR PENALTY FOR THE VIOLATION HEREOF AND FOR ALL OTHER PURPOSES. **(NOTE: THIS ORDINANCE WAS AMENDED BY ORD-49:003 ON FEBRUARY 7, 1949; ORD-49:007 ON MARCH 18, 1949; ORD-51:006 ON MARCH 5, 1951; ORD-60:2894 ON AUGUST 8, 1960; ORD-71:2501 ON MARCH 1, 1971; ORD-73:2422 ON OCTOBER 1, 1973; ORD-93:747 ON SEPTEMBER 7, 1993; ORD-99:1258 ON JUNE 21, 1999)**

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

Section 1. From and after the passage and approval of this ordinance, all garbage, waste, trash and refuse in the City of Jonesboro shall be collected regularly by the employees of the City of Jonesboro, or by some person, firm or corporation as agent of the City of Jonesboro, and no other person, firm or corporation shall be allowed to collect garbage except said employee or agent of the City of Jonesboro, or the licensee of said City.

Section 2. For carrying out the provisions and purposes of this ordinance there is hereby created a garbage and sanitation department, hereinafter referred to as "Garbage Department", to be under the supervision and maintenance of the City Engineer of Jonesboro, or such other competent person as may be selected by him. Such person to be known as the "Sanitation Engineer." The Sanitation Engineer, under the supervision of the City Engineer, is authorized and directed to employ such assistants and employees as may be necessary to carry out the purposes of this ordinance.

Section 3. The term "garbage" is hereby defined to mean all putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals; kitchen garbage, which is the animals and vegetable refuse from the kitchen, meat shops, fruit stands, soda fountains, restaurants, hotels and similar places; ashes, cinders, slack, which are the refuse matter from stoves, furnaces, fireplaces, rubbish which consist of wornout household articles, rags, paper, broken crockery, tin cans, and old metal yard sweepings, which are composed of paper, dust, lawn clippings, leaves, weeds, grass, sticks and stable manure; store waste, which is composed of boxes, barrels, tubs, cartons, floor sweepings and paper. All such items shall hereinafter be referred to as "garbage."

Section 4. All proprietors of hotels, restaurants, cafes, boarding or eating houses, housekeepers, each family unit and occupants of buildings in the City of Jonesboro, Arkansas, shall provide the necessary cans or other receptacles at their own expense and shall deposit daily their accumulation of garbage in such receptacles as herein provided. Kitchen garbage shall be kept in galvanized iron cans, with tin or metal covering fitting tightly over capacity of ten, fifteen, twenty or thirty gallons and be provided with two handles. Provided that yard and stable manure, ashes, cinders, etc., shall not be placed in the garbage can, but shall be kept near such can and convenient or access to the garbage collector and ashes or cinders may be kept in any box or vessel that can be handled by one man; yard and stable manure shall be kept in any covered box or bin so arranged that flies cannot reach the manure stored therein. Provided, further, that old paper and rags may be placed in burlap bags or in boxes in such a manner that the contents cannot blow away or be scattered.

Section 5. No person, firm or corporation shall place, burn or throw waste paper, trash or other garbage on any street, side walk, alley or public place within the City of Jonesboro, Arkansas, at any time, day or night. Provided, further, that the exact location of all receptacles may be under the direction and control of the Sanitation Engineer or his assistants in charge of the garbage collection.

Section 6. Manufacturers or merchants, where garbage consists of papers, excelsior, straw or other placing material shall provide a box, barrel, or other receptacle so that the contents may not be blown about or scattered. Size of receptacle needed to care for any particular business can be stated by City Engineer. These receptacles may be placed at the rear of business houses, but must not be placed so as to interfere with traffic up and down alley. Must be easy of access to garbage collector.

Section 7. The Mayor and City Council shall provide a suitable place where all garbage and waste may be hauled and disposed of.

Section 8. It shall be unlawful for any person other than the Garbage Collector, person owning the can, or other receptacle, or the servant or employee of such person to deposit any garbage, article or substance in the receptacle, or to remove, injure or destroy, uncover, or in any manner disturb such receptacle or any portion of its contents, except as herein provided.

Section 9. Garbage shall be collected from private residences by the City at least once a week during the months of October 1<sup>st</sup> to April 1<sup>st</sup>, and at least twice a week for the months of April 1<sup>st</sup> to October 1<sup>st</sup> and it is hereby made the duty of the occupants of every dwelling in the City of Jonesboro, Arkansas, to have garbage on their respective premises properly placed in approved cans and available for regular garbage collections. Said garbage, trash and rubbish shall be collect from Business and Commercial Houses not less than once every twenty-four hours, with the exception of Sundays and Holidays.

Section 10. As part of its duties, the Garbage Department may collect and haul weeds and other obnoxious vegetation, limbs and trash from alleys and premises of persons, and such persons shall be required to pay such fees for these services as shall be fixed by the Garbage Department.

Section 11. The fees to be charged and paid for the collection and disposal of garbage shall be on a monthly basis, payable in advance, as follows:

Establishment	Monthly Fee
Each house or apartment, occupied by one family unit, containing not more than four rooms.....	\$.50
Each house or apartment occupied by one family unit, containing more than four rooms.....	\$.75
Office buildings shall pay for each separate suite of rooms, or room, in said office building.....	\$1.00
Each building, house or part of building occupied by a commercial business shall be classified by the Garbage Department according to the volume of garbage accumulated by such business and pay the following fees.	
Class A.....	12.00
Class B.....	10.00
Class C.....	8.00
Class D.....	6.00
Class E.....	4.00
Class F.....	2.00

Commercial business shall include the following kinds of business hotels, grocery and/or meat markets, café or restaurants, department stores, clothing stores, shoe stores, furniture stores, novelty stores, jewelry stores, auto supply stores, electric supply stores, hardware stores, office supply stores, wholesale grocery stores, cleaning and pressing shops, laundries, motion picture theaters and other kinds of theaters, lumber yards, plumbing shops, electric shops, bottling plants, slaughter houses, service and filling stations, garages, shoe repair shops, barber shops, beauty shops, printing shops, stationery shops, printing shops, newspaper, machine shops, stock sales barns, wholesale gas, oil and refining companies, boarding houses, bakery shops, undertaking parlors, paint stores, drug stores, soda fountains, marble and monument establishments, dairy products companies, and industrial plants and other kinds of businesses, unless otherwise specified.

Section 12. The fees chargeable against dwelling houses and other establishments are levied on and collectible from the person in whose name the dwelling house or establishment is rented, or from the person who is the owner or occupant. A separate fee is hereby fixed for and shall be collected from and paid by each unit of a multiple family dwelling house occupied as a residence.

Section 13. If any person is too poor to pay the fee listed for said services and has no means of their own whereby they can remove their garbage and refuse, the Sanitation Engineer may relieve such person or persons from such payment, provided such person file and affidavit property sworn to, embodying such facts and file the same with the Mayor of the City.

Section 14. The City Water and Light Plant of Jonesboro, Arkansas, is hereby designated, appointed, named and made the official collector of garbage fees, and the fees herein levied and fixed are on a per month basis and shall be due and payable in advance. The amount of the garbage fee shall be listed and included on the water and light bill and paid to the City Water and Light Plant along with water and light bills. The fees shall be fixed according to this ordinance and a list of such fees with proper amounts to be charged each person, firm or corporation receiving garbage disposal service shall be furnished to the City Water and Light Plant by the Garbage Department, together with any changes that are made from time to time. The monthly period for each person, firm or other corporation receiving garbage services and owing garbage fees shall begin at the same time that the period for water and light services begin for each person, firm or corporation. The fees collected, less expenses incurred by the City Water and Light plant in effecting collections, shall be remitted monthly by the City Water and Light Plant to the City Treasurer after such time as the total collections and costs can be ascertained by the Accounting Department of the City Water and Light Plant.

Section 15. In the event that any garbage fee is not paid within 10 days after the due date, a penalty of 50c shall be assessed for dwelling house and dwelling house units, and a penalty of \$1.00 shall be assessed against any business house or industrial plant.

Section 16. The terms and provisions of this ordinance shall not obligate the City or its agents, servants and employees to pick up or remove refuse or debris which results from construction or repair works, wood or limbs cut or removed from trees.

Section 17. From and after the passage and approval of this ordinance, garbage of the City of Jonesboro shall be collected and disposed of by the officers and employees of said City as herein provided and no other person, firm or corporation shall have the right to collect and dispose of the same, except as authorized by the Garbage Department.

Section 18. The City Council shall have the power to reduce or increase the fees herein listed for said service by

resolution adopted at any regular meeting of said City Council and in the same manner add new businesses; or businesses not listed, as well as names of persons occupying residences, apartments, duplexes or other living quarters to the schedule and set fees therefore.

Section 19. Any person, firm or corporation who fails to pay the garbage fee in the manner prescribed in this ordinance, or who violate any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding \$15.00 and each day that any person, firm or corporation violates any provision of this ordinance shall constitute a separate offense.

Section 20. Whereas, garbage in the City of Jonesboro, Arkansas, is not now being properly collected and disposed of, thereby endangering the health of said City and its inhabitants declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

Section 21. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Passed and approved on this 22<sup>nd</sup> day of November, 1948.