

ORDINANCE NO. 134

WHEREAS, the City of Clinton is attempting to comply with all statutes of the State of Arkansas and regulations of the Department of Ecology and Pollution Control of the State of Arkansas regarding the operation of a sanitary landfill for the City of Clinton, and

WHEREAS, R. L. Sprott has agreed to operate a Sanitary Landfill which complies with all pertinent statutes and regulations,

NOW THEREFORE, Be enacted the following Ordinance:

1. R. L. Sprott shall provide a sanitary landfill for use of the City of Clinton and the inhabitants thereof. The landfill shall comply with all statutes of the State of Arkansas and regulations of the State of Arkansas Department of Ecology and Pollution Control. R. L. Sprott shall be solely responsible for complying with all pertinent statutes and regulations.

2. The City of Clinton, all inhabitants of the City and all trash collectors collecting within the City shall use the R. L. Sprott Sanitary Landfill, solely and exclusively. No trash generated within, found within, or collected within the City of Clinton may be deposited at any site except the Sanitary Landfill of R. L. Sprott.

3. Depositing any trash in violation of Section 2 hereof shall be a misdemeanor punishable by a fine not exceeding \$1,000.00.

4. The City Council of the City of Clinton shall approve all rate schedules charged by R. L. Sprott at his Sanitary Landfill. All other aspects of operation of the landfill shall be under the exclusive control of R. L. Sprott. The City agrees

to subsidize R. L. Sprott in the amount \$2,388.24 for the first year of operation after final approval of the Landfill is gained and the Landfill commences operation. The City further agrees to subsidize Mr. Sprott for the succeeding two years under the following formula:

Total subsidy for the County and City shall be Twenty Five Thousand (\$25,000.00) dollars. The City shall pay that amount calculated by dividing the number of inhabitants of the City of Clinton by the total number of inhabitants of the County and multiplying by \$25,000.00.

The City agrees that absent failure of R. L. Sprott to comply with this Ordinance or the Rules and Regulations of the Department of Ecology and Pollution Control, this Ordinance shall remain in effect for a period of at least three years following the date the Landfill commences operation. The City further agrees to approve rates that will permit R. L. Sprott to obtain a reasonable return upon his investment in obtaining and operating the landfill.

5. When used in this Ordinance, wastes means all putrescible and non-putrescible waste in solid or semi-solid form including, but not limited to , garbage, rubbish, street refuse, process waste, and all other solid and semi-solid waste materials resulting from industrial, commercial, and community and residential activities. Waste generated by the Banquet Food's Processing Plant shall not be included in the definition of wastes herein.

6. This Ordinance shall be effective thirty days after publication as required by Arkansas Law except Paragraphs 1, 2, and 3 shall become effective upon the date the Landfill is placed in actual operation.

APPROVED this 14<sup>th</sup> day of June, 1984.

Charles Bradley  
MAYOR

Jaye Rodgers  
CITY CLERK