



water resources / environmental consultants

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April 13, 2018

Mr. Kevin White  
Associate Director, Office of Land Resources  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

RE: Submittal of 2018 Needs Assessment, East Arkansas Regional Solid Waste Management District  
FTN No. R04475-1802-001

Dear Mr. White:

On behalf of the East Arkansas Regional Solid Waste Management District (RSWMD), FTN Associates, Ltd., is pleased to submit the 2018 Needs Assessment. As described in the enclosed document, the Needs Assessment is required of the East Arkansas RSWMD in accordance with Arkansas Code Annotated §8-6-716.

If you have any questions or require additional information regarding this submittal, please do not hesitate to contact me at (501) 225-7779 or Melissa Vaught, PE at (479) 571-3334.

Respectfully submitted,  
FTN ASSOCIATES, LTD.

Paul Crawford, PE, PG  
Senior Project Manager

PWC/kae

Enclosures

CC: Tim Phillips, Environmental Services Manager, EAPDD (with enclosures)

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# **2018 NEEDS ASSESSMENT EAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT JONESBORO, ARKANSAS**



April 13, 2018

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2018 NEEDS ASSESSMENT  
EAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT  
JONESBORO, ARKANSAS

Prepared for

East Arkansas Regional Solid Waste Management District  
P.O. Box 1403  
Jonesboro, AR 72403

Prepared by

FTN Associates, Ltd.  
3 Innwood Circle, Suite 220  
Little Rock, AR 72211

FTN Project No. R04475-1802-001

April 13, 2018

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## **1.0 EXECUTIVE SUMMARY**

Solid waste management is continually changing as the populations and needs of cities and towns evolve. The East Arkansas Regional Solid Waste Management District (District) has seen many changes in the last several years. The District has worked to expand environmental education provided throughout the District. With increased education, hopefully an increase in the awareness of services, laws and options will follow.

Based on recent annual reporting, the municipal solid waste landfill capacity within the District is adequate. Additionally, the District has worked to raise awareness of the availability of recycling locations throughout the District. However, the District will plan to consider the need for other opportunities to divert waste from landfills.

Transportation needs are generally being met within the District. The location of transfer stations and landfills within the District and neighboring Districts are adequate for the strategic movement of waste.

While there are currently no recommended regulatory and statutory changes suggested, additional funding for the District would always be beneficial.

The District is currently meeting the requirements of Arkansas Code Annotated §8-6-716.



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## 2.0 INTRODUCTION

A district-wide Needs Assessment is required of all Regional Solid Waste Management Districts (RSWMDs) within Arkansas in accordance with Arkansas Code Annotated §8-6-716. The purpose of the Needs Assessment is to provide a basis to aid in the development of a comprehensive Statewide Solid Waste Management Plan and to accurately identify each RSWMD's efforts to protect the state's public health and environmental quality through the planning and management of solid waste within its borders. A study of the origin and destination of waste is critical for an adequate understanding of the necessary collection systems, recycling and composting facilities, waste-to-energy programs, disposal facilities, and beneficial uses of recovered materials.

The Needs Assessment is not a solid waste management plan but is a critical component in solid waste planning. Based upon the current needs, short-term and long-term regional planning and timelines can be implemented to address deficiencies in collection, recycling, and disposal of solid waste generated.

Below is the statutory basis for the requirement of a Regional Needs Assessment by the RSWMDs:

**ACA §8-6-716. Regional Needs Assessment.**

*(a)(1)(A)(i) Each regional solid waste management board created pursuant to this subchapter shall prepare a regional Needs Assessment evaluating the solid waste management needs within its District. Provided, however, that such assessments need not include an evaluation of the need for landfills where a private industry bears the expense of operating and maintaining the landfill solely for the disposal of wastes generated by the industry or wastes of a similar kind or character.*

*(ii) Such assessment shall be submitted for Arkansas Department of Environmental Quality review, and the Director of the Arkansas Department of Environmental Quality shall approve or disapprove it within ninety (90) days after submission.*

*(B)(i) The assessments for boards created pursuant to §8-6-703 shall be due every four (4) years.*

*(ii) The department may, at its discretion, stagger the due dates by random selection so that approximately one fourth (1/4) of the districts will submit a Needs Assessment each year.*

*(C)(i) The department will notify in writing the regional solid waste management districts of the date on which their Needs Assessments are due.*

*(ii) The board may obtain an extension of that deadline from the director.*

*(D) A board created pursuant to §8-6-703 in a region having a projected solid waste disposal capacity of less than five (5) years or in a region having no landfill for solid waste disposal shall prepare and submit a regional Needs Assessment annually, with the first Needs Assessment due on June 30, 1995, and with updated assessments due on June 30 of each year thereafter.*

*(E) Any board which submitted the biennial Needs Assessment due on January 31, 1995, under prior law, shall prepare and submit its next Needs Assessment on June 30, 1996, with updated assessments due on June 30 of each year thereafter.*

*(2) The assessment shall include, at the minimum, the following:*

*(A) An evaluation of the amount of solid waste generated within the district and the amount of remaining disposal capacity, expressed in years, at the solid waste disposal facilities within the District that are permitted under the Arkansas Solid Waste Management Act, §8-6-201 et seq.;*

*(B) An evaluation of the solid waste collection, transportation, and disposal needs of all localities within the district; and*

*(C) An evaluation and balancing of the environmental, economic, and other relevant factors which would be implicated by acceptance of solid waste from beyond the boundaries of the District.*

*(b) Each board shall update its regional Needs Assessment, at the minimum, every four (4) years.*

*(c) At a time not later than five (5) years before the disposal capacity in a region reaches its projected capacity, the board shall develop a request for proposals to increase the District's projected capacity for solid waste disposal within the District in accordance with its regional Needs Assessment.*

*(d) No landfill shall receive solid waste from beyond the District boundaries when projected solid waste disposal capacity within the District is less than five (5) years, except as may be otherwise specified pursuant to this subchapter.*

*(e) No owner or operator of a landfill serving a limited area of a District shall be required to increase the landfill's service area to accommodate the needs of the District.*

The District is comprised of Crittenden, Cross, Lee, Phillips, Poinsett, and St. Francis Counties, which are located in the eastern portion of Arkansas and encompass approximately 3,913 square miles. Class 1 cities (cities with a population greater than 2,500 or by enactment of an ordinance) in the District include Earle, Forrest City, Harrisburg, Helena-West Helena, Lepanto, Marked Tree, Marianna, Marion, Parkin, Trumann, West Memphis, and Wynne.

There are 44 incorporated towns and cities within the District as listed below:

Crittenden County:

Anthonyville (Incorporated Town)

Crawfordsville (City of Second Class)

Edmondson (Incorporated Town)

Horseshoe Lake (Incorporated Town)

Jericho (Incorporated Town)

Clarkedale (Incorporated Town)

Earle (City of First Class)

Gilmore (Incorporated Town)

Jennette (Incorporated Town)

Marion (City of First Class)

Sunset (Incorporated Town)  
West Memphis (City of First Class)

Turrell (City of Second Class)

Cross County:  
Cherry Valley (City of Second Class)  
Parkin (City of First Class)

Hickory Ridge (City of Second Class)  
Wynne (City of First Class)

Lee County:  
Aubrey (Incorporated Town)  
LaGrange (Incorporated Town)  
Moro (Incorporated Town)

Haynes (Incorporated Town)  
Marianna (City of First Class)  
Rondo (Incorporated Town)

Phillips County:  
Elaine (City of Second Class)  
Lake View (Incorporated Town)  
Marvell (City of Second Class)

Helena-West Helena (City of First Class)  
Lexa (Incorporated Town)

Poinsett County:  
Fisher (City of Second Class)  
Lepanto (City of First Class)  
Trumann (City of First Class)  
Waldenburg (Incorporated Town)

Harrisburg (City of First Class)  
Marked Tree (City of First Class)  
Tyronza (City of Second Class)  
Weiner (City of Second Class)

St. Francis County:  
Caldwell (City of Second Class)  
Forrest City (City of First Class)  
Madison (City of Second Class)  
Wheatley (Incorporated Town)

Colt (City of Second Class)  
Hughes (City of Second Class)  
Palestine (City of Second Class)  
Widener (Incorporated Town)

### 3.0 PLAN AREA STRUCTURE

#### 3.1 Map of District

Identification of the permitted landfills, transfer stations, recycling facilities and composting sites within the District are provided on Figure 3.1. The Class 1 cities are also shown on Figure 3.1.

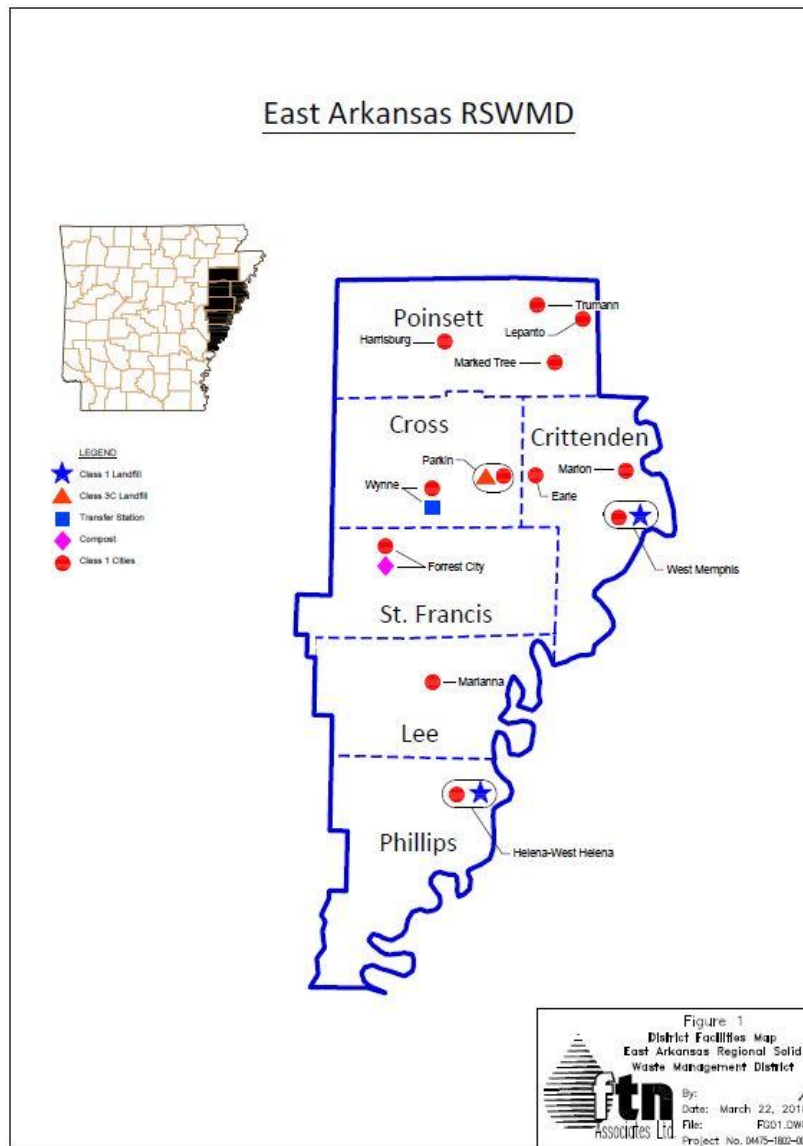


Figure 3.1. District Facilities Map.

### 3.2 Census Data

#### 3.2.1 Current population of the jurisdictional area.

The current population information provided below is based upon the 2010 census data.

Crittenden County	50,902	Phillips County	21,757
Cross County	17,870	Poinsett County	24,583
Lee County	10,424	St. Francis County	28,258

#### 3.2.2 Describe how the population has changed over the last ten (10) years.

Generally, Crittenden County has increased in population slightly, while Cross, Lee, Phillips, Poinsett and St. Francis Counties have decreased in population.

#### 3.2.3 Provide a population projection for the next ten (10) years.

Crittenden County:

The population, according to the 2000 census, was 50,866; and according to the 2010 census, increased to 50,902, for an increase of 0.07%. The average annual growth rate in population for Crittenden County, based on the 2000 and 2010 census reports, is 0.007%. Applying that same rate of increase to each successive year, the calculated estimates of population for the next 10 years are as follows:

2011 population:	$(2011 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,906$
2012 population:	$(2012 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,909$
2013 population:	$(2013 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,913$
2014 population:	$(2014 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,916$
2015 population:	$(2015 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,920$
2016 population:	$(2016 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,923$
2017 population:	$(2017 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,927$
2018 population:	$(2018 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,931$
2019 population:	$(2019 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,934$
2020 population:	$(2020 \text{ minus } 2010) \times 0.00007 + 1 \times 50,902 = 50,938$

Cross County:

The population, according to the 2000 census, was 19,526; and according to the 2010 census, decreased to 17,870, for a decrease of 8.5%. The average annual decline rate in

population, based on the 2000 and 2010 census reports, is 0.85%. Applying that same rate of decrease to each successive year, the calculated estimates of population for the next 10 years are as follows:

2011 population:	$(2011 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 17,718$
2012 population:	$(2012 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 17,566$
2013 population:	$(2013 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 17,414$
2014 population:	$(2014 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 17,262$
2015 population:	$(2015 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 17,111$
2016 population:	$(2016 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 16,959$
2017 population:	$(2017 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 16,807$
2018 population:	$(2018 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 16,655$
2019 population:	$(2019 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 16,503$
2020 population:	$(2020 \text{ minus } 2010) \times -0.0085 + 1 \times 17,870 = 16,351$

Lee County:

The population, according to the 2000 census, was 12,580; and according to the 2010 census, decreased to 10,424, for a decrease of 17.1%. The average annual decline rate in population, based on the 2000 and 2010 census reports, is 1.7%. Applying that same rate of decrease to each successive year, the calculated estimates of population for the next 10 years are as follows:

2011 population:	$(2011 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 10,246$
2012 population:	$(2012 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 10,067$
2013 population:	$(2013 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 9,889$
2014 population:	$(2014 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 9,711$
2015 population:	$(2015 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 9,533$
2016 population:	$(2016 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 9,354$
2017 population:	$(2017 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 9,176$
2018 population:	$(2018 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 8,998$
2019 population:	$(2019 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 8,820$
2020 population:	$(2020 \text{ minus } 2010) \times -0.0171 + 1 \times 10,424 = 8,641$

Phillips County:

The population, according to the 2000 census, was 26,445; and according to the 2010 census, decreased to 21,757, for a decrease of 17.7%. The average annual decline rate in population, based on the 2000 and 2010 census reports, is 1.77%. Applying that same rate of

decrease to each successive year, the calculated estimates of population for the next 10 years are as follows:

2011 population:	$(2011 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 21,372$
2012 population:	$(2012 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 20,987$
2013 population:	$(2013 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 20,602$
2014 population:	$(2014 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 20,217$
2015 population:	$(2015 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 19,832$
2016 population:	$(2016 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 19,446$
2017 population:	$(2017 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 19,061$
2018 population:	$(2018 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 18,676$
2019 population:	$(2019 \text{ minus } 2010) \times -0.0177 + 1 \times 21,757 = 18,291$
2020 population:	$(2020 \text{ minus } 2010) \times -0.0177 + 1 \times 26,445 = 17,906$

Poinsett County:

The population, according to the 2000 census, was 25,614; and according to the 2010 census, increased to 24,583, for a decrease of 4.0%. The average annual decline rate in population for Poinsett County, based on the 2000 and 2010 census reports, is 0.40%. Applying that same rate of decrease to each successive year, the calculated estimates of population for the next 10 years are as follows:

2011 population:	$(2011 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 24,485$
2012 population:	$(2012 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 24,386$
2013 population:	$(2013 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 24,288$
2014 population:	$(2014 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 24,190$
2015 population:	$(2015 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 24,091$
2016 population:	$(2016 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 23,993$
2017 population:	$(2017 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 23,895$
2018 population:	$(2018 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 23,796$
2019 population:	$(2019 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 23,698$
2020 population:	$(2020 \text{ minus } 2010) \times -0.0040 + 1 \times 24,583 = 23,600$

St. Francis County:

The population, according to the 2000 census, was 29,329; and according to the 2010 census, decreased to 28,258, for a decrease of 3.7%. The average annual decline rate in population, based on the 2000 and 2010 census reports, is 0.37%. Applying that same rate of

decrease to each successive year, the calculated estimates of population for the next 10 years are as follows:

2011 population:	$(2011 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 28,153$
2012 population:	$(2012 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 28,049$
2013 population:	$(2013 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,944$
2014 population:	$(2014 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,840$
2015 population:	$(2015 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,735$
2016 population:	$(2016 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,631$
2017 population:	$(2017 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,526$
2018 population:	$(2018 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,422$
2019 population:	$(2019 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,317$
2020 population:	$(2020 \text{ minus } 2010) \times -0.0037 + 1 \times 28,258 = 27,212$

### 3.2.4 Current housing occupancy statistics for the jurisdictional area.

Using the University of Arkansas Economic Development Institute 2010 Census data (<http://ualr.edu/aedi/census-state-data-center/2010-census-data>), the current housing statistics for the District are listed below:

Table 3.1. Number of Housing Units.

Number of Housing Units				
County	Total Units	Occupied Units	Vacant Units	Percent Occupied
Crittenden	21,489	19,026	2,463	88.5
Cross	7,853	7,002	851	89.2
Lee	4,356	3,624	732	83.2
Phillips	10,126	8,491	1,635	83.9
Poinsett	10,923	9,754	1,169	89.3
St. Francis	10,903	9,616	1,287	88.2



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## **4.0 ADMINISTRATIVE STRUCTURE**

The Administrative Structure of the District is essential to understanding how the District functions on a daily basis, how decisions are made by the Board and the staff, what other entities and/or individuals are involved in the decision-making process, and how the District is funded.

### **4.1 Board Composition**

#### **4.1.1 Elected Officials**

Provide a list of the name and public entity represented by the current Board Members, the years of service on the Board, and any solid waste related certifications they may hold.

A list of the 2018 District Board is provided in Appendix 1.

#### **4.1.2 Appointed Members**

Provide a list of the name and public entity represented by current Board Members who are appointed by a mayor or county judge. List the years they have served, and whether or not a copy of their appointment papers and minutes of the meeting approving them by the city and/or county are in the District's files.

A list of the 2018 District Board with the names and / or public entities that are represented by appointed Board members is included in Appendix 1.

#### **4.1.3 Advisory Boards**

Provide a list of each advisory board, commission, or other entity, public or private, that provided information and/or input into the decision-making mechanism of the Board of Directors.

The District Board does not have an advisory board or commission. The Board is comprised of elected officials and led by the Executive Director of the District.

#### **4.1.4 Board Meetings**

##### **4.1.4.1 How often does the Board meet?**

In accordance with the District by-laws (Article III, Section 2), Board meetings are held as necessary to facilitate the duties of the District. Meetings are generally convened for

disciplinary actions, regulation changes, flow control issues, or to address any other significant District issues that may arise. In between Board meetings, the East Arkansas Planning and Development District's (EAPDD's) Executive Director and Environmental Planning Consultant keep the District Board members apprised of District information and activities. The Board and District staff efficiently manage the duties of the District through email, phone calls, and written correspondence, in addition to Board meetings.

Upcoming meetings are scheduled at the end of each Board meeting.

#### **4.1.4.2 Where does the Board meet?**

Meetings are held at the offices of the EAPDD, 2905 King Street, Jonesboro, Arkansas or at another designated location.

#### **4.1.4.3 How is the public notified of the meetings?**

Announcements of Board meetings are published in the newspaper as required by law.

#### **4.1.4.4 Is an agenda provided to the public prior to scheduled Board meetings?**

Agendas are not currently provided to the public prior to scheduled Board meetings.

## **4.2 Public Participation**

This section analyzes the relationship between the Board and the public and what steps the District takes to bridge any gap in communication. Provide the following information regarding systematic input from the public:

#### **4.2.1 Does the Board allow time during each meeting for public to address the Board?**

Typically, the Chairman of the board will ask if there is any new business once old business has been discussed. At that time, the public may raise questions or concerns regarding the District. The public may also request to have an item added to the agenda prior to the Board meeting by contacting the District office.

**4.2.2 Describe how the public is engaged in the decision-making process of the Board?**

When rules and regulations are revised or amended, a public notice is placed in the Arkansas Democrat. There is a 30-day comment period that allows for public input in the proposed changes. Public meetings are held 30 minutes prior to the Board meeting to allow for public discussion. The public is also allowed to address the Board during the Board meetings.

**4.2.3 What mechanisms are used by the District to involve the public, industrial sector and business sector, and to inform them of Board activities? Are formal mechanisms in place?**

While there have been no formal mechanisms in place for involving others with the Board activities, the District's website has provided contact information for those that might be interested.

**4.2.4 Describe the Certificate of Need procedures for obtaining public input regarding a solid waste facility's request for a new permit or renewal of an existing permit.**

There is a 30-day comment period that allows for public input in the proposed changes. Public meetings are held 30 minutes prior to the Board meeting to allow for public discussion. The public is also allowed to address the Board during the Board meetings.

**4.3 District Administrative Staff**

This section analyzes the relationship between the Board and the staff that performs the required solid waste functions.

**4.3.1 List all staff that is in the direct employment of the RSWMD.**

A listing of the District employees is included in Appendix 2.

**4.3.2 Include the name, title, whether full or part-time, number of years, and any certifications held that relate to solid waste issues.**

A listing of the District employees is included in Appendix 2.

#### **4.4 Contractors, Consultants, Service Providers, and Volunteers**

This section discusses the private consultants, service providers, and volunteers that provide information/services on a regular basis to the District Board and/or staff.

##### **4.4.1 What administrative functions are ‘farmed-out’ or contracted to consultants?**

Needs Assessments, Annual Plan Update, and Annual Audit are currently contracted with consulting firms.

##### **4.4.2 What non-administrative functions are ‘farmed-out’ or contracted to consultants?**

The District completes non-administrative tasks through the District staff available or staff available through the EAPDD. The District runs an eleven county Waste Tire District with the EAPDD.

##### **4.4.3 Does a formal contract exist between the District and the contractor for the purpose of providing services?**

Yes, the District signs an agreement of services with the companies prior to the work being completed.

##### **4.4.4 What is the length of term of the contract?**

The work is conducted on an as-needed basis. Normally, the length of the contract is through the completion of the item for a particular year.

##### **4.4.5 From the contractor, complete an inventory of staff that is involved in solid waste administration. Include the name, title, whether full or part-time, number of years in position, and any certifications held that relate to solid waste issues.**

No outside consultants were used during 2017.

##### **4.4.6 List volunteer programs currently in place. Identify how they function within the District.**

The District does not currently have a formal volunteer program in place. However, members of the public do volunteer to assist the District with different events.

#### **4.5 Solid Waste Authorities**

##### **4.5.1 If any, please list any solid waste authorities that operate within the RSWMD.**

There are currently no solid waste authorities that operate within the District.

##### **4.5.2 List their Board members and the city/county they represent.**

Not applicable.

Discuss their function and how that relates to management of the District.

Not applicable.

##### **4.5.3 Are there any authority members that serve on the District's Board?**

Not applicable.

##### **4.5.4 If so, please list them and the public entity they represent.**

Not applicable.

#### **4.6 Administrative Procedures and Other Documents**

##### **4.6.1 Are the RSWMD's current Rules, Regulations, and Procedures approved by the Board? Effective date?**

Yes. The Effective date of the Rules and Procedures is November 20, 1997. The effective date for the regulations is July 1, 2010. The effective date for the regulations pertaining to the haulers within the District is December 13, 2012. The Certificate of Need procedures were updated April 24, 2012 and the rules regarding the implementation of Solid Waste Fee were updated August 19, 2014. Additionally, the Waste Tire Plan was updated in February 2018.

**4.6.2 Have they been filed with the Arkansas Secretary of State? How was the public involved in development of the District’s Rules, Regulations, and Procedures?**

Prior to the recent changes in the District Rules, Regulations and Procedures, Secretary of State submittal has not occurred. However, updates during 2012 and 2014 were submitted to the Arkansas Secretary of State.

When making changes/revisions to the District Rules, Regulations and Procedures, the District public notices the changes/revisions in a local paper. Then the District has a minimum of a 30-day public comment period, where the public can submit comments and concerns regarding the changes/revisions. Prior to the close of the public comment period, the District Board discusses the changes/revisions at the Board meetings, where the public can also comment or discuss the changes/revisions.

**4.6.3 Append a copy of the district’s approved Rules, Regulations, and Procedures. Include any amendments.**

The District’s approved Rules, Regulations and Procedures are included in Appendix 3.

**4.7 Administrative Funding**

RSWMDs fund their operations using a variety of methods as described in Arkansas statutes. Funding is also supplied to the Districts via the Solid Waste Management and Recycling Grants Program and the Waste Tire Program.

Provide the following information regarding how the district is funded and the percentages of that funding source when compared to the entire district budget. In the following manner, list the most recent annual funds received from ADEQ for administrative purposes: As requested, the following financial data is based upon the 2017 fiscal year.

Table 4.1. 2017 Financial Data.

Source	Most Recent Annual Dollar Amount
Recycling Grants	\$187,499
Waste Tire Grants	\$176,159
Other Grants (Identify Source - E-waste)	\$80,152
Total Administrative Funds from Grants	\$443,810

Next, list all administrative fees levied and collected by the District.

Table 4.2. 2017 Administrative Fees.

Source	Most Recent Annual Dollar Amount	% of Total
ADEQ Grants (from total above)	\$443,810	68%
Local Sources:		
Hauler Licensing	\$11,500	2%
Taxes	\$0	0%
Per Capita Fee	\$0	0%
Assessment / Tipping	\$195,000	30%
Collection Fee	\$0	0%
Other*	\$0	0%
Total Local Revenue	\$206,500	32%
Total Annual Funds	\$650,310	100%

#### 4.8 RSWMD Budget

##### 4.8.1 Provide a copy of the most recent annual budget for the RSWMD.

The most recent annual budget is included in Appendix 4.

##### 4.8.2 Who approves the annual operating budget for the district?

The District Board approves the annual operating budget for the District.

#### 4.9 Public Education and Support

##### 4.9.1 Provide information on the programs and resources utilized by the district to provide education to the general public.

The District works with local Chambers of Commerce and local officials to advertise/promote the District's services. Workshops are scheduled periodically and technical assistance is provided, as requested, to help local businesses and industries. The District provides educational services for school systems within the District that express interest in recycling.

District staff commit considerable time to education targeting educators, citizen's groups, and industrial facilities in the District. District staff have worked with the ADEQ staff to provide solid waste education to several parts of the State. The curriculum presented to District constituents changes with each presentation, in consideration of the audience being targeted.

The District participates in the ADEQ's Environmental Education Programs, Recycling Grants Program, Illegal Dump Eradication and Corrective Action Program, and Waste Tire Program.

**4.9.2 How is the public informed of the goals and objectives, as well as achievement of the goals?**

The District communicates with the member entities through regular meetings and staff contacts.

**4.9.3 How is the public informed of the services, available facilities, and programs of the District?**

The District communicates with the member entities through regular meetings and staff contacts.

**4.9.4 How is the public involved in the planning and participation of events and programs supporting the district's goals and objectives?**

There are opportunities for residents and business people to learn and share information with the District. The District encourages members and the public to take part in any State or environmental trade group training. The District also promotes and hosts educational workshops and satellite forums, some of which are open to the general public.

**4.10 Programs for Elimination of Illegal Dumping and Open Burning**

**4.10.1 Explain the RSWMDs programs, enforcement efforts, and public education initiatives to eliminate open burning and burn barrels within the District.**

The District does not condone or allow open burning practices within the counties. The District does not have a formal burning services program but will stay abreast of changes in regulations and will act as an advisor for our communities.

The District does not currently provide educational or technical services as they relate to open burning. Open burning occurs occasionally within the District but is not considered a pervasive or persistent problem. The District does not have plans for development for a program on open burning.



**4.10.2 Provide information on current illegal dump site locations and what programs the District has in place to eliminate these sites.**

The District's role in illegal dump control is to assist the local governments.

ADEQ inspectors notify the District where there are areas of concern that need attention.

Any illegal dump sites that the District has been made aware of are in the process of being cleaned up or being cited for noncompliance.

**4.10.3 Provide the names of all licensed Illegal Dump Control Officers within the RSWMD.**

Currently, Tim Phillips, the District's Environmental Services Manager is a licensed Illegal Dump Control Officer.

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## **5.0 WASTE ORIGIN, COMPOSITION AND CHARACTERIZATION**

Under this element, RSWMDs are asked to identify the quantities and makeup of waste generated within the District. Identifying the quantities and types of waste in the waste stream is an important step in planning for the waste management processes of waste reduction, recycling, re-use, waste to energy, and planning for adequate disposal capacity for the District.

**Waste Categories** - Provide a spreadsheet or table categorizing solid waste as being generated by residential households and commercial entities, as well as waste generated by industries within the District.

### **5.1 Residential and Commercial Waste Estimation**

These wastes can be estimated utilizing a per capita generation rate. The most recent information provided by EPA indicates that household and commercial waste (known as municipal solid waste or MSW) is produced at a rate of 4.43 pounds per person per day.

A spreadsheet that identifies the estimated amount of residential and commercial waste that is generated within the District in a year's time frame is included in Appendix 5. The estimate is based upon the EPA provided estimate of 4.43 pounds per person per day.

### **5.2 Municipal Solid Waste Makeup**

The municipal solid waste makeup can be computed by utilizing the percent of material commonly found in the waste stream and the populations for each county of the state. This information, found on the website for the U.S. Census Bureau, Population Division, is provided on following pages.

A spreadsheet that identifies the estimated break down of the amount of residential and commercial waste by county that is generated within the District in a year's time frame is included in Appendix 5.

### **5.3 Industrial Waste Generation**

Industrial Waste generation rates can differ significantly from one locale to another.

**5.3.1 Each RSWMD should conduct a survey of the large industrial waste generators within their District. All estimations of industrial volumes should be based upon the results gained from individual surveys done by the District.**

Based on the District's knowledge of the large industrial waste generators within their District, minimal changes have occurred since the survey conducted for the 2013 Needs Assessment. Therefore, the information gathered from the 2013 Needs Assessment surveys is included in Appendix 6.

**5.3.2 Each District should develop a method to identify generators and provide a survey form for completion by the facility.**

The listing of industries evaluated for the 2013 Needs Assessment is included in Appendix 6.

**5.3.3 These generators might be identified based upon number of employees (such as more than 100 employees), estimated volume waste produce by the facility (such as more than 50 tons per year), or other factors determined by the RSWMD. The Arkansas Industrial Foundation publishes an annual directory of manufacturers.**

In 2013, the Arkansas Economic Development Group was contacted to obtain a listing of manufacturing industries within the District with 100 or more employees. The 2018 list from the Arkansas Economic Development Group includes the same industries within the District. The listing of industries evaluated for the 2013 Needs Assessment is included in Appendix 6.

Provide the following for each Generator:

1. Generator Name and its location;
2. Types of waste generated;
3. Latest annual volume of industrial waste (exclude waste considered commercial waste); and
4. Latest annual types and volumes of materials recycled by the Generator.

A listing of the industries evaluated for the 2013 Needs Assessment is included in Appendix 6.

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## 6.0 WASTE COLLECTION, RECYCLING, AND DISPOSAL

There should be an evaluation of the collection, recycling and disposal system in place within the District. This should demonstrate the level of services provided, type of services provided, and the associated costs of those services. The effectiveness and convenience of collection services for all residents should be evaluated, as well as providing information for RSWMD planning.

Additionally, this element will provide a very clear outline of the current infrastructure (facilities and transportation) status in various Districts throughout the State. In order to have consistent information, all data provided should be from January 1-December 31.

### Existing Solid Waste Management Facilities

This item will provide a description and available handling capacity on all existing facilities used in management or disposal of solid waste within the District.

## 6.1 Landfills

While landfills have historically been the primary depository of solid waste collected within the state, more and more RSWMD's are looking for alternatives to land disposal.

### **6.1.1 Each RSWMD should identify all facilities within the jurisdiction that is utilized for management of Solid Waste, including waste to energy facilities, C&D Recycling facilities, Recycling centers, as well as landfills.**

A listing of facilities within the District is included in Appendix 7.

### **6.1.2 A map locating each type of facility should be provided. (see Element 1.1.2)**

A map of the facilities located within the District is provided as Figure 3.1.

### **6.1.3 Each landfill should be listed and information on volumes received, source of waste (in District vs. out of District), remaining life/capacity, expansion plans, projected closure date.**

Information regarding the landfills within the District is included in Appendix 8.

**6.1.4 Recognizing that landfill operators charge different customers different tipping fees based upon contract terms, volume, and special handling requirements, the “gate rate” for each material accepted should be provided.**

Information regarding the “gate rate” for items disposed of at the landfills is included in Appendix 9.

**6.2 Transfer Stations**

Transfer stations play a significant role in providing economical transport of collected waste to final disposition. Transfer stations also provide local disposal options for waste materials not collected by Collection Company.

**6.2.1 Identify each transfer station and the services provided at the transfer station should be listed (such as types of material accepted for disposal, recycling, composting).**

During the calendar year 2017, there was one transfer station operated within the District in Wynne, Arkansas. Municipal solid waste was collected at the facility for disposal at a permitted Class 1 landfill.

A second transfer station within the District located in Madison, Arkansas obtained coverage under the ADEQ general permit in January 2018.

**6.2.2 A map should be provided depicting the location of all transfer stations within the RSWMD. (see 1.1.2)**

A map indicating the location of the transfer station within the District is provided as Figure 3.1.

**6.2.3 For each transfer station, the facility that the collected material is sent to should be identified (such as landfill, material recovery facility, compost site).**

As reported on the 2017 annual report for the City of Wynne Transfer Station, approximately 5,997 tons were received at the transfer station. The waste was disposed of at the Crittenden County Class 1 Landfill.

### **6.3 All other facilities**

All other facilities utilized for management of collected waste should be identified.

#### **6.3.1 The list of facilities might include Material Recovery Facilities (recycling centers), compost facilities, C&D recovery facilities or waste-to-energy facilities.**

The District has one compost facility located in Forrest City, Arkansas.

### **6.4 All Facilities**

For each facility, identify the amount and type of material handled, service area serviced, and service charge to customers utilizing facility.

#### **6.4.1 Provide a listing of each existing facility, including the following information:**

The information regarding the facilities within the District is included in Appendix 7.

1. Name of Facility;
2. Physical Address or description of Location of the Facility;
3. Contact Information;
4. Type of Facility (i.e., Class 1 Landfill, Class 3 Landfill, Class 4 Landfill, Transfer Station, Recycling Facility, etc.); and
5. Remaining Capacity of the disposal facilities, in years and cubic yards, using the most recent Annual Engineering Inspection Report. These reports are available on ADEQ's website.  
([http://www.adeg.state.ar.us/solwaste/branch\\_technical/permitted\\_facils/permit\\_list.asp](http://www.adeg.state.ar.us/solwaste/branch_technical/permitted_facils/permit_list.asp)).

### **6.5 Solid Waste Collection Systems**

This item will provide a description and available capacity of the collection/transportation systems in place in the District.

**6.5.1 Provide a table of the existing solid waste collection systems within the RSWMD.**

A listing of collection systems provided within the District based upon the 2010 Management Plan Update is included in Appendix 10.

**6.6 Collection Service Providers**

Identify the type of service provided, service area, frequency of collections, contractual arrangement (individual or exclusive contract), and method of revenue collection (from individual or contract with government entity).

**6.6.1 Determine the cost of services for residential services (garbage, recycling, bulky waste, yard waste, and other services).**

A listing of collection systems provided within the District based upon the 2010 Management Plan Update is included in Appendix 10.

Based on the District's knowledge of the collection service providers within their District, minimal changes have occurred since the survey conducted for the 2013 Needs Assessment. Therefore, the 2013 Needs Assessment surveys are included in Appendix 11.

**6.6.2 Each collection company should provide the number of accounts (residential, commercial, and industrial).**

A listing of collection systems provided within the District based upon the 2010 Management Plan Update is included in Appendix 10.

**6.6.3 Include the volume of material delivered to end point facility (landfill, transfer station, recycling center, compost center, etc.).**

A listing of collection systems provided within the District based upon the 2010 Management Plan Update is included in Appendix 10.

**6.7 Waste Hauler / Transporter**

Please Provide the following information for each Waste Hauler/Transporter:

### **6.7.1 Name of Hauler/Transporter**

A listing of the waste haulers and transporters within the District is included in Appendix 11.

### **6.7.2 Contact Information**

A listing of the waste haulers and transporters within the District is included in Appendix 11.

### **6.7.3 Hauler Equipment List and Hauling Capacity.**

A listing of the waste haulers and transporters within the District is included in Appendix 11.

### **6.7.4 Detailed map showing coverage area served by the hauler. (This map should provide coverage on a street level of detail.)**

The maps provided by the waste haulers from the 2013 Needs Assessment surveys are included in Appendix 12.

Based on the District's knowledge of the collection service providers within their District, minimal changes have occurred since the survey conducted for the 2013 Needs Assessment. Therefore, the 2013 Needs Assessment survey maps are included in Appendix 12.

### **6.7.5 Type(s) of materials transported, including commercial and industrial wastes.**

A listing of the waste haulers and transporters within the District is included in Appendix 11.

## **6.8 Import / Export Status**

This item will provide information about the waste that is generated within the jurisdictional area of the District and shipped out for management or disposal. Additionally, this item will provide information about waste generated outside the jurisdictional area of the District and shipped into the District for management or disposal.



**6.8.1 Provide a list of the types and estimated annual volume of waste generated within the jurisdictional area of the District and shipped out of the District and/or out of state for management or disposal.**

Based on the 2017 Annual Report for the transfer station in Wynne, no waste was shipped out of the District.

**6.8.2 Provide a list of the types and estimated annual volume of waste imported into the District for management or disposal.**

The district does not currently have a method of determining the type and estimated annual volume of waste imported into the District.

**6.8.3 Provide a list of haulers that pick-up Arkansas generated waste in District and transport it out of state for disposal.**

Based on the 2010 Annual Plan update, Waste Management collects commercial and industrial waste from approximately 35 businesses in West Memphis and hauls it to the Waste Management transfer station in Memphis or the Tunica landfill in Mississippi.

# **APPENDIX 1**

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## **District Board Members**

## District Board Members

### Crittenden County Board Members

Judge Woody Wheeless - Crittenden County  
Crittenden County Courthouse  
100 Court Street  
Marion, AR 72364  
Phone: 870-739-3200  
Fax: 870-739-3072

Mayor Sherman Smith, Sr. – City of Earle  
PO Box 213  
Earle, AR 72331  
Phone: 870-792-7300  
Fax: 870-792-7446

Mayor Frank Fogleman – City of Marion  
Marion City Hall  
PO Box 717  
Marion, AR 72301  
Phone: 870-739-5410  
Fax: 870-739-5448

Mayor William Johnson – City of West Memphis  
PO Box 1728  
West Memphis, AR 72301  
Phone: 870-732-7500  
Fax: 870-732-7504  
Email: [info@westmemphis.org](mailto:info@westmemphis.org)

### Cross County Board Members

Judge Donnie Sanders – Cross County  
County Courthouse  
705 East Union, Suite 4  
Wynne, AR 72396  
Phone: 870-238-5750  
Fax: 870-238-5714

Mayor Bob Stacy – City of Wynne  
PO Box 499  
Wynne, AR 72396  
Phone: 870-238-0027  
Fax: 870-238-4055

Mayor Diane Patterson - City of Parkin  
PO Box 498  
Parkin, AR 72373  
Phone: 870-755-5491  
Fax: 870-755-5320

### Lee County Board Members

Judge Terry Sandefer – Lee County  
County Courthouse  
15 East Chestnut Street  
Marianna, AR 72360  
Phone: 870-295-7700  
Fax: 870-295-7766

Mayor Jimmy Williams – City of Marianna  
City Hall  
35 S. Poplar Street  
Marianna, AR 72360  
Phone: 870-295-6089  
Fax: 870-295-5726

### Phillips County Board Members

Judge Clark Hall – Phillips County  
County Courthouse  
620 Cherry Street, Suite 208  
Helena-West Helena, AR 72342  
Phone: 870-338-5500  
Fax: 870-338-5504

Mayor Jay Hollowell – City of Helena-West Helena  
City Hall  
PO Box 248  
Helena-West Helena, AR 72342  
Phone: 870-817-7435  
Fax: 870-338-7250

**Poinsett County Board Members**

Judge Bobby Cantrell – Poinsett County  
County Courthouse  
401 Market Street  
Harrisburg, AR 72432  
Phone: 870-578-5333  
Fax: 870-578-4401

Mayor Barbara Lewallen – City of Trumann  
City Hall  
PO Box 120  
Trumann, AR 72472  
Phone: 870-483-5355  
Fax: 870-483-6833

Mayor Dale Dunlap – City of Lepanto  
City Hall  
PO Box 610  
Lepanto, AR 72354  
Phone: 870-475-2415  
Fax: 870-475-3161

**St. Francis County Board Members**

Judge Gary Hughes – St. Francis County  
St. Francis County Courthouse  
313 South IZard Street, Suite 1  
Forrest City, AR 72355  
Phone: 870-261-1700  
Fax: 870-261-1704

Mayor Randy Mills – City of Harrisburg  
City Hall  
200 East Jackson  
Harrisburg, AR 72432  
Phone: 870-578-5467  
Fax: 870-578-9467

Mayor (Vacant) – City of Marked Tree  
City Hall  
1 Elm Street  
Marked Tree, AR 72365  
Phone: 870-358-3216  
Fax: 870-358-2125

Mayor Larry Bryant – City of Forrest City  
City Hall  
PO Box 1074  
Forrest City, AR 72335  
Phone: 870-633-1315  
Fax: 870-261-1424

# **APPENDIX 2**

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**District Employees**

## District Personnel

<b>Name</b>	<b>Title</b>	<b>Full / Part-Time</b>	<b>Years Employed</b>	<b>Solid Waste Certifications</b>
Melissa Rivers	Executive Director	Full time	7	None
Jamie Brockwell	Chief of Staff	Full time	4	None
Tim Phillips	Environmental Services Manager	Full time	4	Licensed Illegal Dump Control Officer; 1C Landfill License
Emily Hathcock	Economic & Community Development Manager	Full time	5	None
Erika Jernigan	Economic & Community Development Project Coordinator	Full time	3	None
Sandra Taylor	Receptionist	Full time	3	None

# **APPENDIX 3**

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## **District Rules and Regulations**

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**EARSWMD Regulations**



EAST ARKANSAS REGIONAL SOLID WASTE  
MANAGEMENT DISTRICT

Bylaws

Article I

1. Creation.

The creation of East Arkansas Regional Solid Waste Management District and Board was authorized by the provisions of Arkansas Code Annotated §§ 8-6-701 et seq, as amended.

2. Jurisdiction.

The District is comprised of the area encompassed within Crittenden County, Cross County, Lee County, Phillips County, Poinsett County and St. Francis County. The District shall have the authority in accordance with applicable law to increase or decrease such area.

Article II

1. Representatives.

The Board shall be composed of the following representatives:

- a. The County Judge of each of the six (6) counties listed in Paragraph 2 of Article I above.
- b. The Mayor of each first class city listed in the geographic area in Paragraph 2 of Article I above.
- c. The Mayor of all cities listed in the geographic area in Paragraph 2 of Article I above with a population over Two Thousand (2,000) according to the latest federal decennial census.
- d. The Mayor of the largest city within each county listed in Paragraph 2 of Article I above.

2. Alternative Representatives.

The representatives set forth immediately above shall serve on the Board, unless such County Judge or Mayor elects instead to appoint a member to serve in their place in accordance with the following procedure:

- a. A County Judge with confirmation by the County Quorum Court shall appoint one (1) member.

- b. A Mayor with confirmation by the governing body of the city shall appoint one (1) member.

3. Number of Representatives.

The Board shall be composed of at least five (5) representatives. If the number of representatives serving under paragraph 1 above is less than five (5), then additional representatives shall be appointed by mutual agreement of the other board members in order to ensure there are at least five (5) representatives. The appointed representatives shall represent the general public within the confines of the District and shall serve for staggered terms of two (2) years. Each appointed representative shall be eligible to serve for a maximum of two (2) terms or four (4) years. Any vacancies of an appointed representative shall be filled in the same manner in which the appointed representative is selected.

4. Quorum and Voting.

A majority of the membership of the representatives shall constitute a quorum. A majority vote of those representatives present at a meeting in which there is a quorum shall be required for any action by the Board. Each representative shall be entitled to cast one (1) vote on each matter that shall come before the Board except that a representative shall be entitled to cast one (1) additional vote for each written valid proxy that the representative possesses at such meeting. If a representative is holding a proxy for an absent representative, then such representative shall notify the presiding officer during the roll call at the meeting of the existence of such proxy.

5. Officers.

The Board shall annually select a Chairman, Vice-Chairman and Secretary as well as any other officers determined by the Board to be necessary to conduct the business and affairs of the District. The Chairman or his or her appointee shall preside at all meetings of the Board and shall fulfill any other duties reasonably required by the Board. In the event of the absence of the Chairman at any meeting, the Vice-Chairman shall preside at such meeting and further shall fulfill all duties of the Chairman at such meeting. The Secretary or his or her appointee shall record minutes of all Board meetings, shall maintain a list of all representatives to the Board and shall fulfill any other duties reasonably required by the Board.

### Article III

1. Powers and Duties of Board.

The Board shall have the powers and duties set forth in Arkansas Code Annotated § 8-6-704, as may be amended from time to time. The Board shall have the authority to hire an agency to fulfill the duties of the District. In addition, the Board shall annually adopt and approve a District budget.

2. Meetings.

The District shall hold such meetings as the Board shall deem necessary to carryout the duties and functions of the District. The time, location and agenda for each meeting shall be given by notice from an officer of the Board or from an administrator for the Board at least ten (10) days prior to such meeting unless such meeting is called by the Chairman pursuant to an emergency. A special meeting may be called by a written request to the Board Chairman executed by one-third (1/3) of the representatives of the Board. Upon such notice to the Chairman, the Chairman shall schedule a Board meeting no later than fifteen (15) days following receipt of such notice.

3. Fiscal Year.

The District shall operate on a fiscal year which shall begin July 1st and end June 30th.

4. Procedure.

Robert's Rules of Order shall govern all procedural matters relating to the conduct of any and all Board meetings. In the event of a conflict between Robert's Rules of Order and these Bylaws, these Bylaws shall control.


#### Article IV

These Bylaws may be adopted, amended or repealed at any meeting of the Board by the vote of a majority thereof.

#### CERTIFICATION OF ADOPTION

The foregoing Bylaws of the District have been duly adopted this 20<sup>th</sup> day of November, 1997 by lawful action of the Board of the District.

IN TESTIMONY THEREOF, witness the hand of the undersigned as Chairman of the Board on such date.

  
\_\_\_\_\_  
Judge Leroy Dangeau, Chairman

EAST ARKANSAS REGIONAL  
SOLID WASTE MANAGEMENT DISTRICT  
REGULATIONS

WASTE FLOW CONTROL REGULATION

ARTICLE I

AUTHORITY, PURPOSE AND DEFINITIONS

Section 1. Authority.

Ark. Code Ann. §8-6-701 et seq. designates each regional solid waste management board as the governmental entity primarily responsible for providing a solid waste management system plan for the districts created under this legislation. The East Arkansas Regional Solid Waste Management District Board (hereinafter called the “Board”) is responsible for evaluating the solid waste management needs of and developing solid waste management plans for its District. The District is authorized to enact and require by regulation that solid waste generated, handled or collected within the boundaries of the District be delivered to a particular landfill for disposal, treatment, or other handling under the provisions of Arkansas Code Annotated § 8-6-712(a)(1).

Section 2. Purpose.

Pursuant to such legislation, the Board has adopted a plan to provide for the disposal, treatment, or other handling of such solid waste from the District. The efficient and cost-effective operation for the disposal, treatment, or other handling of such solid waste depends on a consistent reliable source of waste being delivered to the landfills designated herein. In order to assure that the District’s duties are fulfilled, to assure proper implementation of the plan, to assure the financial viability of the landfills, to protect the health, safety and welfare of all persons within the boundaries of the District as well as the public investment in the solid waste District and its collection and disposal system, the Board has adopted these Regulations.

Section 3. Definitions.

As used in this Regulation, the following definitions shall apply:

“ADPC&E” means the Arkansas Department of Pollution, Control and Ecology Commission (hereinafter called “ADPC&E”).

“Board” means the Board of the East Arkansas Regional Solid Waste Management District.

“Class 3 waste” shall have the same meaning as that term is defined in Regulation No. 22 as presently adopted or subsequently amended.

“Class 4 waste” shall have the same meaning as that term is defined in Regulation No. 22 as presently adopted or subsequently amended.

“Conforming Waste” means any and all Solid Waste, as that term is defined in Regulation No. 22 except Unacceptable Waste and Recovered Materials as those terms are defined herein unless expressly excluded herein.

“District” means the East Arkansas Regional Solid Waste Management District.

“Hazardous Waste” shall have the same meaning as that term is defined in ADPC&E Regulation No. 23, as presently adopted or subsequently amended.

“Landfill” means either the City of Helena-West Helena Landfill in Phillips County, Arkansas or the Crittenden County Landfill located in Crittenden County, Arkansas unless specifically designated by name as a particular landfill.

“Landfills” means the City of Helena-West Helena Landfill in Phillips County, Arkansas and the Crittenden County Landfill located in Crittenden County, Arkansas.

“Municipality” means any city of the first class, any city of the second class or any incorporated town which are located within the boundaries of the District.

“Recovered Materials” shall have the same meaning as the definition set forth in Regulation No. 22 as presently adopted or subsequently amended.

“Regulation No. 22” shall mean the ADPC&E Regulation No. 22 as presently adopted or subsequently amended.

“Solid Waste” shall have the same meaning as the definition set forth in Regulation No. 22 as presently adopted or subsequently amended.

“Special Waste” shall have the same meaning and definition as set forth in ADPC&E Regulation No. 22 as presently adopted or subsequently amended.

“Unacceptable Waste” means any and all waste that is, or which the Landfill(s) reasonably suspects is:

- (a) Prohibited from disposal at the Landfill(s) by state or federal law, regulation or the Landfill’s Permit;
- (b) Hazardous Waste; or
- (c) Unauthorized Waste.

“Unauthorized Waste” shall have the same meaning and definition as set forth in ADPC&E Regulation No. 22 as presently adopted or subsequently amended.

## ARTICLE II

### WASTE FLOW CONTROL

#### Section 1. Disposal of Conforming Waste.

All Conforming Waste generated, collected, removed, treated, handled or obtained from or within the boundaries of any county, city or other municipality within the District shall be delivered for treatment or disposal at the particular Landfill designated herein unless otherwise specifically excepted in these Regulations. All Unacceptable Waste shall not be subject to these

Regulations.

Section 2. Exceptions. This regulation shall not apply to:

- (a) Class 4 waste;
- (b) other non-hazardous bulky, inert or non-putrescible solid waste that is Class 3 Waste under Regulation 22 provided such Class 3 Waste can be lawfully disposed of at the applicable landfill under its existing landfill permit as of the effective date of this regulation; or.
- (c) the rights of parties as contemplated under Arkansas Code Annotated § 8-6-712(a)(1)(B) and § 8-6-712(d).

Section 3. Delivery of Conforming Waste.

Except as specifically provided otherwise in these Regulations, Conforming Waste generated in St. Francis, Lee or Phillips County shall be delivered to the City of Helena-West Helena Landfill for disposal. Except as specifically provided otherwise in these Regulations, Conforming Waste generated in Crittenden, Poinsett or Cross County shall be delivered to the Crittenden County Landfill for disposal.

If either of the following events occur, then the Conforming Waste of the municipality, county or subdivision of the District shall be delivered to the other Landfill designated in Article II, Section 3. The events are:

- (a) It becomes legally impossible for either of the Landfills to accept Conforming Waste generated from their respective territory set forth in this Section 3.
- (b) It becomes legally impossible to deliver Conforming Waste to the Landfill designated in this Section 3.

- (c) It becomes practically impossible to deliver Conforming Waste to the Landfill designated in this Section 3 due to site and/or weather conditions as determined solely in the discretion of the District.

In the event that Conforming Waste cannot be lawfully disposed of at a Landfill as a result of a material change in the Landfill, its permit or applicable law or regulation that is or is anticipated to be of such a duration as to substantially affect the disposal of Conforming Waste under this Regulation, then this regulation shall be suspended as to the affected Landfill and/or the disposal of Conforming Waste designated for disposal at the affected Landfill.

Section 4. Private Industry Landfills Not Affected.

Nothing in these Regulations shall be construed to prohibit or restrict the disposal of Solid Waste generated by a private industry in a permitted landfill where the private industry bears the expense of operating and maintaining the landfill solely for the disposal of waste generated by the industry or wastes of a similar kind or character.

Section 5. Recyclable Materials.

Nothing in these Regulations shall prohibit a person, business, county, city, municipality or other entity from constructing or operating a facility or project to process and market recyclable materials. Furthermore, nothing in these Regulations shall prohibit any person, business, county, city, municipality or other entity from collecting, transporting, or processing recyclable materials from the solid waste stream that can be recovered for reuse in present or reprocessed form, provided that such recycling activities are conducted in compliance with applicable laws and regulations.

### ARTICLE III

#### EFFECT OF NONCOMPLIANCE



Section 1.     Responsibility for Lost Revenues.

Any county, city, municipality, business, person, or other entity which generates, collects, removes, treats, handles or accepts Conforming Waste, and which causes or allows said Conforming Waste to be disposed of at a place or in a manner prohibited by these Regulations shall be liable to the Landfill and/or District for all damages suffered as well as costs and fees which would have been due the Landfill had the Conforming Waste been disposed of at the designated Landfill.

Section 2.     Costs of Collection.

Any person or entity liable to the Landfill and/or District as described in Section 1 of this Article shall reimburse the Landfill and/or District for all damages, costs and expenses, including attorneys' fees, expended by the Landfill and/or District in enforcing this Regulation.

ARTICLE IV

EMERGENCY

In the event that any municipality, county or other subdivision of this District believes that an emergency has occurred which prohibits or prevents compliance with these Regulations, such entity may make application to the Board which shall show cause for immediate relief from the provisions of these Regulations. The Board in its sole discretion shall have authority to act upon such request if the Board agrees that an emergency has been established and such emergency was not created or caused by the action of the applicant.

ARTICLE V

EXEMPTION

In the event that any Municipality of this District is desirous of taking any action with its Conforming Waste which is inconsistent with or in violation of any provision of this Regulation,

then such Municipality shall submit an application for an exemption to this Regulation to the Board. This exemption procedure is only available to a Municipality which generate ten (10) tons or less of Conforming Waste per week as determined by the Board in its sole discretion. For purposes of determining a Municipality's tonnage, the Board shall utilize Municipality population data from the University of Arkansas at Little Rock's Institute for Economic Advancement Census Data Center and shall utilize a rate of four (4) pounds per capita per day.

The Board shall hold a meeting in order to evaluate and consider the application and the applicant shall have a reasonable amount of time to present its application at such meeting. The Board shall either grant or deny the application following completion of the applicant's presentation. In the event that the Board requests additional information, the Board shall hold a future meeting to act upon such application after submission of all of the requested materials.

If the Municipality is granted the right to dispose of such Conforming Waste at a landfill other than the designated Landfill under this Regulation, then the Municipality shall pay a tipping fee to the Landfill that should have received such Conforming Waste but for the exemption granted. The amount of the tipping fee shall be one hundred percent (100%) of the tipping fee at the designated Landfill to which the Conforming Waste was to be delivered under this Regulation. Such fee shall be remitted quarterly by the applicant. A failure to pay the tipping fee within thirty (30) days of its due date shall result in the termination of the exemption granted hereunder. In any event, an exemption shall expire December 31<sup>st</sup> of the year in which the exemption was granted. However, a Municipality shall have the right to reapply for an exemption under this Article for subsequent terms of one (1) year each.

## ARTICLE VI

### MISCELLANEOUS

Section 1. Term.

These Regulations shall remain in full force and effect and shall be enforced until such time as the Board takes subsequent action, if any.

Section 2. Severability.

If any provision of these Regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Regulations which can be given effect without the invalid provisions or application, and to this end, the provisions of these Regulations are declared to be severable.

Section 3. Effective Date.

The effective date of this regulation shall be July 1, 2010.

  
Chairman

Date Passed: July 1, 2010

**APPLICATION FOR EXCEPTION**  
**ARTICLE IV**  
**EAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT REGULATIONS**  
**WASTE FLOW CONTROL REGULATION**

October 27, 1997

APPLICANTS NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICANT'S MAILING ADDRESS: \_\_\_\_\_  
STREET ADDRESS

\_\_\_\_\_  
P.O. BOX CITY STATE ZIP CODE

APPLICANTS PHONE NUMBER: \_\_\_\_\_  
AREA CODE PHONE NUMBER

CONTACT PERSON: \_\_\_\_\_  
TYPE NAME SIGNATURE

Please provide the following information on separate sheet or sheets and attach to this form:

1. Submit supporting information, data and documentation to establish that the requested exception complies with all local, state, and federal rules, ordinances, regulations and statutes.
2. Submit information as necessary to prove that the requested exception is in the best interests of the inhabitants of the Applicant.
3. Submit information as necessary to prove that the requested exception is in the best interests of the District in fulfilling its duties and obligations.
4. Submit such additional information that the Applicant considers necessary for the Board to act on its application.
5. The cost per unit of waste to transport conforming waste to the designated District landfill and the proposed alternative landfill or transfer station.
6. Monthly fee paid by inhabitants for the collection and disposal of conforming waste being transported to the alternative landfill for which this exemption is being sought.
7. Total number of households served.
8. Total tons of waste collected weekly, monthly, annually by Applicant within the area requested for an exemption.
9. Attach a copy of the existing waste hauling contract you are now operating under.

This application with all attachments shall be submitted in the *original plus one copy* to the East Arkansas Regional Solid Waste Management Board offices at P.O. Box 1403, Jonesboro, AR 72403, Attention Charlie Wood. For information regarding this submittal please call Charlie Wood at (870) 932-3957.

EAST ARKANSAS REGIONAL  
SOLID WASTE MANAGEMENT DISTRICT REGULATIONS  
REGARDING THE LICENSING OF HAULERS OF SOLID WASTE

PURPOSE

The East Arkansas Regional Solid Waste Management Board ("Board") is required by Act 752 of 1991, as amended, to enact and enforce a licensing program for all haulers who collect solid waste in the East Arkansas Regional Solid Waste Management District ("District") or transport solid waste for disposal or storage in the District. The purpose of this licensing program is to better manage and monitor the collection and transportation of solid waste by haulers in the District. It shall be the responsibility of every local government in the District to provide an adequate system of collection and transportation of Solid Waste within their jurisdiction as outlined in these standards. Each county within the District shall follow any requirements set forth by the Board.

DEFINITIONS

The words defined herein shall have the following meanings:

- A. Hauler----A Person engaged in the collection of Solid Waste within the geographical boundaries of the District and/or transportation of Solid Waste for disposal or storage within or from the geographical boundaries of the District. Hauler does not include: (1) a Person transporting his/her own household waste to a permitted facility; (2) municipalities which operate their own sanitation and solid waste collection system within or from the District; or (3) the transportation of solid waste from an industrial facility to its own Class 3 landfill.
- B. License----The document issued by the District approving the Vehicle for use in the Hauler's business in collecting, hauling or transporting Solid Waste within or from the District.
- C. Person----Any state agency, municipality, political subdivision of the State or the United States, public or private corporation, individual, partnership, association, or other legally recognized entity.
- D. Processed Waste----Solid Waste resulting from an industrial/manufacturing and/or processing operation.
- E. Solid Waste----As established in Act 752 of 1991, Arkansas Code Annotated Section 8-6-702(12) means all putrescible and

nonputrescible waste in solid, semi-solid, or liquid form including, but not limited to, yard or food waste, waste glass, waste metals, waste plastics, wastepaper, waste paperboard, and all other solid and semi-solid waste resulting from industrial, commercial, agricultural, community, and residential activities, but does not include "Materials in the recycling process" as defined in Arkansas Code Annotated Section 8-6-702.

- F. Vehicle----A Vehicle used by a Hauler for purposes of collection of Solid Waste within the geographical boundaries of the District and/or transportation of Solid Waste for disposal or storage within or from the geographical boundaries of the District.

### LICENSES

A Hauler must obtain a License from the Board for each Vehicle to be used by the Hauler. The District may act as a Hauler within its own geographical boundaries without obtaining a License.

To receive a License, an application shall be made by a Hauler to the Board on forms prescribed. The application shall include, but not be limited to, the following information:

- A. Name, address and telephone number of Hauler;
- B. Description of each Vehicle to be licensed including:
- i. make, model and year of Vehicle;
  - ii. Vehicle ID number;
  - iii. license plate number;
  - iv. name of Vehicle owner;
  - v. proof of Vehicle liability insurance;
  - vi. social security number of each driver and individual Hauler; and
  - vii. Vehicle capacity in cubic yards and tonnage.
- C. Description of the nature of the Solid Waste and size of loads; and
- D. A copy of a liability insurance policy held by the Hauler which is presently in force.

The Hauler shall provide all information required on such application as well as any additional information required by the District's environmental planning consultant or by the Board.

The application shall be accompanied by the appropriate fee. The fee to be paid with the application shall be based on the number of Vehicles and capacity of each Vehicle to be licensed for the Hauler. No License shall be issued for any Vehicle of a Hauler unless such Hauler meets all requirements of the law as well as those contained herein.

### FEEES

The Hauler shall pay to the District the following fees for each License. Each License shall be issued for a year beginning on November 1 and ending on October 31. By November 1 of each year, all Haulers shall pay a fee as set forth below for each Vehicle. The fee to be paid shall be:

- A. the sum of Fifty and 00/100 Dollars (\$50.00) for each Vehicle which has (i) a maximum hauling capacity of less than one (1) ton and (ii) is a non-compacting Vehicle; or
- B. the sum of One Hundred and 00/100 Dollars (\$100.00) for each Vehicle which does not meet both of the requirements set forth in A(i) and A(ii) immediately above.

After the Hauler has complied with all requirements for a License for a Vehicle as provided herein, the Vehicle shall be provided with a License.

In the event that a Hauler uses a Vehicle which has not received a License by November 1 of each year, the Hauler shall pay the fee for such Vehicle and shall pay as an additional fee a sum equal to the fee due for such Vehicle. In addition, the Hauler shall be prohibited from using any landfill facility within the District until such as time as the required License is obtained and the fees set forth herein are paid. Finally, a failure to comply with any regulations or request of the environmental planning consultant or the Board may result in the termination of a License(s) issued to the Hauler.

### LICENSING STANDARDS AND REQUIREMENTS

Any person who drives a Vehicle shall hold the appropriate driver's license as required by Arkansas law.

Each Hauler shall, prior to November 1 of each year, obtain a License for each and every Vehicle. There shall be no proration of any fees. Every Hauler must display the License given at the time of licensing in the left front cab side

of the Vehicle.

### ADDITIONAL REQUIREMENTS

All collection and transportation systems and Vehicles shall meet the requirements set forth below. They are:

- A. Solid Waste shall be collected and transported so as to prevent health hazards, environmental hazards, safety hazards or nuisances;
- B. Collection and transportation equipment as well as Vehicles shall be designed and constructed so as to be leak proof. The Solid Waste shall be suitably enclosed or covered so as to prevent road side littering, attraction of vectors or creation of other nuisances;
- C. Collection and transportation equipment as well as Vehicles shall be kept in a sanitary condition.
- D. Regular collection days shall be established as appropriate. Collection shall be performed as necessary with complaints being investigated and answered in a timely manner.
- E. Appliances, furniture and other Solid Waste which cannot be collected during regularly scheduled pickups shall be collected as frequently as necessary and in accordance with approved Solid Waste management system plan for the local government.
- F. Collection and transportation of chemicals, poisons, explosives, radiological waste and other hazardous materials shall be in accordance with the requirements of state and federal regulatory control.
- G. All Solid Waste collected shall be transported to the District designated landfill.

### FINANCIAL RESPONSIBILITY OF HAULER

Any Hauler applying for a License must establish and maintain financial responsibility to the Board.

### VIOLATIONS

Any Hauler who fails to comply with the terms and conditions of this regulation shall be required to pay a penalty of One Hundred and 00/100 Dollars



(\$100.00) per Vehicle to the District for each day of noncompliance. If such noncompliance continues for more than fourteen (14) days, then such penalty shall increase to Two Hundred and 00/100 Dollars (\$200.00) on the fifteenth (15) day and shall continue for each day thereafter until the Hauler fully complies with the terms and conditions of this regulation. Each day or part of any day during which a Hauler continues to operate without a License shall constitute a separate violation.

License.agr/mc  
9-7-02

RESOLUTION REGARDING IMPOSITION OF WASTE TIRE  
FEES ON NON-FEE PAID TIRES

WHEREAS, East Arkansas Planning and Development District ("EAP&DD") is the Administrator of the Waste Tire Program as set forth in the Inter-District Waste Tire Management Program Agreement dated October 23, 1997;

WHEREAS, EAP&DD has determined that it is necessary to impose fees at this time on all non-fee paid tires that are disposed of in the East Arkansas Waste Tire District;


WHEREAS, attached hereto as Exhibit A is a Memo from EAP&DD dated January 16, 1998 setting forth the procedure for the imposition of the fees on non-fee paid tires; and

WHEREAS, the East Arkansas Regional Solid Waste Management District is hereby passing this resolution to ratify and affirm the imposition of the fee on non-fee paid tires as set forth in Exhibit A.

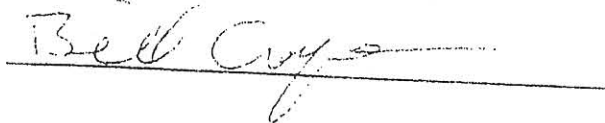
NOW, THEREFORE,

BE IT RESOLVED, that the East Arkansas Regional Solid Waste Management District hereby ratifies and affirms the imposition of the fee on non-fee paid tires as set forth in Exhibit A.

RESOLUTION adopted this 12<sup>th</sup> day of February, 1998.

  
Chairman

ATTEST:

  
\_\_\_\_\_

**ST ARKANSAS WASTE RE DISTRICT**  
**P.O. BOX 1403 JONESBORO, ARKANSAS 72403 (870) 932-3957**

Memo J

**DATE: January 16, 1998**

**TO: WASTE TIRE HAULERS**

**FROM: CHARLIE WOOD**

**RE: WASTE TIRE MANIFEST/CHARGES**

The East Arkansas Regional Solid Waste District hereby implements the following procedure concerning waste tires and waste tire manifests beginning April 1, 1998. Each waste tire dealer attempting to dispose of waste tires in the East Arkansas Waste Tire District (EAWTD) must produce a voucher showing that their particular company has sold and collected a tire tax for the same number of "like" tires being disposed. The District staff along with representatives from EMS (waste tire contractor) will match reported waste tire fees collected with the number of tires reported from each particular waste tire company with the waste tire manifests turned in during each quarter. If you are disposing of more waste tires than you are paying a fee on, the EAWTD will send you a bill for the exact amount that you owe. This amount will be determined by comparing the amount of tires that you reported a fee being collected on, versus the number of waste tires you disposed of during the last quarter of collection. If you show a greater amount of fee paid tires versus the number of waste tires disposed of, the District will run a credit to that particular company into the next quarter. The tire dealer or waste tire hauler must present all waste tire information to the person in charge of the waste tire collection center. If the tire dealer or waste tire hauler cannot produce the proper information, a fee will be collected on the spot by the person attending the waste tire collection center. Any person disposing of large specialty waste tires must pay on the spot or fill out the proper paper work so the District can send a bill at the end of the quarter.

- (1) All passenger tires with the rim size of less than 19.5" will be considered passenger tires. The following fee will be charged to the tire dealer or waste tire hauler for each waste tire being disposed of in the EAWTD: \$1.75 will be charged for each passenger tire being disposed of without the proper waste tire manifest documentation or without the corresponding waste tire fee report to support the number of tires that you are attempting to dispose of.
- (2) All tires with a rim size of 19.5" or higher will be considered large, over the road tires, and are subject to a \$5.00 waste tire fee. This fee will be collected on all tires being disposed of in the EAWTD without the proper waste tire manifest documentation or without the corresponding waste tire fee report to support the number of tires that you are attempting to dispose of.
- (3) All waste tires with a rim size of 24.5" or higher will be considered specialty waste tires and are subject to the following \$26.00 waste tire fee. (Please note, any large tire that is generated from large equipment regardless of rim size will be considered specialty tires).

Please note that all retail dealerships and waste tire haulers who regularly haul over 25 tires per load must have a waste tire licenses. To apply for a waste tire haulers license

contact Susan Speal at the Arkansas Department of Pollution Control and Ecology at (501) 682-0589.

The EAWTD regrets any inconveniences this new policy may cause to the waste tire dealers in the Waste Tire District. By collecting this fee, the Tire District will be able to take all manifested tires at the current established rate of \$1.75 per tire, as long as the District covers the collection and disposal expenses on all waste tires. The Tire District has good reason to believe that a large number of waste tires collected in our District are coming from out-of-state. So, in order to collect the proper taxes, we must require that the proper paperwork be provided at the waste tire collection centers.

Any waste tire hauler or dealer who refuses to provide the collection point with waste tire manifests or other requested information will not be allowed to dispose of their waste tires. Before the waste tire hauler can leave the waste tire collection site, he or she must leave the person in charge of the collection point, his or her name, address, phone number, and waste tire haulers permit number. Any person or company caught disposing of waste tires in a illegal manner will be prosecuted under Arkansas state law.

Please note all waste tires imported into the State of Arkansas will be assessed a \$1.00 fee in addition to the above stated fees. This \$1.00 fee is to be paid by the importer to the Arkansas Department of Finance and Administration. Please send payment to

Miscellaneous Tax Division  
Arkansas Department of Finance & Administration  
P.O. Box 896 room 230  
Seventh and Wolfe Street  
Little Rock, AR 72203-0896  
(501) 682-7181 Fax (501) 682-5599

## ARTICLE I

### AUTHORITY, PURPOSE AND DEFINITIONS

#### Section 1. Authority.

Arkansas Code Annotated Section 8-6-714 provides that a regional solid waste management board has the authority to fix, charge and collect fees and charges related to the generation, movement and/or disposal of solid waste within its district in accordance with applicable law.

#### Section 2. Purpose.

Pursuant to such legislation, the Board has determined that the imposition of the fees set forth herein are necessary to support the District's direct involvement with the District's disposal and/or treatment of solid waste as well as the District's management of the solid waste needs within the District.

#### Section 3. Definitions.

As used in this Regulation, the following definitions shall apply:

"ADPC&E" means the Arkansas Department of Pollution, Control and Ecology Commission (hereinafter called "ADPC&E").

"Board" means the Board of the East Arkansas Regional Solid Waste Management District.

"District" means the East Arkansas Regional Solid Waste Management District.

"Landfill" shall have the same meaning as the definition set forth in Regulation No. 22 as presently adopted or subsequently amended.

"Regulation No. 22" shall mean the ADPC&E Regulation No. 22 as presently adopted or subsequently amended.

“Solid Waste” shall have the same meaning as the definition set forth in ADPC&E Regulation No. 22 as presently adopted or subsequently amended.

“Ton” shall mean a weight of two thousand (2,000) pounds. If weight tickets are not available, the fee shall be calculated on a volume basis at twenty-five cents (\$0.25) per uncompacted cubic yard or forty-five cents (\$0.45) per compacted yard.

“Transfer Station” shall have the same meaning and definition as set forth in ADPC&E Regulation No. 22 as presently adopted or subsequently amended.

## ARTICLE II

### IMPOSITION OF FEE

Section 1. Delivery of Solid Waste to a Landfill or a Transfer Station located within the District.

A fee of Two and 00/100 Dollars (\$2.00) is hereby imposed and charged on each ton or portion thereof of Solid Waste that is delivered to a Landfill located within the District or a Transfer Station located within the District regardless of whether that Solid Waste is generated within or outside of the District. Such payment shall be made to the District by the applicable Landfill or Transfer Station in accordance with this Regulation.

Section 2. Disposal of Solid Waste at a Location outside the District.

A fee of Two and 00/100 Dollars (\$2.00) is hereby imposed and charged on each ton or portion thereof of Solid Waste that is generated within the District but that is delivered to a location outside the District. Such payment shall be made to the District by the Landfill, location and/or disposal facility in accordance with this Regulation.

Section 3. Interlocal Agreements.

The District shall have the right to enter into an interlocal agreement with one (1) or more

other solid waste districts to allocate the fees imposed and charged under this Regulation in accordance with applicable law. In the absence of an interlocal agreement with another regional solid waste management district, then the regional solid waste management districts shall divide the fee imposed by Article II equally. In the event that another regional solid waste management district imposes a fee that is less than the fee imposed by Article II, then such fee shall be that imposed by Article II of this Regulation for all purposes.

Section 5. Exceptions.

This regulation shall not apply to waste or materials as described in Arkansas Code Annotated Section 8-6-714(b).

ARTICLE III  
COLLECTION OF FEE

Section 1. Filing of Quarterly Reports.

Each Landfill, Transfer Station, location and/or disposal facility that receives Solid Waste for disposal or transfer shall file with the District its Arkansas Department of Environmental Quality Solid Waste Disposal Quarterly Report Form for the applicable year or part thereof no later than April 15<sup>th</sup> for the 1<sup>st</sup> Quarter Report, July 15<sup>th</sup> for the 2<sup>nd</sup> Quarter Report, October 15<sup>th</sup> for the 3<sup>rd</sup> Quarter Report and January 15<sup>th</sup> for the 4<sup>th</sup> Quarter Report that it submits to the Arkansas Department of Environmental Quality. If such Arkansas Department of Environmental Quality Solid Waste Disposal Quarterly Report Form is not available, then each Landfill, Transfer Station, location and/or disposal facility that receives Solid Waste for disposal or transfer shall file with the District a sworn affidavit that contains the same information required on the Arkansas Department of Environmental Quality Solid Waste Disposal Quarterly Report Form no later than the four (4) reporting dates referenced above.

Section 2. Payment of Fee.

Each Landfill, Transfer Station, location and/or disposal facility shall submit a check for payment of the fee due to the District under Article II of this Regulation at the same time as the Arkansas Department of Environmental Quality Solid Waste Disposal Quarterly Report Forms are submitted to the District under Section 1 of Article III. Such payments are due on the four (4) annual reporting deadlines set forth in Section 1 of Article III.

Section 3. Late Fees.

In the event that a Landfill, Transfer Station, location and/or disposal facility fails to pay the fee due to the District as required under this Article, then a late fee of ten percent (10%) of the unpaid fee [including any unpaid late fee(s)] shall be due and payable for each thirty (30) day period or part thereof that such fee remains unpaid.

#### ARTICLE IV

#### MISCELLANEOUS

Section 1. Term.

These Regulations shall remain in full force and effect until such time as the Board modifies, amends or otherwise changes these Regulations.

Section 2. Severability.

If any provision of these Regulations or the application thereof to any person, event or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Regulations which can be given effect without the invalid provisions or application, and to this end, the provisions of these Regulations are declared to be severable.



Section 3. Effective Date.

The effective date of this regulation shall be thirty (30) days after filing under Arkansas law.

  
Chairman

Date Passed: 8-19-14

EAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT

RULES REGARDING  
PROCEDURE FOR OBTAINING CERTIFICATE OF NEED  
PURSUANT TO THE PROVISIONS OF  
ARKANSAS CODE ANNOTATED § 8-6-706

Adopted: \_\_\_\_\_

FILED  
REGISTER DIV.  
14 AUG 25 AM 10:03  
MAYSON III  
SECRETARY OF STATE  
STATE OF ARKANSAS  
BY \_\_\_\_\_

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2. Application
3. Completeness Determination
4. Review Period
5. Public Hearing
6. Criteria for Review
7. Determination
8. Appeal of Decision
9. Obligations
10. Definitions
11. Miscellaneous

## Historical Background

The East Arkansas Regional Solid Waste Management District (EARSWMD) was created pursuant to the provisions of Arkansas Code Annotated §§ 8-6-701 et seq. Pursuant to such legislation, EARSWMD is given specific authority under the provisions of Arkansas Code Annotated § 8-6-704 to issue or deny certificates of need to any applicant for a solid waste disposal facility within its district.

The statutory authority for obtaining a certificate of need is found at Arkansas Code Annotated § 8-6-706. The following rules provide the procedure for an application for a certificate of need pursuant to Arkansas Code Annotated § 8-6-706 and applicable rules and regulations.

1. **Notice of Intent.** At least thirty (30) days prior to submitting an application for a Certificate of Need, the applicant must notify the EARSWMD, in writing, of its intent to submit such an application. The Notice of Intent shall include the following information:

- (a) the name of the applicant;
- (b) the applicant's address and telephone number;
- (c) whether the applicant is seeking a new or modified solid waste landfill or transfer station permit and the classification of the permit sought;
- (d) the site of the proposed facility;
- (e) a description of the area to be served, including population estimates by cities and counties within the area being served;
- (f) confirmation from the Arkansas Department of Environmental Quality that the applicant has requested a statement concerning: (i) the current and proposed solid waste landfill disposal capacity for the area; and (ii) the landfill class being proposed.

2. **Application.** An applicant requesting a Certificate of Need from EARSWMD must submit an application to EARSWMD. All applications for Certificates of Need shall include, at a minimum, the following information:

- (a) the applicant's name, address, telephone number and existing permit number, if applicable;
- (b) the name of the person or entity having legal or equitable title to the land where the proposed facility will be located and documentation of the right to develop such property as a solid waste landfill or transfer station from the legal owner and the equitable owner, where applicable;
- (c) the location of the proposed facility as shown on the applicable 7.5 degree USGS topographic map(s);
- (d) the size of the proposed facility, including, but not limited to the useable airspace above ground level, and the life expectancy of the proposed facility;
- (e) a description of the area to be served, including population estimates by cities and counties within the area being served;
- (f) documentation that the proposed solid waste landfill or transfer station or modification complies with all of the criteria for evaluation listed in Section 6 below;

- (g) the current permitted capacity for the appropriate landfill class within the EARSWMD and the estimated increase in permitted capacity for the proposed facility or modification;
  - (h) confirmation that the proposed facility is in compliance with all existing comprehensive land use plans of any local governmental entity;
  - (i) any other information deemed necessary by EARSWMD to make a determination of need; and
  - (j) if applicable, notification to and approval from the regional solid waste management board in the State of Arkansas which is receiving the solid waste for the EARSWMD in accordance with Arkansas Code Annotated § 8- 6-706(b) (2) (G).
3. **Completeness Determination.** Within thirty (30) days of receipt of the initial application, EARSWMD will make a completeness determination of the application. Any additional information that EARSWMD determines necessary to make a decision on the need of the proposed facility will be requested within this time. The applicant will then be required to submit such information. If additional information is requested by EARSWMD, it will again make a completeness determination within thirty (30) days of the receipt of the additional information.
4. **Review Period.** Once EARSWMD has determined that an application for a Certificate of Need is complete, it will so notify the applicant and publish notice of the review period once a week for two (2) consecutive weeks in a newspaper of general circulation in the area of the proposed facility. The review period will begin on the date of the first publication of notice of the review period. The review period will run for sixty (60) days. During the review period, public comment will be received on the application for the certificate of need.
5. **Public Hearing.** During the sixty (60) day review period, the EARSWMD will conduct a public hearing within the county where the proposed facility or modification is to be located.
6. **Criteria for Review.** When reviewing an application for a Certificate of Need, EARSWMD shall consider and evaluate the following criteria:
- (a) whether the proposed facility is consistent with the regional planning strategy adopted by EARSWMD in the regional needs assessment or the regional solid waste management plan;
  - (b) a review of any needs assessment that has been prepared;

- (c) whether the proposed facility conflicts with existing comprehensive land use plans of any local governmental entity;
- (d) whether the proposed facility disturbs an archeological site as recognized by the Arkansas Archaeological Survey, or a rare and endangered species or habitat as recognized by either the Arkansas Game and Fish Commission or the United States Fish and Wildlife Service or any other similar federal, state or local agency;
- (e) whether the proposed facility will adversely affect the public use of any local, state or federal facility, including, but not limited to, parks and wildlife management areas;
- (f) whether the proposed facility conflicts with the requirements of state or federal laws and regulations on the location of disposal facilities;
- (g) if the proposed facility is located within the 100-year floodplain, whether it restricts the flow of the 100-year flood, reduces the temporary water storage capacity of the floodplain, or could result in washout of solid waste which could pose a hazard to human health or the environment;
- (h) whether the proposed facility is appropriately located given the needs of EARSWMD including a review of the road system serving such area;
- (i) whether the proposed facility provides disposal or transfer capacity needed within the EARSWMD;
- (j) the detailed history of the applicant's record and that of the stockholders and officers with respect to violations of environmental laws and regulations of the United States or any state or political subdivision of any state;
- (k) the area to be served by the proposed facility;
- (l) for landfill permits, consider the need for the landfill based upon the district's excess projected capacity which is currently permitted for operation, but in no event shall the district's excess permitted projected capacity exceed thirty (30) years, unless the city or county government within whose jurisdiction the proposed landfill is located authorizes through adoption of a resolution approval of the excess capacity; and
- (m) whether the applicant has complied with the rules for obtaining a Certificate of Need.

7. **Determination.** Within sixty (60) days following the close of the review period, EARSWMD will act upon the application for a Certificate of Need at a EARSWMD meeting. The Administrator for EARSWMD shall present a recommendation to the EARSWMD Board. Those supporting the issuance of the Certificate of Need and those opposing the issuance of the Certificate of Need will be provided a reasonable time period to make a presentation to the EARSWMD Board and address the Administrator's recommendation.

In the event that EARSWMD has neither issued nor denied a Certificate of Need within one hundred fifty (150) days of the beginning of the review period, the Certificate of Need will be deemed to have been denied. The EARSWMD shall issue written findings when making a determination on the application for the Certificate of Need and shall set forth the basis for issuing or denying the Certificate of Need. The findings will be sent to the following:

- (1) the applicant;
  - (2) Arkansas Department of Environmental Quality; and
  - (3) any interested party who requests such findings in writing from the EARSWMD.
8. **Appeal of Decision.** The applicant or any interested party to a Certificate of Need determination, as defined in Arkansas Code Annotated § 8-6-706(c), shall have the right to appeal the issuance or denial of a Certificate of Need in accordance with the provisions Arkansas Code Annotated §8-6-706(c) and applicable rules and regulations.
9. **Obligations.** The applicant has sixty (60) days from the issuance of the Certificate of Need in which to file a preapplication for a solid waste landfill or transfer station permit with Arkansas Department of Environmental Quality. If a preapplication is not filed within such sixty (60) day period, the Certificate of Need shall expire.

The applicant has six (6) months from the issuance of the certificate of Need in which to file an application for a solid waste landfill or transfer station permit with the Arkansas Department of Environmental Quality. If such application is not filed within such six (6) month period, the Certificate of Need shall expire.

A Certificate of Need shall be issued to a specific person or entity. Under no conditions or circumstances shall a certificate of Need be assigned or otherwise transferred to any person or entity other than the one originally specified on the Certificate of Need.

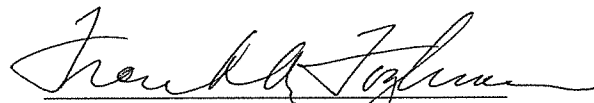


10. **Definitions.** Unless otherwise specifically defined herein, the terms used in these rules shall have the meaning accorded to them in Arkansas Code Annotated § 8-6-701 et seq. and the rules and regulations promulgated thereunder. Additionally, the use of the singular, shall include the plural where applicable.

"Administrator" shall be the East Arkansas Planning and Development District or any successor agency or entity as determined by the EARSWMD to carry out the administrative and staff duties for the EARSWMD.

11. **Miscellaneous.**

- (a) Term. These Regulations shall remain in full force and effect until such time as the Board modifies, amends or otherwise changes these Regulations.
- (b) Severability. If any provision of these Regulations or the application thereof to any person, event or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these Regulations which can be given effect without the invalid provisions or application, and to this end, the provisions of these Regulations are declared to be severable.
- (c) Effective Date. The effective date of this regulation shall be thirty (30) days after filing under Arkansas law.



Chairman

Date Passed: 8-19-14

**FINANCIAL IMPACT STATEMENT**

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT East Arkansas Regional Solid Waste Management District  
 DIVISION n/a  
 PERSON COMPLETING THIS STATEMENT Melissa Rivers, Executive Director  
 TELEPHONE NO. (870) 932-3957 FAX NO. (870) 932-0135 EMAIL: mrivers@eapdd.com

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

**SHORT TITLE OF THIS RULE** RULE REGARDING PROCEDURE FOR OBTAINING CERTIFICATE OF NEED

1. Does this proposed, amended, or repealed rule have a financial impact? Yes  No
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes  No
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes  No

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;  
n/a
- (b) The reason for adoption of the more costly rule;  
n/a
- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;  
n/a
- (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.  
n/a

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

General Revenue n/a  
 Federal Funds n/a  
 Cash Funds n/a  
 Special Revenue n/a  
 Other (Identify) n/a

**Next Fiscal Year**

General Revenue n/a  
 Federal Funds n/a  
 Cash Funds n/a  
 Special Revenue n/a  
 Other (Identify) n/a

BY \_\_\_\_\_  
 14 AUG 25 11:10 AM '04  
 REGISTER DIV.  
 FILED  
 STATE OF ARKANSAS  
 10

Total n/a

Total n/a

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

**Next Fiscal Year**

General Revenue n/a  
Federal Funds n/a  
Cash Funds n/a  
Special Revenue n/a  
Other (Identify) n/a

General Revenue n/a  
Federal Funds n/a  
Cash Funds n/a  
Special Revenue n/a  
Other (Identify) n/a

Total n/a

Total n/a

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

**Current Fiscal Year**

**Next Fiscal Year**

\$ unknown

\$ unknown

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

**Next Fiscal Year**

\$ unknown

\$ unknown

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes  No

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
  - (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
  - (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
  - (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
    - (a) the rule is achieving the statutory objectives;
    - (b) the benefits of the rule continue to justify its costs; and
    - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

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**Marked Tree**

## CHAPTER 5.24

### SOLID WASTE

#### Sections:

5.24.01	Definitions
5.24.02	Department: Garbage and Sanitation Commission
5.24.03	Purchase of equipment
5.24.04	Private collectors
5.24.05	Containers generally, for solid waste
5.24.06	Solid waste to be drained
5.24.07	Large items
5.24.08	Pickup location
5.24.09	Business collection
5.24.10	Deposit on streets, alleys, sidewalks, or public places
5.24.11	City dump
5.24.12	Collection frequency
5.24.13	Fees levied
5.24.14	Fees, payment, delinquencies, penalty
5.24.15	Fees, disposition of funds by city
5.24.16	City not obligated to collect construction refuse or tree limbs
5.24.17	Burning of garbage
5.24.18	Penalty

5.24.01. Definitions. For the purposes of this ordinance the following definitions shall apply:

**SOLID WASTE.** The term "Solid waste" shall mean all garbage waste and rubbish, other than sewage, including kitchen garbage, trash, ashes, waste paper, yard sweepings, store waste, factory and industrial waste. (Ord. No. 106, Sec. 1)

5.24.02 Department: Garbage and Sanitation Commission. There is hereby created a solid waste department of the City of Marked Tree to be under the general supervision and management of the solid waste commission; the commission shall be composed of three members to be appointed by the Mayor for a term of three years. Initial appointments shall be for terms of one, two and three years. Said commissioners shall be removable only for malfeasance in office, or on account of moving from the city. The commission is hereby charged with responsibility for the efficient operation of the department, and shall have authority to employ and discharge all personnel needed for the operation of said department. The salary or wages of such employees to be determined and fixed by the commission. (Ord. No. 106, Sec. 2)

5.24.03 Purchase of equipment. The solid waste commission, with the approval of the City Council, is empowered to purchase such equipment as may be necessary for carrying into effect the objects of this ordinance. (Ord. No. 106, Sec. 3)

5.24.04 Private collectors. Solid waste of the city shall be collected and disposed of by the officers and employees of the city as herein provided, and no other person shall have the right to collect and dispose of same, except individuals and/or corporations that are issued permits by the solid waste commission. (Ord. No. 106, Sec. 4)

5.24.05 Containers generally - for solid waste. All solid waste to be picked by the system shall, where practical, be packaged in plastic bags of not less than 2 mil thickness, approximately 16" X 14" X 40", dog repellent, and tied, which plastic bags may be purchased from the commission. Where it is not practical to place said waste in plastic bags, it shall be placed in a convenient shape and size at the proper designated location for removal. If necessary, said waste shall be placed in a suitable receptacle so that the contents may not be blown about or scattered. (Ord. No. 106, Sec. 5)

5.24.06 Solid Waste to be drained. All solid waste must be drained of all liquid substance before being placed in any solid waste receptacle for collection in this ordinance. (Ord. No. 106, Sec. 6)

5.24.07 Large items. The commission may require solid waste, or garbage that is impractical for the city to collect and dispose of, to be removed and disposed of by and at the expense of the individual owner. (Ord. No. 106, Sec. 7)

5.24.08 Pickup location. That the solid waste in plastic bags to be picked up by the city shall be placed on the curblin in front of each unit to be served by the system or in such other place and at such times as the commission may direct. (Ord. No. 106, Sec. 8)

5.24.09 Business collection. Business, industries, and institutions shall place their solid waste and garbage in a convenient location for collection. Pasteboard boxes are to be mashed flat and placed in a suitable container. Small trash and garbage shall be placed in plastic bags. (Ord. No. 106, Sec. 9)

5.24.10 Deposit on streets, alleys, sidewalks, or public places. No person shall place or throw wastepaper, trash, or other garbage on any street, sidewalk, alley, or public place within the city at any time except in proper receptacles placed upon such streets, alleys, sidewalks, or public places with approval of the city solid waste commission. (Ord. No. 106, Sec. 10)

5.24.11 City dump. The City Council shall provide a suitable place where all garbage and solid waste may be hauled. Such garbage or waste matter shall be burned or buried or otherwise disposed of under the general direction of the Solid Waste Commission. (Ord. No. 106, Sec. 11)

5.24.12 Collection frequency. Garbage, trash, and rubbish shall be collected as directed by the Commission. (Ord. No. 106, Sec. 12)

5.24.13 Fees - Levied.

- A. The fees set forth in this section are levied on and are collectable from the person in whose name the water meter is registered or who is the owner/occupier of such premises, or who is the person in charge.
- B. A separate fee is hereby fixed for and shall be collected from and paid by each family unit of a multiple family dwelling house occupied as a residence.
- C. The fees herein levied and fixed are on a per month basis and shall be due and payable each month.
- D. Fees to be collected and paid for the collection and disposal of solid waste as herein provided are established by the city council.

5.24.14 Fees - Payment; delinquencies; penalty. The fees provided for herein shall be paid at the Water Department of the city of Marked Tree or at such other places as the Solid Waste Commission may fix by public notice. In the event same are not paid within fifteen days of the time and manner herein provided, a penalty of \$1.00 for each delinquent fee for a residence, and \$2.00 for a business or commercial house, shall be assessed against each person or business, and it is to become a part of and to be collected with the regular fee. If any fee remains unpaid for thirty days from the due date thereof, the city shall have the right to institute civil action for the recovery of same, together with all penalties and court costs. (Ord. No. 106, Sec. 14)

5.24.15 Fees - disposition of funds by city. Fees shall be deposited to the account of the Solid Waste Department and withdrawn under the direction of the City Council by the Clerk/Treasurer of Marked Tree. (Ord. No. 106, Sec. 15)

In the event that the fees collected under this ordinance shall exceed the cost of maintaining functions herein contemplated any such surplus shall be paid into the general fund of the city at the end of the fiscal year. Any deficit incurred in the operation of the department shall be paid out of the general fund of the city on approval of the City Council. (Ord. No. 106, Sec. 15)



5.24.16 City not obligated to collect construction refuse or tree limbs. The terms and provisions of this ordinance shall not obligate the city or its agents, servants and employees, to pick up or remove any debris which results from construction or repair work, or where wood or limbs are cut or removed from trees. (Ord. No. 106, Sec. 16)

5.24.17 Burning of garbage.

- A. It shall be unlawful for any person to ignite or cause to be ignited any fire within the city for the purpose of burning trash or other refuse.
- B. It shall be unlawful for any person, to add material to, cause material to be added to, any fire started in violation of this section.
- C. The provisions of this section shall not apply to fires started in stoves or furnaces within buildings, nor shall it apply to fires started for the purpose of burning trash in incinerators which have been previously approved by the fire department and/or commission and said approval certified in writing. (Ord. No. 106, Sec. 17)

5.24.18 Penalty. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined in any sum not less than Five Dollars (\$5.00) no more than Two Hundred Dollars (\$200.00), and each day of such violation shall constitute a separate offense and be punished accordingly.

ORDINANCE NO. 124

AN ORDINANCE TO AMEND SECTION 13 OF ORDINANCE NO. 106 ESTABLISHING THE PROCEEDURE AND FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE CITY OF MARKED TREE, ARKANSAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARKED TREE, ARKANSAS:

SECTION I: That Section 13 of Ordiance No. 106 establishing the procedure and fees for the collection and disposal of solid waste in the City of Marked Tree, Arkansas, be deleted, and is hereby amended as follows:

SECTION 13. Fees - levied: (a) The fees set forth in this section are levied on and are collectable from the person in whose name the water meter is registered or who is the owner or occupier of such premises, or who is the person in charge. (b) A separate fee is hereby fixed for and shall be collected from and paid by each family unit of a multiple family dwelling house occupied as a residence.

**ORDINANCE NO. 267**

**ORDINANCE AMENDING ORDINANCES NO. 106 AS AMENDED BY ORDINANCES NO. 124, OF THE ORDINANCES OF THE CITY OF MARKED TREE TO REQUIRE BINS FOR GARBAGE DISPOSAL; INCREASING RATES; AND DECLARING AN EMERGENCY.**

**WHEREAS, THERE IS A PROBLEM WITH GARBAGE BEING SCATTERED BY ANIMALS OR OTHERWISE WHEN PLACED AT THE CURBSIDE FOR REGULAR PICKUP; AND**

**WHEREAS, BINS TO BE PROVIDED BY THE CITY'S GARBAGE AND SANITATION CONTRACTOR WILL LARGELY ALLEVIATE SUCH PROBLEM; AND**

**WHEREAS, A RATE INCREASE IS NECESSARY TO OFFSET THE COST OF PROVIDING SUCH BINS.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARKED TREE, ARKANSAS, AS FOLLOWS:**

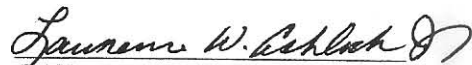
**SECTION 1. THAT MONTHLY GARBAGE AND SANITATION FEES FOR PEOPLE THAT DO NOT HAVE GARBAGE BINS SHALL BE INCREASED BY \$1.50 EACH RESIDENCE.**

**SECTION 2. THAT ALL GARBAGE, BAGGED AS PREVIOUSLY REQUIRED, SHALL BE PLACED IN BINS PROVIDED BY B & B DISPOSAL COMPANY OR SUCH OTHER INDEPENDENT CONTRACTOR AS THE CITY MAY AUTHORIZE. BINS MUST BE REMOVED FROM THE CURBSIDE BY 10:00 P.M. ON THE DATE OF THE REGULAR PICKUP.**

**SECTION 3. THIS ORDINANCE SHALL BE CONSTRUED AND INTERPRETED AS AMENDATORY TO PREVIOUS ORDINANCES AND SHALL SUPERSEDE SUCH ORDINANCES ONLY TO THE EXTENT EXPRESSLY IN CONFLICT THEREWITH.**

**SECTION 4. THAT IN VIEW OF THE PROBLEM WITH SCATTERED GARBAGE AND THE NEED TO PROTECT THE PUBLIC HEALTH, THIS ORDINANCE BEING NECESSARY FOR THE PRESERVATION OF PUBLIC PEACE, HEALTH AND SAFETY, SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE.**

**PASSED AND ADOPTED THIS 8<sup>TH</sup>, DAY OF DECEMBER, 2003.**

  
LAWRENCE W. ASHLOCK, JR.  
MAYOR

ATTEST:

\_\_\_\_\_  
PAMELA J. WRIGHT  
CLERK/TREASURER

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**Cherry Valley**

# ORDINANCE NO. 64

## **SOLID WASTE COLLECTION**

**AN ORDINANCE PROVIDING FOR THE COLLECTION OF SOLID WASTE WITHIN THE CITY OF CHERRY VALLEY, ARKANSAS; FOR THE COLLECTION OF A FEE THEREFOR; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHERRY VALLEY, ARKANSAS:**

### **SECTION 1:**

#### **Collection**

- (a) All garbage, waste, trash and refuse from places covered by this Ordinance shall be collected regularly by the city or its agent.**
- (b) It shall be the duty of each and every owner or his agent, or occupant of any building covered by this Ordinance, to subscribe to collection and disposal service.**

### **SECTION 2:**

#### **City Dump**

**The Mayor and city council shall provide, or contact with others to provide, a suitable place where all garbage and waste may be hauled and deposited for disposal.**

### **SECTION 3:**

#### **Prohibited Acts**

**Placing, burning, etc., of waste paper, trash or garbage on streets and sidewalks, or other alleys or city property is prohibited.**

**It shall be unlawful for any person to place, burn or throw waste paper, trash or other garbage on any street, sidewalk, alley or public place within the city at any time, day or night, except in such receptacles or areas as designated by the city council, provided that the exact location of such receptacles may be under the direction and control of the city council or its agents.**

# ORDINANCE NO. 64

-2-

## SECTION 4:

### Exceptions

*The terms and provisions of this Ordinance shall not obligate the city to pick up or remove refuse or debris which results from construction or repair work, wood or limbs cut or removed from trees.*

## SECTION 5:

### Fees, Classifications

*The fees to be charged and paid for the collection and disposal of garbage, trash and other waste shall be on a monthly basis, payable in advance, as follows:*

*Business           \$ \_\_\_\_\_ per month*

*Residential       \$ \_\_\_\_\_ per month*

*All funds so collected shall be accounted for as a separate fund.*

## SECTION 6:

### Responsibility Payment

*(a) All fees chargeable to each establishment shall be chargeable to the person, firm, organization, listed as responsible for payment of the water bill.*

*(b) The collector of the Cherry Valley Municipal Water Works is designated as official collector of sanitation fees. The fee is levied on a monthly basis shall be due and payable in advance and it shall appear on the billing form used by said water works as a separate item and mailed to each person owing sanitation fees; provided that the collector is authorized to levy and collect on a quarterly or longer-term basis of this is the system customarily used for payment of water service.*

## SECTION 7:

### Penalty

*Upon non-payment of the sanitation fee within thirty (30) days, the collector shall notify the City Council, which shall discontinue water service to the customer until all fees and penalties are paid in full. Also, any person, firm, corporation or other organization violating any of the provisions of this Ordinance shall, upon conviction, be fined in an amount not to exceed fifty dollars (\$50.00) and each day's violation hereof shall constitute a separate offense.*

# ORDINANCE NO. 64

-3-

## SECTION 8:

### Emergency

*The improper disposal of trash and garbage within the City of Cherry Valley could result in a serious hazard to the health and welfare of its citizens, and immediate steps need to be taken by this council to provide for the proper collection and disposal thereof. An emergency is therefore declared and this ordinance being necessary for the preservation of the public health and welfare, shall be in full force and effect from and after its passage.*

*Dated: \_\_\_\_\_, 1981.*

*APPROVED: \_\_\_\_\_ Mayor*

*ATTEST: \_\_\_\_\_ Recorder*

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**Tyronza**



ORDINANCE NO. 1999-3

AN ORDINANCE AMENDING ORDINANCE NO. 90, AS AMENDED BY ORDINANCE NO. 1995-3, TO REGULATE PLACEMENT OF GARBAGE BAGS

WHEREAS, there is a need to regulate the placement of garbage bags within the city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYRONZA, ARKANSAS, AS FOLLOWS:

SECTION 1. That Ordinance No. 90, as amended by Ordinance No. 1995-3 shall be, and hereby is, amended as follows:

- A. All garbage of the City shall be collected and disposed of by city employees or contractors authorized by the City as herein provided.
- B. All garbage shall be accumulated and deposited in plastic bags of not less than two ply, one and one half mil strength with suitable ties, and it is hereby declared to be the responsibility of each resident or proprietor of each business or service establishment to obtain the required bags. Garbage must be collected in properly tied bags meeting the above requirements.
- C. Garbage in the required bags must be placed next to the street curb, or for commercial establishments, in dumpsters, by 7:00 a.m. on the morning of the regular pickup. Garbage bags shall not be placed on the curbside before the morning of the pickup. Garbage placed in bags not meeting the above requirements, or not timely placed at the curbside as required, will not be picked up. Provided, however, that elderly (over 70 years of age) or disabled persons shall not be subject to the requirement of curbside placement of garbage, although such persons shall place their garbage in the required bags. In the event garbage is not placed at the curbside in time for the pickup, or in the event garbage is not picked up due to failure to comply with other requirements indicated

herein, garbage shall not be left at the curbside overnight, but shall be removed by the resident or proprietor and taken to the garbage truck, or stored until the next pickup.

SECTION 2. This ordinance shall be construed as amendatory to Ordinance No. 90, as amended by Ordinance No. 1995-3, and shall not repeal such ordinances. However, it shall supersede Ordinance No. 90 to the extent it is expressly in conflict therewith.

SECTION 3. That in view of the problem with garbage being placed at the curbside in inadequate bags prior to the morning of pickup resulting in such garbage being scattered, and the increased cost of garbage pickup to the City as a result thereof, this ordinance being necessary for the preservation of public peace, health and safety, shall be in full force and effect from and after its passage.

PASSED AND ADOPTED this 13th day of April, 1999.

CITY OF TYRONZA

By:

*Dwight Hill*  
Mayor

ATTEST:

*Donna D. Wood*  
Recorder/Treasurer

(SEAL)

BEFORE THE CITY COUNCIL OF TYRONZA, ARKANSAS

ORDINANCE NO. 1990-7

AN ORDINANCE CONCERNING  
NUISANCE ON REAL PROPERTY

A. Real property located within the city limits of Tyronza on which is located overgrown weeds or plant growth, excessive garbage or trash, or abandoned vehicles, is hereby declared a public nuisance. Such real property shall be subject to the terms of this ordinance.

B. When such excessive weed or plant growth, excessive garbage or trash, or abandoned vehicles become a threat to the health or welfare of adjoining landowners or other persons who come in proximity thereof, the City of Tyronza, acting through its agents, employees, or independent contractors, shall give notice to the landowner, by personally serving the landowner with such notice or by placing a copy of such notice in a conspicuous place on the property, such notice to state that the City of Tyronza will, within ten (10) days after the notice, remove the excessive weeds or plant growth, excessive garbage of trash, or abandoned vehicles, and shall charge the landowner for the cost of doing so. In the event that the property is not cleared of the offensive material within ten days after such notice is given, then the City, acting through its employees, agents, or independent contractors may clear the property of the offensive material and shall charge the landowner for the cost of same. Such charges shall become a lien upon the real estate, enforceable in equity as other liens.

C. The failure of the landowner to clear the property of excessive weeds or plant growth, excessive garbage or trash, or abandoned vehicles, within ten days after the above-described notice is given shall, on the eleventh (11th) day thereafter, constitute a crime, punishable by a fine

of up to Twenty-Five Dollars (\$25.00) per day for each day for which the property remains uncleaned of the offensive material.

The provisions of this ordinance are declared to be severable so that, in the event that any portion hereof is found by a court of competent jurisdiction to be invalid, the remainder of the ordinance shall remain in full force and effect.

PASSED: Nov. 13, 1990

Approved: Ray Breigter  
(mayor)

Attest: Elizabeth D. Smith  
(R/T)



ORDINANCE NO. 2004-5

AN ORDINANCE INCREASING GARBAGE AND SANITATION RATES DUE TO LANDFILL COST INCREASE, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Tyronza, Arkansas, as follows:

Sec. 1. That due to a landfill cost increase, garbage and sanitation rates for all residential, commercial and other customers, shall be increased by \$1.10 per month.

Sec. 2. That this increase shall be effective September 1, 2004.

Sec. 3. This ordinance shall amend the existing rate ordinance.

Sec. 4. That due to increased cost and the need to provide funds for essential city services, an emergency is hereby declared to exist, and this ordinance being necessary for preservation of the public peace, health and safety shall be in full force and effect from and after its passage.

PASSED and ADOPTED this 10th day of August, 2004.

CITY OF TYRONZA

By: Marion Bearden  
Mayor

ATTEST:

Donna D. Wood  
Recorder/Treasurer

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ESTABLISHING FEES FOR HAULING APPLIANCES, REFUSE, RUBBISH, DEBRIS AND LIMBS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the City Council of the City of Tyrone, Arkansas, as follows:

SECTION 1. That fees for hauling appliances, unbagged refuse, rubbish, debris and limbs are established as follows:

Truck load	\$35.00
Half-truck load	\$20.00
Minimum charge	\$12.00
Each appliance with freon	\$30.00

SECTION 2. Each residential, commercial or industrial occupant placing such appliances, unbagged refuse, rubbish, debris and limbs on the curbside for pick-up by City employees shall be billed for the pick-up on their monthly water bill, and failure to pay such charge shall result in disconnection of water service.

SECTION 3. No hazardous waste of any kind shall be placed at the curbside for pickup. City employees shall be permitted to reject anything placed at the curbside for pick-up if, in their discretion, such refuse, rubbish, debris or other materials is hazardous or cannot be safely hauled. In such event, the occupant shall be required to remove and properly dispose of such refuse, rubbish or other materials in accordance with all State, Federal and local laws and regulations. *↓ Forfeiture of WATER Deposit*

Section 4. That in view of the amount and nature of appliances, refuse, rubbish, limbs and other debris placed at the curbside for hauling and the expense to the City required for hauling such, an emergency is hereby declared to exist, and this

ordinance being necessary for the preservation of the public peace,  
health and safety, shall be in full force and effect from and after  
its passage.

PASSED AND ADOPTED this \_\_\_\_\_ day of July, 1996.

CITY OF TYRONZA

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Recorder/Treasurer

(SEAL)

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**Forrest City**



ORDINANCE NO. 1060

AN ORDINANCE TO ESTABLISH REGULATIONS AND FEES FOR COLLECTION AND DISPOSAL OF GARBAGE AND OTHER WASTE, TO ESTABLISH A SANITATION DEPT., TO ESTABLISH AND COLLECT FEES FOR SANITATION SERVICES, TO PRESCRIBE PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORREST CITY, ARKANSAS:

SECTION 1. City to collect garbage, etc; duty of occupants of premises.

(a) All garbage, waste, trash and refuse within the city shall be collected regularly by the city, and no other person shall be allowed to collect same.

(b) It shall be the duty of each and every owner or his agent or occupant of any house, building, flat or apartment, or trailer, or tenement in the city where people reside, board or lodge, or where animal or vegetable matter is prepared or served, to subscribe to the garbage and refuse collection and disposal service provided by the city; and to maintain in good order and repair the necessary garbage cans or other receptacles approved and provided for by section 5, and to deposit daily their accumulation of garbage and other waste, trash and refuse in such receptacles as is more fully provided for and required by section 5.

SECTION 2. Sanitation Department created; supervision of mayor.

There is hereby created a garbage and sanitation department, hereinafter referred to as "Sanitation Department", to be under the supervision of the Sanitation Officer, to be selected by the Mayor, and approved by the Council.

SECTION 3. Garbage defined.

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 animal 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 consists 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. City to provide garbage and waste disposal dump.

The mayor and city council shall provide a suitable place where all garbage and waste may be hauled and disposed of.

SECTION 5. Receptacles.

All proprietors of hotels, restaurants, cafes, boarding or eating houses, housekeepers, each family unit and occupants of buildings and trailers in the city, 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 or plastic cans, with tin, metal, or adequate plastic covering fitting tightly over said can, such cans to have a 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 of 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.

The owner of any apartment house or trailer<sup>park</sup> shall provide the necessary cans or other receptacles at his own expense for each apartment or housing unit contained in his apartment house, or trailer park and shall be responsible for his tenants depositing daily their accumulation of garbage in such receptacles as<sup>are</sup> herein provided.

SECTION 6. Interfering with garbage receptacles.

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 7. Placing, burning, etc. of waste paper, trash or garbage on streets and sidewalks.

No person shall place, burn or throw waste paper, trash or other garbage on any street, sidewalk, alley or public place within the city, at any time, day or night. Provided, further, that the exact location of all receptacles may be under the direction and control of the garbage collector or his assistants.

SECTION 8. Miscellaneous materials; regulations.

Where garbage consists of paper, excelsior, straw or other packing materials the occupant of the premises shall provide a box, barrel, or other receptacle so that the contents may not be blown about or scattered. Size of the receptacle needed to care for such garbage shall be determined by the garbage department. These receptacles may be placed at the rear of the premises, but must not be placed so as to interfere with traffic up and down any alley, and must be easy of access to the garbage collector.

SECTION 9. City not required to dispose of construction, etc., wastes.

The terms and provisions of this chapter shall not obligate the city, to pick up or remove refuse or debris which results from construction or repair work, wood or limbs cut or removed from trees.

SECTION 10. Times of collection; duty of occupants of dwellings and business premises.

Garbage shall be collected from private residences by the city at least twice a week and it is hereby made the duty of the occupants of every dwelling in the city to have garbage on their respective premises properly placed in approved cans and available for regular garbage collections. Garbage, trash and rubbish shall be collected from business and commercial houses as required, with the exception of Sundays and Holidays, as required.

SECTION 11. Fees - Classified.

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

Each single family residence, flat, apartment or housekeeping unit, per month for each housekeeping unit

\$1.50

Office buildings shall pay for each separate suite of rooms, or room, in said office building

2.00

Each building, house, or part of building occupied by a commercial business shall be classified by the garbage department according to volume of garbage accumulated by such business, and pay the following fees:

Class A not more than	\$ 50.00
Class B not more than	35.00
Class C not more than	20.00
Class D not more than	15.00
Class E not more than	10.00
Class F not more than	8.00
Class G not more than	5.00
Class H not more than	2.00
Class X not more than	250.00

For disposal at the City Dump by individuals the following charges shall be assessed and collected at the dump.

For each car	.50
For each 1/2 Ton Truck	1.00
For each larger Truck	2.50

Commercial business shall include the following kinds of business: hotels, grocery and/or meat markets, cafes 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, slaughterhouses, service and filling stations, garages, shoe repair shops, barbershops, beauty parlors, printing shops, stationery shops, newspaper, machine shops, stock sales barns, wholesale gas, oil and refining companies, boardinghouses, 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. Responsibility for payment.

(a) 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 except in the case of apartment houses or trailer parks . 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, or an apartment house or trailer park .

(b) The fees chargeable against each unit of an apartment or trailer park are levied on and collectible from the owner of such apartment house or trailer park for each and all of the apartments or housing units contained in any such apartment house or trailer park.

(c) For purposes of this chapter, an apartment house is defined as being any dwelling house that is occupied by two or more family groups and trailer park is defined as contiguous property having thereon two or more trailers when said property so contiguous is under one ownership.

(d) All owners of apartment houses or trailer parks as defined in subsection (c) are required to notify the city garbage department of the address of the apartment houses or trailer parks owned by them, the number of units in each apartment house or trailer park, the number of rooms per unit, and the name and address of the owner.

SECTION 13. Collector Designated; Billing.

The collector of the City Water Utility Department is hereby designated the official collector of sanitation fees. The fee levied on a monthly basis shall be due and payable in advance, and it shall appear on the billing form used by said department for its other services as a separate item and mailed to each person owing sanitation fees; provided that the collector is authorized to levy and collect on a quarterly and three month basis if in his judgment such a plan is more feasible, practical, or economical. In any event the fee shall be due and payable in advance. It shall be fixed according to this Ordinance with proper amounts to be charged each person receiving service and a record of the same shall be kept by the collector in his office. The monthly or quarterly period for the person receiving such service and owing such fee shall begin on the first day of each month for the monthly period, and the first day for each quarterly period. The quarterly period shall begin on the first day of January, April, July and October. In case any person begins receiving garbage services after the beginning of the monthly or quarterly period such person shall be billed for the remainder of such period, and thereafter for the full period in advance.

SECTION 14. Penalty.

Upon non-payment of the garbage fee within ten days a penalty of 50¢ shall be assessed for each dwelling or dwelling housing unit, and a penalty of \$1.00 shall be assessed against any business house or industrial house. If after expiration of a total of 15 days from the

due date of such fee, the fee and accrued penalty, if any, be not paid, the collector shall notify the Superintendent of the City Water Utility Department and said Superintendent shall discontinue water service to said unit until all fees and penalties are paid in full.

SECTION 15. Severability.

If any word, phrase, sentence, paragraph, or section of this Ordinance is declared to be unconstitutional, the same shall not affect the operation of the remainder hereof, and this Ordinance shall be considered severable in its interpretation to give full force and effect to any portion which is adjudged valid.

SECTION 16. Punishment for violation.

Any person, firm, or corporation violating any of the provisions of this Ordinance shall, upon conviction, be deemed guilty of a misdemeanor and fined in an amount not to exceed \$50.00, and each day's violation hereof shall constitute a separate offense.

SECTION 17. Repealer.

All ordinances and parts of ordinances in conflict herewith and specifically Ordinance No. 597 are hereby repealed.

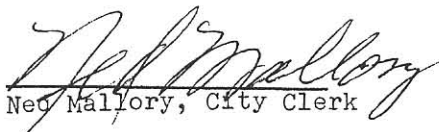
SECTION 18. Emergency.

It is the finding of the City Council that efficient regulation of disposal of garbage and trash is an immediate necessity to the public health, welfare, and safety of the inhabitants of the City, an emergency is declared to exist in respect thereto, and this Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved on this the 4<sup>th</sup> day of February 1964.

  
Rodgers Deaderick, Mayor

ATTESTED:

  
Ned Mallory, City Clerk

ORDINANCE NO. 1350  
AN ORDINANCE TO REGULATE THE BURNING  
OF TRASH; TO PROVIDE A PENALTY THEREFOR;  
AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORREST CITY,  
ARKANSAS:

Section 1. That the Code of Ordinances, City of Forrest City,  
Arkansas, is hereby amended by adding Section 9-1, which said section  
reads as follows:

Section 9-1. Burning of Trash.

(a) No person or persons shall kindle or maintain a bonfire,  
or burn trash, lumber, leaves, straw, or any other combustible  
material in any street or alley, or on any premises or vacant lot,  
unless burning be done in covered receptacles of not more than 1 1/4  
inch expanded wire mesh, or of metal.

(b) The Chief of the Fire Department may issue a general permit,  
by publication, during the seasons of the year, for the burning of  
leaves or other light materials outside the receptacles.

(c) All burning of materials permitted by this ordinance shall  
be conducted on still days, during daylight, with an adult in  
constant attendance, and shall be done in a location at least 25  
feet from any building or structure, and where standing grass or  
weeds will not communicate the fire to nearby property.

(d) Any person, firm, or corporation found guilty of violation  
of this section shall be punished by a fine of not less than \$25.00  
nor more than \$100.00 upon such conviction, and each day's violation  
shall constitute a separate offense and punishable as such.

Section 2. All ordinances and parts of ordinances in conflict  
herewith be, and the same are hereby repealed.

Section 3. The improper burning of trash, leaves, and other  
combustibles within the City of Forrest City constituting a special  
hazard, dangerous to property and life, an emergency is hereby  
declared to exist, and this ordinance shall be in full force and  
effect from and after its passage.

Passed and Approved: Oct. 7-1975

  
Mayor

Attest:

  
Clerk-Treasurer



**ORDINANCE NO. 1614  
AN ORDINANCE TO PROHIBIT UNAUTHORIZED DUMPING  
OF SOLID WASTE IN CONTRACTED REFUSE BINS; AND  
FOR OTHER PURPOSES.**

WHEREAS, the U.S. Environmental Protection Agency's regulations on solid waste and landfills have dramatically increased the cost of disposing of solid waste, and

WHEREAS, the unauthorized dumping of solid waste in contracted collection bins causes a financial burden on the contracted customers of these bins by requiring extra pick ups,

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

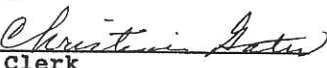
SECTION 1: That the placement of refuse/garbage in a collection bin/container without the express permission of the contracted customer is prohibited.

SECTION 2: That any person or entity violating the provisions of this ordinance shall be guilty of a misdemeanor and shall be fined a sum of not less than \$25 nor more than \$100 and each incident of unauthorized dumping shall constitute a separate offense.

PASSED AND ADOPTED: MAY 17, 1994.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

ORDINANCE NO. 1740  
AN ORDINANCE TO AMEND ORDINANCE NO. 1707  
FOR RESIDENTIAL CURBSIDE PICKUP OF  
GARBAGE AND WITHDRAWAL OF GARBAGE  
CART FROM CURB AFTER PICKUP IN RESIDENTIAL  
AREAS WITHIN THE CITY OF FORREST CITY; AND  
FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORREST  
CITY, ARKANSAS:

Section 1: That Section 11-5 of the Code of Ordinances of the City of Forrest  
City, Arkansas, the same being Ordinance No. 1707 of the City of Forrest City,  
Arkansas, is hereby amended to read as follows:

Garbage shall be collected from private residences by the City or its designee at  
least once a week on garbage pickup day, and garbage cart shall be returned back from  
curbside to its original position within 24 hours after said garbage is picked up. It is  
hereby made the duty of the residents of every dwelling in a residential zone of the City  
to have garbage on their respective premises properly placed at curbside on garbage  
pickup day and returned to a minimum of 5 feet behind the front elevation of the  
residence upon all other days. Garbage, trash, and rubbish shall be collected from  
business and commercial houses as required, with the exception of Sundays and  
holidays.

Section 2: That Ordinance No. 1707 of the City of Forrest City passed and  
adopted April 4, 2000, be, and the same is hereby repealed.

Section 3: That the leaving of residential garbage cart at the curb after  
prescribed collection days results in frequent instances of spillage and robbing of  
contents of garbage cans by animals, and in violation hereof shall be punishable thereof  
as a misdemeanor, subject to fine of \$25.00 per day, plus costs of court, and an  
emergency is hereby declared to exist and this Ordinance shall be in full force and effect  
from and after its passage and adoption.

PASSED AND ADOPTED: March 19, 2002

[Signature]  
Mayor

ATTEST: [Signature]  
City Clerk

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**Anthonyville**

**ORDINANCE NO. 2001-10**

**AN ORDINANCE PROVIDING FOR THE COLLECTION OF GARBAGE, WASTE, TRASH, AND REFUSE IN THE TOWN OF ANTHONYVILLE, ARKANSAS PROVIDING FOR THE INSPECTION OF PREMISES, FIXING A SCHEDULE OF FEES FOR SAID SERVICES PROVIDING A PENALTY FOR THE VIOLATION THEREOF, PROVIDING FOR DISPOSITION OF ANY SURPLUS OF FEES COLLECTED UNDER THIS ORDINANCE**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANTHONYVILLE, ARKANSAS:**

**SECTION 1: CREATION OF SANITATION DEPARTMENT.** There is hereby created and established a Department of the Town of Anthonyville, which shall hereafter be known as the Sanitation Department and which Department shall be under the management and supervision of the Mayor or his/her designated agent.

**SECTION 2. COLLECTION DEFINED.** The term "garbage" for the purposes of this Ordinance shall mean all waste and rubbish except sewage.

**SECTION 3. COLLECTION OF GARBAGE.** From and after the passage of this ordinance, all garbage shall be collected exclusively by the Sanitation Department of the Town of Anthonyville, except as herein provided.

From and after the passage and approval of this ordinance, it shall be unlawful for any person, persons, firm, association and/or corporation to collect or move garbage in the Town of Anthonyville until such person, persons, firm, association, an/or corporation shall have made application and secured a written permit from the Sanitation Department and paid the fees provided herein. However, any person, persons, firm, association, and/or corporation desiring to haul garbage accumulated on the owner's premises may do so provided the containers and conveyance for the hauling, garbage accumulated on the owner's premises may do so provided the containers and conveyance for the hauling and disposal of the garbage is approved by the

Sanitation Department.

SECTION 4. LEVY OF FEE. There is hereby levied a license and inspection fee of \$100.00 per year or fractional part thereof for each conveyance or vehicle used in the collection of garbage as defined in this ordinance.

SECTION 5. CONTAINERS PROVIDED. All proprietors of any and all business establishments without regard to the type or kind of business, trade or profession carried on shall provide the necessary containers/barrels as required herein for the collection of garbage. The occupant of each and every dwelling unit in the Town of Anthonyville shall likewise provide containers/barrels as required herein for the collection of garbage.

Garbage shall be collected and kept in containers/barrels approved by the Town of Anthonyville, which will not exceed fifty-five (55) gallons.

Ashes, cinders, and the like shall be considered as garbage. The charges are herein provided for said services shall be in addition to the regular monthly garbage charge as provided herein.

SECTION 6. COLLECTION OF STRAW, PAPER, AND OTHER ITEMS. It shall be the duty of all persons, firms, associations or corporation to provide suitable container/barrels for paper, excelsior, straw and other such items to prevent same from being blown or scattered about.

SECTION 7. PREPARATION FOR COLLECTION. All garbage shall be drained of liquids before placed in garbage containers/barrels.

Section 8. UNLAWFUL TO DUMP GARBAGE.

(a) Hereafter it shall be unlawful for any person, persons, firm, association and/or corporation to burn any garbage or waste materials in the Town of Anthonyville, Arkansas except

with approval by the Fire Department and/or Sanitation Department.

(b) It shall be unlawful for any person, persons, firm, association and/or corporation to dump, throw or place garbage on any vacant lot, sidewalk, street, alley or other public places in the Town of Anthonyville.

**SECTION 8. TIME OF COLLECTION.** Garbage shall be collected from private residences, businesses, and commercial places by the Sanitation Department a maximum of twice a month, and it is the duty of the occupants of every dwelling in the Town of Anthonyville, Arkansas to have garbage on their premises properly placed in the approved containers/barrels and available for collection by the Sanitation Department.

**SECTION 9. COLLECTION OF OTHER THAN GARBAGE.** As a part of its duty, the Sanitation Department may collect and haul large or excessive accumulation of weeds, limbs, vegetation, refuse, debris or other like substances which result from construction or repair work from any alley or premises of any person shall be required to pay for such services the sum of \$25.00 per load.

**SECTION 10. CLASSIFICATION.** The fee to be charged and paid for the collection and disposal shall be on a monthly basis, payable in advance, as follows:

<u>Establishment</u>	<u>Monthly Fee</u>
(1) Each house or apartment, occupied by one family unit	\$ 10.00
(2) Funeral Home	\$ 10.00
(3) Service Station	\$ 35.00
(4) Merchants (such as cafe's)	\$ 25.00
(5) Schools	\$ 35.00

**SECTION 11. (HEAD OF FAMILY DEFINED)-PERSON RESPONSIBLE FOR**

(30) days shall be deemed a separate offense and punished accordingly. These penalties are in addition to remedies provided for non-payment of sewer bills.

SECTION 14. CIVIL PENALTY. In the event any fee levied herein remains unpaid for a period in excess of thirty (30) days, the City Attorney shall be hereby and is authorized to institute civil suit for the recovery of said due together with any penalties that may be attached thereto plus cost of the Court.

SECTION 15. REMOVAL OF SUBSTANCES OTHER THAN GARBAGE. By the passage and approval of this ordinance, the Sanitation Department and/or the Town shall not be obligated to pick up or remove refuse or debris which results from construction and /or repair of any building or buildings and wood or limbs cut and remove from trees or shrubbery.

SECTION 16. INSPECTION. It shall be the duty of the Health Department with the Sanitation Department to make regular inspections of all premises, alleys, vacant lots and the containers/ barrels for the collection of garbage, and the owner of any premises, alleys, vacant lots or garbage containers/barrels found in a unsanitary condition shall be notified to correct same and if not corrected within (10) days, then such persons shall be guilty of a misdemeanor and upon conviction thereof shall be fined as herein provided, and each day refusal to comply with said request shall be deemed as a separate offense and punished accordingly.

SECTION 17. SURPLUS FUNDS. Any sum collected under the provision shall be paid into the general fund of the Town of Anthonyville, Arkansas.

SECTION 18. PENALTY. Any person, persons, firm, association, and/or corporation violating any of the provisions of this ordinance, or who fail or refuses to pay the provision of this ordinance or who fails or refuses to pay fees herein provided for and in the time or manner herein specified, upon conviction thereof, shall be deemed guilty of a misdemeanor and shall be fined in

any sum not less than \$5.00 nor more than \$25.00 and each day each person, persons, firm, association and/or corporation continues to violate any of the provision of this ordinance shall constitute a separate offense and be punished accordingly.

SECTION 19. SEVERABILITY CLAUSE. If any part, section or paragraph of this ordinance be held to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect the remaining portions of the ordinance.

SECTION 20. REPEALING CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 21. EFFECTIVE DATE. The effective date of this ordinance shall be

June 07, 2001 \_\_\_\_\_, 2001

SECTION 22. EMERGENCY CLAUSE. This Ordinance being necessary to maintain the financial stability of the operation of garbage collection and disposal within the Town of Anthonyville, it is therefore, found that it is immediately necessary to for the preservation of the public health and safety of the Town of Anthonyville and, therefore, it shall be in full force and effect from and after its passage and approval on the effective date hereinabove set forth.

PASSED AND APPROVED this 22 day of March, 2001

Rev. Leroy C. Whipple Sr.  
MAYOR

ATTEST:

Shirley Craig  
RECORDER



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**Jericho**

ORDINANCE NO. 1999-7

AN ORDINANCE REQUIRING PREMISES TO BE KEPT FROM WEEDS, RANK GRASS, GARABAGE, RUBBISH AND OTHER UNSIGHTLY AND UNSANITARY ARTICLES, REQUIRING PROPERTY OWNERS TO ELIMINATE, FILL UP OR REMOVE STAGNANT POOLS OF WATER OR ANY OTHER UNSANITARY THING, PLACE OR CONDITION WHICH MIGHT BECOME A BREEDING PLACE FOR MOSQUITOES, FLIES AND GERMS HARMFUL TO THE HEALTH OF THE COMMUNITY: PRESCRIBING A PROCEDURE TO BE FOLLOWED IN SUCHCASES, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERICHO, ARKANSAS:

SECTION 1. All property owners within the city of Jericho, Arkansas are hereby required To cut weeds, remove garbage, rubbish and other unsanitary and unsightly articles and things from there Property, and to eliminate, unsanitary things, place or condition that might become a breeding place for Mosquitoes, flies and germs harmful to the health of the community.

SECTION 2. If the owner or owners of any lot or other real property within the city of Jericho, Arkansas, shall neglect or refuse to remove, abate, or eliminate any condition as provided in this ordinance After having been given seven (7) days notice in writing to do so, then the City of Jericho, Arkansas, is Authorized to do whatever is necessary to correct the condition and to charge the cost thereof to the lots Or other real property. The City of Jericho, Arkansas, shall have a lien against the property for the costs.

SECTION 3. (A) In case the owner of any lot or other real property is unknown or his Whereabouts is not known or is a nonresident of this state, then a copy of the written notice referred to In Section II, shall be posted upon the premises. Before any-action to enforce the lien shall be had, the City Clerk shall make an affidavit setting out the facts as to unknown address or whereabouts of Nonresidents.

(B) Thereupon, service of the publication, as provided for by law against nonresident defendants, May be had. An attorney ad item shall be appointed to notify the defendant by registered letter addressed To his last known place of residence if it can be found.

(C) Except as provided in subsection (B) of this section, notice required by this ordinance shall Be published, mailed or delivered by the Public Works Department.

SECTION 4. The lien herein provided for may be enforced and collected in either on of the Following manners:

(A) The lien may be enforced at any time within eighteen (18) months after work has been done, By an action in the Chancery Court; or

(B) The amount of the lien herein provided may be determined at a hearing before the City Council held after thirty- (30) days written notice by certified mail to the owner or owners of the property, If the name and whereabouts of the owner or owners cannot be determined, then the amount will be Determined only after publication of notice of such hearing in a newspaper having a bona fide Circulation in Crittenden County for one (1) insertion per week for four (4) consecutive weeks. The Determination of the City Council is subject to appeal by the property owner in the Chancery Court. The amount so determined at the hearing, plus ten percent (10%) penalty for collection, shall be certified By the City Council in the Crittenden County Tax Collector and placed by him on the tax books as Delinquent taxes, and collected accordingly. The amount, less three percent (3%) thereof, when so Collected shall be paid to the City of Jericho, Arkansas, by the County Tax Collector.

SECTION 5. Ordinance 1140 and all other ordinances or parts of ordinances in conflict Herewith are hereby repealed.

SECTION 6. EMERGENCY CLAUSE. It having been found and determined by the City Council of the City of Jericho, Arkansas, that there is an urgent need to control weeds, rubbish and Other unsightly articles, an emergency is declared to exist, and this Ordinance being necessary for The preservation of the public peace, health, safety and well-being of the Citizens of the city of Jericho, Arkansas shall be in full force and effect from and after its date of passage and approval.

PASSED AND APPROVAL THIS 26 DAY OF July, 1999

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*Helena Adams*

HELEN ADAMS, MAYOR

ATTEST:

*Norothy Parnell*

SPONSORED BY:

*Ladaya Green*

\_\_\_\_\_

\_\_\_\_\_

ORDINANCE NO. 99-8

**AN ORDINANCE TO PROHIBIT THE STORAGE OF INOPERABLE MOTOR VEHICLES UPON PRIVATE PREMISES; ESTABLISHING AN EMERGENCY; AND FOR OTHER PURPOSES**

**BE IT ORDAINED BY THE CITY COUNCIL OF JERICHO, ARKANSAS:**

**SECTION 1. DEFINITIONS. FOR THE PURPOSE OF THIS ORDINANCE, THE FOLLOWING TERMS, PHRASES, WORDS AND THEIR DERIVATIONS SHALL HAVE THE MEANING GIVEN THEREIN. WHEN NOT INCONSISTENT WITH THE CONTEXT, WORDS USED IN THE PRESENT TENSE INCLUDES THE FUTURE TENSE. WORDS USED IN THE PLURAL NUMBER INCLUDE THE SINGULAR NUMBER, AND WORDS USED IN THE SINGULAR NUMBER INCLUDES THE PLURAL NUMBER. THE WORD "SHALL" IS ALWAYS MANDATORY AND NOT MERELY DIRECTORY.**

**(A) "PERSON" INCLUDES ANY INDIVIDUAL, FIRM, CORPORATION, PARTNERSHIP, ASSOCIATION OR ANY OTHER ENTITY OWNING, HOLDING TITLE TO, OR HAVING LEGAL CONTROL OF ANY REAL PROPERTY WITHIN THE CITY OF JERICHO, ARKANSAS.**

**(B). "INOPERABLE MOTOR VEHICLE" IS ANY MOTOR VEHICLE PLACED ON BLOCKS OR ONE WHICH IS CAPABLE OF BEING LICENSED, BUT DOES NOT HAVE A CURRENT VALID LICENSED, BUT DOES NOT HAVE A CURRENT VALID LICENSE PLATE, OR HAS ONE OR MORE**

WHEELS REMOVED OR IS NOT IN PROPER CONDITION TO BE LEGALLY OPERATED ON THE STREETS OF THE CITY BECAUSE OF A LACK OF PROPER MUFFLERS, TIRES, HEADLIGHTS OR OTHER MECHANICAL DEFECTS, OR BECAUSE OF A LACK OF INTEGRAL PART OF ASSEMBLY OR IS NOT CAPABLE OF SELF-LOCOMOTION.

(C). "REPAIR" INCLUDES, BUT IS NOT LIMITED TO, WORK BEING PERFORMED ON THE BODY OF THE MOTOR VEHICLE OR THE MECHANICAL COMPONENTS OF THE VEHICLE OR THE RESTORATION OF THE MOTOR VEHICLE WHICH IS NOT COMPLETED WITHIN SEVEN (7) DAYS OF THE TIME THE VEHICLE FIRST MET THE DEFINITION OF "INOPERABLE MOTOR VEHICLE."

SECTION 2. THE OWNER OR ANY PERSON IN CONTROL OF ANY LOT, LOTS OR OTHER REAL PROPERTY WITHIN THE CITY OF JERICHO SHALL, FROM AND AFTER THE EFFECTIVE DATE OF THIS ORDINANCE, BE REQUIRED TO KEEP THE LOT, LOTS OR OTHER REAL PROPERTY FREE OF INOPERABLE MOTOR VEHICLES. THIS ORDINANCE SHALL NOT APPLY TO 'REPAIRS' WHICH ARE COMPLETED WITHIN SEVEN (7) DAYS OF THE TIME THE VEHICLE FIRST MET THE DEFINITION OF "INOPERABLE MOTOR VEHICLE."

SECTION 3.

(A) THIS ORDINANCE SHALL NOT APPLY TO ANY LOT, LOTS OR OTHER REAL PROPERTY WITHIN THE CITY OF JERICHO WHICH IS ZONED COMMERCIAL AND IS USED IN THE AUTOMOTIVE REPAIR

**BUSINESS.**

**(B). THIS ORDINANCE SHALL NOT APPLY TO PERSONS WHO OBTAIN A PERMIT FROM THE CITY OF JERICHO OR TO PERSONS WHO HAVE NOT MORE THAN ONE MOTOR VEHICLE WHICH IS STORED IN AN ENCLOSED GARAGE. THE PERSONS MAY OBTAIN A PERMIT TO MAINTAIN NOT MORE THAN ONE INOPERABLE MOTOR VEHICLE ON REAL PROPERTY IN THE CITY OF JERICHO, SUBJECT TO THIS ORDINANCE, IN THE FOLLOWING SITUATIONS:**

- (1) ONE MOTOR VEHICLE USED IN RACING THAT MEETS THE DEFINITION OF "INOPERABLE MOTOR VEHICLE" SOLELY BECAUSE IT DOES NOT HAVE A CURRENT VALID LICENSE PLATE;**
- (2). ONE MOTOR VEHICLE WHICH IS BEING REPAIRED ON REAL PROPERTY OWNED OR RENTED BY THE PERSON OWNING THE VEHICLE;**
- (3). ANY PERMIT ISSUED PURSUANT TO SUBSECTION (B) ABOVE ONLY BE VALID FOR A PERIOD OF SIX (6) MONTHS FROM THE DATE THE PERMIT IS ISSUED.**

**SECTION 4.**  
**VIOLATING ANY**

**PENALTIES.**

**ANY PERSON**

**PROVISION OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR, AND UPON CONVICTION THEREOF, SHALL BE FINED IN AN AMOUNT NOT LESS THAN TWENTY-FIVE DOLLARS (\$ 25.00) NOR MORE THAN TWO HUNDRED FIFTY DOLLARS (\$ 250.00). EACH DAY SUCH VIOLATION IS COMMITTED OR PERMITTED TO CONTINUE SHALL CONSTITUTE A SEPARATE OFFENSE AND SHALL BE PUNISHABLE AS SUCH HEREUNDER. NO FINE ASSESSED HEREUNDER SHALL BE**

SUSPENDED.

**SECTION 5. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICTS HEREWITH ARE HEREBY REPEALED.**

**SECTION 6. IF ANY PART, SECTION OR PARAGRAPH OF THIS ORDINANCE SHALL BE HELD TO BE UNCONSTITUTIONAL OR INVALID, FOR ANY REASON, SUCH UNCONSTITUTIONALITY OR INVALIDITY SHALL NOT AFFECT THE REMAINIONG PORTIONS OF THIS ORDINANCE**

**SECTION 7. EMERGENCY CLAUSE. IT HAVING BEEN FOUND AND DETERMINED BY THE CITY COUNCIL OF JERICHO, ARKANSAS, THAT INOPERABLE MOTOR VEHICLES ARE UNSIGHTLY AND UNSANITARY AND CREATE A TRAFFIC AND HEALTH HAZARD, AN EMERGENCY IS HEREBY DECLARED TO EXIST, AND THIS ORDANANCE BEING NECESSARY FOR THE PRESERVATION OF THE PUBLIC HEALTH, SAFETY AND WELL-BEGING OF THE CITIZENS OF THE CITY OF JERICHO, ARKANSAS, SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE AND APPROVAL.**

PASSED AND APPROVED ON THIS August DAY OF 30, 1999.

  
MAYOR

ATTEST:

  
-CITY CLERK



1998

**ORDINANCE NO. B-2**  
**AN ORDINANCE TO REQUIRE PROPERTY OWNERS TO REMOVE OR RAZE BUILDINGS THAT BECOME UNSAFE OR DETRIMENTAL TO THE PUBLIC WELFARE AND OTHER PURPOSES**

**WHEREAS, there currently exist buildings within the Town of Jericho that are unsafe and detrimental to the public welfare of the citizens of Jericho due to their condition; and**

**WHEREAS, Act 352 of 1907, as amended, provides the Town of Jericho with the power to order the removal or razing of such buildings.**

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JERICHO, ARKANSAS:**

**Section 1. "Person" as used in this Ordinance includes any individual, firm, corporation, partnership, association or any other entity owning or holding title to any building, house or real property within the Town of Jericho.**

**Section 2. Any person owning any building or house within the Town of Jericho shall be required to remove or raze any buildings that have become in the opinion of the Town Council dilapidated, unsightly, unsafe, unsanitary, obnoxious or detrimental to the public welfare.**

**Section 3. The Town Council, at any regular or special meeting, may hold a hearing to determine whether any building or house is dilapidated, unsightly, unsafe, unsanitary, obnoxious or detrimental to the public welfare on its own motion or at the request of any resident of the Town of Jericho. The owner of such**

REAR

**building or house shall be served with a notice of the hearing by certified mail, return receipt requested, twenty (20) days prior to such hearing. Service shall be complete upon mailing. If the Town Council determines that any building or house is dilapidated, unsightly, unsafe, unsanitary, obnoxious or detrimental to the public welfare, it shall order the removal or razing of such building or house. The Town Council shall serve a copy of the Order on the owner of such building or house to remove or raze such building or house within twenty (20) days of the entry of such Order.**

**The Order herein authorized may be served personally upon the owner of the building or house or may be mailed to the last known address of such owner by certified mail, return receipt requested, or may be posted upon the property upon which such house or building may be situated and service of such Order by any of such methods shall be due notice within the meaning of this Ordinance.**

**Section 4. If the owner of such building or house shall neglect or refuse to remove or raze such building or house after having been served twenty (20) days notice in writing to do so, the Town of Jericho is authorized to do whatever is necessary to remove or raze such building or house and to charge the cost thereof to the owner or owners of said lot or other real property on which such building or house is located. In addition, the Town shall have a lien upon the property of the owner on which such building or house is located for the charges incurred in performing such removal or razing.**

**Section 5.** The lien herein provided for may be enforced and collected in either one of the following manners:

(a) The lien may be enforced at any time within eighteen (18) months after work has been done, by an action to foreclose such lien in the Chancery Court of Crittenden County, Arkansas; or

(b) The amount of the lien herein provided may be determined at a hearing before the Town Council of the town of Jericho held after thirty (30) days written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then only after publication of notice of such hearing in a newspaper having a bona fide circulation in the County wherein the said property is located for one (1) insertion per week for four (4) consecutive weeks. The determination of the Town Council of the Town of Jericho shall be subject to appeal by the property owner in the Chancery Court of Crittenden County within thirty (30) days following the determination of the Town Council. The Town Council shall certify the amount so determined, plus ten percentum (10%) penalty for collection, to the tax collector of Crittenden County who shall place said amount on the tax books as delinquent taxes and collected accordingly. Pursuant to Act 100 of 1943, as amended, the tax collector shall pay the amount so collected, less three percentum (3%) thereof, to the Town of Jericho.

**Section 6.            Repealing Clause.**

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

**Section 7.            If any part, section or paragraph of the Ordinance be held to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not affect the remaining portions of this Ordinance.**

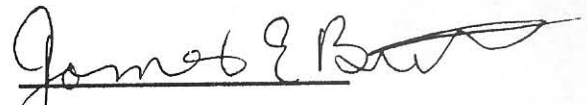
**Section 8.            Effective Date.**

The effective date of this ordinance shall be July 24 1998.

**Section 9.            Emergency Clause.**

There currently exist certain buildings within the town of Jericho, Arkansas, which are in such an unsafe condition as to endanger health and safety of the residents of the Town of Jericho. therefore, an emergency is declared, and it is found that this Ordinance is immediately necessary for the preservation of the public health and safety of the citizens of the town of Jericho, and, therefore, it shall be in full force and effect from and after its passage and approval on the effective date herein above set forth.

PASSED AND APPROVED THIS 24 day of JUNE, 1998.

  
MAYOR

ATTEST:  
  
CITY CLERK

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**EARSWMD Waste Tire Agreement**

East Arkansas Inter-District  
Waste Tire Plan Update

February 5, 2018

# East Arkansas Inter-District Waste Tire Plan

## Section 1

### Waste Tire Plan Area

#### District Service Area

The East Arkansas Inter-District is located in eastern Arkansas. The District includes the three (3) solid waste districts of East Arkansas, Northeast Arkansas and Mississippi County. The three (3) districts cover the eleven (11) counties of Crittenden County, St. Francis County, Phillips County, Mississippi County, Randolph County, Clay County, Greene County, Lawrence County, Poinsett County, Cross County, and Lee County.

#### Solid Waste Administrative Structure

The East Arkansas Planning and Development District (EAPDD) is charged with the joint implementation and operation of the waste tire management program per an Inter-District Waste Tire Management Program Agreement (see Appendix) with the East Arkansas Regional Solid Waste Management District (EARSWMD), Mississippi County Regional Solid Waste Management District (MCRSWMD) and the Northeast Arkansas Regional Solid Waste Management District (NEARSWMD). EAPDD offices are located at 2905 King Street, Jonesboro, Arkansas 72403. The mailing address is P.O. Box 1403, Jonesboro, Arkansas 72403. Telephone number is (870) 932-3957. Facsimile number is (870) 932-0135.

#### Current Population

The service area for the eleven (11) county Inter-District Tire Program has a total population of 293,831 according to the 2010 Census. The District is the third largest tire district in the state with an area of 7400.75 square miles.

County	Population	Area
Mississippi County	46,480	919.73
Clay County	16,083	641.42
Greene County	42,090	579.65
Randolph County	17,969	656.04
Lawrence County	17,415	592.34

Poinsett County	24,583	763.39
Cross County	17,870	622.33
Crittenden County	50,902	636.69
Lee County	10,424	619.47
St. Francis County	28,258	642.40
Phillips County	21,757	727.29

## Section II

### Waste Tire Quantity and Types Collected

157,025 passenger tires, 10,923 truck tires and 569 tires classified as others were collected and transported to Clarksville, Ar. and Saltillo, MS. for processing in 2016. Total tonnage for the year 2,525

### Illegal Dumps.

The EARSWMD received Notification from ADEQ on 2/22/2018 of illegal dump sites that were listed in the ADEQ database. Each of these locations will be visited by the IDCO and County Judge, and handled on a case by case basis, information from each site visit will be collected along with estimated costs and time needed for completion. Cleanup schedules for each site will be implemented after discussion of findings and availability of funding with ADEQ.

1. Bridgett Agee, 5700 Hwy 412 E estimated 4000 tires of all sizes and 8751 Hwy 412 Paragould, this area so grown up it is impossible to estimate number of tires on site.
2. Ross Tire Service, 2400 Wixon Street, Wynne. This is an active tire store and stockpiled tires have been cleaned up, hauled to the Nearco collection center. This location should be on the radar for selling of used tires.
3. Scotty Stormes, 23 Stormes Road, Paragould. This location has an estimated 3500 to 4000 tires.
4. David Brock, 144 Lawrence Rd 201, Imboden. Estimated 1500 tires at this location. Gave him address to Collection center in Pocahontas and told him he could bring tires at no charge. Will give a few weeks to see if manifest start coming through.
5. James Olive, 39143 Steel Bridge Rd, Tyronza. Estimated 2500 tires at this location and are currently being brought to the collection center at Marion in small amounts.



## **Section III**

### **Waste Tire Collection System**

Collection centers are currently located at strategic points within the District that allow for several factors including

1. Locations that provide additional support for completing manifests for more accurate tire count.
2. Fenced access control with city county paid employees to help oversee loading of trailers.
3. Most have access to weight scales
4. Located in proximity to heavy volume areas
5. All locations have adequate access for 53' van trailers

### **System currently in place for tracking and collecting all tires.**

1. Anyone delivering tires to a collection center are required to complete a waste tire manifest. Blank manifests are kept at each collection center and available for anyone bringing tires.
2. We currently use a three (3) part colored manifest numbered in sequence. Once tires are stacked and manifest is complete, the dealer / transporter retains a copy, the collection center retains a copy, and the original goes into a manila envelope marked with collection center location, trailer number, weight and date of pickup.
3. Once a trailer is full and envelope is completed, the collection center calls district office to notify dispatch, an email is then sent to contractor for pickup. Having all the information pertaining to each individual trailer in an envelope allows the district office the ability to have tire counts for each person placing tires in that trailer, weight, date called in and date when picked up.
4. Upon arrival at processing location in Mississippi, trucks are weighed, unloaded on a tipper and weighed out empty. The contractor then bills the district for the number of tons processed and by the mile for transportation. A bill of lading signed by the collection center and scale ticket for weight is included for each invoice. The only time that tires are counted during this process, is at the point tires are being loaded into trailers and tire counts are placed on manifests.

**Mississippi County      Mississippi District**

Mississippi County Landfill  
1695 E County Road 506  
Luxora, Arkansas 72358  
(870) 658-2407  
Monday-Friday 7:00am to 3:00pm

Raben Tire      (Private Trailer)  
1400 S. Division  
Blytheville, AR.

**Crittenden County      East District**

Crittenden County Road Department      (2 Semi trailers on site)  
2349 Hwy 64W  
Marion, Arkansas 72364  
(870) 739-3676  
Monday-Friday 7:00am to 3:30pm

**St Francis County      East District**

NEARCO  
604 MLK Drive  
Madison, Arkansas 72359  
(870) 630-0357  
Monday-Friday 7:00am to 3:30pm

**Phillips County      East District**

Phillips County Road Department  
8071 Hwy. 149  
Poplar Grove, AR. 72374  
(870) 572-8705  
Monday-Friday 7:00am to 3:30pm

**Greene County                      Northeast District**

NEA Regional Landfill  
1810 Greene- 890 Road  
Paragould, Arkansas 72451  
(870) 239-5572  
Monday-Friday 7:30am to 4:00pm

**Clay County                      Northeast District**

Clay County Road Department  
2643 Heritage Park Rd.  
Piggott, AR. 72454  
(870) 598-3204  
Monday-Friday 7:30am to 4:00pm

**Randolph County                      Northeast District**

Randolph County Transfer Station  
145 Landfill Rd.  
Pocahontas, AR. 72455  
(870) 892-3489  
Monday-Friday 7:30am to 4:00pm

**Lawrence County                      Northeast District**

Farm Services, Inc.                      (Private Trailer)  
1050 SW Front St.  
Walnut Ridge, AR. 72476  
(870) 886-7779

**Lloyds Wholesale Tires    All Districts**

Lloyds Wholesale tire.                      (Private Trailer)  
3729 AR-367  
Searcy, AR. 72143  
501-268-9936

INTER-DISTRICT WASTE TIRE MANAGEMENT PROGRAM AGREEMENT

This Agreement is made and entered into this 28 day of October, 1997, by and between East Arkansas Regional Solid Waste Management District (hereinafter referred to as "EARSWMD"), Mississippi County Regional Solid Waste Management District (hereinafter referred to as "MCRSWMD"), Northeast Arkansas Regional Solid Waste Management District (hereinafter referred to as "NARSWMD") and the East Arkansas Planning and Development District ("EAP&DD") for the joint implementation and operation of a waste tire management program.

WHEREAS, Act 752 of 1991, as amended, created regional solid waste management districts and established the powers and duties of such districts to plan, regulate and manage solid waste systems, facilities and programs;

WHEREAS, EARSWMD, MCRSWMD and NARSWMD (hereinafter collectively referred to as the "Districts" or singularly as "District") are validly created regional solid waste management districts under Act 752 of 1991, as amended;

WHEREAS, Act 752 of 1991, as amended, directs the regional solid waste management districts to establish waste tire collection programs (hereinafter referred to as the "Waste Tire Program");

WHEREAS, Act 749 of 1991, as amended, and Arkansas Department of Pollution Control & Ecology Commission Regulation No. 14 specifically allow regional solid waste management districts to join together to administer the collection and disposal of waste tires within the confines of the Districts from funds received by the Districts from the Waste Tire Grant Fund; and

WHEREAS, the Districts are desirous of entering into this agreement to collectively administer and implement the collection and disposal of waste tires in accordance with applicable legislation and regulations.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

1. **FORMATION.** The Districts hereby collectively join together to pool their resources and funds received from the Waste Tire Grant Fund to jointly administer the Waste Tire Program within the confines of the respective Districts in accordance with the terms and conditions of this agreement. The Districts hereby approve, adopt and incorporate by reference the provisions of the Administrative Procedures as set forth in Exhibit A attached hereto.

2. **VOTING.** The Districts acknowledge and agree that each District shall be entitled to one vote on all issues that pertain

to the Waste Tire Program. Further, the Districts acknowledge and agree that all decisions of the Waste Tire Program shall be determined by a majority vote.

3. **TIRE OVERSIGHT COMMITTEE.** The chairperson of each District or an appointee of such District shall serve as a member of the Tire Oversight Committee. The Tire Oversight Committee shall bear primary responsibility for reviewing and monitoring the actions of the Administrator, the actions of any party or entity with which the Districts are conducting business as required and communicating with all regulatory agencies and bodies as necessary.

The Tire Oversight Committee shall hold such meetings as it shall deem necessary to fulfill its duties and responsibilities under this agreement. The Tire Oversight Committee shall annually elect a chairperson who shall preside at all meetings.

4. **ADMINISTRATOR.** The Districts hereby acknowledge that the EAP&DD is the Administrator for the EARSWMD. The Districts hereby appoint the EAP&DD as the Administrator of the Waste Tire Program. The Administrator shall have primary responsibility for the day-to-day operations of the Waste Tire Program as more particularly delineated on Exhibit A, attached hereto.

5. **APPLICATION AND ADMINISTRATION OF FUNDS.** Each District agrees to participate in a joint application for Waste Tire Grant Funds annually and to administer such funds in accordance with applicable legislation and regulations. The Waste Tire Grant Funds received by the Districts shall be deposited into an EAP&DD account designated as the Waste Tire Operating Account. The Districts shall have access to the annual audit by the EAP&DD in conducting its operations.

The EAP&DD shall receive ten percent (10%) of the funds received by the Districts from the Waste Tire Grant Fund for administration of the Waste Tire Program in accordance with applicable legislation and regulations. The remaining ninety percent (90%) of such funds shall be available for use in the Waste Tire Program in accordance with applicable legislation and regulations.

The Districts shall cooperate with the Administrator and the Tire Oversight Committee in the preparation and submission of a tire management plan to the Arkansas Department of Pollution Control & Ecology as well as maintain compliance with all other legislative or regulatory requirements. The Districts further agree to direct all waste tires within the confines of their District to the Waste Tire Program.

6. **WASTE TIRE ABATEMENT PROJECTS.** The Districts acknowledge and agree that the Administrator shall have the authority to contract with an individual or entity for the abatement of waste tire sites within the Districts in accordance

with applicable legislation and regulations. The Administrator shall keep the Chairperson of the District in which such abatement site is located apprised of the status of the abatement project as well as provide any information requested from the Districts or the Tire Oversight Committee in connection with the tire abatement project.

7. **TERMINATION.** This contract shall remain in full force and effect until one of the following events occurs:

- (a) Termination of funding to the Waste Tire Fund;
- (b) Written notice by a party to this contract of the party's intent to terminate this agreement. Such termination shall be effective on the last day of the first calendar quarter following a one year period after the date of such notice; and
- (c) A termination provided by law.

8. **ENTIRE AGREEMENT.** This agreement constitutes the entire agreement of the parties and all other writings, statements, agreements or representations whether oral or written are superseded and replaced hereby. No alteration, change or modification of this agreement shall be made except in writing signed by all parties.

9. **BINDING EFFECT.** This agreement shall be binding upon the parties hereto and upon their successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year written below.

East Arkansas Regional Solid Waste Management District

By: Ray Bungea

Date: 10-23-97

Northeast Arkansas Regional Solid Waste Management District

By: Darold Holcomb

Date: 10-9-97

Mississippi County Regional Solid Waste Management District

By: Steve McGarr

Date: 10-8-97

East Arkansas Planning and Development District

By: [Signature]

Date: 10-23-97

# **APPENDIX 4**

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**2017 Annual Budget**

<b>Solid Waste Management and Recycling Fund Expenditures</b>		
<b>Regional Solid Waste Management District:</b>		East Arkansas RSWMD
<i>Arkansas Code § 8-6-615 (d) (1) -(4)</i>		
<b>Fiscal Year Ending:</b>	<b>30-Jun-17</b>	
* Overage amount was spent from prior year funds.		
<b>Funds Received from ADEQ for previous fiscal year.</b>	<b>Description</b>	
	Equipment	87,824.42
Recycle \$187,499		
E-Waste \$80,152	Material Purchases	19,207.23
	Operational Costs	224,211.36
	Amount Remaining	-61,592.01
Prepared by:	Brent Cassidy, Tim Phillips	
Date:	10/24/2017	
<b>Submit to ADEQ by November 1</b>		



# **APPENDIX 5**

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## **Residential and Commercial Waste Breakdown**

## Appendix 5 Residential and Commercial Waste Breakdown

### Crittenden County

<b>2017 Estimated Population</b>	<b>Waste Produced (lbs)</b>	<b>Waste Produced (tons)</b>
50,927	82,346,412.65	41,173.21

#### Municipal Solid Waste Makeup

Waste Type	Percent of Waste Stream	Estimated Tons of Produced Waste
Paper and Paperboard	28.5%	11,734.36
Food Scraps	13.9%	5,723.08
Yard Trimmings	13.4%	5,517.21
Plastics	12.4%	5,105.48
Metals	9.0%	3,705.59
Rubber and Textiles	8.4%	3,458.55
Wood	6.4%	2,635.09
Glass	4.6%	1,893.97
Other	3.4%	1,399.89

### Cross County

<b>2017 Estimated Population</b>	<b>Waste Produced (lbs)</b>	<b>Waste Produced (tons)</b>
16,807	27,176,078.65	13,588.04

#### Municipal Solid Waste Makeup

Waste Type	Percent of Waste Stream	Estimated Tons of Produced Waste
Paper and Paperboard	28.5%	3,872.59
Food Scraps	13.9%	1,888.74
Yard Trimmings	13.4%	1,820.80
Plastics	12.4%	1,684.92
Metals	9.0%	1,222.92
Rubber and Textiles	8.4%	1,141.40
Wood	6.4%	869.63
Glass	4.6%	625.05
Other	3.4%	461.99

## Appendix 5

### Residential and Commercial Waste Breakdown

#### Lee County

<b>2017 Estimated Population</b>	<b>Waste Produced (lbs)</b>	<b>Waste Produced (tons)</b>
9,176	14,837,133.20	7,418.57

#### Municipal Solid Waste Makeup

Waste Type	Percent of Waste Stream	Estimated Tons of Produced Waste
Paper and Paperboard	28.5%	2,114.29
Food Scraps	13.9%	1,031.18
Yard Trimmings	13.4%	994.09
Plastics	12.4%	919.90
Metals	9.0%	667.67
Rubber and Textiles	8.4%	623.16
Wood	6.4%	474.79
Glass	4.6%	341.25
Other	3.4%	252.23

#### Phillips County

<b>2017 Estimated Population</b>	<b>Waste Produced (lbs)</b>	<b>Waste Produced (tons)</b>
19,061	30,820,683.95	15,410.34

#### Municipal Solid Waste Makeup

Waste Type	Percent of Waste Stream	Estimated Tons of Produced Waste
Paper and Paperboard	28.5%	4,391.95
Food Scraps	13.9%	2,142.04
Yard Trimmings	13.4%	2,064.99
Plastics	12.4%	1,910.88
Metals	9.0%	1,386.93
Rubber and Textiles	8.4%	1,294.47
Wood	6.4%	986.26
Glass	4.6%	708.88
Other	3.4%	523.95

## Appendix 5

### Residential and Commercial Waste Breakdown

#### Poinsett County

<b>2017 Estimated Population</b>	<b>Waste Produced (lbs)</b>	<b>Waste Produced (tons)</b>
23,895	38,637,020.25	19,318.51

#### Municipal Solid Waste Makeup

Waste Type	Percent of Waste Stream	Estimated Tons of Produced Waste
Paper and Paperboard	28.5%	5,505.78
Food Scraps	13.9%	2,685.27
Yard Trimmings	13.4%	2,588.68
Plastics	12.4%	2,395.50
Metals	9.0%	1,738.67
Rubber and Textiles	8.4%	1,622.75
Wood	6.4%	1,236.38
Glass	4.6%	888.65
Other	3.4%	656.83

#### St. Francis County

<b>2017 Estimated Population</b>	<b>Waste Produced (lbs)</b>	<b>Waste Produced (tons)</b>
27,526	44,508,165.70	22,254.08

#### Municipal Solid Waste Makeup

Waste Type	Percent of Waste Stream	Estimated Tons of Produced Waste
Paper and Paperboard	28.5%	6,342.41
Food Scraps	13.9%	3,093.32
Yard Trimmings	13.4%	2,982.05
Plastics	12.4%	2,759.51
Metals	9.0%	2,002.87
Rubber and Textiles	8.4%	1,869.34
Wood	6.4%	1,424.26
Glass	4.6%	1,023.69
Other	3.4%	756.64

# **APPENDIX 6**

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**Industrial Waste**

**Appendix 6**  
**Industrial Waste**

<b>Generator Name</b>	<b>Generator Location</b>	<b>Type of Waste Generated</b>	<b>Annual volume of industrial waste</b>	<b>Annual types and volumes of materials recycled</b>
Mueller Copper Tube Products	1525 Falls Boulevard North Wynne		No information was received from the 2013 Needs Assessment survey	
NMF, Inc.	1421 North Falls Boulevard Wynne		No information was received from the 2013 Needs Assessment survey	
Langston Companies, Inc.	1100 N Seventh Street West Memphis		No information was received from the 2013 Needs Assessment survey	
BASF Corporation	100 Bridgeport Road West Memphis		Based on 2013 Needs Assessment survey, facility doesn't send waste to AR Landfills	
Warren Oil Company	915 East Jefferson West Memphis		No information was received from the 2013 Needs Assessment survey	
Coca-Cola Enterprises, Inc.	1400 Rainer Road West Memphis		No information was received from the 2013 Needs Assessment survey	
Hino Motors Manufacturing USA	100 Hino Boulevard Marion		No information was received from the 2013 Needs Assessment survey	
Roach Conveyors	808 Highway 463 Trumann		No information was received from the 2013 Needs Assessment survey	
Hoffinger Industries, Inc.	315 N. Sebastian Helena / West Helena		No information was received from the 2013 Needs Assessment survey	

# **APPENDIX 7**

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**Facilities within the District**

## Appendix 7

### Facilities within the District

<b>Facility Name</b>	<b>Facility Type</b>	<b>Physical Address</b>	<b>Contact Name</b>	<b>Phone</b>	<b>Remaining Capacity</b>
City of Forrest City	Compost Facility	3300 Highway 334 Forrest City	Honorable Larry Bryant	(870) 633-1315	N/A
City of Helena / West Helena	Class 1 Landfill Class 4 Landfill	1448 B Phillips Hwy 217 Helena – West Helena	Honorable Jay Hollowell	(870) 817-7439	Class 1: 1,224,506 cubic yards Class 4: Full, closing (Based on 2016 AEIR)
City of Wynne Transfer Station	Transfer Station	1878 Highway 64 Spur Wynne	Honorable Bob Stacy	(870) 238-0027	N/A
Crittenden County / San-Tek Environmental	Class 1 Landfill	1299 Kuhn Road West Memphis	Honorable Woody Wheelless	(870) 739-4112	462,621 cubic yards (Based on 2017 AEIR)
EMS / Ark Recyclable Waste, Inc.	Class 3C Landfill	74 CR 451 Parkin	Bryan Moery	(870) 238-3260	44,177 cubic yards (Based on 2016 AEIR)



# **APPENDIX 8**

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## **Landfills within the District**

## Appendix 8

### Landfills within the District

Facility Name	Facility Type	Physical Address	Contact Name	Type of Material	In District	Out of District	Remaining Capacity
City of Helena / West Helena	Class 1 Landfill Class 4 Landfill	1448 B Phillips Hwy 217 Helena – West Helena	Honorable Jay Hollowell	Class 1	33,818 tons	0 tons	Class 1: 1,224,506 cubic yards (22.4 years) Class 4: Full, closing (2016 AEIR)
Crittenden County / San-Tek Environmental	Class 1 Landfill	1299 Kuhn Road West Memphis	Honorable Woody Wheelless	Class 1	73,435 tons	0 tons	462,621 cubic yards (4.5 years) (2017 AEIR)
EMS / Ark Recyclable Waste, Inc.	Class 3C Landfill	74 CR 451 Parkin	Bryan Moery	Class 3C	6,513 tons	0 tons	44,177 cubic yards (2.4 years) (2016 AEIR)

# **APPENDIX 9**

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## **Gate Rates at the Landfills**

## Appendix 9

### Gate Rates for Landfills within the District

Facility Name	Gate Rate
City of Helena / West Helena	\$33.00 / ton
Crittenden County / San-Tek Environmental	In County - \$31.34 / ton Out of County - \$35.15 / ton
EMS / Ark Recyclable Waste, Inc.	\$28.00 / ton

# **APPENDIX 10**

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**Collection Systems within the District**

**Appendix 10  
Collection Systems within the District**

<b>Municipality/County</b>	<b>Population*</b>	<b>Service Provider</b>	<b>Type of Pick Up</b>	<b>Collection Agreement</b>	<b>Revenue Source</b>	<b>Monthly Cost per Household (HH)</b>	<b>Percentage of Households Served by Collection</b>	<b>Frequency of Collection</b>	<b>Disposal Facility</b>
Anthonyville/Crittenden	151	City Service	Curbside	Municipal	Mandatory Fee on sewer bill	\$10.00	50	Household 2/month	Crittenden County LF
Crawfordsville/Crittenden	454	RazorBox (businesses)	Curbside	None	Mandatory Fee on water bill	\$7.00	100	Household 1/wk Business 1/wk	Crittenden County LF
Clarkedale/Crittenden	353	No Collection	NA	NA	NA	NA	NA	NA	NA
Earle/Crittenden	2,276	City Service			Mandatory Fee	19.00			Crittenden County LF
Edmondson/Crittenden	404	City Service			Mandatory Fee on water/sewer bill				Crittenden County LF
Gilmore/Crittenden	252	Picked up by City of Turrell							Crittenden County LF
Horseshoe Lake/Crittenden	278	D&M Lawncare and Waste Management	Curbside and collection cart	None	Voluntary Subscription	\$12.00 to \$17.00	Unknown	Household 1/wk	Crittenden County LF
Jennette/Crittenden	109	No Collection	NA	NA	NA	NA	NA	NA	NA
Jericho/Crittenden	113	City Service	Curbside	Municipal	Mandatory Fee	\$5.00	100	Household 1/wk	Crittenden County LF
Marion/Crittenden	12,362	City Service (municipal) RazorBox (businesses)	Curbside	Municipal	Mandatory Fee on water bill	\$11.00	100	Household 1/wk Business 1/wk	Crittenden County LF
Sunset/Crittenden	188	City Service		Municipal	Mandatory Fee on water/sewer bill				Crittenden County LF
Turrell/Crittenden	575	City Service (municipal) RazorBox (businesses)		Municipal	Mandatory Fee on water/sewer bill			Business 1/wk	Crittenden County LF
West Memphis/Crittenden	25,284	City Service (municipal) RazorBox and Waste Management (businesses/industry)	Curbside	Municipal		\$13.00	100	Business 1/wk to daily	Crittenden County LF
Cherry Valley/Cross	603	Woodard Sanitation	Curbside	Service Contract	Mandatory Fee on water bill	\$12.05	100	Household 1/wk Business 2/wk	Crittenden County LF
Hickory Ridge/Cross	258	J & D Sanitation	Curbside	None	Voluntary Subscription				Crittenden County LF
Parkin/Cross	1,044	Jim Dedman's Sanitation							Crittenden County LF
Wynne/Cross	8,078	City Service	Curbside	Municipal	Mandatory Fee	\$12.00	100	Household 1/wk Business 1 to 5/wk	Crittenden County LF
Aubrey/Lee	148	City Service	Curbside	None	Voluntary Subscription				Helena-West Helena LF
Haynes/Lee	131	Private Company	Curbside	None	Voluntary Subscription				Helena-West Helena LF
LaGrange/Lee	78	City Service	Curbside	None	Voluntary Subscription				Helena-West Helena LF

**Appendix 10  
Collection Systems within the District**

<b>Municipality/County</b>	<b>Population*</b>	<b>Service Provider</b>	<b>Type of Pick Up</b>	<b>Collection Agreement</b>	<b>Revenue Source</b>	<b>Monthly Cost per Household (HH)</b>	<b>Percentage of Households Served by Collection</b>	<b>Frequency of Collection</b>	<b>Disposal Facility</b>
Marianna/Lee	3,599	City Service	Curbside						Helena-West Helena LF
Moro/Lee	188	Private Company	Curbside	Exclusive Service Contract for County	Mandatory Fee	\$13.60	100	Household 1/wk Business 1/wk	Helena-West Helena LF
Rondo/Lee	173	Private Company	Curbside	None	Voluntary Subscription				Helena-West Helena LF
Elaine/Phillips	538	Ronnie White Sanitation; Mid-South Dirt & Construction, LLC	Collection Container	Exclusive Service Contract	Mandatory Fee Sales Tax	\$12.00	100	Household 1/wk Business 1/wk	Helena-West Helena LF
Helena-West Helena/Phillips	10,827	City Service; Mid-South Dirt & Construction, LLC	Curbside	Municipal	Mandatory Fee	\$16.00 with a \$15.00 landfill assessment total \$31.00	100	Household 1/wk	Helena-West Helena LF
Lake View/Phillips	383	Mid-South Dirt & Construction, LLC							Helena-West Helena LF
Lexa/Phillips	247	Ronnie White Sanitation; Mid-South Dirt & Construction, LLC	Curbside	Exclusive Service Contract	Mandatory Fee	\$7.50	100	Household 1/wk Business 1/wk	Helena-West Helena LF
Marvell/Phillips	1,015	Waste Corporation; Mid-South Dirt & Construction, LLC	Curbside	Exclusive Service Contract	Mandatory Fee	\$10.00	100	Household 1/wk	Helena-West Helena LF
Fisher/Poinsett	218	J & D Sanitation	Curbside	Exclusive Service Contract	Mandatory Fee on Water Bill	\$9.00	100	Household 1/wk	Jackson County LF
Harrisburg/Poinsett	2,312	City Service; Jim Dedman's Sanitation	Curbside		Mandatory Fee			Household 1/wk Business 1/wk	Crittenden County LF
Lepanto/Poinsett	1,828	Jim Dedman's Sanitation	Curbside	Exclusive Service Contract	Mandatory Fee	\$10.18	100	Household 1/wk Business 1 to 2/wk	Crittenden County LF
Marked Tree/Poinsett	2,505	City Service	Curbside	Municipal	Mandatory Fee	\$8.88	100	Household 1/wk Business 1/wk	Crittenden County LF
Trumann/Poinsett	7,129	City Service				\$6.76			Crittenden County LF
Tyronza/Poinsett	742	Jim Dedman's Sanitation	Curbside	Exclusive Service Contract	Mandatory Fee	\$11.60	100	Household 1/wk	Crittenden County LF

**Appendix 10  
Collection Systems within the District**

<b>Municipality/County</b>	<b>Population*</b>	<b>Service Provider</b>	<b>Type of Pick Up</b>	<b>Collection Agreement</b>	<b>Revenue Source</b>	<b>Monthly Cost per Household (HH)</b>	<b>Percentage of Households Served by Collection</b>	<b>Frequency of Collection</b>	<b>Disposal Facility</b>
Waldenburg/Poinsett	59	Southern Sanitation	Curbside	Exclusive Service Contract	Mandatory Fee	\$8.00	100	Household 1/wk Business 2/wk	Crittenden County LF
Weiner/Poinsett	686	Southern Sanitation	Curbside		Mandatory Fee			Household 1/wk	Jackson County LF
Caldwell/St. Francis	488	St. Francis County Solid Waste							Helena-West Helena LF
Colt/St. Francis	345	St. Francis County Solid Waste							Helena-West Helena LF
Forrest City/St. Francis	14,480	City Service	Curbside	Exclusive Service Contract	Sale Tax	\$10.05	100	Household 1/wk Business 2/wk	Helena-West Helena LF
Hughes/St. Francis	1,299	City Service							Helena-West Helena LF
Madison/St. Francis	693	St. Francis County Solid Waste			Mandatory Participation				Helena-West Helena LF
Palestine/St. Francis	610	St. Francis County Solid Waste	Curbside	Exclusive Service Contract	Sales Tax	Unknown	100	Household 1/wk	Helena-West Helena LF
Wheatley/St. Francis	323	St. Francis County Solid Waste	Curbside	Exclusive Service Contract	Sales Tax	\$10.44	100	Household 1/wk Business 1/wk	Helena-West Helena LF
Widener/St. Francis	248	St. Francis County Solid Waste	Curbside	Exclusive Service Contract	Sales Tax	\$9.75	100	Household 1/wk	Helena-West Helena LF

Information from 2004 and 2007 surveys of District; updated based on information provided by the District in 2018.

\* = 2016 Population estimated using the 2010 Census Information from the US Census Bureau Website.



# **APPENDIX 11**

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**Waste Haulers / Transporters**

## Appendix 11

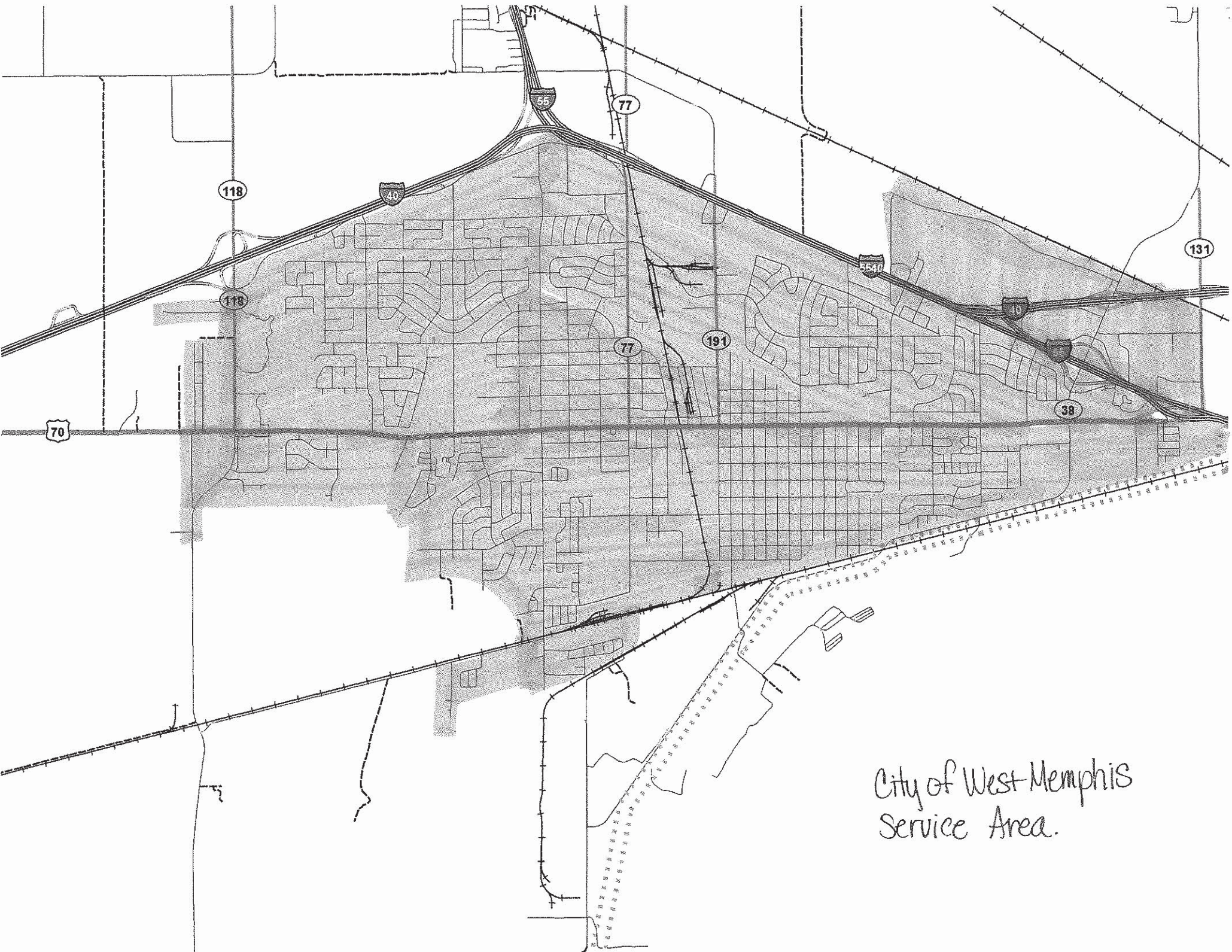
### Waste Haulers / Transporters

Waste Haulers	Area Served
Big River	West Memphis
Collection Brothers	Marion
D&M Cleaning and Lawn Care	Horseshoe Lake
Horseshoe Garbage Service	Horseshoe Lake
J & D Sanitation	Hickory Ridge, Cross County
Jim Dedman's Sanitation	Rural Cross and Poinsett Counties
MARCK	Unknown at this time
Mid-South Dirt & Construction LLC	Phillips County
RazorBox	Commercial in Crittenden County
Ronnie White Sanitation	Elaine, Lexa
Southern Sanitation	Waldenburg, Weiner
Strickland Sanitation	Rural Cross County
Unified Waste Systems	Unknown at this time
Waste Connections of Memphis	Commercial in Crittenden County
Waste Corporation	Marvell, rural Phillips County
Waste Management	Commercial in W. Memphis, Horseshoe Lake
Woodard Sanitation	Cherry Valley, Vanndale, rural Cross County

# **APPENDIX 12**

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## **Collection Services and Haulers Service Areas Maps**



City of West Memphis  
Service Area.

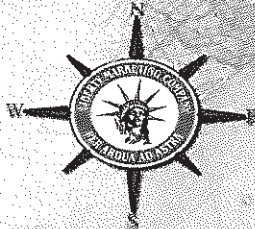
We run every thing except These 8 Citys

**WELCOME TO**  
**St. Francis Co., AR**

**2007  
EDITION**

Featuring The City Of  
FORREST CITY, PALESTINE, WHEATLEY,  
CALDWELL, WILDNER,  
MADISON, HUGHES AND COLT

Presented By  
**ST. FRANCIS 911 COORIDINATOR  
AND ST. FRANCIS COUNTY JUDGE**



# **APPENDIX 13**

---

**Copies of Surveys and Returned Mail**



ATTN: JENNIFER HARMON

7050



**East Arkansas Regional Solid Waste Management District  
2013 Needs Assessment**

*Haulers*

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: Republic Services / Allied Waste

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	0	—	0	0	—
Commercial	52	3323.29	5	5	Trash
Medical Waste	0	—	0	0	—
C&D Material	0	—	0	0	—
Recycling	0	—	0	0	—
Industrial	26	6451.08	5	5	Trash
Other	0	0	0	0	—



### East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: \_\_\_\_\_

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential					
Commercial					
Medical Waste					
C&D Material					
Recycling					
Industrial					
Other					

The City of Elaine does not participate with this. We contract with an outside contractor for garbage.

Thank you,  
 Connie Miller  
 Mayor of Elaine





## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

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The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: City of Marked Tree

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	1057	<del>323</del>	1	2	WASTE
Commercial	45				
Medical Waste	0	0	0	0	0
C&D Material	0	0	0	0	0
Recycling	80	107	1	2	plastic, cardboard, Aluminum WASTE glass, paper
Industrial	8	12	1	1	
Other	N/A				

\* Our Residential + Commercial is all put together in one truck to take to landfill

*Jepwiter Harmon*



## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

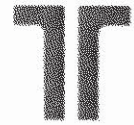
Name of Business: \_\_\_\_\_

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential					
Commercial					
Medical Waste					
C&D Material					
Recycling					
Industrial					
Other					

*City of Forrest City contracted  
this function out during the  
time period 1-Jan to 31 Dec 2011,  
Started collecting garbage 11-1-2012.*

*[Signature]*  
2-25-13

*(501) 847-9210  
c/o*



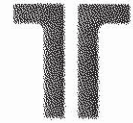
## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: City of West Memphis

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	4,300	8900	7	7	Garbage
Commercial	700	7100	2	2	Garbage
Medical Waste	N/A				
C&D Material	N/A				
Recycling	N/A				
Industrial	N/A				
Other	Curbside Trash	5900	7	4	Limbs, leaves, grass clippings



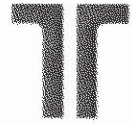
## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: City of Wynne

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	5,200	2,700	1	5	Class I
Commercial	394	3,600	1	5	Class I
Medical Waste	N/A	N/A	N/A	N/A	
C&D Material	3,200	1,250	3	5	Class III
Recycling	N/A	N/A	N/A	N/A	
Industrial	N/A	N/A	N/A	N/A	
Other					



## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: St Francis County Solid Waste

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	3920	2782.80	3	8	Residential
Commercial					
Medical Waste					
C&D Material					
Recycling					
Industrial					
Other					



## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: James H Taylor & Sons Waste Management Co.

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential					
Commercial	<i>Varies</i>	<i>4800</i>	<i>2</i>	<i>Varies</i>	<i>Const. Debris</i>
Medical Waste					
C&D Material					
Recycling					
Industrial					
Other					



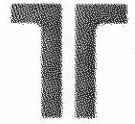
## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: HARRISBURG SANITATION DEPT.

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	1,000	20 tons mo	1	2	Residential waste
Commercial	N/A				
Medical Waste	N/A				
C&D Material	N/A				
Recycling	N/A				
Industrial	N/A				
Other					



## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

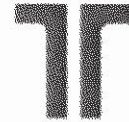
The report period requested is for materials received January 1 to December 31, 2011.

Name of Business: JIM JEDMAN'S SANITATION

Type of Customer	# of Accounts	Annual Volume in Tons	# of Licensed Trucks	# of Routes	Type of Material
Residential	1850	805	4	3	normal trash
Commercial	N/A				
Medical Waste					
C&D Material	N/A				
Recycling					
Industrial					
Other					

*Point County*





## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

Name of Business: Ciba Specialty Chemicals *BASF Corporation does not utilize any solid waste landfills in AR*

Approximate Annual Cost of Current Waste Transportation and Disposal (if combined): \$ 300,000 in MS or TN

Approximate Annual Cost of Current Waste Transportation (if separated): \$ \_\_\_\_\_

Approximate Annual Cost of Current Waste Disposal (if separated): \$ \_\_\_\_\_

Do you see any changes in the amount of waste your business will produce in the foreseeable future?  Yes  No

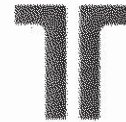
If yes, what changes? An increase or a decrease?  Increase  Decrease

Do you see any changes in the type of waste your business will produce in the foreseeable future?  Yes  No

If yes, please describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Does your business have a waste diversion or sustainability plan?  Yes  No  
If yes, please provide a copy with this survey.

Do you have any suggestions for State Regulations in regard to the way solid waste is handled within the District? Please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## East Arkansas Regional Solid Waste Management District 2013 Needs Assessment

Below is a short survey that is being used to assist with the development of a needs assessment within the East Arkansas Regional Solid Waste Management District. The District is seeking your input to evaluate future needs for the area. Your input is greatly appreciated.

Name of Business: NMF, Inc.

Approximate Annual Cost of Current Waste Transportation and Disposal (if combined): \$ 10,835.33

Approximate Annual Cost of Current Waste Transportation (if separated): \$

Approximate Annual Cost of Current Waste Disposal (if separated): \$

Do you see any changes in the amount of waste your business will produce in the foreseeable future?  Yes  No

If yes, what changes? An increase or a decrease?  Increase  Decrease

Do you see any changes in the type of waste your business will produce in the foreseeable future?  Yes  No

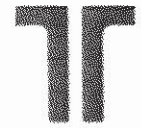
If yes, please describe. \_\_\_\_\_

\_\_\_\_\_

Does your business have a waste diversion or sustainability plan?  Yes  No  
If yes, please provide a copy with this survey.

Do you have any suggestions for State Regulations in regard to the way solid waste is handled within the District? Please describe: N/A

\_\_\_\_\_



## Landfill and Transfer Station Survey for 2011

Name of Owner	<i>Crittendon County</i>	Contact Person	<i>Jeff Papasani / Sartele</i>
Physical Address	1299 Kuhn Road, West Memphis	Permit Number	0245-S1-R1
Phone Number	<i>870-732-4290</i>	Effective Date of Permit	1/6/1988
		Constructed	Permitted
Remaining Airspace as of 12-31-11		<i>324,678 cy</i>	<i>1,209,791 cy</i>
The report period requested is for materials received January 1 to December 31, 2011			
<b>Type of Material</b>	<b>Annual In-District Volume in Tons</b>	<b>Out-of-District Volume in Tons</b>	<b>Out-of-State Volume in Tons</b>
MSW (Res. & Comm.)	<i>46,341.82</i>	<i>12,816.14</i>	
Industrial			
C&D	<i>25.96</i>	<i>22.95</i>	
Special Waste	<i>5,162.36</i>	<i>40.03</i>	
Liquid Waste			
Medical Waste			
Other			
<i>ASB-F</i>		<i>3.97</i>	
<i>Brush</i>	<i>.37</i>		
<b>Totals</b>	<i>51,530.51</i>	<i>12,883.09</i>	<i>-0-</i>
<b>Recovered Materials</b>	<b>Annual In-District Volume in Tons</b>	<b>Out-of-District Volume in Tons</b>	<b>Out-of-State Volume in Tons</b>
Beneficial Use at Facility			
Recycled			
<b>Totals</b>	<i>-0-</i>	<i>-0-</i>	<i>-0-</i>



**Landfill and Transfer Station Survey for 2011**

Name of Owner	City of Helena, West Helena		Contact Person	Bob Gaston
Physical Address	1448 B Phillips Hwy 27, West Helena		Permit Number	0258-S1-R1
Phone Number	870-572-7937		Effective Date of Permit	5/1/2003
Remaining Airspace as of 12-31-11			Constructed	Permitted
				1,488,053 cu yd
The report period requested is for materials received January 1 to December 31, 2011				
Type of Material	Annual In-District Volume in Tons	Out-of-District Volume in Tons	Out-of-State Volume in Tons	
MSW (Res. & Comm.)	35,698.29			
Industrial				
C&D				
Special Waste				
Liquid Waste				
Medical Waste				
Other				
Totals				
Recovered Materials	Annual In-District Volume in Tons	Out-of-District Volume in Tons	Out-of-State Volume in Tons	
Beneficial Use at Facility				
Recycled				
Totals	35,698.29			