

AN ORDINANCE AMENDING TITLE 11, CHAPTER 11.04, SECTION 11.04.01 ADDING SUB-SECTION D WHICH ESTABLISHES A TRASH/DEBRIS CLEANUP FEE TO BE PAID AT THE TIME ANY PERMIT IS ISSUED UNDER CHAPTER 11.04

WHEREAS, the increased level of construction in the City has produced a comparable increase in the amount of trash and debris which is generated by the construction and building.

WHEREAS, it is nearly impossible to determine from which builder or contractor a particular piece of debris or trash originated when it is found/discovered in public areas or on private property.

WHEREAS, the City needs to take a proactive position in providing for the orderly collection and disposal of construction, debris and trash in situations where the creator of the problem cannot be determined.

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS:

The following paragraphs shall be Sub-section D. under Section 11.04.01 of the Greenland Municipal Code, and added to such Code as follows:

D. That there is here enacted a fee to be charged by the Recorder/Treasurer at the time any building permit is issued, whether that building permit is for erection of a building, the demolition of a building; the moving of a building, an addition to a building, or for other construction/building activity. This fee shall be \$1,000.00 for residential construction and \$2,000.00 for commercial construction per building permit and shall be paid at the time a building permit is issued.

The fees collected, as provided for hereinabove, shall be utilized by the City to obtain collection services for trash and debris which is generated by a contractor/builder in the City of Greenland, Arkansas, when the person responsible for such trash or debris cannot be identified/located with a high degree of certainty. These fees shall not be utilized to offset or reimburse the City for normal trash collections as is contracted, from time to time, with trash service providers.

To the extent that a contractor/builder or other person securing a building permit who has paid a trash collection and disposal fee as provided for in Section above, has maintained dumpsters or other secure collection sites and had those dumpsters or secured collection sites regularly emptied or the debris/trash hauled off, they may apply to the City Inspector for a partial/full refund of the fee paid as set forth above.

The City Inspector shall take into account the length of the construction project for which the trash/debris fee was collected, his or her observation of the site where a particular contractor/builder was working during the period of construction/building, moving, or removal/demolition, and consider whether or not complaints by surrounding property owners were made concerning the types of trash/debris generated by a particular contractor/builder. The decision of the building inspector may be appealed to the City Council by the contractor/builder upon fifteen (5) days notice following the decision/determination by the building inspector as to whether and how much of a refund is appropriate.

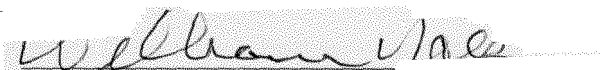
Any appeal to the Greenland City Council from the decision/determination of the

building inspector shall be final and a contractor/builder's redress shall thereafter be to file

an appeal in the Circuit Court of Washington County Arkansas with the appeal of their decision being filed as

required by law.

PASSED AND APPROVED this 9th day of October, 2001


WILLIAM YOELS, Mayor


DONNA CHEEVERS, Recorder/Treasurer