

ORDINANCE NO. 2023-_____

AN ORDINANCE TO AMEND SANITATION SECURITY DEPOSITS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Sanitation Security Deposit Ordinance.

Section Two: Section 5.04.07 Amended. From and after the effective date of this Ordinance, Section 5.04.07 of the Prairie Grove Municipal Code shall be amended to read as follows:

5.04.07. Security deposit.

- A. This section shall be known as the "Solid Waste Disposal Customer Deposit Ordinance."
- B. All customers who receive solid waste disposal services from the city, but who do not also receive water service from the city, shall be required to place a \$50.00 security deposit on file with the city's public utilities department.
- C. Any customer whose solid waste disposal services are suspended for failure to pay their bills, will be required to place an additional \$50.00 deposit with the city before their service is resumed (total \$100.00 deposit).
- D. The city shall return all deposits to the last known address of the customer within 30 days after the customer ceases being a customer of city services or within 30 days after a customer begins receiving water services from the city.
- E. The city shall have the right to apply any such deposit toward the payment of a customer's unpaid account for utility services with the city. Application of the deposit shall not absolve any customer of their liability for such unpaid account, but may be used to offset the amount of the unpaid account.

Section Three: Effective Date. This Ordinance shall become effective 60 days following its posting unless an Emergency Clause is affixed.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 27th day of February 2023.

David Faulk, Mayor

(Attest)

Christine Kelly, Clerk

Markup

5.04.07. Security deposit.

- A. This section shall be known as the "Solid Waste Disposal Customer Deposit Ordinance."
- B. All customers who receive solid waste disposal services from the city, but who do not also receive water service from the city, shall be required to place a ~~\$25.00~~ **\$50.00** security deposit on file with the city's public utilities department.
- C. **Any customer whose solid waste disposal services are suspended for failure to pay their bills, will be required to place an additional \$50.00 deposit with the city before their service is resumed (total \$100.00 deposit).**
- ~~CD.~~ The city shall return all deposits to the last known address of the customer within 30 days after the customer ceases being a customer of city services or within 30 days after a customer begins receiving water services from the city.
- ~~DE.~~ The city shall have the right to apply any such deposit toward the payment of a customer's unpaid account for utility services with the city. Application of the deposit shall not absolve any customer of their liability for such unpaid account, but may be used to offset the amount of the unpaid account.
- ~~E.~~ ~~This section shall become effective January 1, 2007. All currently existing customers receiving solid waste disposal services and not receiving water service shall pay such deposit by January 1, 2007. All new customers after January 1, 2007, shall pay the deposit prior to receiving services.~~