

ORDINANCE NO. O-00-27

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

“AN ORDINANCE TO AMEND SECTION V OF ORDINANCE NO. O-97-10, AS AMENDED BY ORDINANCE NO. O-99-50, RELATING TO STANDARDS FOR THE COLLECTION OF SOLID WASTE SERVICES FOR PERSONS LIVING IN THE INCORPORATED AREAS OF GARLAND COUNTY, ARKANSAS, AND SPECIFICALLY WITHIN THE INCORPORATED TOWN OF FOUNTAIN LAKE TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.”

WHEREAS, the Town of Fountain Lake has requested inclusion in the Garland County Solid Waste Collection System as established by the Garland County Solid Waste Management Ordinance of 1996 as amended by Garland County Ordinance No. O-97-10; and,

WHEREAS, the Solid Waste Management Committee has met with officials representing the Town of Fountain Lake and recommends that the County allow participation in the solid waste collection system through an interlocal agreement with the Town of Fountain Lake; and,

WHEREAS, Section 5 of Ordinance No. O-96-36 as amended by Ordinance No. O-99-10 and O-99-50 (Garland County Code 54-36) is hereby amended to accomplish this purpose.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, ARKANSAS:

SECTION 1. That Section 5 of O-97-10, as amended by O-99-50 is hereby amended as follows:

“Section 5. Each residential and commercial unit shall participate in the refuse collection services contracted by Garland County, Arkansas. However, those persons living in the incorporated City of Lonsdale as approved by Garland County Ordinance No. O-99-50 and interlocal agreement and those persons living in the Town of Fountain Lake may participate in the solid waste collection service as outlined in the interlocal agreement attached as Exhibit “A” and made a part of this section as though set out word for word and hereby enacted by reference. However those persons living in other incorporated areas of the county or in the private community known as Hot Springs Village shall not receive refuse collection service provided by Garland

**Interlocal Agreement Under Authority Granted Pursuant to
Arkansas Code Annotated 14-14-910 and following**

*Exhibit
"A"*

**Between
Garland County, Arkansas and the Town of Fountain Lake
For
Solid Waste Collection Services**

SECTION I. - PURPOSE

The purpose of this Interlocal Agreement (ILA) is to establish a formal binding relationship between the Town of Fountain Lake and Garland County, Arkansas for solid waste collection services to be provided by the County to the Town.

**SECTION II. - OBLIGATIONS AND RESPONSIBILITIES
OF CONTRACTING PARTIES**

- (1) That all persons and households residing within the town limits of the Town of Fountain Lake, Arkansas shall comply with all rules, regulations, ordinances, statutes, policies, procedures, and customs of the Garland County Solid Waste Collection System.
- (2) That all persons and households residing within the town limits of the Town of Fountain Lake shall be required to pay all fees established by the Quorum Court of Garland County, Arkansas, associated with the Comprehensive Solid Waste Collection System.
- (3) That all Garland County Ordinances, rules and regulations, policies or customs relating to the Solid Waste Collection System shall be available for public inspection in the office of the Garland County Clerk during normal business hours.

SECTION III. - PERIOD OF PERFORMANCE

This Agreement shall be in effect indefinitely until terminated in writing by either party, with said written notice being sent via certified mail, return receipt requested, restricted delivery, to the Garland County Judge if the Town desires to terminate said Agreement or to the Mayor of the Town of Fountain Lake Arkansas, if the County wishes to terminate said Agreement. Notice of termination by either party shall be provided at least one hundred and eighty (180) days in advance of the effective date of formal termination.

SECTION IV. - ADMINISTRATOR

There shall be no administrator position or joint board established pursuant to the terms of this Agreement.

SECTION V. - MODIFICATIONS/DISPUTES

Either party may initiate a request for modification to this Agreement in writing. All modifications negotiated will be written and approved by the respective heads of the two local governments.

SECTION VI. - NOTICES

All notices or correspondence concerning this Agreement shall be directed as follows:

To Garland County, Arkansas:

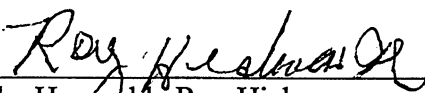
Garland County Judge
Garland County Courthouse
501 Ouachita - Room 210
Hot Springs, AR 71901

To Town of Fountain Lake:

Mayor of Fountain Lake
Town of Fountain Lake
c/o 8142 Park Avenue
Hot Springs, AR 71901

This Agreement shall be subject to any such approval as may be required by the governing bodies of the Town of Fountain Lake and Garland County.

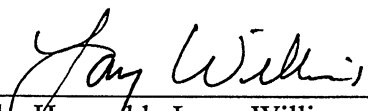
IT IS HEREBY AGREED:



The Honorable Roy Hickman
Mayor of Fountain Lake

8-1-2000

Date




The Honorable Larry Williams
Garland County Judge

7/10/00

Date

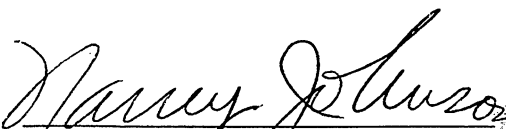
ATTEST:



The Honorable IVAN LOPES
Fountain Lake Clerk

8-1-2000

Date



The Honorable Nancy Johnson
Garland County Clerk

7/10/00

Date