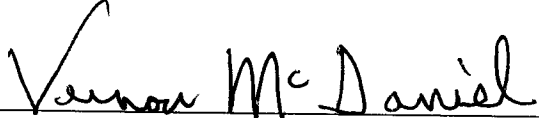


ORDINANCE NO. 2008- 1

AN ORDINANCE REQUIRING THE RECORDING WITH THE CITY OF ALL CONTRACTS INVOLVING REMOVAL OF COMMERCIAL OR INDUSTRIAL WASTE WITHIN THE CITY LIMITS OF THE CITY OF OZARK AND DECLARING AN EMERGENCY THEREFOR, AND FOR OTHER PURPOSES.


1. That the City of Ozark has the right under Arkansas law to enter into Exclusive Franchise Agreements for commercial and industrial garbage and waste collection, as well as residential garbage collection;
2. That it is necessary to insure an accurate and fair bidding process for all franchise agreements to have full disclosure of any and all existing independent contracts for the removal of commercial or industrial waste; that the public health and welfare dictates such disclosure;
3. That all such independent contracts entered into prior to or during a period when no exclusive franchise agreement is in effect shall be recorded with the City Clerk within forty-eight (48) hours of the next regular business day after execution therefore, and shall be subject to the approval of the Mayor and a majority of the Sanitation Committee;
4. That the failure to approve said contract by the Mayor and a majority of the Sanitation Committee may be appealed to the full City Council. A majority vote of the entire City Council will be sufficient to override the decision of the Sanitation Committee. Failure to record the contract or obtain approval as set out hereinabove shall render said contract void and of no effect;
5. That an emergency is, therefore, declared 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.

IT IS SO ORDAINED this 14th day of January, 2008.



Mayor, Vernon McDaniel

ATTEST:



Carol Sneath, City Clerk