

ORDINANCE No. 2187

**AN ORDINANCE AMENDING EUREKA SPRINGS MUNICIPAL
CODE CHAPTER 5.12 RECYCLING GLASS AND CARDBOARD BY RESTAURANTS
AND BARS**

WHEREAS, the City Council of the City of Eureka Springs, Arkansas, has reviewed the current code provisions related to Solid Waste Collection and Recycling; and,

WHEREAS, it has been determined that it is in the best interests of the City to amend the Municipal Code;

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

SECTION 1. That all restaurants and bars, operating within the City Limits of Eureka Springs, Arkansas, are hereby required to participate in the City Recycling Program for Glass and Cardboard. Any restaurant or bar owner or manager, who allows more than ten (10) percent by weight of his or her solid waste collection to be recyclable glass or cardboard, shall be in violation of this ordinance.

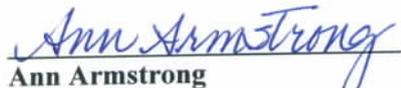
SECTION 2. Any person found in violation of this ordinance shall be subject to written warning for a first violation and a fine of not more than \$250.00 plus costs for any subsequent violation occurring within one year. Each violation shall constitute a separate offense. Subsection 5.16.1.B (sic) shall not apply to violations of this ordinance only.

SECTION 3. Severability Clause: In the event that any section, subsection, paragraph, subdivision, clause, phrase or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance, code section or chapter as a whole, or any part or provision other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance, Code, code section or chapter shall remain in effect.

SECTION 4. Repeal Clause: All Ordinances, Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THE 9th DAY OF SEPTEMBER, 2013

ATTEST:


Ann Armstrong
City Clerk/Treasurer

APPROVED:


Morris Pate
Mayor

Aldermen who voted "Aye" – James DeVito, David Mitchell, Joyce Zeller, and Terry McClung
Aldermen who voted "No" – Mickey Schneider and Dee Purkeypile