Memo

To: David Twiggs, COO General Manager
From: Jason Charles Temple, PE, Director of Public Utilities
Linda Mayhood, Assistant General Manager

Date: April 20, 2016
Re: Motion – Approve Proposed Revisions to Chapter 4, Article 4 Waste/Trash Collection and Disposal Policy

Motion
I move to approve the proposed revisions to Chapter 4, Article 4 Waste/trash Collection and Disposal Policy as presented.

Background:

Hot Springs Village POA (HSV) is a member of two solid waste districts, Saline County Regional Solid Waste Management District and Southwest Central Solid Waste Management District in Garland County. Both solid waste districts are responsible for ensuring that everyone within their respective districts has access to solid waste collection services by ACT 629 of 1991 that declared it is a policy of the state to assure citizens adequate public services at a reasonable cost. HSV provides adequate solid waste collection services under the oversight of both solid waste management districts.

HSV has invested substantially in their solid waste collection services to include (7) sanitation trucks, bins, facilities, and skilled staff.

Currently there is no legal protection of HSV’s solid waste revenue/customer base from competing private waste haulers either from within the POA or outside of the POA boundary. Staff is recommending revisions to the existing solid waste management policy to include and define HSV’s exclusive solid waste collection service area. See attached proposed redlined revision of Chapter 4, Article 4 Waste/Trash Collection and Disposal Policy, which will be retitled as “Solid Waste Management Policy”.

This was discussed at the March 16, 2016 regular board meeting.
ARTICLE 4

WASTE/TRASH SOLID WASTE COLLECTION AND DISPOSAL MANAGEMENT AND POLICY

SECTION 1. PURPOSE
To establish policy for solid waste/trash collection and disposal.

SECTION 2. DEFINITION
1. Solid Waste is defined as household waste including garbage, which must be disposed of in a sanitary manner.
2. Trash includes all other refuse including leaves, branches, papers, moving boxes, wood scraps and white goods, i.e. scrap water heaters, clothes dryers, washing machines, refrigerators, etc.
3. Solid Waste Service Area means that area within the boundaries of the gated community of Hot Springs Village, Arkansas and any additional areas beyond those boundaries in which the governing body authorizes the collection of solid waste.
4. Hazardous materials are defined as “substances or materials which have been determined by the Environmental Protection Agency (EPA) to be capable of posing an unreasonable risk to health, safety, and property.” Examples are explosives, combustible liquids, flammable materials, poisons, etc.

SECTION 3. GENERAL
Hot Springs Village Property Owners Association (HSVPOA) and its duly authorized agents or employees shall have the exclusive right within the solid-waste service area to collect, dispose and bill for such services. No individual or entity may provide solid waste hauling services for the systematic and routine collection, transportation or disposal of solid waste or trash, without written authorization of HSVPOA.

HSVPOA board of directors has the authority to impose a fee associated with authorized third party collection and disposal of solid waste.

SECTION 34. CONTAINERS
Household solid waste, excluding white goods and trash, must be placed in a container approved by POA (see procedures).

SECTION 45. LIMITATIONS
A. Residential customers will be limited to a maximum of four (4) waste cans.
B. Commercial customers’ waste removal will be provided by the POA. Large commercial containers may be provided by the POA, upon request.
C. Hazardous materials will not be accepted for pick-up. Hazardous materials are defined as “substances or materials which have been determined by the Environmental Protection Agency to be capable of posing an unreasonable risk to health, safety, and property.” Examples are explosives, combustible liquids, flammable materials, poisons, etc.
D. HSVPOA reserves the right at any time to refuse to collect or receive waste/trash, if in the judgment of HSVPOA, such collection is deemed to be harmful, hazardous or in violation of HSVPOA and State of Arkansas regulations governing type of solid waste, weight or waste constituents.

SECTION 56. SERVICE LOCATIONS

Waste/trash to be collected must be placed within ten (10) feet of the edge of the pavement. Customers subscribing to “at house” service will place their waste/trash at the appropriate location.

SECTION 67. SPECIAL PICKUP/YARD WASTE

The Property Owners’ Association will remove, for a fee, solid waste/trash beyond that described in Section 24, by special arrangement.

SECTION 78. SITE APPEARANCES

Residential customers are responsible for the cleanliness of the streets adjacent to their property.

Adopted 6-22-88, Rev. 12-19-01, 2-16-11