

ORDINANCE NO. 108-84

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORDOVA, ALABAMA, AS FOLLOWS:

SECTION 1: This ordinance is adopted for the purpose of Collecting, Disposing of Garbage, Hauling Trash and Garbage, and cause its Destruction and fix and collect a fee for services in connection with the collection and disposal of trash and garbage within the city limits. Section 11-47-135 of the Code of Alabama grants all Municipalities the authority to establish fees and process for Collection of Fees for Services.

SECTION 2: The following words and terms when used in this ordinance shall have the meanings respectively ascribed to them by this section, unless the context clearly indicates otherwise.

(a) "Garbage" includes all waste accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables, tin cans or other containers originally used for foodstuffs.

(b) "Rubbish" includes all non-putrescible solid wastes, consisting of both combustible wastes, such as paper, cardboard, glass, yard clippings, crockery, excelsior, cloth and similar materials.

(c) "Refuse" includes garbage and rubbish and any other solid wastes.

(d) "Garbage Can" means a container having a capacity of not less than 10 nor more than 30 gallons and this container must be conveniently lifted or moved.

(e) "Sanitary Department" means the Municipal Sanitary Department of the City of Cordova.

(f) "Garbage Dump" means a place for dumping or disposing of refuse, operated by the CITY OF CORDOVA, or such place or places designated by the County Health Officer of Walker County.

(g) "Persons" means any individual, firm or corporation in the City Limits of the City of Cordova.

~~(h) "Premises" means any individual, firm or corporation in the City Limits of the City of Cordova.~~

(h) "Premises" means any dwelling, flat, rooming house, apartment house, hospital, school, hotel, club, restaurant, boarding house, eating place, shop, place of business, manufacturing establishment, courthouse, jail, city jail, post office or other public buildings.

SECTION 3: It shall be the duty of every person in possession, charge or control of any premises where rubbish or other non-putrescible waste is created, garbage is created or accumulates, at all times to keep or cause to be kept sufficient number of garbage cans or other containers for the deposit of refuse to prevent the spreading or scattering of such refuse upon said premises.

SECTION 4: It shall be unlawful for any person in possession, charge or control of any premises to keep, cause to be kept, or allow the keeping on any premises within the corporate limits of the City of Cordova, of garbage, rubbish, or other refuse in such manner that it will become offensive or deleterious to health or likely to cause disease and the same is hereby declared a public nuisance. The Health Officer of Walker County, Alabama, his authorized representative, or such other duly authorized inspector as may be designated by the City Commission of the City of Cordova, and he is hereby authorized to inspect any premises in the City of Cordova, for the purpose of seeing that the requirements of this Ordinance are being complied with, and it shall be unlawful for any person whomsoever to resist or interfere with such representative by word, deed or act in the performance of such inspection.

SECTION 5: It shall be unlawful for any person to sweep, throw or otherwise deposit or cause to be swept, thrown or otherwise deposited any garbage, rubbish, or other refuse into or on any public street, alley, sidewalk, park or the property of another person or property which is in the possession of another person within the Corporate limits of the City of Cordova, or to permit any garbage, rubbish or other refuse to accumulate in such manner that it may be carried and deposited into or on any of the above places by action of the rain, wind or snow.

SECTION 6: It shall be unlawful for any person to sweep, throw, or otherwise deposit or cause to be swept, thrown or otherwise deposited into or on any canal, stream, public water drain, sewer or receiving basin within the Corporate Limits of the City of Cordova any garbage, rubbish, or other refuse or to permit same to accumulate in such manner that it may be carried and deposited into or on any of the above places by action of the rain, wind or snow.

SECTION 7: It shall be unlawful for any person to remove any garbage, rubbish, refuse or other like material from any garbage can or other container within the Corporate Limits of the City of Cordova after it has been placed therein except under the orders of an officer, agent, or employee of the Sanitary Department or by some other person removing same for disposal.

SECTION 8: (a) There is hereby established in the City of Cordova, a garbage, rubbish and refuse collection, hauling and disposal service to be operated by the Sanitary Department. The collection, hauling and disposal of garbage, rubbish, and other refuse, shall be made by the Sanitary Department not less than one time each week and the charges herein prescribed are based on such periodic collection and disposal. In cases requiring collection and disposal at more frequent intervals, charges for such additional service shall be computed on the base charge prescribed herein.

(b) Beginning with the services to be rendered for the month of December, on the 1st day of December, 1984, and ending on the last day of December, 1984, and continuing thereafter, the following charges shall be collected by the City of Cordova for the collecting, hauling, and disposal of garbage, rubbish, and other refuse:

\$4.00 per customer per month - Residential

\$10.00 per firm or corporation

(c) All bills for service charges hereunder shall be due and payable monthly: provided, however, that payment shall not be accepted for a period of less than a month; and provided, further, that at the beginning of this service, a person desiring such services shall pay a pro-rata rate for the month in which service is begun.

SECTION 9: It is hereby establish THE WATER & GAS BOARD OF CORDOVA, TO ACT AS AGENT FOR THE COLLECTION OF THE ABOVE SERVICE FEES and it is further established that charges shall appear on the monthly utility bill rendered monthly by the Water and Gas Board.

SECTION 10: All garbage cans, rubbish containers and other refuse for collection by the Sanitary Department, from commercial establishments shall be placed at places designated by the Sanitary Department on the days and between the hours designated by the Sanitary Department.

SECTION 11: All garbage containers, rubbish containers, and other refuse for collection by the Sanitary Department from residences shall be placed at a point not more than 10 feet from any public alley or street right-of-way line at a point conveniently accessible to the collection crews prior to being collected by the Sanitary Department; provided, however: that the Sanitary Department may at any time designate the point from which such collection will be made from each residence.

SECTION 12: No garbage will be collected by the Sanitary Department unless the same is deposited in a garbage can or other container. No rubbish or other refuse will be collected by the Sanitary Department unless in a separate container except as follows:

(a) Trees or parts of trees not more than 6 inches in diameter and cut to less than 6 feet in length will be collected if piled alongside the garbage can or rubbish container.

(b) Boxes, crates, and cartons will not be collected unless the same be broken down and securely fastened into bales or bundles not exceeding one hundred pounds in weight or four feet in any dimension and deposited alongside the garbage can or rubbish container.

(c) Large accumulations of magazines, newspapers, or similar materials will be collected if securely fastened in bundles not to exceed one hundred pounds in weight and deposited alongside the garbage can or rubbish container.

SECTION 13: Building debris such as scrap lumber, plaster, roofing, concrete, brickbats, or similar materials resulting from the construction, repair or demolishing of any building or structure on private property and dirt and rocks will not be removed by the Sanitary Department, but the owner himself must cause this waste to be removed.

SECTION 14: It shall be unlawful to place in any garbage or rubbish container acids or other dangerous liquids or substances which could cause injury to employees of the Sanitary Department engaged in removing refuse. Leaking and defective garbage cans with sharp or ragged edges likely to injure employees of the Sanitary Department engaged in removing refuse will not be serviced, and the Sanitary Department shall cause to be placed on such cans a tag marked "Condemned."

SECTION 15: No garbage, rubbish, or other refuse will be removed from any industrial or manufacturing establishment by the Sanitary Department, but it shall be the responsibility of every person in possession, charge or control of such establishment to make provision for the proper removal and disposal of such garbage, rubbish or other waste refuse.

SECTION 16: Dead animals in the Corporate Limits of the City of Cordova not in excess of fifty (50) pounds in weight will be picked up by the Sanitary Department other than from places of business making a business of treating, handling or disposing of animals but in no event shall any person having a dead animal on the premises occupied by or under control of said person allow it to remain undisposed of for a period of longer than twelve (12) hours. In the event the dead animals must be disposed of on a day other than the regularly designated collection day, the Sanitary Department shall be notified. In the event that a person cannot reach the Sanitary Department, the City Hall shall be notified that an individual has tried to report that an animal needs to be removed.

SECTION 17: It shall be unlawful for any person to dump, or cause to be dumped, any garbage, rubbish, or other refuse upon any property within the Corporate Limits of the City of Cordova other than a garbage dump as defined in this Ordinance.

SECTION 18: It shall be unlawful for any person to transport, haul or carry garbage, rubbish or other refuse through the streets, alleys, or public places within the Corporate Limits of the City of Cordova without having the vehicle or container in which the same is to be carried or hauled, adequately secured and covered in a manner approved by the Sanitary Department.

SECTION 19: All provisions of this Ordinance shall apply to all places within the Corporate Limits of the City of Cordova.

SECTION 20: In the event a person fails to pay account when due, or there is a dispute in regard to service charged, it shall be the responsibility of the person involved to report this matter to the designated person or to the City Hall within 30 days from date of billing or upon receipt of charges rendered. Failure to report this matter within the above time prescribed will result in the right to appeal charges for service.

SECTION 21: Any person violating any provisions of sections of this Ordinance or doing any act or thing declared by this Ordinance to be unlawful shall be guilty of an offense against the City of Cordova, and upon conviction shall be

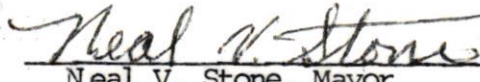
punished by a fine of not less than One Dollar (\$1.00) and not more than Five Hundred Dollars (\$500.00) or Six (6) months imprisonment at hard labor or both.

SECTION 22: All ordinances or parts of ordinances of the City of Cordova in conflict with the provisions of this Ordinance are repealed.

SECTION 23: If for any reason any clause, sentence, section, subsection or provision of this ordinance, or the application thereof to any person or circumstance, is held invalid or inoperative, the remainder of the ordinance and the application thereof to other persons and circumstances shall not be affected thereby.

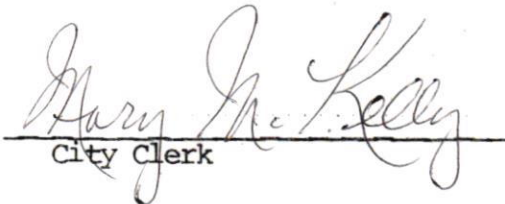
SECTION 24: This Ordinance shall become effective on December 18, 1984.

PASSED AND ADOPTED ON THIS 18th day of December, 1984.



Neal V. Stone, Mayor
City of Cordova, Alabama

ATTEST:

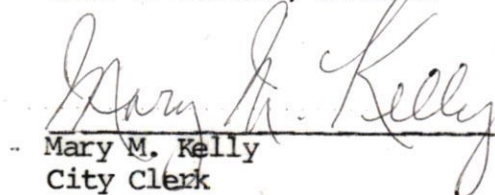


City Clerk

CERTIFICATION AS TO PUBLICATION

I, Mary M. Kelly, as City Clerk of the City of Cordova, Alabama, do hereby certify that a copy of the foregoing Ordinance Providing for Garbage Collection was on the 18th day of December, 1984, posted in three (3) Public Places in the City of Cordova, as evidenced by my Signature and Seal.

CITY OF CORDOVA, ALABAMA



Mary M. Kelly
City Clerk

SEAL

AMENDMENT TO ORDINANCE NO. 108-84

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORDOVA, ALABAMA, AS FOLLOWS:

That Ordinance No. 108-84, adopted on December 18, 1984, by the City Commission of the City of Cordova, Alabama, be amended as follows:

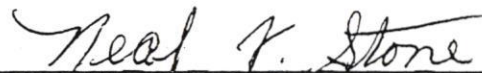
SECTION 25: Each person having control of any occupied premises, residential, business, or otherwise, is required to pay the monthly rates as established in Section 8, Paragraph (b), whether or not they avail themselves of the service made available by the Garbage Collection Ordinance.

Exemption from such payment shall only be made to such citizen who disposes of his own garbage in accordance with special permits granted by the State Health Department.

This amendment to said Ordinance No. 108-84 shall become effective immediately after passage by the governing body and posting as required by law.

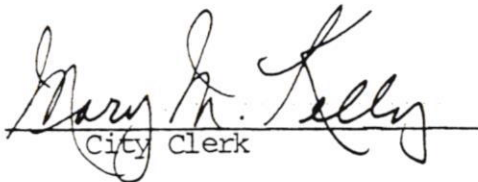
All ordinances or parts of ordinances of the City of Cordova in conflict with the provisions of Section 25 are hereby repealed.

PASSED AND ADOPTED on this 19th day of February, 1985.



Neal V. Stone, Mayor
City of Cordova, Alabama

ATTEST:


City Clerk

CERTIFICATE AS TO PUBLICATION

I, Mary M. Kelly, as City Clerk of the City of Cordova, Alabama, do hereby certify that a copy of the foregoing Amendment to Ordinance No. 108-84 was on the 19th day of February, 1985, posted in three (3) public places in the City of Cordova, Alabama, as evidenced by my Signature and Seal.

CITY OF CORDOVA, ALABAMA


Mary M. Kelly
City Clerk

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