

ORDINANCE NO.: 1753

AN ORDINANCE FURTHER AMENDING ORDINANCE NO.
1536 AS PREVIOUSLY AMENDED BY ORDINANCE 1553,
ORDINANCE NO. 1554, ORDINANCE NO. 1157,
ORDINANCE NO. 1564 AND ORDINANCE NO. 1714
TO FIX AND COLLECT REASONABLE FEES AS
AUTHORIZED BY SECTION 11-47-135 CODE OF ALABAMA, 1975

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD,
ALABAMA, THAT ORDINANCE NO. 1536, AS PREVIOUSLY AMENDED, IS
HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 1. The following words and terms when used in this
Ordinance shall have the meaning respectively ascribed to them
by this section unless the context clearly indicates otherwise.

(a) "Person" shall mean and include a natural person,
firm, cooperation, partnership, association, trustee, executor,
administrator, or other local entity, whether singular or
plural, masculine or feminine, as the context may require.

(b) "Dwelling Unit" shall mean a single family residence
and each separate family apartment or housing accommodation in
multiple family buildings generating solid waste.

(c) "Business Unit" shall mean each separate business
entity generating solid waste.

(d) "Solid Waste" shall mean the following:

- (i) Garbage: Putrescible animal and vegetable wastes
resulting from the handling, preparation, cook-
ing and consumption of food generated by an
occupant of a residential unit; and
- (ii) Trash: nonputrescible solid wastes, excluding
ashes, consisting of both combustible and non-
combustible wastes. Combustible trash includes
paper, rags, cartons, wood, furniture, rubber,
plastics, yard trimmings, leaves and similar
materials. Noncombustible trash includes
glass, crockery, metal cans, metal furniture
and like materials which will not burn at
ordinary incinerator temperatures, not less
than 1600 degrees Fahrenheit.

SECTION 2. In order to provide for the health, safety and welfare of the citizens of the City of Prichard, there is hereby levied a service charge to defray a part of the expense of the collection and disposal of solid wastes, and the administrative cost associated with such services; including the enforcement of this Ordinance in such areas as follows:

(a) Upon every person who is the occupant of a dwelling unit and upon every occupant of a business unit the sum of \$8.00 per month per unit. Where water service is furnished to a dwelling unit by The Water Works and Sewer Board of the City of Prichard, the term, "Occupant" shall be taken to refer to the person in whose name such service is subscribed at such dwelling unit or business unit, regardless of whether or not such person resides in such dwelling unit or operates such business unit. Where the dwelling or business unit is not served by the Water Works and Sewer Board of the City of Prichard, the term, "Occupant" shall be taken to refer to the person in whose name any public utility service (water, gas or electricity) is subscribed at the dwelling or business unit, regardless of whether such person resides in such dwelling unit or operates such business unit.

(b) Persons desiring to pay this fee on an annual basis may do so during the first fifteen (15) days of January of each year, and the annual charges for such charges shall be the sum of \$96.00 which shall be in lieu of the payments otherwise due for the calendar year.

(c) Persons desiring to pay this fee on a quarterly basis may do so during the first fifteen (15) days of the quarterly periods commencing January, April, July and October of each year, and the quarterly charges for such services shall be the sum of \$24.00 which shall be in lieu of the monthly payments otherwise due for the quarter.

(d) Except as to persons who have paid said fee on an annual or quarterly basis as heretofore provided, the fee provided by this Ordinance shall be due on the first day of each month for the service to be rendered during the month. A person becoming delinquent in payment of this fee shall pay and is hereby assessed, in addition to this fee, a late charge of \$3.00 to apply toward the additional expense incurred by the City in handling such delinquent accounts. If any charges due hereunder shall not be paid within thirty (30) days after becoming delinquent, the person liable for such charges shall be in violation of this Ordinance and will be punished as hereinafter provided.

(e) Payments due hereunder for occupants who are subscribers of the Prichard Water Works and Sewer Board shall make their payments to said Board. Occupants who are not subscribers to said Water Works and Sewer Board shall make payment to the City of Prichard.

(f) Where initial service is commenced after the 15th of the month, there shall be no charge for service during the month, but where such service is commenced on or before the 15th day of the month, the full monthly charge shall be due.

SECTION 3. Any person violating any provision of this Ordinance shall be fined between \$50.00 an \$200.00 for each day the violation continues.

SECTION 4. All other Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed upon this Ordinance become effective.

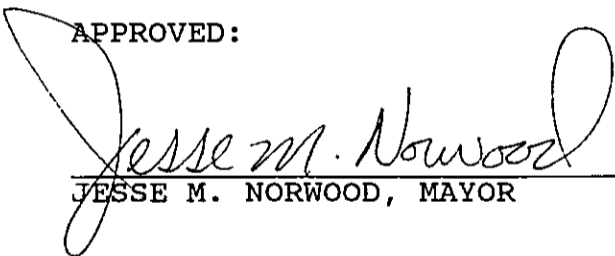
SECTION 5. If any clause, sentence, section, subsection or other provision of this Ordinance is held invalid or inoperative, the remainder of the Ordinance shall not be effected thereby.

SECTION 6. The fee set in Section 2 of this Ordinance shall become effective January 1, 1992.

SECTION 7. This amendment to the Ordinance shall have full force and effect upon its approval as required by law.

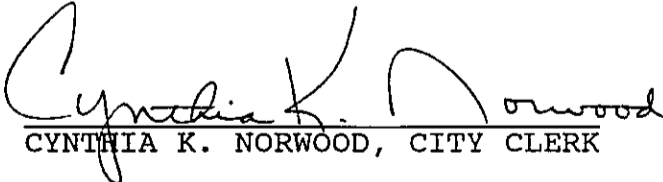
ADOPTED this the 8th day of December, 1992.

APPROVED:



JESSE M. NORWOOD, MAYOR

ATTEST:



CYNTHIA K. NORWOOD, CITY CLERK