

ORDINANCE # 1930

**AN ORDINANCE TO AMEND THE ORDINANCE ADOPTING THE 2004-2005
GENERAL FUND BUDGET**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PRICHARD, ALABAMA as follows:**

Section 1. That the following line items in the Public Works Street Department be increased as follows:

That line item 101 604 50 02 Overtime be increased \$1,740.00 to \$4,740.00

That line item 101 604 51 54 Cellular Telephone be increased \$1,159.00 to \$2,659.00

That line item 101 604 52 06 Road & Drainage Materials be increased \$19,000.00 to \$44,000.00

That line item 101 604 52 29 Miscellaneous Parts & Supplies be increased \$9,3626.00 to \$23,826.00

That line item 101 604 52 35 Office Supp/Stat/Rental be increased \$360.00 to \$3,360.00

That line item 101 604 51 13 be increased \$11,924.00 to \$31,924.00

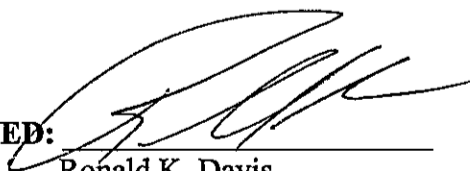
That line item 101 604 53 11 Equipment/Parts Purchases be increased \$6,716.00 to \$16,716.00;

Section 2. That line item 101 869 69 01 General Fund Budget Reserve be decreased \$50,225.00 to \$178,725.00;

Section 3. This ordinance shall have full force and effect upon its approval as required by law.

Adopted this 19th day of May 2005.

APPROVED:


Ronald K. Davis
Mayor

ATTEST:


Darlene Palmer Lewis, City Clerk
City Clerk

ORDINANCE NO.: #1931
AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 1863
AS PREVIOUSLY AMENDED BY ORDINANCES 1854, 1753, 1553, 1536,
ORDINANCE NO. 1554, 1157, 1564, 1714.
THIS ORDINANCE ALSO SUPERSEDES RESOLUTION NO. 753-98
TO FIX AND COLLECT REASONABLE FEES AS
AUTHORIZED BY SECTION 11-47-135 AND 11-89C-9
~ CODE OF ALABAMA, (1995)

SPONSORED BY: MAYOR RONALD K. DAVIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD ALABAMA, AS FOLLOWS:

SECTION 1. Section 1 of Ordinance No. 1863 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, corporation, 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, cooking and consumption of food generated by an occupant of a residential unit; and
 - (ii) Trash: Non-putrescible 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. Non-combustible 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.
- (e) "Illicit Discharge" shall mean any discharge to a municipal separate storm sewer that is not composed entirely of storm water, to include improper disposal of cooking grease, motor oils, foliage, debris and any other product improperly disposed of into the storm water sewer."

SECTION 2 of Ordinance No. 1863 is hereby amended to read as follows"

"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 collection and disposal of solid wastes, Storm Water Management, 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 \$15.00 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 \$180.00 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 \$45.00 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 \$5.00 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.
- (e) 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. Section 3 of Ordinance No. 1863 is hereby amended to read as follows:

"**SECTION 3.** Any person violating any provision of this ordinance causing an illicit discharge shall be fined accordingly. Residential fines will be assessed at \$50.00 per day, and Commercial fines will be assessed \$200.00 per day. Said fines will toll beginning on the 1st day issuance of a citation by either the City of Prichard Environmental Officers, or the Storm Water Management Officer. After 10 days violators who have failed to come into compliance shall be referred over to the Municipal Court where additional fines and penalties may be assessed, up to and including imprisonment, not to exceed six (6) months."

SECTION 4. All other parts of Ordinance No. 1863 shall be and remain the same.

SECTION 5. All other Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed on the effective date of this Ordinance.

SECTION 6. 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 7. The fee set in Section 2 of this Ordinance shall become effective October 1, 2005.

SECTION 8. This amendment to the Ordinance shall have full force and effect upon its adoption and publication as required by law.

ADOPTED this the 21st day of JULY, 2005.

APPROVED:



RONALD K. DAVIS
MAYOR

ATTEST:



DARLENE P. LEWIS
CITY CLERK

Please publish: **JULY 29, 2005**