

AN ORDINANCE TO LEVY A SERVICE CHARGE FOR THE
COLLECTION OF GARBAGE AND REGULATE THE DISPOSAL
THEREOF

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

Section 1. 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) "Person" shall mean and include a natural person, firm, association, partnership, corporation, trustee, executor, administrator, or other legal 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 accomodation in multiple family buildings.

Section 2. There is hereby established in the City of Prichard, Alabama, a residential and multi-family garbage collection, hauling and disposal service to be operated by the City of Prichard, Alabama. The collection, hauling and disposal of garbage and rubbish shall be made by the agents and employees of the City of Prichard, Alabama, not less than one time each week.

Section 3.

(a) In order to provide for the health and welfare of the citizens of the City of Prichard there is hereby levied a service charge to defray a part of the expenses of the collection, hauling and disposal of garbage and rubbish within the residential and multi-family areas together with the costs and expenses incurred in the collection of charges provided for and the enforcement of this ordinance in such areas, as follows: Upon every person who is the occupant of a dwelling unit containing kitchen facilities the sum of \$2.50 per month per dwelling 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, regardless of whether or not such person resides in such dwelling unit.

(b) Persons desiring to pay their garbage service charges on an annual basis may do so during the first fifteen days of January of each year, and the annual charges for such services shall be the sum of \$25.00, which shall be in lieu of the monthly payments otherwise due for the calendar year, provided, however, that the garbage service charges for the period from July 1, 1971, through December 31, 1971, shall be the sum of \$12.50 and must be paid by July 15, 1971.

(c) Persons desiring to pay their garbage service charges on a quarterly basis may do so during the first fifteen 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 \$7.00, which shall be in lieu of the monthly payments otherwise due for the quarter.

(d) Except as to persons who have paid their garbage service charges on an annual or quarterly basis as heretofore provided the garbage service charge provided for by this ordinance shall be due on the first day of each month for the service to be rendered during the month, and shall become delinquent if not paid by the 15th day of the month. A person becoming delinquent in payment of his garbage

service charge shall pay and is hereby assessed, in addition to his garbage service charge, a late charge of one dollar for each month he is delinquent, such late charge to apply toward the additional expense incurred by the City in handling of such delinquent accounts. If any charges due hereunder shall not be paid within fifteen days after becoming delinquent, the person liable for such charges shall be in violation of this ordinance and shall be punished as hereinafter provided.

(e) All payments due hereunder shall be paid to the City Clerk of the City of Prichard at the City Hall.

(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.

(g) Any person in whose name a water meter is listed, who shall state in writing under oath to the City Clerk of the City of Prichard that he is totally blind, as defined in Title 51, Section 1, Code of Alabama, Recompiled 1958, that he is dependent upon the Department of Pensions and Security of the State of Alabama for his subsistence, that his total monthly income from all sources does not exceed \$100.00, and that no other adult person not dependent upon said Department of Pensions and Security for his subsistence is living or residing in the dwelling unit served by said water meter, shall be exempt from the payment of the garbage service fee required hereunder.

(h) Any person seeking the exemption provided for in Subsection (g) of Section 3 of this Ordinance must make application for same with the City Clerk. All such applications must be made between the 1st day of November and the 15th day of December of each year, and no person shall be exempted from the payment of said fee for a period exceeding one year, unless he renews his application for exemption during the period hereinabove prescribed, provided, however, that initial applications hereunder may be made for sixty days after the effective date of this Ordinance.

Section 4. It shall be the duty of every person in possession, charge or control of any residential premises where garbage is created or accumulated, and in case of multiple family occupancy, the owner of the premises, at all times to keep or cause to be kept, a sufficient number of garbage cans, with at least one garbage can for each family or other unit, for the deposit therein of garbage and rubbish, and lids or covers of such garbage cans shall be kept tightly closed at all times other than when garbage and rubbish is being deposited therein or removed therefrom. Containers used for the deposit of garbage and rubbish for collection by the City Sanitation Department shall be in good condition so that collection therefrom shall not injure the person collecting the contents thereof. Containers having ragged or sharp edges or other defects must be promptly replaced upon receipt of notice from the Superintendent of the Sanitation Department or his agent and if not so replaced within ten (10) days of receipt of such notice, such non-conforming or defective container may be collected by the Superintendent of the Sanitation Department or his agent and disposed of as waste.

Section 5. All garbage cans to be emptied by the City Sanitation Department shall be placed at places to be designated by the City Sanitation Department on the days and between the hours designated by the said Department.

Section 6. It shall be unlawful for any person other than those removing the entire contents thereof for disposal, to remove any garbage, rubbish or other like materials from any garbage can or other container within the corporate limits and police jurisdiction of the City of Prichard after it has been placed therein.

Section 7. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and on conviction shall be fined not less than \$1.00 nor more than \$100.00.

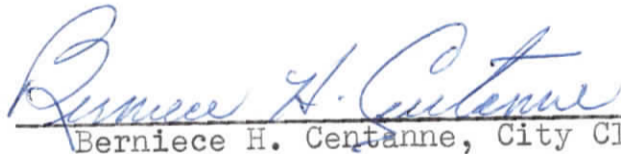
Section 8. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed upon this ordinance becoming effective.

Section 9. This ordinance shall become effective on July 1, 1971.

Section 10. If any clause, sentence, section, subsection or provision of this ordinance is held invalid or inoperative, the remainder of the ordinance shall not be affected thereby.

Adopted this 31st day of May, 1971.

CLERKS CERTIFICATE: This Ordinance having been passed by the City Council on May 31, 1971, and not having been returned to me, as City Clerk, by the Mayor with his approval or veto within the ten days after its passage by the Council, in compliance with Title 37, Section 458, Code of Alabama, 1940, recompiled in 1958, the same has been published as herein provided.



Berniece H. Centanne, City Clerk

(Please publish June 14, 1971 in Register)