

Chapter 7

SOLID WASTE*

Sec. 7-1. Definitions.

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

Garbage includes all waste accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fowl, fish, fruits or vegetables; and tin cans or other containers originally used for foodstuffs; and household refuse normally wasted on a day-to-day basis from ordinary households.

Garbage dump means a place for the dumping or disposing of refuse, operated by the city, or such other place as may be designated and approved by the county health officer.

Oversized burnable wastes are comprised of items which cannot readily be collected in the normal mechanized compaction truck or disposed of in the conventional refuse incinerator; and items which cannot be easily crushed having bulk in excess of ten (10) cubic feet or a maximum single dimension exceeding five (5) feet in length or exceeding four (4) inches in diameter.

Oversized, nonburnable wastes includes wastes which are largely of metallic construction such as refrigerators, stoves, barrels, metal furniture, boilers, washing machines, bed springs or similar products.

Premises means any dwelling, flat, roominghouse, apartment house, hospital, school, hotel, club, restaurant, boardinghouse, eating place, shop, church, place of business, manufacturing establishment, courthouse, jail, city hall, post office, or other public building.

*Cross reference—Licenses and business regulations, Ch. 4.

Refuse means rubbish and any other material or substance, regardless of definition, picked up and handled by the sanitation department as of the effective date of this chapter.

Residential customer includes the occupant of any dwelling used primarily for residential purposes, including, but not limited to, single-family dwellings, apartments, mobile homes, and condominiums.

Sanitation department means the sanitation and street maintenance department of the city.
(Ord. No. 319, §§ 1, 8, 12-20-82)

Sec. 7-2. Director of sanitation generally.

The director of sanitation shall be the duly designated head of the sanitation department.
(Ord. No. 319, § 1, 12-20-82)

Sec. 7-3. City service established.

There is hereby established in the city a garbage collection, hauling and disposal service to be operated by the sanitation department. The time and frequency of hauling and disposal shall be established and regulated from time to time by the city council upon the advice and recommendation of the sanitation department. However, the hauling and disposal shall be of such frequency as to ensure that the citizens of the city shall be protected from the health hazard of the undue accumulation of garbage.
(Ord. No. 319, § 2, 12-20-82)

Sec. 7-4. Containers; limits on city service.

(a) All garbage which is to be collected from residences by the sanitation department shall be placed in a garbage can or a bag-type container and securely sealed, and shall be placed in front of the residence on the curb next to the street. A person may use any type bag; however, that person shall be guilty of violating section 7-6 should the garbage become scattered.

(b) All garbage containers and other garbage held for collection by the sanitation department from business establishments

shall be placed at places to be determined by the sanitation department on the days and between the hours designated by such department.

(c) The city shall pick up garbage but shall not be obligated to pick up any other oversized burnable waste, oversized nonburnable waste, refuse or rubbish. Each person shall be responsible for the legal disposal of all other matter not specifically designated.
(Ord. No. 319, § 3, 12-20-82)

Sec. 7-5. Placement for collection; vicious animals.

Tenants, lessees, occupants, or owners of premises shall place garbage at the curb and off the highway or street in front of the building in advance of pickup time. All vicious animals shall be confined. Where commercial collections are made from private alleys and accessways, such approaches shall be maintained in such a manner as not to be a hazard to sanitation personnel or equipment. Failure to comply with the above provisions after notification by the sanitation department will cause service to be discontinued until such time as same is corrected. The city shall have the further right to adopt from time to time reasonable rules concerning the placement of garbage containers by the above designated users of this service, and such other rules and regulations as it deems advisable.
(Ord. No. 319, § 4, 12-20-82)

Sec. 7-6. Unlawful dumping.

It shall be unlawful for any person to dump, or cause to be dumped, any garbage, refuse, rubbish or dead animals upon any property other than a garbage dump.
(Ord. No. 319, § 5, 12-20-82)

Sec. 7-7. Billing and payment dates.

All bills for service under this chapter shall be rendered monthly on the same statement rendered by the utility board of the city for water and gas service. Each bill shall be due and rendered and shall become delinquent if not paid within ten (10) days thereafter.
(Ord. No. 319, § 6, 12-20-82)

Sec. 7-8. Utility board generally.

The utility board is hereby designated as the agent for collection of garbage fees, and it shall remit the same to the city clerk periodically as they are collected. Provided, however, that where the person liable for the fees prescribed has no water or gas service furnished to him by the utility board, such shall be billed to him for garbage fees only the same as for gas and water service with the same rules applying for garbage fees only. These persons shall also pay their fees to the utility board.

(Ord. No. 319, § 7, 12-20-82)

Sec. 7-9. Service fee.

In order to provide for the health and welfare of the citizens of the city, there is hereby levied a service fee to defray a part of the expenses of the collection, hauling and disposal of garbage within the city limits, together with the costs and expenses incurred in the collection of fees provided for and the enforcement of this chapter in such areas, as follows:

- (1) Each residential customer shall pay a fee of five dollars (\$5.00) per month.
- (2) All nonresidential establishments shall pay an agreed-upon fee to be established by the head of the sanitation department and approval by the city council. Such fee shall be set on a case-by-case basis and at a level consistent with the amount of service to be provided.
- (3) The Columbiana Housing Authority shall be charged a fee of five dollars (\$5.00) per month for each unit for a total amount of eighty dollars (\$80.00) for the Lee Apartments and a total amount of thirty dollars (\$30.00) for the Watts Apartments.

(Ord. No. 319, § 8, 12-20-82)

Sec. 7-10. Exemptions.

All residents of the city who occupy any residential dwelling, who are sixty-five (65) years of age or older, or who are permanently and totally disabled and who are the head of a household shall be exempt from the fees for the collection of residential

garbage as provided in this section. Applications for such exemption shall be in writing and addressed to the city council, which shall have the right to require a personal appearance before the council by the applicant. The exemption shall not apply until it is approved by the council.

(Ord. No. 319, § 9, 12-20-82)

Sec. 7-11. Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than ten dollars (\$10.00), nor more than two hundred dollars (\$200.00) at the discretion of the court.

(Ord. No. 319, § 10, 12-20-82)

Chapter 8
UTILITIES*

Sec. 8-1. Accommodating utilities on streets.

The State of Alabama Highway Department Standards for Accommodating Utilities on Highway Rights-of-Way are hereby adopted as standards (as written and future amendments thereto) for use by the city for accommodating utilities on roads and streets under the jurisdiction of the city on those roads and streets which have or will involve the expenditure of state or federal highway funds. (Ord. No. 106, § 1, 6-6-77)

Sec. 8-2. Water shortage or emergency.

(a) The mayor is authorized to declare a state of emergency whenever in his opinion, or in the opinion of the chairman of the utility board of the city, there is an inadequate water supply; or when there is a breakdown of the water plant, lines, equipment, or facilities of the city water system, by written notice published in a newspaper in the city or at the mayor's option, by posting such notice in three (3) public places in the city, one (1) of which shall be at the city hall.

(b) When a state of emergency is declared and notice thereof is published or served as provided by law or ordinance, it shall be unlawful for any consumer of city water or water from the utility board of the city to use or allow to be used any water furnished by the city or by the utility board in the washing of automobiles, sprinkling of lawns or gardens, or knowingly to allow such water to be wasted. When such an emergency is declared, it shall continue until publication of notice to consumers that the emergency no longer exists.

(c) Any violation of this section shall be punishable by a fine not exceeding two hundred dollars (\$200.00), and the water supply of the person so convicted shall be cut off and remain off until a satisfactory guarantee is made with the mayor that such person shall not further violate this section. Each day's violation of this section shall constitute a separate offense. (Ord. No. 301, §§ 1-3, 7-20-81)

*Cross reference—Licenses and business regulations, Ch. 4.

