ORDINANCE # 398

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

SECTION 1. Definitions: The following words and terms when
used in this ordinance shall have the meanings respectively
described to them by this section unless the context indicates
otherwise:

(a) "Person" shall be taken to mean and include a natural
person, firm, association, partnership, corporation, trustee,
executor, administrator, or other legal entity, whether singular
or plurals, masculine or feminine, as the context may require.

(b) "Garbage Container" shall be taken to mean receptacle
or can of a substantial mental construction which can be manually
handled.

(c) "Sanitary Department" means the City Sanitary depart-
ment of the City of Helena, Alabama, and shall include all
officers and employees engaged in sanitary and health work for
said City.

(d) "Garbage and Trash Dump" means the place now or herea-
ter used for dumping and disposing of garbage and trash by the
City of Helena, Alabama.

SECTION 2. (a) There is hereby established in the City of
Helena, Alabama a mandatory garbage collecting hauling and
disposal service to be operated by the City of Helena, Alabama.
The collection, hauling and disposal of the garbage and trash
shall be made by the officers, agents and employees of the City
of Helena, Alabama, under the direction of the Mayor of said city
not less than one time each week and the charges herein pre-
scribed are based on such periodic collection and disposal; and
it shall be unlawful for any other person to use, or place
garbage or any other materials on the garbage and trash dump of
this city.

(b) Beginning with the services to be rendered for the month
of April, 1991, and continuing thereafter, the
following charges shall be collected by the City of Helena,
Alabama, for the collecting, hauling and disposal of garbage and
trash:

$ 7.50 per month for each residence;
$ 7.50 per month for each unit of an apartment house;
$ 11.50 per month for each store or hotel, and other
establishments desiring removal services may contract with this
city for same.

SECTION 3. This service shall be mandatory and shall be
subscribed for by all persons, residences and businesses located
within the municipal limits of the City of Helena, Alabama, and
shall be paid for in advance on a monthly, quarterly, semi-annual
or annual basis. For the purpose of computing the amounts due
the service shall begin as of the 1st day of the month in which
subscription is made and paid for as herein provided.

SECTION 4. It shall be unlawful for any person, firm or
corporation in possession, charge, or control, jointly or sever-
ally, of any premises where refuse or garbage is created or
accumulated to fail to subscribe to refuse or garbage service as
created and at the rates established hereunder.

SECTION 5. Each householder in the City of Helena, Alabama
shall be and is hereby required to provide a garbage container
with a lid in which to dispose of garbage to be taken up from
time to time by the Sanitary Department; garbage container shall
be kept on the premises of such house holder at a place that will
be readily accessible to the Sanitary Department of said City.

SECTION 6. That no person shall throw, place or dispose of
any trash, litter, garbage, refuse or like matter, upon the
property or premises of another person or on the property which
is in the possession of another person.

SECTION 7. That no person shall remove any trash, litter,
garbage, refuse or like matter from any trash can or other
receptacle after it has been placed therein except under the
orders of the Sanitary Department of the City of Helena, Alabama.

SECTION 8. That on and after the passage of this ordinance
it shall be unlawful for any person to sweep or throw trash,
waste matter, or other substance commonly known as garbage into
the streets, alleys or on the side walks of the City of Helena,
Alabama, or upon the property within the City of Helena, Alabama,
not his own or under his control.

SECTION 9. That on and after the passage of this ordinance
it shall be unlawful for any person to allow garbage to remain
expose to flies on his premises.

SECTION 10. That any person, firm or corporation violating
any of the provisions of this ordinance, shall be guilty of a
misdemeanor and on conviction shall be fined not less than o one
dollar ($1.00) and not more than One Hundred ($100.00) dollars at
the discretion of the Court trying the case.

Adopted and approved this 1 day of April, 1991.

Authenticated:

[Signature]
Mayor, City of Helena, Alabama

[Signature]
City Clerk