AN ORDINANCE

NO. 518

AN ORDINANCE TO LEVY A FEE OR CHARGE FOR THE COLLECTION AND DISPOSAL OF GARBAGE, TRASH, REFUSE, DEAD ANIMALS AND FOWLS, ALL THINGS OFFENSIVE TO HEALTH, IN THE NATURE OF GARBAGE, TRASH AND REFUSE AND ALL THINGS OFFENSIVE TO SMELL AND AIR POLLUTION IN THE NATURE OF GARBAGE, TRASH, REFUSE, AND INCONSISTENT WITH CLEANLINESS AND HEALTH IN THE CITY OF ROANOKE, ALABAMA, AND TO PROVIDE FOR THE COLLECTION AND DISPOSAL OF THE SAME; TO PROVIDE FOR GARBAGE CONTAINERS AND THE PLACEMENT OF THE SAME, AND THE MANNER OF THE DISPOSAL OF THE CONTENTS THEREOF IN THE CITY OF ROANOKE, ALABAMA, TO REGULATE TRASH BURNING AND AIR POLLUTION, AND TO REGULATE THE CITY DUMP OR DUMPING GROUNDS AND THE PREMISES SET ASIDE FOR DUMP OR DUMPING GROUNDS, AND TO SET THE PENALTIES AND CHARGES FOR THE USE AND VIOLATION OF THE SAME, AND TO REPEAL ANY PROVISIONS OF ORDINANCE 466, HERETOFORE ADOPTED BY THE CITY OF ROANOKE, ALABAMA ON THE 10TH DAY OF JULY, 1961, AND ANY OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO FURTHER PROVIDE AND REGULATE THE HEALTH, SANITATION AND CLEANLINESS OF THE CITY OF ROANOKE, ALABAMA:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, ALABAMA, as follows:

Section 1. Definitions. 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 be taken to 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. Garbage and trash shall be construed to mean and include all waste and discarded materials, including rubbish, debris, waste and discarded food, animal and vegetable matter (but not including liquid waste), waste paper, cans, glass, crockery, rags, ashes, cinders, brush, grass, weeds, cuttings from trees, shrubs, lawns and gardens when the same are placed for garbage disposal or in garbage containers as is herein contained;

c. Garbage containers suitable for most garbage, exclusive of large items, shall be taken to mean and include a water tight receptacle or can having a capacity of not more than 30 gallons, of substantial construction, with handles on the sides sufficient insure the proper handling thereof:

d. The duties to be performed under the provisions of this Ordinance shall include all officers and employees of the City engaged in sanitary and health work, and the said duties may be delegated by the Mayor to any employee or
employees of the City;

e. Garbage and Trash Dump, or City Dump or City Dumping Ground shall mean the place or places for dumping and disposing of garbage and trash as herein and herein above defined, and operated, owned or maintained by the City.

Section 2. The collection, hauling and disposal of garbage and trash as is herein defined shall be made at least once each week, and the charges made herein for such service shall be as is hereinafter designated; provided that where such collection, hauling and disposal shall be made at more periodic intervals as may be determined by the City, and as is and hereinafter setforth and designated the same shall be for the hereinafter setforth charges for such periodic hauling, collection and disposal;

b. Beginning with the services for the month of December, 1970, and continuing thereafter, the following charges for the collection, hauling and disposal of trash and garbage as herein defined shall be paid to the City Clerk of the City of Roanoke, Alabama, at the office of the said City Clerk, to wit:

G-1. Residential Service. $2.00 per month for each family dwelling unit: In the case of apartment houses, housing projects, each apartment or dwelling unit shall be subject to and pay such fee; This shall be for one trip each week;

G-1a. More than one trip to such dwelling or unit per week shall be at an additional fee of $2.00 per trip;

G-2. Stores and Business Houses: Once a week; $5.00
G-2a Three times a week 15.00
G-2b Four times a week 25.00
G-3 Those of a heavy industry and more often garbage disposal 50.00
G-4 Hotels, Motels to be paid by the Operators 15.00
G-5 Office buildings, more than one office, to be paid by the Operator 5.00
G-5a Trailer Courts, to be paid by the Operator per unit 2.00
G-5b Barber Shops, Beauty Shops, Churches 5.00
G-6 Cafes, restaurants 15.00
G-6a Hospitals 25.00
G-6b Nursing Homes $15.00
G-7 Small load delivered at Dump or Dumping ground, minimum 1.00
G-7a 1½ Ton truck load at Dump or Dumping Ground, minimum 3.00
G-5b Barber Shops, Beauty Shops, Churches 5.00
G-6 Cafes, restaurants 15.00
G-6a Hospitals 25.00
G-6b Nursing Homes 15.00
G-7 Small load delivered at Dump or Dumping ground, minimum 1.00
G-7a 1½ Ton truck load at Dump or Dumping Ground, minimum 3.00
G-8 Small animals, cats, dogs at dump or dumping grounds, per animal 1.00
G-8a Animals from Animal Clinic, picked up by City, per month 15.00
G-8b Large Animals brought to Dump or Dumping Grounds for disposal (burying) per animal 5.00
G-8c Removing animals from Cattle Barn by City for disposal (burial), per animal 10.00
G-9 New matters arising from time to time shall be set by the Council, that is items not known at the adoption of this Ordinance;

Section 3. All bills for services rendered hereunder shall be due and payable monthly, and the fees charged hereunder shall be sent out with the utility bills, or any one of them, and shall be mailed by the Water or Gas Departments of the City; and such fees shall be paid when the utility bills are paid. All fees collected hereunder shall be net and if the current monthly charge or fee for service hereunder is not paid in 10 days from the date of the bill or charge or fee, the gross rate shall apply and be collected, and such gross rate shall be 10 per cent higher than the net fee.

Section 4. Boxes, crates, grass, leaves, shrubbery, tree trimmings and other items not over six feet in length and not weighing over 50 pounds and originating on premises from which garbage is removed shall be placed on the sidewalk in front of said premises and on the plat that lies between the sidewalk and the curb, unless some other place is designated by the City Officials; provided that if more than one truck load is removed
on any one day there shall be an extra charge for the same.

Section 5. All bills for services prescribed herein shall be due and payable on the first day of each month after the same occurs, and shall be delinquent after the 10th day of said month.

Section 6. No garbage collection service shall be rendered by the City of Roanoke, Alabama for any person whose account for said service is over 15 days past due.

Section 7. It shall be the duty of every person in possession, charge or control of any premises where garbage is created, or accumulates, at all times to keep or cause to be kept, a sufficient number of garbage cans or approved garbage containers for the deposit therein of said garbage and shall cause the same to be deposited in said containers, and the lids or covers of such garbage cans or containers shall at all times be kept tightly closed at all times other than when such garbage is being removed.

Section 8. It shall be unlawful for any person in possession, charge or control of any premises where rubbish, garbage or other non-putrescible waste is created at all times not to have a sufficient number of cans or approved containers for said garbage waste and disposal;

Section 9. It shall be unlawful for any person in possession, charge or control of any premises to keep, cause to be kept or allow the keeping of garbage, refuse or rubbish on any premises in the corporate limits or police jurisdiction of the City of Roanoke, Alabama, wherein such garbage, refuse or rubbish will become offensive, deleterious to health, or likely to become such or to cause disease, and the same is hereby declared to be a public nuisance. The Health Officer of Randolph County, Alabama, his authorized representative, or other duly authorized inspector as may be designated by the Mayor of the City of Roanoke, Alabama, be and is hereby authorized to inspect any premises in the City of Roanoke, Alabama or in its police jurisdiction for the purpose of seeing that the requirements of this Ordinance are being complied with, and it shall be unlawful for any person whomsoever to resist or interfere with such representative by word, deed or act in the performance of such inspection.

Section 10. It shall be unlawful for any person to sweep, throw or otherwise deposit or cause to be swept, thrown or otherwise deposited any garbage, rubbish, or other refuse into or upon any public street, alley, sidewalk, park or other property of any person or in the possession of any other person within the corporate limits of the City of Roanoke, Alabama or its police jurisdiction, or to permit any garbage, rubbish or other refuse to accumulate in any manner that it may be carried or deposited into or on any of the above places by action of rain, wind or snow.

Section 11. It shall be unlawful for any person to sweep, throw or otherwise deposit, or cause to be swept, thrown, or
otherwise deposited into or on any canal, stream, water course, ditch, public water drain, sewer or receiving basin within the corporate limits of the City of Roanoke, Alabama and its police jurisdiction any garbage, rubbish or other refuse to permit the same to accumulate in such a manner that it may be carried or deposited into or on any of the above places by action of rain, wind or snow.

Section 12. It shall be unlawful for any person to remove any garbage, rubbish, refuse or other like material from any garbage can or other container within the corporate limits of the City of Roanoke, Alabama and its police jurisdiction after it has been placed therein except under the orders of an officer, agent or employee of the City of Roanoke, Alabama.

Section 13. All garbage cans, containers and other refuse for collection by the City of Roanoke, Alabama from commercial establishments shall be placed at places or points designated by the City of Roanoke, Alabama, and on the days or hours as may be so designated.

Section 14. It shall be unlawful to burn trash, garbage rubbish or other materials upon a person's premises causing smoke, fumes or odors; or other annoyances;

Section 15. It shall be unlawful for any person to place or leave a dead animal or fowl on any premises, either public or private other than his own, or to cause the same to be there or placed there by any act whether voluntary or not, and any person so doing shall immediately notify the proper city authorities of the same, and provide for the removal and disposal thereof, and to pay the proper charge therefor.

Section 16. It shall be unlawful for any person to transport, haul, or carry garbage, rubbish or other refuse through the streets, alleys or public places in the City of Roanoke, Alabama or its police jurisdiction without having the vehicle or container in which the same is to be hauled, adequately secured and covered in a manner approved by the City of Roanoke, or its authorized officials.

Section 17. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and on conviction shall be fined not less than One Dollar and not more than One Hundred Dollars, and for a third or more offenses he may be confined in the City Jail for a period of not longer than six months;

Section 18. The failure to comply with any of the provisions of this Ordinance shall constitute a misdemeanor, and each day of violation shall constitute a separate offense.

Section 19. All Ordinances in conflict with this Ordinance and parts thereof as to such conflicting part is hereby repealed.

Section 20. 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.

Section 21. The adoption of this Ordinance is hereby declared to be in the exercise of the police power of the City of Roanoke, Alabama, and it is further declared that this Ordinance is adopted for the purpose of enabling the City of Roanoke, Alabama to perform a governmental function and that it is not adopted for the purpose of raising revenue for the City.

Passed and adopted on this 16th day of November, 1970.

(Sn) J. P. Phillips
J. P. Phillips, Mayor
City of Roanoke, Alabama

Attest:

(Sn) Olin E. Sheppard
Olin E. Sheppard, City Clerk
City of Roanoke, Alabama

I, Olin E. Sheppard, as City Clerk of the City of Roanoke, Alabama hereby certify that the foregoing ordinance was passed and adopted by the Mayor and City Council of the City of Roanoke, Alabama on the 16th day of November, 1970, and was herein recorded and was published in The Roanoke Leader of general circulation in the City of Roanoke, Alabama on the 18th and 25th day of November, 1970.

Olin E. Sheppard, City Clerk
City of Roanoke, Alabama

AN ORDINANCE

NO. 519

An Ordinance to adopt the License Code for the City of Roanoke, Alabama, and to provide for the publication thereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, ALABAMA, as follows:

SECTION 1. That the codification of the license schedule and laws of the City of Roanoke as reported to the City Council