

## ORDINANCE NO. 231-02

### AN ORDINANCE TO AMEND ORDINANCE NO. 231-00 AND NO. 231-01 HERETOFORE ADOPTED BY THE CITY OF PELHAM, ALABAMA SOLID WASTE COLLECTION

**WHEREAS**, the City of Pelham has determined that it is in the best interest of the City to amend Ordinance No. 231, Section II, Articles 1, 6, 7A, and 13 and to repeal Ordinance No. 231-01 in its entirety.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the City of Pelham, Alabama, that Section II, Articles 1, 6, 7A, and 13 of Ordinance No. 231 shall be amended to read as follows:

#### SECTION II – Garbage Collection and Disposal

##### Article 1. Uncovered garbage

It shall be unlawful to place or permit to remain anywhere in the City any garbage or other material subject to decay other than leaves or grass, excepting in the garbage container provided by the contracted waste disposal provider for Residential I-IV customers, or in a tightly covered metal or plastic customer provided container not to exceed 30 gallons and that can be lifted manually for Residential V customers. Leaves and grass shall be placed and sealed in plastic bags.

##### Article 6. Collection by City

The City of Pelham acting independently or by contract with a third party, shall collect, haul and dispose of garbage in the City of Pelham one time per week, fifty-two (52) weeks a year. Trash pickup will be provided by the City. The fees for such collections shall be based on the number of containers assigned to a residential customer and shall be paid monthly. Fees shall be set by the City Council in accordance with the current Agreement with the City's waste disposal provider. Any increase in fees charged by the waste disposal provider will constitute a change in the current garbage fees.

##### Article 7A. Containers

The waste disposal provider will provide a minimum of one (1) ninety-five (95) gallon container with roll-out wheels and lid to each residential customer classified Residential I-IV. Customers will be classified as follows: Residential I – one container; Residential II – two containers; Residential III – three containers; Residential IV – four containers; Residential V – residents provide their own containers, maximum of three (3) thirty (30) gallon containers. Residential V customers are residents living in townhomes with no outside access to the back of the property and where containers are not allowed to be visible in the front of the property.

All garbage for collection by the City shall be placed in the provided containers (Residential I-IV) or sealed in disposable bags and placed in metal or plastic containers equipped with a lid that can be handled manually at the curbside (Residential V).

##### Article 13. Hardship

Alabama Public Health Laws Title 22-27-3(a),(3) states: Any household whose sole source of income is Social Security Benefits shall be granted an exemption from the payment of any fees required under this article, provided that household seeking to claim the exemption shall present proof of income to the County Health Officer no later than the first billing date of any year which the exemption is desired.

Any resident who qualifies under the provisions of Title 22-27-3(a),(3) who desires this exemption should contact the Shelby County Health Department for an application for exemption. Once the application has been received and reviewed it will be forwarded to the appropriate city clerk or solid waste officer.

All remaining provisions of Ordinance No. 231 shall remain in full force and effect.

This ordinance shall go into effect upon the passage and adoption by the City Council of the City of Pelham, Alabama and posting as required by law.

THEREUPON Ron Scott, a council member moved and Beth McMillan, a council member seconded the motion that Ordinance No.231-02 be given vote. The roll call vote on said motion was as follows:

Rick Hayes Council President	<u>yes</u>
Ron Scott Council Member	<u>yes</u>
Beth McMillan Council Member	<u>yes</u>
Maurice Mercer Council Member	<u>yes</u>
Karyl Rice Council Member	<u>yes</u>

Ordinance No.231-02 passed by majority vote of the Council and the Council President declared the same passed.

**ADOPTED** this 2<sup>nd</sup> day of March 2015.

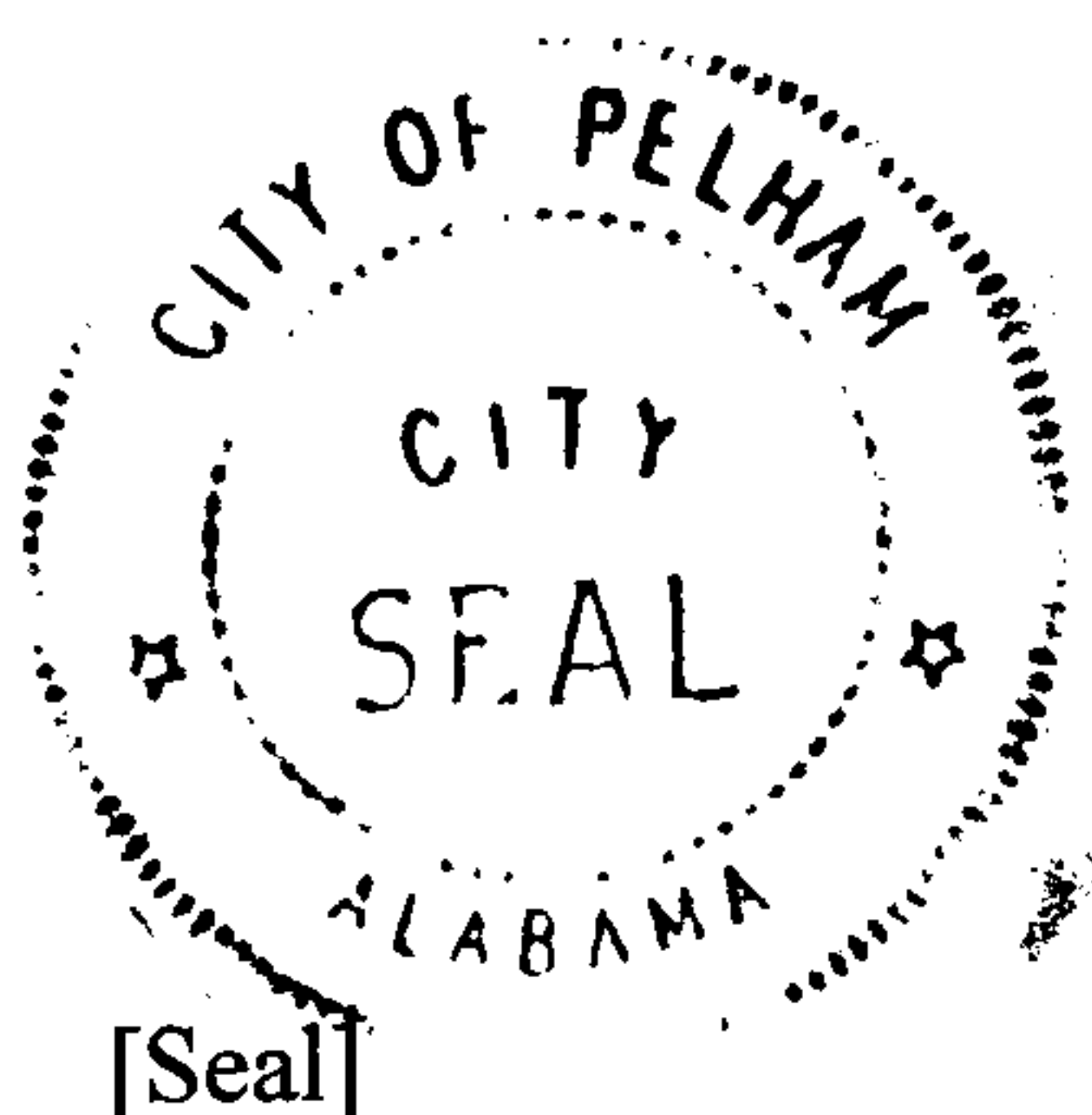
R.A. Hayes  
Rick Hayes, Council President

Ron Scott  
Ron Scott, Council Member

Beth McMillan  
Beth McMillan, Council Member

Maurice Mercer  
Maurice Mercer, Council Member

Karyl Rice  
Karyl Rice, Council Member

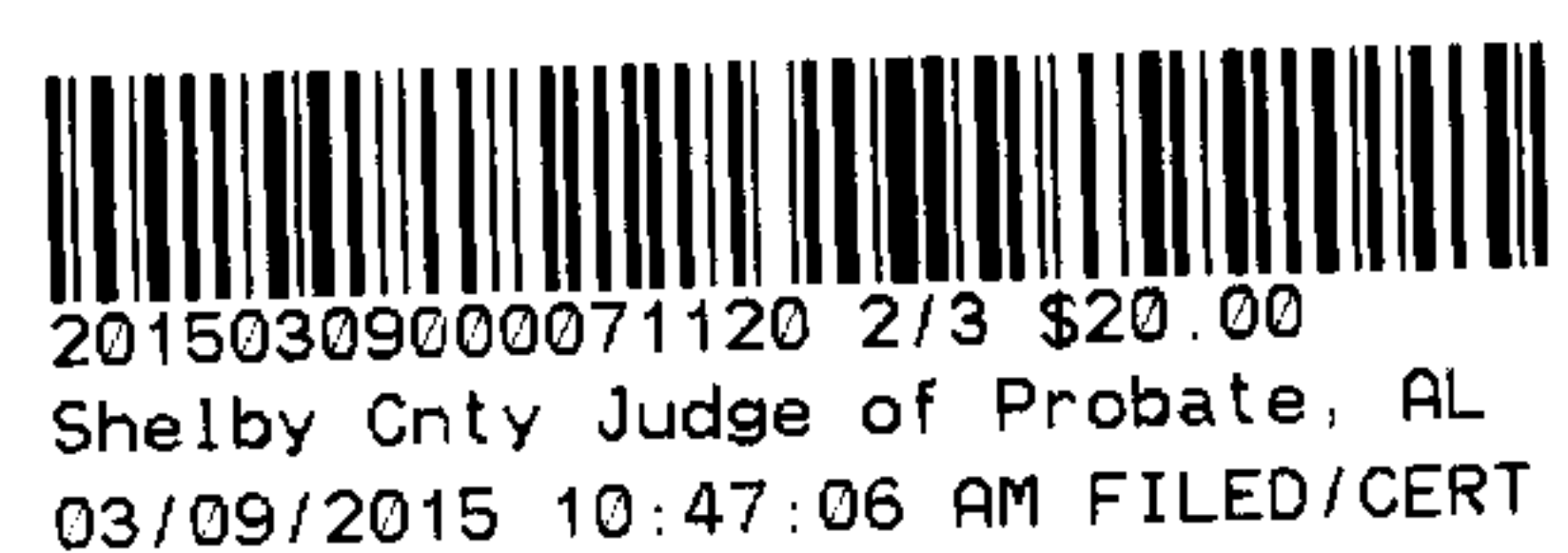


ATTEST

Marsha Yates  
Marsha Yates, CMC, City Clerk

APPROVED:

Gary Waters 3-2-2015  
Gary Waters, Mayor Date






## POSTING AFFIDAVIT

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing **ORDINANCE NO. 231-02** was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 2<sup>nd</sup> day of March 2015 and duly published by posting an exact copy thereof on the 3<sup>rd</sup> day of March 2015 at four public places within the City of Pelham, including the Mayor's Office at City Hall, City Park, Library, Water Works and [www.pelhamonline.com](http://www.pelhamonline.com). I further certify that said ordinance is on file in the office of the City Clerk and a copy of the full ordinance may be obtained from the office of the City Clerk during normal business hours.



  
Marsha Yates, CMC, City Clerk

  
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Shelby Cnty Judge of Probate, AL  
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