

## **ORDINANCE NO. 03-04-24-1**

### **AN ORDINANCE AMENDING ORDINANCE NUMBER 02-05-18-1 AND ORDINANCE NUMBER 09-19-05-1**

**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. "Garbage" includes all waste accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables; tin cans or other containers originally used for foodstuffs.
- b. "Rubbish" includes all non-putrescible solid wastes, consisting of both combustible wastes, such as paper, cardboard, glass, yard clippings, crockery, excelsior, cloth and similar materials.
- c. "Refuse" includes garbage and rubbish and any other solid wastes.
- d. "Garbage Container" means shall be taken to mean and include the roll-out container provided or purchased from the City of Hartford. "Sanitary Department" means the Municipal Sanitary Department of the City of Hartford, Alabama.
- e. "Garbage Dump" means place for dumping or disposing of refuse, operated by Geneva County, or such place or places designated by the County Health Officer of Geneva County.
- f. "Persons" means any individual, firm or corporation.
- g. "Premises" means any dwelling, flat, rooming house, apartment house, hospital, school, hotel, club, restaurant, boarding house, eating place, shop, place of business, manufacturing establishment, courthouse, jail, city hall, post office or other public building.

**SECTION 2.** That it is mandatory for all residents and businesses to participate in garbage service as follows:

- a. Residential dwellings shall mandatorily participate in garbage service provided by the City of Hartford Sanitation Department.
- b. Commercial dwellings shall mandatorily participate in garbage service provided by either the City of Hartford or a licensed private contractor.
- c. All dwellings showing active electric and water service shall be required to participate in mandatory garbage service unless otherwise approved by the Utility Superintendent.

**SECTION 3.** It shall be the duty of every person in possession, charge or control of any premises where rubbish or other non-putrescible waste is created or accumulates, at all times to keep or cause to be kept a sufficient number of garbage containers for deposit therein of refuse to prevent the spreading or scattering of such refuse upon said premises.

**SECTION 4.** The City of Hartford will only collect garbage placed in the garbage container. Garbage in other containers will not be picked-up. The City may from time to time, due to holidays, pick up extra garbage if bagged and placed beside or on top of the container.

**SECTION 5.** The City of Hartford will provide all residential and participating commercial dwellings with one garbage container at no cost. Additional containers may be provided upon payment of \$76.00 per container. The container(s) is not transferable, it is issued to the address and must remain at the address at all times even if the customer changes address. Customers must sign for a garbage container and will be responsible for

the container. Containers damaged or loss will be billed to the customer. Garbage container must be pushed to the curb in order for a pick-up. Any container not placed by the curb will not receive pick-up for that week.

**SECTION 6.** 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 on any premises within the police jurisdiction of the City of Hartford, Alabama, of garbage, rubbish, or other refuse in such manner that it will become offensive or deleterious to health or likely to cause disease and the same is hereby declared a public nuisance. The Health Officer of Geneva County, his authorized representative, or such other duly authorized inspector as may be designated by the City Council of the City of Hartford, Alabama and he is hereby authorized to inspect any premises in the City of Hartford, Alabama or 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 work, deed or act in the performance of such inspection.

**SECTION 7.** 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 on any public street, alley, sidewalk, park or the property of another person or property which is in the possession of another person within the police jurisdiction of the City of Hartford, Alabama or to permit any garbage, rubbish or other refuse to accumulate in such manner that it may be carried and deposited into or on any of the above places by action of the rain, wind or snow.

**SECTION 8.** 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, public water drain, sewer or receiving basin within the police jurisdiction of the City of Hartford, Alabama any garbage, rubbish, or other refuse or to permit same to accumulate in such manner that it may be carried and deposited into or on any of the above places by action of the rain, wind or snow.

**SECTION 9.** 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 police jurisdiction of the City of Hartford, Alabama after it has been placed therein except under the orders of an officer, agent, or employee of the Sanitary Department or by some other person removing same for disposal.

**SECTION 10.** There is hereby established in the City of Hartford, Alabama, a garbage, rubbish and refuse collection, hauling and disposal service to be operated by the Sanitary Department. The collection, hauling and disposal of garbage, rubbish and other refuse shall be made by the Sanitary Department not less than one time each week and the charges herein prescribed are based on such periodic collection and disposal.

- (a) Beginning with the services to be rendered for the month beginning \_\_\_ and continuing monthly thereafter, the following charges for one garbage container shall be collected by the City of Hartford for collecting, hauling and disposing of garbage, rubbish, and other refuse:

Code 1 Residential – Weekly	\$12.00
Code 2 Small Business – Biweekly	\$16.00
Code 3 Back Door Pickup	\$16.00
Code 4 Lge Business – Biweekly	\$25.00
Code 5 Small Business – Daily	\$35.00
Code 6 Medium Business – Daily	\$60.00
Code 7 Retirement Village	\$72.00

Code 8 Lge Business – Daily                      \$100.00

- (b) For each additional container issued, a sum of six dollars will be added per month.
- (c) All persons in possession, charge or control of any premises where garbage is created or accumulates, shall pay to the City the charges as set forth above for each location where such garbage is created or accumulated. The charges shall apply to each location where garbage is picked up and shall be applicable to all residences, individual units of apartments or duplexes, churches, schools, and commercial establishments within the police jurisdiction of the City of Hartford.
- (d) All bills for service hereunder shall be due and payable the first of the month following the month service is begun. A full month's charge shall be made for any portion of a month in which the service is provided.
- (e) All payments for garbage, rubbish and refuse collection, hauling and disposal service shall be made to the City Clerk of the City of Hartford or such assistance as he may designate for the purpose.
- (f) No garbage, rubbish and refuse collection, hauling and disposal service shall be rendered by the Sanitary Department to any person whose account for said service is delinquent.

**SECTION 11.** No rubbish or other refuse will be collected by the Sanitary Department, except as follows:

- (a) Trees or parts of trees not more than 6 inches in diameter and cut to less than 4 feet in length will be collected if piled alongside the garbage or rubbish container.
- (b) Boxes, crates, and cartons will not be collected unless the same be broken down and securely fastened into bales or bundles not exceeding one hundred pounds in weight or four feet in any dimension and deposited alongside the garbage can or rubbish container.
- (c) Large accumulation of magazine, newspapers or similar materials will be broken down and securely fastened in bundles not to exceed one hundred pounds in weight and deposited alongside the garbage can or rubbish container.

**SECTION 12.** Building debris such as scrap lumber, plaster, roofing, concrete, brickbats or similar materials resulting from the construction, repair or demolishing of any building or structure on private property and dirt and rocks will not be removed by the Sanitary Department, but the owner himself must cause this waste to be removed.

**SECTION 13.** It shall be unlawful to place in any garbage or rubbish container acids or other dangerous liquids or substances which could cause injury to employees of the Sanitary Department engaged in removing refuse. Leaking and defective garbage cans with sharp or ragged edges likely to injure employees of the Sanitary Department engaged in removing refuse will not be serviced.

**SECTION 14.** Dead animals in the police jurisdiction of the City of Hartford not in excess of fifty (50) pounds in weight will be picked up by the Sanitary Department other than from places of business making a business of treating, handling or disposing of animals but in no event shall any person having a dead animal on the premises occupied

by or under control of said person allow it to remain undisposed of for a period of longer than twelve hours. In the event the dead animals must be disposed of on a day other than the regularly designated collection day, the Sanitary Department shall be notified. All dead animals above fifty (50) pounds in weight must be removed within twelve hours by the owner.

**SECTION 15.** It shall be unlawful for any person to dump, or cause to be dumped, any garbage, rubbish, or other refuse upon any property within the police jurisdiction of the City of Hartford other than a garbage dump as defined in this ordinance.

**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 within the police jurisdiction of the City of Hartford without having the vehicle or container in which the same is to be carried or hauled, adequately secured and covered in a manner approved by the Sanitary Department.

**SECTION 17.** It shall be unlawful for any person, firm, association, or corporation to pick-up garbage or refuse in the City of Hartford, Alabama, without first obtaining a license with which to operate under from the City Clerk. It shall be unlawful for any garbage, trash or refuse to be disposed of, picked-up or deposited in a landfill or other place by anyone other than the City of Hartford, Alabama or a licensed, private garbage collector.

**SECTION 18.** All provision of this ordinance shall apply to all places within the police jurisdiction of the City of Hartford, Alabama.

**SECTION 19.** Any person violating any provisions of this ordinance of doing any act or thing declared by this ordinance to be unlawful shall be guilty of any offense against the City of Hartford and upon conviction shall be punished by a fine of not less than Ten Dollars (\$10.00) and not more than Five Hundred Dollars (\$500.00), or six (6) months imprisonment at hard labor, or both. No garbage, rubbish or other refuse will be removed from the premises of any person failing to comply with the provisions of Section 9.

**SECTION 20.** Any ordinances or parts of ordinances of the City of Hartford in conflict with the provisions of this ordinance are repealed.

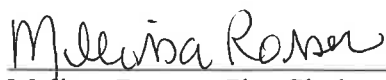
**SECTION 21.** If for any reason any clause, sentence, section, subsection or provision of this ordinance, or the application thereof to any person or circumstance, is held invalid or inoperative, the remainder of the ordinance and the application thereof to other persons and circumstances shall not be affected thereby.

**SECTION 22.** This ordinance being for the immediate preservation of public health shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED ON THIS 4<sup>th</sup> DAY OF MARCH, 2024.

  
Wendel Nolen, Mayor

ATTEST:

  
Melissa Rosser, City Clerk