

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE II, SECTION 25-35 AND SECTION 25-71 OF THE CODE OF ORDINANCES FOR THE CITY OF MONTGOMERY, ALABAMA

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that of the Code of Ordinances for the City of Montgomery, Alabama, Chapter 25, Article II, Section 25-35 and Section 25-71 be hereby amended to read as follows:

Sec. 25-35. Disposal of garbage by single-family dwellings, duplexes, townhouses and condominiums; property where garbage fee not collected; removal or abatement by City.

(a) *Roll-out containers for residences.* The city will provide each resident with a roll-out container for the purpose of storage of garbage and miscellaneous refuse. The resident will be responsible for cleaning of the roll-out container. On scheduled garbage pickup days, the resident will be required to place the roll-out container at the curbside not later than 7:00 a.m. and remove the roll-out container from the curbside not later than 7:00 p.m. of the same day. The city will be responsible for repair or replacement of roll-out containers damaged or stolen through no fault of the resident. Upon proof of disability because of health, age or other reasons, the department will continue to collect garbage from garbage cans placed near the back entrance of such residence unless otherwise designated by agreement with the department. No collection personnel shall enter houses or buildings.

(b) *Disposal of garbage in apartment complexes.* The city will provide each resident with a roll-out container for the purpose of storage of garbage and miscellaneous refuse. The resident will be responsible for cleaning of the roll-out container. On scheduled garbage pickup days, the resident will be required to place the roll-out container at the curbside not later than 7:00 a.m. and remove the roll-out container from the curbside not later than 7:00 p.m. of the same day. The city will be responsible for repair or replacement of roll-out containers damaged or stolen through no fault of the resident. The department will make every effort to accommodate special circumstances which will prevent each resident from placing the roll-out containers on the curb in apartment complexes; however, if this method is not satisfactory to the owner of the apartment complex, the owner must obtain garbage pickup service from a commercial contractor.

(c) *Disposal of trash in residential areas generally.* All trash, except limbs and hedge cuttings less than four feet in length and less than eight inches in diameter, placed for collection, shall be in 30-gallon containers or bags (tied at the top) and shall be placed behind the curb. Trash service shall be rendered on scheduled days, Monday through Friday. Brush, tree trunks and large limbs over four feet in length and eight inches in diameter may be picked up on a special schedule as outlined by the superintendent or his agent. Charge for this service will be \$70.00 per load. Where quantity hauled is less than a truck load, charge will be prorated at the \$70.00 rate with a minimum charge of \$10.00. Stoves, refrigerators, freezers, sofas, hot water heaters, and other appliances will be picked up at a charge of \$10.00 per unit. The mayor may schedule special cleanup campaigns in each of the council districts for which there shall be no charge during this scheduled period.

(d) *Property where garbage fee is not collected.* Where a garbage fee is not collected on a property, the owner of property is responsible for the removal of trash and other items.

(1) *Removal or abatement by City of trash and other items.* The owner shall be notified by the sanitation department to remove trash and other items. If the trash and other items are not removed or abated within 72 hours after notice, the trash and other items may be removed or abated by the City at the expense of the owner.

(2) *Administrative fee.* There shall be an administrative fee of \$150.00 assessed to the owner, which shall be added to the actual cost of the removal or abatement of trash or other items.

(3) *Collection of administrative fee and costs.* The City may collect the administrative fee and costs of the removal or abatement of trash or other items through court action or any other lawful means.

Sec. 25-71. Charges.

Beginning with the service to be rendered for the month of October 1, 2014, starting on the first day of such month and ending on the last day of such month, and continuing monthly thereafter, the following charges shall be paid to the city by every person for the collection, hauling and disposing of garbage and rubbish:

- (1) *Residential charges.* A monthly fee not to exceed \$25.00 per month for each single-family dwelling unit.
- (2) *Business establishment charges.*
 - a. A monthly fee not to exceed \$40.00 per month for each business using one can not to exceed 30 gallons capacity each, and \$40.00 for each additional rollout container used.
 - b. If business establishments require bulk service, such establishments shall be charged an additional fee prorated at \$70.00 per sanitation truckload with a minimum fee of \$10.00.
- (3) The fee schedule will available for public examination in the office of the city clerk and online on the Sanitation Department page of the City website.

ADOPTED this the _____ day of _____, 2014.

TODD STRANGE, MAYOR

ATTEST:

BRENDA GALE BLALOCK, CITY CLERK