

ORDINANCE NO. 23-4559

BE IT ORDAINED by the City Council of the City of Decatur Alabama as follows:

Section 1. That Section 19-1 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Section 19-1 –Definitions.

The following words and terms, when used in this chapter, shall have the meanings respectively ascribed to them by this section, unless the context clearly indicates otherwise:

Business establishments. "Business establishments" shall mean each person, firm, corporation or association licensed to do business in the City of Decatur and having a location therein generating refuse; apartments and multi-family dwellings of more than six (6) family units; nursing homes; schools; libraries; governmental organizations and buildings; hospitals; trailer courts; and in addition thereto, all others generating more than two (2) cubic yards of refuse per week.

City. "City" shall mean the City of Decatur, Alabama, a municipal corporation, acting through its duly elected governing body, or other official designated by the governing body as the case may be.

City's contractor. "City's contractor," as the case may be, shall be taken to mean third parties to whom the City of Decatur has contracted for the performance of any portion or all of the services otherwise to be rendered by the sanitation department as provided in this chapter, and shall also include persons authorized by the city to haul refuse within the City of Decatur.

Commercial hauling entity. "Commercial hauling entity" shall mean any qualified, properly equipped licensed waste hauler.

Garbage. "Garbage" includes all waste accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fowl, fish, fruits or vegetables; tin cans or other containers originally used for foodstuffs.

Garbage can. "Garbage can" means a watertight receptacle or containers of substantial construction having a capacity of not less than ten (10) nor more than thirty (30) gallons, with a tight-fitting lid or cover, with not less than one handle on the lid or cover, and two (2) handles on the receptacle or container, by which same may be conveniently lifted or moved. No cans in excess of thirty (30) gallon capacity will be serviced.

Garbage dump. "Garbage dump" means a place for dumping or disposing of refuse, operated by the City of Decatur, Alabama, or such other place as may be designated and approved by the county health officer of Morgan County, Alabama.

Open top waste containers, Dumpsters, or Roll-off boxes. "Open top waste containers, Dumpsters, or Roll-off boxes" shall mean steel bins or boxes made to serve as receptacles for solid wastes with provisions for motorized lifting and emptying by specially designated truck-mounted equipment.

Oversized burnable wastes. "Oversized burnable wastes" are comprised of items which cannot readily be collected in the normal mechanized compaction truck or disposed of in the conventional refuse incinerator; also, items which cannot be easily crushed having bulk in excess of ten (10) cubic feet or a maximum single dimension exceeding five (5) feet in length or exceeding four (4) inches in diameter.

Oversized, nonburnable wastes. "Oversized, nonburnable wastes" include wastes which are largely of metallic construction such as refrigerators, stoves, barrels, metal furniture, boilers, washing machines and bed springs.

Premises. "Premises" means any dwelling, flat, rooming house, apartment house, hospital, school, hotel, club, restaurant, boardinghouse, eating place, shop, church, place of business, manufacturing establishment, courthouse, jail, city hall, post office or other public building.

Refuse. "Refuse" shall mean both garbage and rubbish as defined in this section, dead animals and any other material or substance, regardless of definition, presently picked up and handled by the sanitation department of the City of Decatur, or the city's contractor, except oversized burnable and oversized nonburnable wastes.

Rubbish. "Rubbish" shall mean and includes all nonputrescible solid wastes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, glass, crockery, excelsior, cloth and similar materials.

Sanitary landfill. "Sanitary Landfill" shall mean a disposal site permitted by the Alabama Department of Environmental Management and operated by Alabama Department of Environmental Management regulations.

Superintendent of sanitation. "Superintendent of sanitation" means the duly designated head of the sanitation department."

Section 2. This Ordinance shall become effective on October 1, 2023.

ADOPTED this 17th day of July, 2023.

APPROVED this 20th day of July, 2023

ATTEST:

/s/Stephanie Simon
City Clerk

/s/Tab Bowling
Mayor