

ORDINANCE NO. 23-4561

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

Section 1. That Section 19-38 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Section 19-38. -Waste Disposal Fees.

Upon approval by the director or his designee that such waste may be disposed of without detriment to the MSW/CD landfill, and was generated within the service area as described in the operating permit (subject to the exceptions contained in this article), then the following charges shall apply to all patrons of the MSW/CD landfill including without limitation the city, other municipal and county governments and agents and contractors thereof. Such charges shall be determined as reflected by scales furnished by the city for such purpose where based on weight, upon which event such waste shall be received by the MSW/CD landfill and unloaded pursuant to the directions of the landfill personnel.

(1)Amounts carried by all types of vehicles, i.e. (residential, C&D, commercial, dead animals), per ton \$29.00

(2)Minimum charge, whether by hand, automobile, pickup or other vehicle (except for tires and charges determined by cu/yd.) up to 740 pounds.... \$15.00

(3)For disposal of fly-ash identified as being a gray to black, fined-grained material produced as boiler residue, with results of test of samples of the material and its leachate not exceeding the maximum limits for metals and other parameters established by the Environmental Protection Agency or the Alabama Department of Environmental Management, sealed containers of silica dioxide, per ton..... \$29.00

(4)For disposal of passenger tires, per tire.... \$5.00

For disposal of all other tires, i.e.; (tractor trailer, heavy equipment, farm, industrial), per ton.... \$200.00

(5)For disposal of asbestos, having met or exceeding current ADEM and EPA regulations and landfill policies, per ton.... \$125.00

(6) For disposal of regulated medical waste having met or exceeding current ADEM and EPA regulations and landfill policies, per ton.... \$100.00

(7)For disposal of materials suitable for alternative daily cover as determined by the director or his designee, per ton.... \$10.00

(8)For disposal of non-municipal solid waste hauled in a roll-off container with a container capacity of ten cubic yards or greater, per cubic yard.....\$10.00

(9)For disposal of waste sludge.... \$26.00”

Section 2. That the Code of Decatur, Alabama is hereby amended by adding a section to be numbered 19-44, which said section reads as follows:

“Section 19-44.-Dumpster or Roll-Off Storage.

Any commercial hauling entity that disposes of waste at the Decatur Morgan County Regional Landfill (Sanitary Landfill), on a regular basis, may briefly store at quantities of no more than four (4) open top waste containers or roll-off boxes of an appropriate size at the designated area to store containers. This short term storage area is provided as a service for commercial hauling entities, that are not locally located near the Decatur Morgan County Regional Landfill, but have customers who are.”

Section 3. That the Code of Decatur, Alabama is hereby amended by adding a section to be numbered 19-45, which said section reads as follows:

“Section 19-45.-Requirements.

An open top waste container, dumpster, or roll-off box that is stored on Sanitary Landfill property will be regulated by this Chapter and shall meet each of the following requirements:

- (A) The open top waste containers, dumpster, or roll-off boxes must be empty, and free of rubbish, garbage, and trash before storing at the designated area.
- (B) Commercial hauling entity may not store damaged, broken, or unusable open top waste containers, dumpster, or roll-off boxes.
- (C) The open top waste containers, dumpster, or roll-off boxes shall be located only within the specified area on the Landfill property.
- (D) The open top waste containers, dumpster, or roll-off boxes shall not be located within the right-of-way of any street.
- (E) The open top waste containers, dumpster, or roll-off boxes shall not obstruct safe sight distances for traffic and pedestrians.
- (F) The open top waste containers, dumpster, or roll-off boxes shall not obstruct view of traffic signs or street signs and shall not be located on a sidewalk.
- (G) The open top waste containers, dumpster, or roll-off boxes shall be stored a minimum of 5 feet apart from each other and locations of the open top waste containers, dumpster, or roll-off boxes must provide for direct and unobstructed access by specially designated truck-mounted equipment and personnel.
- (H) The area surrounding each open top waste container, dumpster, or roll-off box shall be maintained free of litter, the lids (if present) shall be kept tightly secured when not in use, and dumpsters should not be overflowing with debris.
- (I) Use of and payment for this service shall be mandatory and required for every commercial hauling entity.”

Section 4. That the Code of Decatur, Alabama is hereby amended by adding a section to be numbered 19-46, which said section reads as follows:

“Section 19-46.-Service not provided by Sanitary Landfill.

It shall be the duty of any commercial hauling entity to move any open top waste containers, dumpster, or roll-off boxes from the Sanitary Landfill.”

Section 5. That the Code of Decatur, Alabama is hereby amended by adding a section to be numbered 19-47, which said section reads as follows:

"Section 19-47.-Charges for storage access.

(A) Charges for the Sanitary Landfill services by the city shall be as established by the city council from time to time.

(B)The director of the department of Landfill ("director") shall serve as “solid waste officer” as those terms are used in Code of Ala. 1975, § 22-27-3.

(C) A monthly charge of \$25.00 for each open top waste container, dumpster, or roll-off box will be imposed for each open top waste container, dumpster, or roll-off box stored at the Sanitary Landfill.”

Section 6. That the Code of Decatur, Alabama is hereby amended by adding a section to be numbered 19-48, which said section reads as follows:

“Section 19-48-Penalty.

Any person including a commercial hauling entity, who shall violate any provisions of Section 19-44 through Section 19-48 shall be subject to a fine of \$50.00 per day.”

Section 7. This Ordinance shall become effective on October 1, 2023.

ADOPTED this 17th day of July, 2023.

ATTEST:

/s/Stephanie Simon
City Clerk

APPROVED this 19th day of July, 2023

/s/Tab Bowling
Mayor