

Section 19. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such ordinance, or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

Section 20. This ordinance shall go into effect upon the passage and approval of the same as of 10/03/88.

FRANCES L. PHELPS, MAYOR
JAMES W. BLACKMON, COUNCILMAN
TIMOTHY BRASHER, COUNCILMAN
BERTHA COSPER, COUNCILWOMAN
CALVIN GILL, COUNCILMAN
THOMAS W. MOONEY, COUNCILMAN
E. M. RAY, JR, COUNCILMAN
GREG THOMAS, COUNCILMAN

ORDINANCE # 88-04

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA AS FOLLOWS:

Whereas, the Wilsonville Volunteer Fire Department wishes to establish certain fire coverage areas.

Whereas, the following will comprise the fire coverage areas:

County Road 61 South to County Road 30, turn right on County Road 30, to County Road 7 to Highway 25 South to the bottom of John Lyons Hill.

Highway 25 south to approximately 1/4 mile past county road 431. County road 431 north to county road 48, right on county road 48 to city limits.

County road 61 North to entrance only of Piney Woods Road,

Highway 25 North to intersection of County Road 76.

Whereas, fire coverage outside the fire coverage area will only be answered as a mutual aid from other fire departments.

Whereas, the Council of the Town of Wilsonville concurred with the request for a new Fire Coverage Area.

ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL ON THIS THE 13TH DAY OF FEB. 1989.

FRANCES L. PHELPS
MAYOR

ATTEST:

MARY REVIS

ORDINANCE # 88-005

AN ORDINANCE OF THE CITY OF WILSONVILLE, ALABAMA, PROVIDING FOR THE REGULATION OF MOVEMENT OF HAZARDOUS WASTES IN THE CITY OF WILSONVILLE, ALABAMA, AND TO PROTECT THE WATERS OF THE CITY OF WILSONVILLE FROM POLLUTION.

Whereas, the health of the citizens of Wilsonville, Alabama, could be endangered by a spill of hazardous materials; and

Whereas, the purity of the water supply used by the citizens of Wilsonville could be endangered by such a spill; and

Whereas, the possibility of such a spill can be lowered, and its effects palliated by regulating the transport and possession of hazardous materials; therefore

Be it ordained by the city council of the city of Wilsonville, Alabama, as follows:

That the city council of Wilsonville, Alabama, find that the transportation of hazardous wastes on the streets of the city of Wilsonville poses a danger to the physical welfare of the citizens, property, and waters of the city of Wilsonville; and to minimize this danger adopts this ordinance.

Section 1. Definitions: For purposes of this ordinance the following terms shall mean:

A. "Waste" means "solid waste" under regulations promulgated by the United States Environmental Protection Agency and codified at 40 C.F.R. Section 261.1 40 C.F.R. Section 261.2 is incorporated by reference herein.

B. "Hazardous Waste" means a waste, or combination of wastes, which, because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed, and includes: 1) The meaning assigned that term in regulations promulgated by the United States Environmental Protection Agency and codified at 40 C.F.R. Section 261.3 40 C.F.R. Section 261.3 is incorporated herein by reference. All lists in 40 C.F.R. Part 261, subpart D, and the appendices to part 261 are also expressly incorporated by reference. 2) The term "High-Level Waste", as defined by the United States Nuclear Regulatory Commission and Article II (D) of the Southeast interstate low-level Radioactive Waste Management Compact. 3) The term "low-level radioactive waste management compact. 4) The term "transuranic waste" as determined by the regulations of the U S Nuclear Regulatory Commission. 5) Spent Nuclear fuel or by-product material as defined in section 11E (2) of the Atomic Energy Act of 1945. 6) Any substance on the Alabama substance list, promulgated by the Alabama Department of Environmental, Management, acting through the Environmental Management Commission pursuant to Section 22-33-4 of the 1975 Alabama Code. 7) Any substance or mixture containing Polychlorinated Biphenyls ("PCBs") at greater than one tenth of one percent concentration when such substance or mixture is not intended for beneficial use or reuse. 7) "Source Material", including Uranium, Thorium, and any other material determined to be source material by the United States Nuclear Regulatory Commission. 8) "Special Nuclear Material", including Plutonium, Uranium 233, Uranium enriched in the Isotope 233 or in the Isotope 235, any material artificially enriched by any of the foregoing, and any other material determined to be special Nuclear Material by the United States Nuclear Regulatory Commission. (c) "Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, move, or stored elsewhere.

Section 2. Many of the streets of Wilsonville being narrow and winding and not generally designed to accommodate heavy or constant truck traffic, the city council of the city of Wilsonville has hereinbefore designated by Ordinance No. 88-005 a truck route for trucks to follow in and about the downtown area of the City of Wilsonville, If not specifically set out by Ordinance 88-005, the City Council hereby designates the following streets for transportation by truck or other vehicles of hazardous waste:

- (A) 1. Alabama 25
2. County 61

(B) All other streets are barred to any vehicle carrying hazardous waste, except by order of the Wilsonville Police Department.

Section 3. Motor vehicles carrying hazardous waste within the City of Wilsonville are hereby limited to 30 miles per hour (MPH).

Section 4. No hazardous waste-carrying vehicle shall follow within 150 feet of any other vehicle when within the City limits, provided, that this section shall not apply to vehicles following State, County or City Police vehicles.

Section 5. Vehicles carrying hazardous waste shall not operate from 6:30 to 8:30 A.M. or from 2:00 to 3:30 P.M.

Section 6. (A) No vehicle carrying hazardous waste may operate when the temperatures are below 35 degrees F. (2 degrees C) and rain or other precipitation has occurred within the last two hours.

(B) No vehicle carrying hazardous wastes may be operated during any officially-designated hurricane or tornado watch.

(C) All vehicles carrying hazardous waste in the City of Wilsonville shall operate with their headlights on at all times.

Section 7. The driver, and his employer, of any vehicle carrying hazardous waste, who proposes to transport hazardous waste into or through the City of Wilsonville shall:

(A) Notify the Wilsonville Police Department by telephone prior to 8:00 A.M. on the day that any such driver or employer expects to transport hazardous waste through the City of Wilsonville. If more than one vehicle is expected, the employer shall state in one call the expected number. The approximate time(s) of arrival at the City limits, within one hour, shall be given. The road(s) on which the vehicle(s) will arrive shall be given and may not be changed without one hour's further notification.

(B) Mark or placard each vehicle in accordance with the requirements of the United States Department of Transportation.

Section 8. (A) Each vehicle shall carry and have available for inspection the manifest required for transportation of hazardous waste under the resource conservation and recovery act, or Federal or State regulations implementing that act. Such manifest shall be presented upon request of any Wilsonville Police Officer.

(B) Each driver of vehicle shall immediately report any accident or collision involving his vehicle to the Wilsonville Police.

(C) Every driver shall carry in his possession a valid driver's license and evidence of liability insurance covering the consequences of cargo spills.

Section 9. The storage of hazardous waste within the City of Wilsonville is prohibited, except that such materials may be used for industrial processes in industries operating within the City before the enactment of this Ordinance, except that dry cleaning establishments and gasoline stations may continue their normal activities, and except by special permission of the city, the disposal of hazardous waste within the City of Wilsonville is entirely prohibited.

Section 10. In the event of the spillage of any hazardous waste, then any and all expenses incurred by the City for any cleanup, reclamation, or other costs shall be borne by the driver of the vehicle, his employer and the owner of the hazardous waste.

Section 11. This Ordinance is subject to, and meant to complement, Federal and State Legislation and regulations.

Section 12. Any person who violates this Ordinance shall upon conviction, be fined not less than \$50.00 or more than \$500.00, and may, in addition, or alternatively, be incarcerated in the Shelby County Jail by the City of Wilsonville, Alabama for a term not to exceed 180 days.

Section 13. If any section, sub-station, sentence or clause of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder of the Ordinance shall be considered separate and severed and shall remain in full force and effect.

Section 14. That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 15. This Ordinance shall take effect as provided by law after passage, approval and publication.

ADOPTED AND APPROVED THIS 26 DAY OF FEBRUARY, 1989.

APPROVED:

FRANCES L. PHELPS
MAYOR

ATTEST:

EDITH F. HALLMARK
TOWN CLERK

ORDINANCE # 88-006

Whereas, Robert E. Brasher and Rose Mary Brasher requests to be annexed into the Town of Wilsonville, Alabama; and

Whereas, the Town Council of the Town of Wilsonville concurred with this request; and

Whereas, the Town of Wilsonville for financial reasons, deems it necessary that the property of Robert E. Brasher and Rose Mary Brasher be taxed at the same rate and on the same basis as the property of other residents in said Town of Wilsonville is taxed;

Now, therefore, be it resolved that the Town Council of Wilsonville in its regular meeting on August 14, 1989 requests that the Tax Assessor of Shelby County assess said property for tax purposes and that the Tax Collector of Shelby County collect taxes on the newly annexed property as described in the property description attached.

Adopted this 14th day OF August, 1989.

FRANCES L. PHELPS
MAYOR

ATTEST:

EDITH F. HALLMARK
TOWN CLERK