

ORDINANCE # 071105-2

AN ORDINANCE TO AMEND THE MANDATORY GARBAGE COLLECTION SERVICE

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

Section 1. Operation and management of system by Town.

(a) The Town of Wilsonville, Alabama, (hereinafter "Town") shall operate and manage the collection and disposal of solid waste, as defined in § 22-27-2, Code of Alabama 1975, as amended, in accordance with all applicable state and federal laws and regulations including, but not limited to, the Solid Waste Disposal Act, § 22-27-1 et seq., Code of Alabama 1975, as amended.

(b) The Town may contract with any private company or other public agency to provide for the collection and disposal of solid waste and recyclables, and may allow for all commercial, business and industrial establishments to contract with any private company or public agency for the collection and disposal of solid waste and recyclables from such commercial, business or industrial establishment.

(c) The Town shall provide for the setting of fees for the equitable distribution of the costs of collection and disposal of solid waste and recyclables between and among the users of the services provided by the Town or its designated contractor.

(d) The Town may determine the manner by which solid waste collection shall occur, either by standard garbage cans, roll out carts to be provided by the selected contractor, dumpster, or other means. The Town will notify customers of the manner selected.

(e) It shall be unlawful to use roll out carts provided by the Town's designated contractor for any use other than delivering solid waste to the contractor, or to remove the roll out carts from the household premises to which they have been provided.

Section 2. Participation mandatory; exemption or exception.

(a) It shall be mandatory, within the corporate limits of the Town, that every person, household, business, industry or property generating solid waste or garbage defined under the Alabama Solid Waste Disposal Act, § 22-27-1 et seq., Code of Alabama 1975, as amended, participate and subscribe to any program or programs provided by the Town for disposal of such described waste, except as exempted herein.

(b) A household for which the sole income is derived from social security benefits, supplemental security income or a combination of social security benefits and supplemental security income shall be exempted from having to pay solid waste disposal fees imposed by this ordinance upon request and proof of income, as provided in § 22-27-3(a)(3), Code of Alabama 1975, as amended.

(c) A person, household, business, industry, or property owner granted a certificate of exception, as provided in § 22-27-3(g), Code of Alabama 1975, as amended, shall be exempted from having to pay solid waste disposal fees imposed by this ordinance.

(d) It shall be unlawful for any person, firm, or corporation to knowingly make a false representation in making a request for exemption or an application for certificate of exception.