

ORDINANCE NO. 2024-02

**AN ORDINANCE AMENDING SECTION 6 OF
ORDINANCE NO. 2018-25
OF THE CITY OF LOXLEY, ALABAMA**

WHEREAS, the City Council of the City of Loxley, Alabama, has previously adopted Ordinance No. 2018-25 regulating the collection and disposal of garbage and trash; setting out exemptions from the payment of garbage and trash collection fees; providing for the disconnection of utilities for non-payment of fees; and controlling litter;

WHEREAS, the City Council deems it necessary for the health, safety and welfare of the inhabitants of its jurisdictional areas to amend and replace Section 6. Trash and Heavy Appliance Collection of Ordinance No. 2018-25 to include additional provisions concerning trash collection and fees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Loxley, Alabama, as follows:

1. Section 6. Trash and Heavy Appliance Collection of Ordinance No. 2018-25 shall be amended to read as follows:

- A. Trash. Trash shall mean any yard materials or waste including trees, hedges, plants, shrubs or grasses and any limbs, parts or trimmings from any of these.
- B. Residential trash collection.

The City will provide residential trash collection services once a week in accordance with the provisions of this article and pursuant to the rules and regulations promulgated by the City of Loxley. Participation in the City residential trash collection system is voluntary. However, failure to participate in the City trash collection system shall not authorize or permit the occupants of any premises within the City to unlawfully accumulate trash or other debris.

The following rules are hereby established pertaining to the method and placement and handling of trash, as defined above, on or near the street for pick-up by the City of Loxley:

1. All trash items such as grass clippings, shrubbery trimmings and loose trash that may be blown away shall be boxed or bagged in adequate strength plastic bags securely closed and tied shut and shall be placed on the curbside in front of the premises on regular collection days. All plastic bags so placed shall be in good condition without tears or leaks and securely tied or fastened. The City will not collect trash on collection days which is not bagged as required in this section.

2. Limbs, brush, shrubbery, and other wood items not capable of being bagged as required in the above subsection shall be cut in lengths not exceeding four (4) feet and widths no greater than eight (8) inches in diameter. Limbs, brush, shrubbery, and other wood items shall be placed on curbside in front of the premises.

3. The owner or occupant of each residential unit shall be limited to a combined volume of trash of six (6) cubic yards per week. When the combined volume of trash exceeds six (6) cubic yards per week and the owner or occupant requests that all trash be collected and removed on the same collection day, after the initial six (6) cubic yards is collected, the owner or occupant will be charged \$50.00 per load plus disposal charges. Otherwise, the City of Loxley will collect and remove approximately six (6) cubic yards of such trash per week until the entire amount is removed.

4. No collection of trash shall be made from any residential unit that does not subscribe to the City garbage collection system.

C. Non-residential and commercial trash collection.

1. Except as provided in this section, no collection of trash shall be made by the City of Loxley from any commercial or non-residential premises when the owner or person in possession does not subscribe to and receive garbage services from the City.

2. The owners and persons in possession, charge or control of commercial and other non-residential premises are responsible for the removal of all trash and bulky items from such premises and for its delivery to an authorized receiving facility.

3. The owners and persons in possession, charge or control of commercial and non-residential premises may contract with the City or a private commercial collection firm for the collection and removal of trash.

4. The City of Loxley may, but is not required to, collect and remove trash and bulky items from commercial and non-residential premises on an as needed basis for \$50.00 per load plus disposal charges. Quotes will be given on any loads less than a full load.

D. Bulk Waste.

Bulk waste generated by the customer shall be scheduled for pickup through the Public Works Department prior to placement on the curbside. Bulk waste shall include furniture, appliances, and other large items, not of typical household garbage. Bulk waste should be limited to 20 cubic yards, after the initial twenty (20) cubic yards is collected, the owner or occupant will be charged \$50.00 per load plus disposal charges. Otherwise, the City of Loxley will collect and remove approximately twenty (20) cubic yards of such trash per week until the entire amount is removed.

2. The remaining provisions of Ordinance No. 2018-25 shall remain in full force and effect.

3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

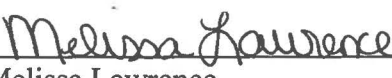
4. This Ordinance shall be effective upon its due adoption by the City Council and publication as required by law.

ADOPTED AND APPROVED on this the 12th day of February, 2024.



Richard Teal
Mayor


ATTEST:



Melissa Lawrence
City Clerk/Treasurer

CLERK'S CERTIFICATION


I, the undersigned qualified and acting Clerk of the City of Loxley, Alabama, do hereby certify that the above and foregoing is a true copy of Ordinance No. 2024-02 lawfully passed and adopted by the City of Loxley Council, at a regular meeting of such council, held on the 12th day of February, 2024, and that said ordinance is on file in the office of the City of Loxley Clerk.



Melissa Lawrence
City Clerk/Treasurer

CERTIFICATION OF POSTING

I, Melissa Lawrence, Clerk of the City of Loxley, Alabama, hereby certify that the above ordinance was published by posting copies thereof in the Loxley Post Office, Loxley Public Library, Loxley Police Station and Loxley Town Hall beginning on the 14th day of February, 2024, and took effect five (5) days thereafter.



Melissa Lawrence
City Clerk/Treasurer