

ORDINANCE NO. 1568

AN ORDINANCE TO REPEAL ORDINANCES #1060 AND #1156 IN THEIR ENTIRETY; TO PROVIDE FOR THE REGULATION OF THE DISPOSAL OF GARBAGE, TRASH AND OTHER REFUSE AND TO PROVIDE PENALTIES FOR THE VIOLATION OF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA, AS FOLLOWS:

SECTION 1. For the purpose of this Ordinance, the following words shall have the meanings ascribed to them hereafter, together with the usual meanings thereof, unless the context clearly indicates otherwise:

- (a) Garbage. All refuse, accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables; and cans, packages or containers originally used for food stuffs.
 - (b) Trash. All kinds of waste, discarded materials, rubbish, debris, refuse, paper, cans, glass, crockery, rags, ashes, cinders, brush, grass, weeds, trees, and any other waste or worthless matter or anything broken or discarded as useless, except garbage as defined above.
- SECTION 2. It shall be unlawful for any person to throw, place, deposit, leave or allow in any manner whatsoever within the corporate limits or the police jurisdiction of the City, any garbage, waste, trash, or other discarded substance in such a manner that it may be carried and deposited by action of rain, wind, snow or acts of nature into or upon any street, alley, sidewalk, park or other public place, or vacant lots, or upon adjacent property, whether public or private, or into or upon the waters of any stream, drain, sewer, ditch, pipe or receiving basin within the City or its police jurisdiction.

SECTION 3. It shall be unlawful for any person to dump, place, discharge, deposit, or leave garbage, trash, debris, junk or other refuse at any location within the City or its police jurisdiction unless said location has been designated by the City of Talladega or Talladega County governing authorities as a location suitable and legal for use in disposal of said items..

SECTION 4. It shall be unlawful for any person to throw or release any object whatsoever from a vehicle, whether moving or not. For the purposes of this ordinance, the word "vehicle" shall mean and include any device in, upon or by which persons or property may be transported, including devices operated upon rails or tracks.

SECTION 5. It shall be unlawful for any person to drop, throw, place, leave, deposit or allow in any manner whatsoever any garbage or trash, including but not limited to food products and containers thereof, paperbacks, circulars, advertisements, newspapers, or scraps of paper or any litter or trash of any kind, character or description on the streets and sidewalks or right-of-ways of the City or its police jurisdiction.

SECTION 6. Any person convicted of violating any provision of this ordinance shall be punished by a fine not less than \$500.00 and no more than the maximum allowed by law, or imprisonment in the City Jail not to exceed six (6) months, one or both.

SECTION 7. All sections of this ordinance are hereby declared to be severable; and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION 8. This ordinance shall take effect immediately upon its passage and publication, as provided by law.

ADOPTED THIS THE 1ST DAY OF NOVEMBER, 2004.

Edwin S. Archer

William S. Archer

Charles D. Cop

James S. Armitage

Members of Council

Attested : Julie Ham
City Clerk