

ORDINANCE 05-06-14-D

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

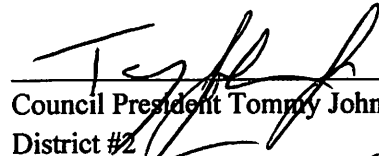
WHEREAS, the City of Enterprise desires to avoid potential liability claims for property damage, bodily injury and/or death which may result from continued activity of garbage trucks traveling through private parking areas of multi-family occupied dwellings; and,

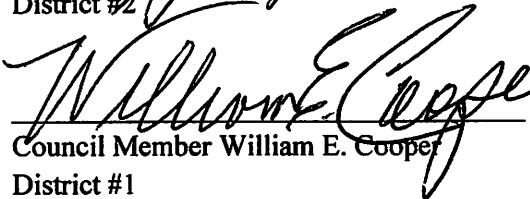
Now, therefore, let it be ordained as set forth below:


- 1) The City shall not collect any household garbage or other refuse from residential building premises (a) where two or more housing units are located in one building structure; and (b) which are located primarily along or directly accessible from private parking lots/areas and not public streets; and, (c) which are only accessible by a City garbage vehicle traveling over one or more private parking areas (such premises collectively referred to as "non-accessible multi-family premises").
- 2) Such non-accessible multi-family premises owners, tenants and/or occupants shall be required, within thirty (30) days from the date this Ordinance is enacted, to contract with private garbage collectors for the storage and removal of household garbage and refuse and comply with all other applicable City and State sanitation rules and regulations. On said date, any City collection of such garbage and refuse shall cease.
- 3) The provisions of this Ordinance is severable. If any section, subsection or provision shall be declared to be invalid or unconstitutional by judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any other section, subsection or provision of this Ordinance.
- 4) This Ordinance shall take effect upon its approval by the City Council, or upon its otherwise becoming law, but shall nevertheless be published as required by law.

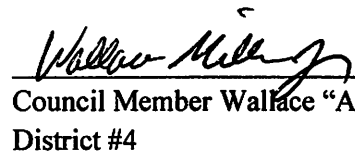
Adopted this 6<sup>th</sup> day of May, 2014.

COUNCIL:

  
Council President Tommy Johnson, Jr.  
District #2

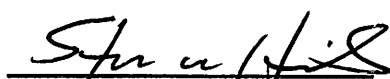
  
Council Member William E. Cooper  
District #1

  
Council Member Kirk Donaldson  
District #3

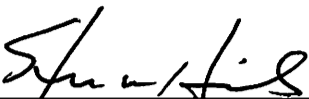
  
Council Member Wallace "Al" Miller, Jr.  
District #4

  
Council Member Rhett Marques  
District #5

ATTEST:

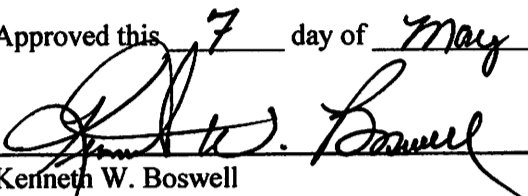
  
Steven W. Hicks  
City Clerk/Treasurer

Transmitted to the Mayor this 7<sup>th</sup> day of May, 2014.


  
\_\_\_\_\_  
Steven W. Hicks  
City Clerk/Treasurer

ACTION OF THE MAYOR:

Approved this 7 day of May, 2014.

  
\_\_\_\_\_  
Kenneth W. Boswell  
Mayor

ATTEST:

  
\_\_\_\_\_  
Steven W. Hicks  
City Clerk/Treasurer