

**STATE OF ALABAMA  
COUNTY OF BLOUNT  
TOWN OF HIGHLAND LAKE**

**ORDINANCE NUMBER HL 06-01**

**ORDINANCE FOR THE CONTROL, COLLECTION AND DISPOSAL OF SOLID  
WASTE, AND THE PRESERVATION OF HEALTH, SANITATION AND SAFETY  
OF THE PUBLIC**

**BE IT ORDAINED BY THE TOWN COUNCIL OF HIGHLAND LAKE, ALABAMA,  
AS FOLLOWS:**

**Section 1 - Definitions:** The following words and terms, when used in this ordinance, shall have the meanings respectively ascribed to them by this section, unless the context clearly indicates otherwise:

- (a) "Garbage" includes all waste accumulations of animal, fruit or vegetable matter used in the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables; aluminum or tin cans or other containers originally used for foodstuffs.
- (b) "Rubbish" includes all non-putrescible solid waste, such as paper, cardboard, yard clippings, leaves, small tree limbs and similar materials.
- (c) "Refuse" includes garbage and rubbish and other solid waste.
- (d) "Garbage Can" means a watertight receptacle or container provided by the Authorized Collection Agent.
- (e) "Authorized Agent" means the corporation engaged in the collection, hauling and disposal of solid wastes under contract with the home owner, and utilizing methods approved by the Alabama State Department of Public Health and Blount County Health Department under the provisions of the Solid Waste Disposal Act, Section 22-27-1, et seq., Code of Alabama, 1975.
- (f) "Garbage Dump" means place for dumping or disposing of refuse, designated by the County Health Office of Blount County.
- (g) "Persons" means any individual, firm or corporation.
- (h) "Premises" means any dwelling or public facility.
- (i) "Residences" means any dwelling designed for human habitation.
- (j) "Collection Agent" means the person, firm, corporation, municipality or municipal agency engaged in the billing and collection of fees and the hauling and disposal of garbage, rubbish and other refuse under contract with the homeowner.

**Section 2:** It shall be the duty of every person in possession, charge or control of any premises where garbage is created or accumulated, to keep sufficient number of garbage cans for the deposit of said garbage, and to deposit said garbage therein. Lids or covers of such garbage cans shall be kept tightly closed at all time other than when garbage is being deposited or removed.

**Section 3:** It shall be the duty of every person in possession, charge or control of any premises where rubbish or other non-putrescible waste is created or accumulated, at all times, to keep a sufficient number of garbage cans or other containers for deposit of refuse, to prevent the spreading or scattering of such refuse upon said premises.

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**Section 4:** It shall be unlawful for any person in possession, charge or control of any premises to keep, cause to be kept, or allow the keeping on any premises within the corporate limits and police jurisdiction of the Town of Highland Lake, Alabama, of garbage, rubbish or other refuse in such a manner that it will become offensive or become likely to cause disease, and the same is hereby declared a public nuisance. The Health Officer of Blount County, his authorized representatives or such other duly authorized inspectors, as may be designated by the Town Council of the Town of Highland Lake, is hereby authorized to inspect any premises in the Town of Highland Lake or its police jurisdiction for the purpose of seeing that the requirements of this ordinance are being complied with, and it shall be unlawful for any person to resist or interfere with such representative by word, deed or act in the performance of such inspection.

**Section 5:** It shall be unlawful for any person to sweep, throw, or otherwise deposit or cause to be deposited, any garbage, rubbish or other refuse into or on any public street, alley, sidewalk, park or the property of another person or property which is in the possession of any other person within the corporate limits and police jurisdiction of the Town of Highland Lake, or to permit any garbage, rubbish or other refuse to accumulate in such a manner that it may be carried and deposited into or on any of the above places by action of the rain, wind or snow.

**Section 6:** It shall be unlawful for any person to sweep, throw or otherwise deposit, or cause to be swept, thrown or otherwise deposited into the lake, or on any canal, stream, public water drain, sewer or receiving basin within the corporate limits and police jurisdiction of the Town of Highland Lake, any garbage, rubbish or other refuse or to permit same to accumulate in such manner that it may be carried and deposited into or on any of the above places by action of the rain, wind or snow.

**Section 7:** It shall be unlawful for any person to remove any garbage, rubbish, refuse or other like material from any garbage can or other container not belonging to that person, within the corporate limits and police jurisdiction of the Town of Highland Lake, after it has been placed therein, except under the orders of an officer, agent or employee of the Authorized Agent.

**Section 8:** All garbage containers for collection by the Authorized Agent shall be placed at a point not more than 10 feet from the street, at a point conveniently accessible to the collection crew. After the collection crew has collected the garbage, cans must be pulled a minimum of 10 feet back from the side of the road, so as not to cause a traffic problem.

**Section 9:** No garbage will be collected by the Authorized Agent unless in that Agents garbage can.

**Section 10:** Building debris, such as scrap lumber, plaster, roofing, concrete, brickbats or similar materials resulting from the construction, repair or demolition of any building or structure on private property will not be removed by the Authorized Agent, but will be the responsibility of the owner himself. The owner may contract with a qualified agent for a dumpster to be delivered to his property, and removed when full.

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**Section 11:** It shall be unlawful for any person to dump or cause to be dumped, any garbage, rubbish or other refuse upon any property within the corporate limits and police jurisdiction of the Town of Highland Lake.

**Section 12:** It shall be unlawful for any person to transport, haul or carry garbage, rubbish or other refuse through the streets within the police jurisdiction of the Town of Highland Lake without having the vehicle or container in which the same is to be carried or hauled, adequately secured and covered.

**Section 13:** It is unlawful for anyone to burn garbage or hazardous materials, such as roofing, plaster, tires, etc. within the Town of Highland Lake. "Rubbish", such as leaves, limbs of trees or other yard debris may be burned in an approved area, after obtaining a Burn Permit from the Town of Highland Lake.

- (a) The permit will be free of charge and will be good for up to 5 days. Permits will not be issued if the County is under a "No Burn" ban.
- (b) Only rubbish may be burned.
- (c) Rubbish may not be burned within ten feet of the waters edge, nor allowed to be swept into the water by rain, wind, snow, or wave action from boats.

**Section 14:** All provisions of this ordinance shall apply to all places within the corporate limits of the Town of Highland Lake.

**Section 15:** Any person violating a provision of Section 2, 3, 4, 5, 6, 7, 8, 11, 12 and 13 of this ordinance or doing anything declared by this ordinance to be unlawful shall be guilty of an offense against the Town of Highland Lake, Alabama and upon conviction shall be punished by a fine of not less than \$25.00 and not more than \$200.00.

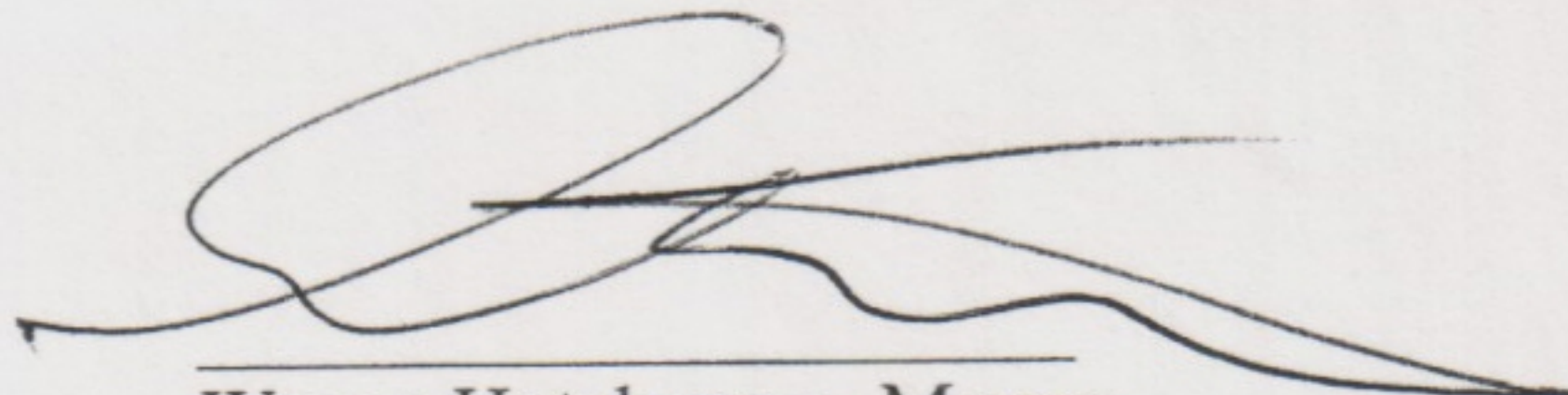
**Section 16:** Any ordinances or parts of ordinances of the Town of Highland Lake in conflict with the provisions of this ordinance are repealed.

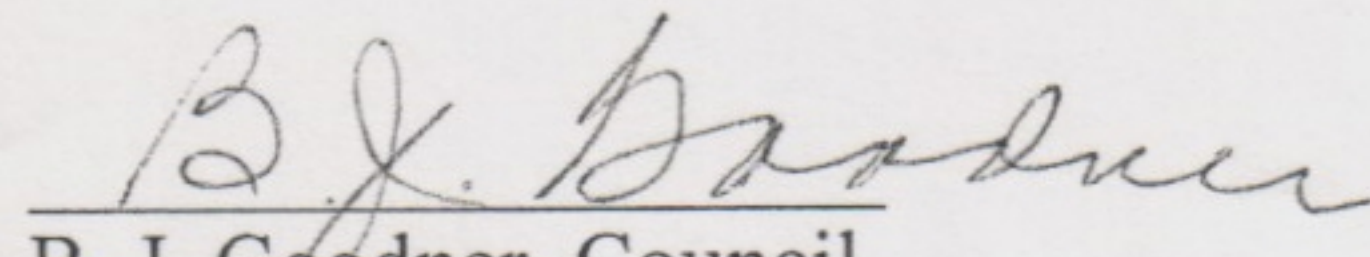
**Section 17:** If for any reason any clause, sentence, section, subsection or provision of this ordinance, or the application thereof to any person or circumstances, is held invalid or inoperative, the remainder of the ordinance and the application thereof of other persons and circumstances shall not be affected thereby.

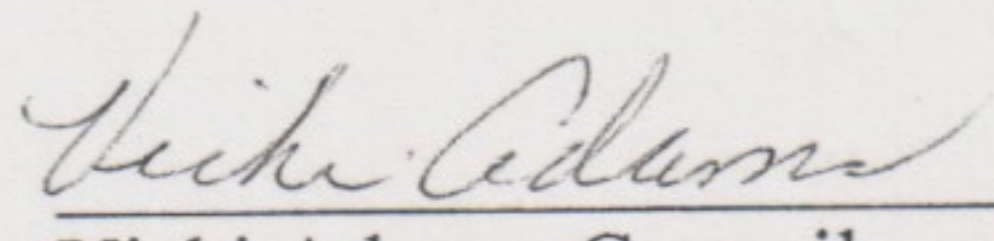
**Section 18:** This ordinance being for the immediate preservation of public health shall take effect immediately upon its revision and approval. This ordinance replaces HL-85-14.

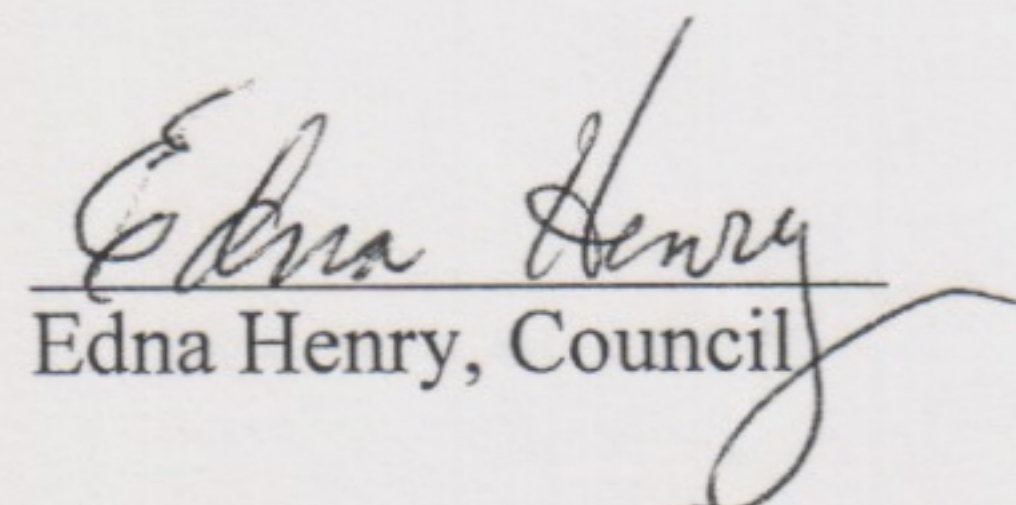
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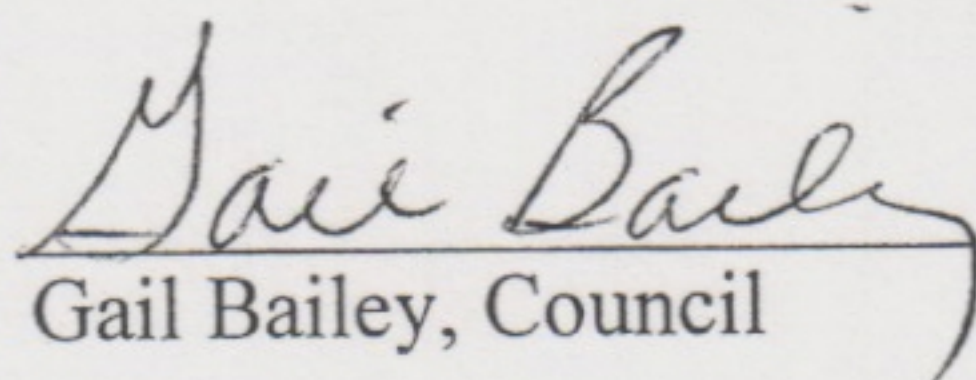
Passed and adopted this 3rd day of April 2006. This amendment shall be effective five (5) days from and after the date of its adoption.

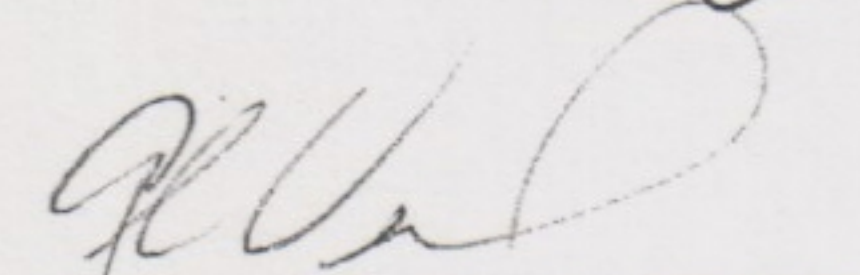
  
Wayne Hutcherson, Mayor

  
B. J. Goodner, Council

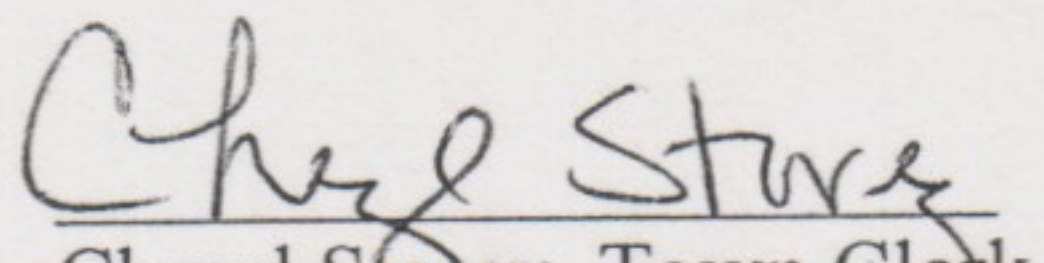
  
Vicki Adams, Council

  
Edna Henry, Council

  
Gail Bailey, Council

  
Alan Veal, Council

ATTEST:

  
Cheryl Storey, Town Clerk