

6

ORDINANCE

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

SECTION ONE: That the Town of Vincent shall, either through its own employees or by contract with third parties, collect, haul and dispose of garbage, rubbish and other refuse in the Town of Vincent and shall collect garbage at least once a week for businesses and other establishments covered by this ordinance and for the residents of the Town of Vincent, and the charges herein prescribed are based on such periodic collections and disposals.

SECTION TWO: Beginning with the services to be rendered for the month, starting on the 1st day of April, 1980, and continuing monthly thereafter, the following charges shall be collected by the Town of Vincent for said collecting, hauling and disposing of said garbage, rubbish and other refuse:

(a) There shall be charged against each owner or person in possession of a residential premises housing a single family, the sum of \$2<sup>00</sup> per month for each premise occupied by a dwelling house or other building occupied as a dwelling. (This paragraph does not include apartments and low rent housing authorities.)

(b) There shall be charged against low rent housing authorities a total for all occupants, the sum of \$2<sup>00</sup> each per month.

(c) There shall be charged against apartments, the sum of \$2<sup>00</sup> per month for each occupied apartment, the same to be charged against the occupants.

(d) There shall be charged against businesses the sum of \$5<sup>00</sup> per month for each establishment, the same to be charged against the person, firm or corporation operating said establishment.

(e) Any person, firm, corporation, or business against whom this Ordinance would fix a \_\_\_\_\_ charge as set out hereinabove, may elect to remove his, her, or its own garbage without paying said charge, provided he, she, or it gives election within 20 days from the effective date of this Ordinance; and provided further such

person, firm, corporation, or business removes such garbage at the intervals provided for in this Ordinance.

SECTION THREE: All bills for service shall be rendered monthly on the same statement rendered by the Town of Vincent for water service, except that all bills for service to persons, firms, corporations, or businesses who do not receive a statement for water services shall be rendered monthly on a statement for garbage services. Each bill shall be due and rendered and shall become delinquent if not paid within ten days thereafter. No garbage, rubbish and refuse collection, hauling and disposal service shall be rendered to any person whose account for said service is delinquent.

SECTION FOUR: All ordinances or parts of ordinances or sections of any Code of the Town of Vincent in conflict with the provisions of this Ordinance are hereby repealed.

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

SECTION SIX: This ordinance being for the immediate preservation of public health shall take effect immediately upon its passage and approval.

Passed and adopted on this 5 day of February, 1980.

Said Ordinance was read at length, and thereupon Councilman Wallace J. Denty moved that unanimous consent of the Council be given for the immediate consideration of and action upon said Ordinance, which notion was seconded by Councilman Nolan Clinchscale. Said motion for unanimous consent was submitted to a vote of the Council and said vote resulted as follows:

AYES: DB Smith, DL Spates, James M. Lowe Jr, Nolan Clinchscale,  
and Wallace Denty

NAYS: Robert D. Green

Whereupon, the Mayor in open Council declared said motion carried and unanimous consent given for the immediate consideration of and action upon said Ordinance. Councilman Wallace J. Denty moved that said Ordinance be adopted, which motion was seconded by Councilman Nolan Clinchscale. Said motion for the adoption of said Ordinance was submitted to a vote of the Council and said vote resulted as follows:

AYES: DB Smith, DL Spates, James M. Lowe, Nolan Clinchscale,  
and Wallace Denty

NAYS: Robert Dan Green

Thereupon, the Mayor in open council declared said motion carried and said Ordinance adopted.

## ORDINANCE

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

SECTION ONE: That the Town of Vincent shall, either through its own employees or by contract with third parties, collect, haul and dispose of garbage, rubbish and other refuse in the Town of Vincent and shall collect garbage at least once a week for businesses and other establishments covered by this ordinance and for the residents of the Town of Vincent, and the charges herein prescribed are based on such periodic collections and disposals.

SECTION TWO: Beginning with the services to be rendered for the month, starting on the 1st day of ~~March~~ APRIL, 1980, and continuing monthly thereafter, the following charges shall be collected by the Town of Vincent for said collecting, hauling and disposing of said garbage, rubbish and other refuse:

(a) There shall be charged against each owner or person in possession of a residential premises housing a single family, the sum of \$2.00 per month for each premise occupied by a dwelling house or other building occupied as a dwelling. (This paragraph does not include apartments and low rent housing authorities.)

(b) There shall be charged against low rent housing authorities a total for all occupants, the sum of 2.00 per month.

(c) There shall be charged against apartments, the sum of \$2.00 per month for each occupied apartment, the same to be charged against the occupants.

(d) There shall be charged against businesses the sum of \$5.00 per month for each establishment, the same to be charged against the person, firm or corporation operating said establishment.

(e) Any person, firm, corporation, or business against whom this Ordinance would fix a \_\_\_\_\_ charge as set out hereinabove, may elect to remove his, her, or its own garbage without paying said charge, provided he, she, or it gives election within 20 days from the effective date of this Ordinance; and provided further such

person, firm, corporation, or business removes such garbage at the intervals provided for in this Ordinance.

\* SECTION THREE: All bills for service shall be rendered monthly on the same statement rendered by the Town of Vincent for water service, except that all bills for service to persons, firms, corporations, or businesses who do not receive a statement for water services shall be rendered monthly on a statement for garbage services. Each bill shall be due and rendered and shall become delinquent if not paid within ten days thereafter. No garbage, rubbish and refuse collection, hauling and disposal service shall be rendered to any person whose account for said service is delinquent.

SECTION FOUR: All ordinances or parts of ordinances or sections of any Code of the Town of Vincent in conflict with the provisions of this Ordinance are hereby repealed.

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

SECTION SIX: This ordinance being for the immediate preservation of public health shall take effect immediately upon its passage and approval.

Passed and adopted on this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\* Special hardship cases will be reviewed upon Presentation of facts at the Town Hall.

Said Ordinance was read at length, and thereupon Councilman Wallace D. Denty moved that unanimous consent of the Council be given for the immediate consideration of and action upon said Ordinance, which motion was seconded by Councilman Nolen Clinkscale. Said motion for unanimous consent was submitted to a vote of the Council and said vote resulted as follows:

AYES: DB Smith, D. L. Spates, James M. Rowe Jr., Nolen Clinkscale,  
and Wallace Denty  
 NAYS: Robert D. Greene

Whereupon, the Mayor in open Council declared said motion carried and unanimous consent given for the immediate consideration of and action upon said Ordinance. Councilman Wallace D. Denty moved that said Ordinance be adopted, which motion was seconded by Councilman Nolen Clinkscale. Said motion for the adoption of said Ordinance was submitted to a vote of the Council and said vote resulted as follows:

AYES: DB Smith, D. L. Spates, James M. Rowe Jr., Nolen Clinkscale  
and Wallace Denty  
 NAYS: Robert D. Greene

Thereupon, the Mayor in open council declared said motion carried and said Ordinance adopted.

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AN ORDINANCE GRANTING A FRANCHISE FOR THE  
OPERATION OF A SEWER SYSTEM

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VINCENT,  
ALABAMA (hereinafter referred to as the "Town") as follows:

Section 1. That the Town hereby grants to The Water Works and Sewer Board of the Town of Vincent, its successors and assigns (hereinafter referred to as the "Board"), the right, privilege, authority and franchise to acquire, construct, own, maintain, enlarge, extend, improve and operate a sewer system in the Town for the purpose of treating and disposing of sewage from the Town and the surrounding territory and to use the streets, avenues, alleys and public ways and places in the Town for such purposes.

Section 2. That the Town hereby grants to the Board the right, privilege, authority and franchise at any time and from time to time during the period covered by this franchise, and without any requirement as to permit or fee therefor, to construct and extend its mains, laterals, pipes and conduits over or under or along or across any street, avenue, alley, or public way or place in the Town for the purpose of operating, constructing, repairing, improving, enlarging or extending said sewer system.

Section 3. That the Town hereby consents and agrees that the franchise hereby granted shall be covered by any mortgage or deed or indenture of trust which the Board may execute to secure any sewer revenue bonds or water and sewer revenue bonds which it may issue, including any mortgages or deeds or indentures of trust executed by the Board supplemental thereunto or in connection with the refinancing or refunding of said bonds, and that any such mortgages or deeds or indentures of trust shall constitute a lien thereon and that it may be transferred or assigned subject to the conditions thereon; but such franchise shall not otherwise be transferred or assigned.

Section 4. That the Board shall, and by accepting this franchise agrees that it will, upon making any excavation in the streets, avenues, alleys, public ways and places of the Town in the exercise of this franchise, restore the surface and paving at the point of such excavation in substantially the same condition as before the work was done, within a reasonable time thereafter, and will save the Town harmless from any liability arising out of any change in the condition of any street, avenue, alley, public way or place by the Board.

Section 5. That the provisions of this ordinance are intended to be severable and, if any one or more thereof should be held invalid for any reason, the rest shall nevertheless stand and be fully effective.

Section 6. This ordinance shall be published by posting copies thereof in three public places within the limits of the Town, two of which places will be the Post Office and the Mayor's office in the Town.

Section 7. All ordinances, resolutions or orders or parts thereof in conflict with this ordinance are hereby repealed, to the extent of such conflict.

Approved:

J. Alpha Lowe  
Mayor

S E A L

Attest: Frances E. Spates  
Town Clerk

CERTIFICATE

I hereby certify that the above and foregoing ordinance was published by me by posting copies thereof in three public places within the limits of the Town of Vincent, to-wit, the Mayor's office, the Post Office, and Gas Board office in said Town, and that said copies remained so posted for a period of five days.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official corporate seal of the Town of Vincent.

S E A L

Frances E. Spates  
Clerk



ORDINANCE No. 100

Vincent, Alabama.

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH AND TO PROVIDE FOR THE SAFE AND PROPER DISPOSAL OF HUMAN EXCRETA AND OTHER SEWAGE WASTES, THE INSTALLATION OF SANITARY WATER CLOSETS, SEPTIC TANKS, DISPOSAL FIELDS, SANITARY SEWERS, PIT PRIVIES OR ERE CLOSETS AND TO REGULATE THE TYPE, LOCATION, CAPACITY, CONSTRUCTION, MAINTENANCE AND USE OF THE SAME IN THE Town OF Vincent, Alabama, AND ITS POLICE JURISDICTION.

BE IT ORDAINED BY THE Council OF THE Town OF Vincent AS FOLLOWS:

Section 1: It shall be unlawful for any person, firm, corporation or their agent to construct, maintain, use or permit the use of any building, dwelling, shelter, premise or other place where human beings congregate, reside, work or rest within the Town of Vincent or its police jurisdiction, in which is not provided adequate facilities for the disposal, in a sanitary and proper manner, of all human excreta and other sewage wastes resulting from the control or use, for whatever purpose, of the said place.

Section 2: The County Board of Health of Shelby County or its authorized representative is hereby empowered by the Town of Vincent to make inspections and investigations at any reasonable time on any place or premise within The Town of Vincent, Alabama or its police jurisdiction and to take necessary legal action through the City to enforce and control the disposal of human excreta, and other sewage wastes in accordance with the regulations, specifications and requirements uniform and general set forth and approved by the State Board of Health and these regulations shall herewith become a part of this ordinance.

Section 3: At places located within the Town of Vincent or its police jurisdiction where adequate public sanitary sewers are available the disposal of human excreta or other sewage wastes shall be to said sanitary sewers and at places located where said sanitary sewers are not available disposal of human excreta or other sewage wastes shall be to a septic tank and disposal field as permitted by the Shelby County Health Officer and no septic tank, disposal field or other means of disposal shall be constructed within The Town of Vincent or its police jurisdiction prior to the issuance of a permit by said County Health Officer to the owner of the place or premise to construct and use a private individual disposal system.

Section 4: All departments, agencies and offices of the Town of Vincent, Alabama and their representatives, agents and officers are hereby prohibited from issuing building permits or licenses to construct or build any building, dwelling, shelter, premise or other place in which there is or is likely to be a need for the sanitary and proper disposal of human excreta or other sewage waste except that when the applicant for such

Section 8-110 of the Code of Ordinances of the City of Vincent, Corporation, of this State, is hereby amended to read as follows: "Within fifteen (15) days following the date of the adoption of this Town of Vincent Ordinance, the Board of Commissioners shall make the necessary improvements for the term of one year, and shall cause the same to become a lien upon the future or existing taxes of the town, and the satisfaction or improvement of the same is a condition precedent to the Section 808, of the Code of Ordinances of the City of Vincent, of this State."

Section 9: All quotations or proposals received in connection herewith are hereby rejected.

Section 10: If any court or tribunal of competent jurisdiction in any country or jurisdiction shall be held to be in violation of the provisions of this ordinance, such holding shall be null and void, and no court or tribunal of competent jurisdiction shall have jurisdiction to enforce any such holding, clause or provision or portion of this ordinance, in any country or jurisdiction.

Adopted this 15th day of February, 1977

Robert Mays

Approved this \_\_\_\_\_ 15th \_\_\_\_\_ 2007

of February 1977