

MEETING AGENDA



District 1
Matthew Wilson

District 2
Raevan Howard
Alternate

District 3
Norman Crow

District 4
Lee Busby

District 5
Kip Tyner
Member

District 6
John Faile
Chairperson

District 7
Cassius Lanier
Vice Chairperson

Council Administration and Policy Committee Meeting Agenda

Tuesday, February 6, 2024 Daugherty Conference Room 4:00 p.m.

TOPIC	PRESENTER	SUPPORTING MATERIAL
Approval of Minutes		
NEW BUSINESS		
1. Groundskeeper job classification (OCA-24-0135)	<i>Eric Thompson LaShonda Herbert</i>	2-4
2. Resolution amending Section 2-42(b) of the Code of Tuscaloosa	<i>Carly Standridge</i>	5-6
3. Ordinance amending Chapter 13, 16, and 19 of the Code of Tuscaloosa (OCA-24-1193)	<i>Chris Meggs Hudson Cheshire</i>	7-23
ADJOURN		

**City of Tuscaloosa Human Resource Department
Classification Specification**

**Class Code: 0066
Grade: 5
FLSA: Non-Exempt**

GROUNDSKEEPER

SUMMARY

The purpose of this classification is to perform work functions associated with maintaining city parks, buildings, grounds, landscaping, and building maintenance.

ESSENTIAL FUNCTIONS

The following duties are normal for this classification. The omission of specific duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned. Specific duties listed may not be required for all positions within this classification but are determined by the normal requirements for the position.

Performs manual work functions associated with groundskeeping and maintenance tasks, specifically: planting, fertilizing, watering, mowing, edging, raking, trimming, or weeding landscaped areas; removing trash/branches from grounds; cleaning/sweeping walkways and parking lots; digging holes/trenches, and maintaining sprinkler system.

Performs construction, maintenance and repair to buildings, equipment, and tools, specifically: cleaning, painting, light carpentry, trash disposal, replacing light bulbs, and paper products.

Performs housekeeping tasks, specifically: cleaning/maintaining restrooms, cleaning shop areas, sweeping parking lots/walkways, emptying trash containers, vacuuming, sweeping, mopping, or waxing floor surfaces, dusting furniture, and cleaning windows.

Operates/maintains various machinery, equipment and tools used in maintenance activities, specifically: service trucks, push mowers, weed eaters, blowers, sprayers, hoes, shovels, rakes, chainsaws, edgers, carpenter's tools, and cleaning tools/supplies.

Inspects all equipment to ensure safe and proper operating condition prior to use; inventories equipment, materials, and supplies; ensures tools and equipment remain clean and in good working order.

Performs preventative maintenance tasks, specifically: cleaning and servicing trucks and equipment; reports faulty equipment and broken tools for repair or replacement.

Maintains inventory of cleaning and groundskeeping supplies.

Performs maintenance on service trucks, specifically: cleaning, maintaining fluid level, and checking tires.

Responds to requests for information from officials, employees, the public or other individuals.

Transports equipment, supplies, and parts.

Communicates via telephone and/or two-way radio; provides information; takes and relays messages; responds to requests for service, after hour emergencies, and callouts.

Incorporates continuous quality improvement principles in day-to-day activities.

Must meet regular attendance requirements.

Must be able to maintain good interpersonal relationships with staff, co-workers, managers, and citizens.

Must accomplish the essential functions of the job, with or without reasonable accommodation, in a timely manner.

MARGINAL FUNCTIONS

Performs other related duties as required.

MINIMUM QUALIFICATIONS

High school diploma or GED preferred; six months of experience preferably in general landscaping, construction/maintenance work and/or manual labor work. Must possess and maintain a valid driver's license. This job classification is considered safety-sensitive and is subject to pre-employment and random drug screens.

MINIMUM REQUIREMENTS TO PERFORM ESSENTIAL JOB FUNCTIONS

The following requirements are normal for this classification. Specific requirements may not apply to all positions within this classification but are determined by the normal requirements for the position.

PHYSICAL REQUIREMENTS: Must be able to operate a variety of equipment including carpenter tools, mechanics tools, service truck, shovels, weed eaters, blowers, cleaning tools, etc. Physical demand requirements for some positions within this classification may at times be at levels of those for heavy work.

DATA COMPREHENSION: Requires the ability to compare and/or judge the readily observable functional, structural, or compositional characteristics (whether similar to or divergent from obvious standards) of data, people, or things which may include work orders, maps, and procedural manuals.

INTERPERSONAL COMMUNICATION: Requires the ability to speak with and/or signal people to convey or exchange information, including giving/receiving assignments and/or directions to/from co-workers, assistants, managers, or supervisors as well as communicating with the general public.

LANGUAGE ABILITY: Requires ability to read a variety of groundskeeping documentation, directions, instructions, and methods and procedures. Requires the ability to write basic job-related documentation and reports with proper format, punctuation, spelling, and grammar, using all parts of speech. Requires the ability to speak with and before others with poise, voice control, and confidence using correct English and well-modulated voice.

INTELLIGENCE: Requires the ability to learn and understand groundskeeping principles and techniques, to understand departmental policies and procedures, to make independent judgments in absence of supervision, and to acquire and be able to expound on knowledge of topics related to primary occupation.

VERBAL APTITUDE: Requires the ability to record and deliver information, to explain procedures, and to follow verbal and written instructions.

NUMERICAL APTITUDE: Requires the ability to add and subtract, multiply and divide, and determine time and weight.

FORM/SPATIAL APTITUDE: Requires the ability to visually inspect items for proper length, width, and shape using job related equipment which may include standard measuring devices.

MOTOR COORDINATION: Requires the ability to coordinate hands and eyes in using groundskeeping and maintenance equipment and to operate a motor vehicle.

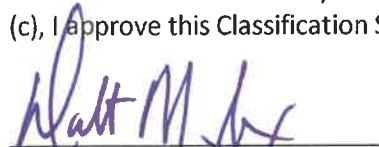
MANUAL DEXTERITY: Requires the ability to handle a variety of items, groundskeeping and maintenance equipment, control knobs, switches, etc. Must have the ability to use one hand for twisting motion or turning motion while coordinating opposite hand with different activities. Must have average levels of eye/hand/foot coordination.

COLOR DIFFERENTIATION: May require the ability to discern color.

INTERPERSONAL TEMPERAMENT: Requires the ability to deal with and relate to people beyond giving and receiving instructions. Must be able to adapt to and perform under minimal stress when confronted with an emergency.

PHYSICAL COMMUNICATION: Requires the ability to talk, express, or exchange ideas by means of spoken words and/or hear and perceive nature of sounds by ear.

Pursuant to Tuscaloosa City Code, Chapter 19, Section 19-54 (b) (3) c. and Alabama Act 2006-233 Section 3 (c), I approve this Classification Specification.


Walter Maddox, Mayor

Date

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: CHC

Requested: Admin Date: 02/06/24

Council Presentation on: 02/13/24

Suspension of Rules: No

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF TUSCALOOSA
(OCA-24-0054)**

WHEREAS certain employees, by virtue of their positions, are required to act as signors on city bank accounts; and

WHEREAS it is in the interest of administrative efficiency to codify the same,

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

The following subsections of the Code of Tuscaloosa is hereby amended, and all other sections and/or subsections shall remain unchanged.

SECTION ONE. That Subsection 2-42(b) is hereby amended to read as follows:

“Sec. 2-42. Administration of budget expenditures and funds by chief financial officer.

“(b) *Keeping of accounts.* The chief financial officer shall keep a convenient set of books or records in which there shall be kept a separate accounting for each revenue item of the city. He shall keep a separate account with each department for which a separate appropriation shall have been made, crediting the amount of the appropriation charging warrants drawn against the same. He shall keep such other accounts as may be necessary to show the financial condition of the municipality and of each department thereof at all times. **Pursuant to keeping a record of accounts for the city, the chief financial officer shall keep a list of the names of the employees currently holding the positions listed in subsection (b)(1) and certify the names of those employees to any relevant banks and financial institutions as signors for their respective departments.**

(1) By virtue of their positions the following employees have a fiduciary responsibility to the City:

Mayor

City Clerk

Deputy Chief Financial Officer

Director of Accounting and Financial Reporting

Director of Strategic Planning

Associate Director of Accounting and Financial Reporting

Treasury Accountant

Municipal Court Administrator
Assistant Municipal Court Administrator
Municipal Court Magistrate
River Market Operations Manager
River Market Assistant Operations Manager"

FUNDING REQUIRED: ☒ Yes ☐ No

COUNCIL ACTION

By: _____
Chief Financial Officer

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: CHC
Requested: Admin Date: 2/6/2024
Council Presentation on: 2/13/2024
Suspension of Rules: _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 13, CHAPTER 16, AND CHAPTER NINETEEN
OF THE CODE OF TUSCALOOSA
(OCA-23-1193)**

WHEREAS, on April 11, 2023, the City Council passed an ordinance amending Section 2-100 of the Code of Tuscaloosa to add Environmental Services as a department of the City; and

WHEREAS, Exhibits "A" and "B" of Chapter 19 list certain job titles which no longer exist; and

WHEREAS, amendments to Chapter 13- Article IV, Chapter 16- Article IV and Chapter 19 of the Code of Tuscaloosa are necessary to reflect the functions of Environmental Services and make technical corrections.

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

The following sections and/or subsections of the Code of Tuscaloosa are hereby amended, and all other sections and/or subsections shall remain unchanged.

SECTION ONE. That Section 13-60 is hereby amended to read as follows:

"Sec. 13-60. - Definitions.

The definitions for terms used in this Article are those listed in Section 16-90 of the Code of Tuscaloosa."

SECTION TWO. That Section 13-68(a) is hereby amended to read as follows:

"(a) Deadline for removal. If after the expiration of **48 hours** from notice **(as defined below)** to cut the weeds, grass or other vegetation or to remove bamboo, downed trees and/or limbs in violation of section 13-67 or litter, trash, construction debris or storm debris in violation of section 13-67.1 or from the issuance of any citation or summons and complaint pursuant to section 13-67 or section 13-67.1, the weeds, grass or other vegetation are not cut, or the downed trees or limbs are not removed or the litter, trash, construction debris or storm debris is not removed the

city may do such work at the expense of the owner or other person having charge or control thereof, which charge shall be a lien on the lot or parcel of land to be collected as all debts are collected, or liens enforced.”

SECTION THREE. That Subsection 13-68(e) is hereby repealed.

SECTION FOUR. That Section 13-69 is hereby amended to read as follows:

“Sec. 13-69. City attorney authorized to file lien.

The city attorney or his designee is authorized to file a lien against the property on charges related to work performed by the city.”

SECTION FIVE: That Section 13-72 titled “Placement of trash, rubbish, etc. at stores, shops, etc. – Alleys to be kept free of trash, rubbish, etc.,” Section 13-73 titled “Same— On street or sidewalk only where no alley.,” Section 13-74 titled “Persons engaged in the business of cutting and pruning trees or landscaping—Required to remove debris.,” Section 13-75 titled “Same – Debris not to be left on public street.,” Section 13-76 titled “Debris from construction, demolitions, alterations or repair—Required.,” Section 13-77 titled “Defective garbage or trash cans.,” Section 13-78 titled “Garbage, trash, etc. from businesses not to be placed in city receptacles.,” Section 13-79 titled “Cleanliness and orderliness at container site.,” and Section 13-79.1 titled “Unlawful opening, searching, etc., of garbage and trash cans.,” are hereby repealed.

SECTION FOURTEEN: That Section 13-79.3 titled “Signs required.” is hereby repealed.

SECTION FIFTEEN: That Subsection 13-79.4(a) is hereby amended to read as follows:

“(a) *Litter enforcement officers.* The following are hereby designated as litter control officers:

- (1) All police officers of the city
- (2) All employees of the department of transportation charged with the duty of issuing parking tickets.
- (3) **All code enforcement officers.**
- (4) **Any employee of the city as the mayor may direct.**
- (5) **No employee shall be designated as a litter control officer if such designation is not consistent with the job classification specifications.”**

SECTION SIXTEEN. That Section 16-90 is hereby amended to remove the definitions for "Ashes," "Parkway," "Plastic bag or plastic container," "Refuse," "Solid Waste," "Waste," and "Weekly or daily," and to add in alphabetical order the definitions of "Citation," "Corrective notice," "Litter," and "Residential Business" and to amend the definitions of "Director," "Dumpster or dumpster container," "Garbage," "Multiple-family unit," "Nonresidential premises," "Premises," and "Trash" to read as follows:

"Sec. 16-90. - Definitions.

Citation: A notice specifying a violation of the provisions of this article which directs the violator to appear in the municipal court to answer to the charge or, where appropriate, pay the fine or fines as specified in the minor violations settlement sheet.

Corrective notice: A written notice informing the recipient of a violation of the provisions of this article and specifying a period of time in which to correct said violation.

Director: The **director** of the environmental services department of the city and/or his or her designated representative.

Dumpster or dumpster container: A metal container of either **two (2)**, four (4), six (6), eight (8), or **ten (10)** cubic yards in capacity, suitable for collection by equipment utilized for that purpose by a duly licensed private commercial firm, franchised by the city for garbage collection.

Garbage: Putrescible animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food, including waste from markets, storage facilities, handling and sale of produce and other food products, and, in general, from food for human consumption, and nonputrescible waste matter, such as glass, plastic, paper, cartons, boxes, and cardboard. **The term "garbage" as herein defined shall encompass any reference to "refuse" or "waste."** Provided, however, the term "garbage" shall not include household sewage, livestock or poultry waste, hazardous waste or materials, improperly disposed of or unprotected medical waste, dead animals or the carcasses of deer or other large animals, ashes, trash, street or highway cleanings, abandoned automobiles or appliances, or industrial waste.

Litter: Garbage, refuse, waste, including but not limited to any paper, cartons, cans, metal, glass, plastics, wrappings, boxes or cardboard, whether or not it is of value and, further, whether or not the same is putrescible or non-putrescible. The term shall also include any abandoned unattended or discarded ice box, refrigerator or other container which has an airtight door or lid, snaplock or other device which might be removed from the inside, washer, dryer or any other appliance. This term shall expressly not include trash, as defined herein above.

Multiple-family unit (generally): A house, building, structure, or any multiple or combination of the same on a premises, wherein there exists four (4) or more family units.

Participating multiple-family unit: A multiple-family unit which is, prior to the date of adoption of this section, served by the city's garbage collection system.

Nonparticipating multiple-family unit: A multiple-family unit which is prior to the date of adoption of this section, not served by the city's garbage collection system, including all future multiple-family units.

Nonresidential premises: Any lot, property, building, premises or structure within the city generating garbage that is not a family unit or a **multiple-family** unit as herein defined. Nonresidential premises shall include, but not be limited to, businesses (**including residential businesses**), commercial establishments, public buildings, churches and nonprofit organizations, and any building or structure, or part thereof, used in connection with or for the foregoing, including the purpose of carrying on any business, trade, occupation or profession for which a business license is required by the city.

Premises: Nonresidential premises, residential premises, family unit, or multiple-family unit, industrial or manufacturing premises, **residential complex, home-owner's association**, or any other property, lot or establishment, depending upon the context, generating waste, trash, refuse or garbage within the city.

Residential business: A residential premises as defined herein from which a business is operated.

Trash: All tree and lawn trimmings, leaves, pine straw, trash that has been burned, rocks, bricks, dirt, ashes, lumber, concrete, bushes, and demolition type waste, generated by family units, except this term shall expressly not include any garbage, litter, or hazardous waste. Trash includes only those items of waste that are capable of being collected by equipment of the city utilized for that purpose and accepted for deposit at the city trash landfill, as herein defined."

SECTION SEVENTEEN: That Section 16-91 is hereby amended to read as follows.

"Sec. 16-91. Authority to promulgate rules and regulations/variances.

- (a) The director of the environmental services department or his designated representative is authorized to promulgate and issue any rules, regulations and/or policies, not inconsistent with the provisions of this article, **and only to the extent reasonably necessary or required to fulfil the purposes of this article.**

- (b) In those isolated instances in which the director determines that a strict enforcement of the provisions of this article pertaining to the method and manner of collection will, due to physical or topographic circumstances, render strict adherence to all of the provisions of this article impossible or otherwise impair or impede the efficient collection activities of the city, then he may authorize a variance from the provisions hereof, but only to the limited extent necessary or required. All variances granted by the director shall be in writing, documenting the reasons and justifications therefor, identifying the location and the specific regulation to which the variance applies, be signed and authorized by the director, kept on file by the department and a copy forwarded to the mayor. A variance may be repealed, amended or modified pursuant to the same procedure."

SECTION EIGHTEEN: That Section 16-92 is hereby amended to read as follows:

"Sec. 16-92. Garbage collection systems; mandatory participation.

The purpose of this article and other sections of this Code is to protect the health, safety and welfare of the citizens of the city by providing a system for the depositing and collecting of garbage within the corporate limits of the city.

Pursuant to the authority of Alabama Code, section 11-47-135 and section 22-27-3 (1975), every premises generating garbage within the corporate limits of the city shall subscribe to and participate in a system of garbage collection and disposal pursuant to the provisions of this chapter, unless granted a certificate of exception in accordance with Alabama Code, section 22-27-3(g)(1975) or otherwise exempt by the provisions of section 16-162(b) of this Code.

The city provides and makes available a garbage collection system pursuant to the provisions of this article within the corporate limits of the city with the exception of certain remote areas.

- (a) ***Residential Garbage Collection.*** Every family unit on every residential premises, as herein defined, within the corporate limits of the city to which municipal garbage collection services, as provided for herein, are made available shall participate in and subscribe to the city garbage collection and disposal system pursuant to the provisions of this article and pay to the city such fees and charges for the same as are established by municipal ordinances or amendments thereto.

Once a week, the city will collect from each such residential premises garbage deposited in one or more, but not to exceed three city cart(s). In addition to regularly scheduled collection, a one-time courtesy pick-up is allowed per residence. For each subsequent pick-up requested, a fee will be assessed equal to the amount of the total regular monthly billing rate.

No commercial firm engaged in garbage collection within the corporate limits of the city shall collect garbage from residential premises as herein defined, except those to whom the city does not make available garbage collection services.

(b) *Participating Multiple-family and Nonresidential Premises*

- (4) *Participating multiple-family units.*** The owners, occupants and/or residents of all multiple-family units served by the city's garbage collection system, immediately prior to the date of the adoption of this ordinance, may participate and subscribe to either the city garbage collection system in accordance with the provisions of this article, including all applicable fees and charges assessed by city ordinance, or a garbage collection system provided by a private commercial firm duly licensed and franchised by the city for the collection and disposal of garbage.

Provided, however, that once such a multiple-family unit has ceased to participate in the city's garbage collection system it may not renew or reinstate such participation.

- (2)** In the event that a multiple-family unit did not receive services prior to the passing of this ordinance, the director may, after receiving a written application from the customer and determining that accommodation of the multiple-family unit will not be impractical for the department, issue a variance pursuant to section 16-91 of this code and thereby provide services to the multiple-family unit. However, in no event shall the director, pursuant to Section 16-91 or any other section, issue a variance to accommodate the provision of services to a multiple-family unit containing more than six (6) family units.
- (3)** All nonresidential premises not otherwise having been granted a certificate of exception pursuant to law or otherwise exempt pursuant to section 16-162(b) of this code, shall subscribe to either the city garbage collection system if such garbage collection services are made available, or a garbage collection system as described in (c)(1).
- (4)** Once a week the city will collect from participating nonresidential and multiple-family premises in the city garbage deposited in a maximum of one eighty- or ninety-gallon city cart properly placed for collection in accordance with the provisions hereof and at the time scheduled for collection as established by the city for the area.

(c) *Non-participating Premises and cancellation of Services:*

- (1) Industrial or manufacturing concerns shall participate in a garbage collection system provided by a private commercial firm duly licensed and franchised by the city for collection and disposal of garbage.
- (2) Multiple-family and nonresidential premises may elect to cancel services by providing fourteen (14) days' written notice to the Director of Environmental Services. The written notice of cancellation shall include proof of a contract with a private commercial firm to commence services no later than three weeks from receipt of notice. In the event of cancellation, premises will be billed for and receive service for the two (2) weeks following receipt of notice.
- (3) Multiple-family premises electing not to participate in the city garbage collection system shall subscribe to a garbage collection system provided by a duly licensed private commercial firm, franchised by the city, which utilizes dumpster containers. Such dumpster containers shall be placed in reasonable proximity to said multiple-family units in accordance with city ordinance, policies and franchises. Garbage shall be placed only in the dumpster containers for collection and disposal.
- (4) *Discontinuation of services for noncompliance:* If the director determines at any time that any participating multiple-family unit or nonresidential premises is in violation of the provisions of this article then the director may discontinue garbage collection services to the participating multiple-family unit or nonresidential premises pursuant to section 16-107 hereof and the account holder must relinquish all city-owned carts back to the city.
- (5) No other system for collection and disposal of garbage from premises not participating in the city garbage collection system shall be permitted except in accordance with the terms and conditions of a certificate of exception as issued in accordance with applicable law. Commercial firms engaged in garbage collection within the corporate limits of the city shall collect garbage from multiple-family units and nonresidential premises only in accordance with the terms and conditions of this article."

SECTION NINETEEN: That Subsection 16-93(b) is hereby amended to read as follows:

"(b) *Prohibited wastes.* It shall be unlawful to place or deposit in a city cart or otherwise for collection by the city, any hazardous waste or materials, improperly disposed of or unprotected medical waste, the carcasses of deer or other large animals."

SECTION TWENTY: That Subsections 16-94(a) and (c) are hereby amended to read as follows:

“Sec.16-94. Premises; placement, depositing, garbage, etc.; maintaining premises.

- (a) It shall be unlawful and constitute a public nuisance for the owner, occupant or person, firm or corporation in control of any premises in the city to place, discard, or deposit or permit to be placed, discarded or deposited any garbage, refuse or any waste material on such premises outside of the buildings or structures thereon, except that garbage, including litter, shall be placed entirely within a city cart by any premises participating in the city system or in a dumpster container **or, in the case of private commercial firms hired by nonresidential premises, any other appropriate container** in accordance with the provisions of this article and city policies. It shall be unlawful and a violation of the provisions of this section for trash, garbage, **recyclable materials**, litter or waste material to be placed or deposited, whether or not for collection, beside or adjacent to such carts or dumpsters.

- (c) It shall be unlawful for the owner or occupant of any premises or for any other person to place, whether or not in an approved receptacle, any garbage, **recyclable materials**, trash, refuse or parts thereof, or other waste material or to cause or permit the same to be placed or deposited on any street or sidewalk or public right-of-way within the city, except as otherwise provide for in this article.”

SECTION TWENTY-ONE: That Section 16-95 is hereby amended to read as follows:

“Sec. 16-95. Time of Collection; Carts and bins not to remain on curb.

- (a) **To ensure collection by the city, garbage carts, recycling bins, and trash must be placed on the curb prior to 6:00 a.m. on collection day.**
- (b) **In no event shall garbage carts or recycling bins, whether serviced by the city or a private commercial firm, remain on the curb for more than 24 hours.**
- (c) **When garbage and trash collection by the city is scheduled on a legal holiday for the municipality, there will be no collection on that occasion; collection will recommence on the following business day.**
- (d) **Routine garbage and trash collection may also be delayed due to emergencies such as severe inclement weather conditions.”**

SECTION TWENTY-TWO: That Section 16-97 is hereby amended to read as follows:

“Sec. 16-97. City residential trash collection system; placement and handling of trash.

- (a) *Generally.* Pursuant to the authority of Alabama Code section 11-47-135 and section 22-27-3 (1975), the city has elected to provide, through its department of environmental services, residential trash collection for family units also receiving garbage collection services from the city with active current city water accounts or separate garbage accounts with the city if water service is not available within the corporate limits of the city, with the exception of certain remote areas. Generally, the city will provide such residential trash collection services once a week in accordance with the provisions hereof and pursuant to schedules promulgated by the department for collections in each area of the city.

Participation in the city trash collection system is voluntary and provided without charge. However, that shall not authorize or permit the occupants of any premises within the city to unlawfully accumulate trash or other debris.

- (b) The following **additional** rules are hereby established pertaining to the method of placement and handling of trash, as herein defined, on or near the street for pickup by the environmental services department:

- (1) All trash items capable of being **bagged** shall be bagged in plastic bags securely closed or tied shut and shall be placed on the curbside in front of the premises on regular collection days only by the occupant thereof. All plastic bags so placed shall be in good condition without tears or leaks and securely tied or fastened.
- (2) Limbs, brush, shrubbery and other wood items not capable of being bagged as provided in subsection (1) above shall be cut into lengths not exceeding **eight (8)** feet and widths no larger than eight (8) inches in diameter. Said **material** shall be placed on the curbside **no closer than 3 feet from any inanimate object** in front of the premises on regular collection days only by the occupant or person not engaged in lawn cutting or service for hire.
- (3) Large bulky trash items not capable of being bagged as required by subsection (1) above may be placed on the curbside **no closer than 3 feet from any inanimate object** in front of the premises on regular collection days only by the occupant or person not engaged in lawn cutting or service for hire.
- (4) The city will not collect on trash collection days containerized, bundled, or bulk items which do not meet the definition of trash, as defined in

section 16-90 hereof, nor will the city collect on trash collection days containerized, bundled or bulk items which contain any garbage, litter, sludge, liquids, toxic waste or any other waste material not capable of being accepted for deposit in the trash landfill. The city will not collect any item of trash that is not capable of being safely handled by city equipment. The city will not pick up or collect trash deposited or containerized except pursuant to the term and conditions hereof.

- (5) Trash may not be deposited for collection by the city in city carts or any other type or kind of receptacle, box, can or container except plastic bags as herein defined.
- (6) Trash will not be collected from vacant lots not contiguous and forming part of a residential premises.
- (7) The city will collect **five cubic yards of residential trash** from any one premises per weekly trash service. **In the event that residential trash placed at the curbside exceeds five (5) cubic yards, the city utility account for the residence shall be charged a special trash collection fee as follows:**

(A) For amounts exceeding five (5) cubic yards, but less than eleven (11) cubic yards ... \$50.00

(B) For amounts exceeding eleven (11) cubic yards but not more than twenty (20) cubic yards ... \$100.00

In no event will the city collect more than twenty (20) cubic yards of trash from any one premises per weekly trash service; the resident shall promptly remove any trash in excess of that amount from the right-of-way and properly dispose of the same. Failure to do so will result in prosecution under Sec. 13-67.1 of this Code.

- (8) In any event in which the city determines trash placed upon the right-of-way constitutes a traffic hazard or other danger to the public health safety or welfare, it may cause the same to be removed notwithstanding that the placement thereof was in violation of the provisions of the City Code; provided, however, [that] under such circumstances, the resident or other responsible person shall be billed by the city for such service, in addition to any fees, charges or fines applicable thereto.
- (9) It shall be the policy of the City of Tuscaloosa not to collect **items** on collection days that do not meet the definition of trash as defined in section 16-90 hereof. However, the director of the environmental services department or his designated representative may make a

determination that if the efficiency of the collection would be better served by allowing other items to be collected, he may so implement such collection if:

- (a) Collection of such items will prevent the scattering of trash, minimize the obstruction of stormwater drains, promote traffic safety, facilitate the clearing of the streets and compliance with the applicable state and federal regulations regarding solid waste disposal.
- (b) The disposal of such items will not violate any policy, agreement or contract between the City of Tuscaloosa and any other entity.

Provided, however, that any item placed on the right-of-way on trash collection days is subject to being disposed of, and that the City of Tuscaloosa is not liable for the loss of such property. The collection of such items on occasion does not obligate the city for any future collection of like items.

- (c) In the event of a "disaster," as defined by section 9-1 of the City Code, within all or any defined area of the corporate limits of the city, the mayor may, in addition to the authorization to act in emergencies as set forth in section 9-3 of the City Code, and for the periods of time that consequences from such disaster exists, and within a specifically defined area of the city, suspend or modify any of the applicable provisions pertaining to trash collection set forth **in the Code of Tuscaloosa.**"

SECTION TWENTY-THREE: That Section 16-98 titled "Persons engaging in the business of cutting and pruning trees or landscaping—Required to remove debris.," Section 16-99 titled "Same—Debris not to be left on public street.," and Section 16-100 titled "Same—City not responsible; unlawful to represent that city will remove debris." are hereby repealed.

SECTION TWENTY-SIX: That Section 16-101 is hereby amended to read as follows:

"Sec. 16-101. Debris from landscaping, construction, or demolition – Removal required.

- (a) Every person engaging in the business of, or being hired for the purpose of, **tree trimming, landscaping,** constructing, demolishing, remodeling, repairing, roofing, or altering any building or other structure within the city shall remove any **limbs, trash, dirt,** debris, concrete, lumber, roofing material, or any other waste material resulting from such activity from the site to a lawful disposal area; **and**

- (b) Shall provide on-site receptacles for litter and trash as defined hereinabove, and ensure that litter and trash are properly placed in such containers, to prevent scattering of such litter by wind or rain if such litter and trash are not otherwise properly disposed of on a daily basis. Whenever it is not feasible to place the onsite receptacle within the construction site, an onsite receptacle may be placed in the street or other right-of-way pursuant to a right-of-way permit issued by the director of the department of transportation or their designee (director), pursuant to guidelines set by the director, who shall determine the permit conditions for each request including but not limited to liability insurance, permit expiration, safety requirements and waiver of liability. There may be a permit application fee as set by the mayor with approval by resolution of the council.**
- (c) Placing or allowing an onsite receptacle to remain in the street or right-of-way without a valid permit shall be unlawful and constitute a violation of this section.**
- (d) It shall not be the duty of the City to remove or carry away the debris remaining from tree trimming, landscaping, construction, demolition, remodeling, roofing, or repair by persons engaged in such business. It shall be unlawful for any such person as referenced in subsection (a) to deposit such waste material on the public streets or public areas of the city or leave the same for pickup and removal by the city."**

SECTION TWENTY-SEVEN: That Section 16-105 is hereby amended to read as follows:

"Sec. 16-105. Cleanliness and orderliness at container site.

- (a) It shall be unlawful for any person in charge or control of any premises to allow or permit garbage or trash containers to be open or uncovered, and it shall be unlawful for any such person to permit or allow an accumulation of garbage, trash, or litter in the vicinity of any garbage or trash container serving such premises.**
- (b) When a customer, having already received two corrective notices, violates this section for a third time within a period of six weeks by either (1) failing to timely comply with the initial corrective notices or (2) allowing more garbage to accumulate in violation of this section, the director may in his or her discretion and where otherwise permitted by this chapter, issue an additional city garbage cart to the customer and charge the customer for the same.**
- (c) Nothing in this section shall be construed to prohibit the issuance of municipal court citations in lieu of the remedy described in subsection (b), or to require the issuance of corrective notices prior to the issuance of a municipal court citation."**

SECTION TWENTY-SEVEN: That Section 16-106 is hereby amended to read as follows:

“Sec. 16-106. Unlawful opening, searching, etc., of garbage and trash cans.

It shall be unlawful for any person to open any garbage **cart** or other container in which garbage or trash has been deposited for collection or to search in any such **cart** or other container for garbage or trash, or to remove from any such **cart** or other container any garbage, trash or other things. This section shall not apply to the owner of such cart or other container or such person's employee or to any **person acting within the scope of their job description as an employee of the city.**”

SECTION TWENTY-EIGHT: That Subsection 16-107(b) is hereby amended to read as follows:

“(b) Prior to a permanent discontinuance of such services to any premises, the director of the department shall give the owner or occupant thereof, as indicated by the records of the city, fourteen (14) days' written notice. The director of such department and/or his designated representative is authorized to post and attach and/or affix notices to the premises or structures located thereon in regard to any such failures to comply and/or to mail or otherwise notify such persons in regard to any violation of city regulations concerning the collection, storage or handling of garbage, trash, **recyclable materials**, or refuse.”

SECTION TWENTY-NINE: That Section 16-109 is hereby repealed.

SECTION THIRTY: That Section 16-110 is hereby amended to read as follows:

“Sec. 16-110. Procedures for handling, management, and replacement of garbage carts.

- (a) The city will loan carts at no cost to **the garbage customer for properties receiving garbage collection service pursuant to this article.** Loaned carts will remain the property of the city.
- (b) Carts owned by the city and loaned to **a garbage customer** shall not be relocated to **an address different than the one associated with the account.**
- (c) **The** environmental services department is authorized to repair or replace any garbage cart which is damaged from wear and tear through the normal course of use at no cost to the **garbage customer provided there is sufficient manpower and adequate inventory.**
- (d) **If a city-issued cart is lost, stolen, or damaged beyond normal wear and tear, the garbage customer will be assessed the cost of a replacement cart which shall remain the property of the city.**

- (e) In its issuance of carts as described in subsections a, c, and d, the city reserves the right to furnish carts in either new or used condition.
- (f) If a city residential garbage customer (or a non-residential customer that has been granted a variance to increase their number of allowable carts) opts to have more than one cart on the premises, then the city will issue the additional cart or carts, up to the maximum described by the code (or variance) at no cost.”

SECTION THIRTY-ONE: That Exhibit “A”, Job Classification List—Pay Grade Order and Exhibit “B”, Job Classification List—Alphabetical Order, of Section 19-42 “Adoption of Exhibits,” be, and the same are hereby amended to delete the following job classification pay grade and/or job classification title as follows:

CODE	TITLE	FLSA	PAY GRADE
0092	Automated Garbage Truck Operator	N	10
1018	Accounting Assistant	N	14
1040	Compliance and Enforcement Manager	E	33
2108	Associate Director, Logistics and Asset Management	E	42
2109	Asset Management Coordinator	E	28
2603	Wastewater Operations Technician	N	17
2707	Wastewater Collection System Maintenance Manager	E	28
2718	Wastewater Collection System Program Coordinator	E	30
2720	Deputy Director, Water & Sewer	E	44
2721	Associate Director, Infrastructure - Water & Sewer	E	42
3106	Water/Wastewater System Maintenance Manager	E	28
4000	Chief Resilience Officer	E	42
4026	GIS Manager	E	30

4041	Internal Auditor	E	29
	City Venues Assistant		
4051	Operations Manager	N	18
	City Venues Operations		
4053	Manager	E	28
4062	IPS Compliance Officer	N	18
	Facilities Engineering and		
4100	Reliability Manager	E	40
	Cyber Intelligence		
5028	Division Director	E	33
	Associate Director, Water		
	& Sewer Customer		
7014	Service	E	33
	Director, Planning &		
7020	Development Services	E	46
	Executive Director,		
	Infrastructure and Public		
7070	Services	E	49
	Deputy Director,		
	Infrastructure and Public		
7071	Services	E	48
	Director, Logistics & Asset		
7073	Management	E	48
	Director, IPS		
7074	Administration	E	42
7076	Director, Public Services	E	44
	IPS Administrative		
7078	Coordinator	N	19
	Deputy Director, IPS		
7080	Administration	E	32
	Infrastructure		
7102	Administrative Specialist	N	18
	Associate Director,		
	Infrastructure -		
7110	Transportation	E	42
	Water Distribution		
	System Control		
0031	Technician	N	19
	Customer Service		
2104	Representative, Senior	N	11
	Systems Database		
2106	Specialist/Modeler	N	19
	Lift Station Maintenance		
2651	Operator	N	17

	Wastewater Treatment Plant Maintenance		
2703	Operator	N	17
	Water/Wastewater		
2706	Chemist	N	17
	Water Treatment Plant		
3003	Maintenance Operator	N	17
	Water Treatment		
3007	Biologist	N	23
	Water Distribution		
3203	Inspector	N	18
7044	Telecommunicator	N	13
7045	Telecommunicator, Basic	N	10
	Telecommunications		
7046	Database Coordinator	N	12
	Emergency Management		
7061	Assistant	N	12
9027	Cart Repairer	N	6

SECTION THIRTY-TWO: That Subsection 19-60(a) be amended to read as follows:

“Sec. 19-60. List of overtime-exempt employees.

- (a) Certain job classifications within the service of the city are hereby determined to be overtime-exempt, as designated by the letter “E” beside the corresponding job classifications in Exhibits “A” and “B” of 19-42 of the Code of Tuscaloosa. Employees serving in such job classifications shall not receive overtime pay, on the basis that they have been determined to be professional, administrative, or executive employees within the meaning of the Fair Labor Standards Act, and rules and regulations promulgated pursuant thereto. Job classifications determined not to be exempt are designated by the letter “N.”**

Note: By the virtue of Act 80-536 and 88-317, all ranks of Tuscaloosa Police Officers and Firefighters are entitled to overtime. Therefore, this policy does not address any such job classifications.”

SECTION THIRTY-THREE: At every point in the code where either the title “Human Resources Director,” or “Director of Human Resources” is used, that title shall be replaced with “Chief Human Resources Officer.”

FUNDING REQUIRED: ☒ Yes ☐ No

COUNCIL ACTION

By: _____
Chief Financial Officer

Resolution _____

Ordinance _____

Introduced _____

Passed _____

2nd Reading _____

Unanimous _____

Failed _____

Tabled _____

Amended _____

Comments: _____