

ORDINANCE NO.: 1831

**AN ORDINANCE TO REGULATE
OPEN SEWER LATERALS IN
THE CITY OF PRICHARD, ALABAMA**

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

SECTION 1. Definitions.

- a. Pipe Lateral or Drain - shall mean any pipe or device capable of conveying, carrying or channelling rain, storm and/or surface waters.
- b. Uncovered - shall mean any pipe, lateral or drain that has an opening, whether natural occurring or not, that allows rain, storm, and/or surface waters to enter. Uncovered shall not mean any pipe, lateral or drain which is connected to and surrounded by a catch basis or sink with walls or sides at least 24 inches in height from the ground.

SECTION 2. It shall be unlawful for any owner or occupier of real property in the City of Prichard, Alabama to keep, maintain or allow to exist an uncovered pipe, lateral or drain which is connected to any public sanitary sewer system in the City of Prichard, Alabama.

SECTION 3. Any person found guilty of violating this ordinance shall be punished by a fine of not more than Five Hundred (\$500.00) Dollars, unless otherwise provided by State Law, or by imprisonment in jail or community service for a period not exceeding six (6) months, or by such fine and imprisonment and/or community service at the discretion of the Judge, unless otherwise prohibited by State Law. Each day that a violation punishable in this Ordinance is committed or is permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 4. This ordinance shall become effective immediately after adoption

and publication as prescribed by law.

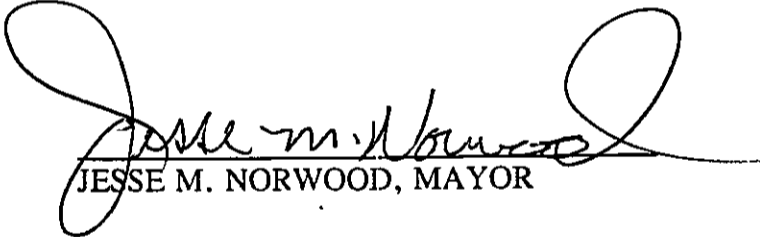
SECTION 5. If any article, section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by declaration of any court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each article, section, sentence, clause, or phrase thereof irrespective of the fact that one or more articles, sections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 6. All ordinance or parts of ordinances of the City of Prichard in conflict with the provisions of this Ordinance, insofar as they conflict, are hereby repealed.

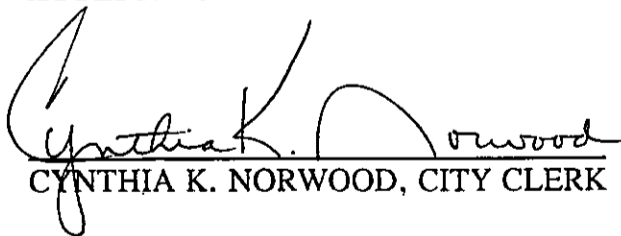
SECTION 7. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law. This Ordinance applies to property within the city limits and police jurisdiction of the City of Prichard and shall be in full force and effect therein as permitted by law.

ADOPTED THIS 6th day of FEBRUARY, 1996.

APPROVED:


JESSE M. NORWOOD, MAYOR

ATTESTED:


CYNTHIA K. NORWOOD, CITY CLERK