

ORDINANCE NO. 1794

**AN ORDINANCE TO AMEND ORDINANCE NO. 1772,
AS AMENDED BY ORDINANCE NO. 1778
TO ALLOW CERTAIN ORDINANCES
OF THE CITY OF PRICHARD TO BE PENALIZED
BY THE ISSUANCE OF A MUNICIPAL OFFENSE TICKET;
AND SCHEDULE OF FINES**

SPONSORED BY: Mayor Jesse M. Norwood

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

1. Section One (1) of Ordinance No. 1772, adopted March 16, 1993, as amended by Ordinance No. 1778, adopted June 1, 1993, is hereby amended to read as follows:

SECTION 1: MUNICIPAL OFFENSE TICKET.

Violations of the following municipal laws, as may be amended from time to time, shall be punished by the issuance of a Municipal Offense Ticket as set out further herein:

ORDINANCES

	<u>Number</u>	<u>Adoption Date</u>	<u>Ordinance Name</u>
1.	1712	2/13/90	Litter Control Ordinance
2.	1762	2/16/93	Southern Standard Building Code
3.	1763	2/16/93	Fire Prevention Code
4.	1764	2/16/93	Southern Standard Plumbing Code
5.	1765	2/16/93	Southern Standard Mechanical Code

6.	1766	2/16/93	National Electrical Code
7.	1459	7/19/77	Signs, Writings, Etc., Tending to Disturb the Peace, etc., Ordinance
8.	1672	8/18/87	Flood Damage Prevention Ordinance
9.	1756	1/05/93	Historic Preservation Ordinance
10.	0633	12/05/55	Junk Yard Ordinance
11.	1551	12/16/80	Junk Dealers Ordinance
12.	1732	04/24/91	Smoking Ordinance
13.	1650	02/04/86	Parking & Fire Lane Ordinance (Municipal Complex)
14.	621	02/07/55	Trucks Carrying Flammable Substances - Parking & Standing Ordinance
15.	1733	04/30/91	Noise Ordinance
16.	0928	10/01/62	Juke Box Ordinance
17.	1402	07/01/75	Animal Control Ordinance (as amended by Ord. 1646, 1688 and 1697).
18.	0702	06/03/57	Obstruction of Ditches, Waterways and Sewers Ordinance
19.	1760	02/02/93	Handicapped Parking Ordinance
20.	1736	08/27/91	Street Excavation Ordinance
21.	1770	03/16/93	Burn Permit Ordinance
22.	1771	03/16/93	Disposal of Used Tires Ordinance
23.	1736	08/27/91	Ordinance Regulating Excavations and Improvements within Public

Rights-of-Way. [As amended by Ordinance No. 1777].

24.	1776	06/21/93	Ordinance Prohibiting the Abandonment of Vehicles and Restricting the Disposition of Wrecked, Non-operating, or Discarded Vehicles on Public and Private Property
25.	1711	02/13/90	Ordinance Prohibiting the Obstruction of View at Intersections and Corners Creating Traffic Hazards
26.	1080	10/17/66	Public Nuisances
27.	1538	10/15/80	Weed Ordinance
28.	1706	11/07/89	Business License Code (As amended).
29.	981	06/15/64	Zoning Ordinance (As amended).
30.	1672	08/18/87	Flood Damage Prevention Ordinance
31.	1769	02/25/93	Hazardous Materials Transportation Ordinance
32.	1793	05/10/93	Health Code of the City of Prichard

2. Section Two, Schedule of Fines, of Ordinance No. 1778, adopted June 1, 1993, is hereby amended to read as follows:

SECTION 2. SCHEDULE OF FINES.

The following Schedule of Fines, which includes court costs, is hereby established by the City of Prichard, Alabama, pursuant to the law of the State of Alabama, Section 11-45-

9.1.1 Code of Alabama 1975, as amended, and Rule 20(c) of the Alabama Rules of Judicial

Administration. If a defendant elects to plead guilty before a magistrate to a first time violation of any of the listed municipal laws, the fine, which includes court costs, established in said Schedule of Fines shall apply in uncontested municipal court cases. However, a defendant in lieu of appearing before a magistrate may sign a guilty plea and waiver of trial provision on the Municipal Offense Ticket and deliver the amount of the fine and costs to the Clerk of the Municipal Court, or merely mail the correct amount pursuant to this Ordinance to the Clerk of the Municipal Court of the City of Prichard, 216 E. Prichard Avenue, Prichard, Alabama:

<u>Number</u>	<u>Ordinance Name</u>	<u>Fine and Court Costs</u>
1. 1712	Litter Control Ordinance Violations	
	Failure to Dispose of Debris Resulting From Construction or Lot Cleaning and Clearing	\$105.00
	Illegal Dumping	\$154.00
	Hauling Loads in Open Truck Without Cover	\$129.00
	Littering	\$129.00
	Failure to Keep Trash Out of Sight Until 48 Hours Before Pick-Up	\$075.00
	Temporary Sign on Public Property	\$075.00
	Open Dumpster	\$075.00
	Failure To Properly Containerize Litter Trash or Garbage	\$104.00
	Causing Leaves or Grass To Be In the Street	\$075.00

		Other Litter Ordinance Violations	\$129.00
2.	1762	Southern Standard Building Code Violations	\$154.00
3.	1763	Fire Prevention Code Violations	
		Blocked Fire Department Connections	\$129.00
		Block Fire Lanes	\$129.00
		Blocked Exits	\$129.00
		Illegal Burning	\$154.00
		Improper Storage of combustibles or Flammables	\$154.00
		Overcrowding	\$075.00
		Accumulated Debris	\$129.00
		Alarm System	\$129.00
		Emergency Lights	\$104.00
		Exit Lights	\$105.00
		Extinguishing Systems Certifications	\$129.00
		Portable Fire Extinguishers	\$129.00
		Smoke Detectors	\$129.00
		Other Fire Code Violations	\$129.00
4.	1764	Southern Standard Plumbing Code Violations	\$154.00
5.	1765	Southern Standard Mechanical Code Violations	\$154.00

6.	1766	National Electrical Code Violations	\$154.00
7.	1459	Signs, Writings, Etc., Tending to Disturb Disturb the Peace, etc., Ordinance Violations	\$129.00
8.	1672	Flood Damage Prevention Ordinance Violations	\$154.00
9.	1756	Historic Preservation Ordinance	\$104.00
10.	0633	Junk Yard Ordinance Violations	\$154.00
11.	1551	Junk Dealers Ordinance Violations	\$154.00
12.	1732	Smoking Ordinance Violations	\$075.00
13.	1650	Parking & Fire Lane Ordinance (Municipal Complex) Violations	\$075.00
14.	621	Trucks Carrying Flammable Substances - Parking & Standing Ordinance Violations	\$154.00
15.	1733	Noise Ordinance Violations	\$104.00
16.	0928	Juke Box Ordinance Violations	\$104.00
17.	1402	Animal Control Ordinance (as amended by Ord. 1646, 1688 and 1697) Violations	\$104.00
18.	0702	Obstruction of Ditches, Waterways and Sewers Ordinance Violations	\$154.00

19.	1760	Handicapped Parking Ordinance Violations	\$155.50
20.	1736	Street Excavation Ordinance Violations	\$155.50
21.	1770	Burn Permit Ordinance Violations	
		Illegal Residential Burning	\$104.00
		Illegal Contractor Burning	\$155.50
		Illegal Yard & Lot Burning	\$155.50
22.	1771	Disposal of Used Tires Ordinance Violations	\$155.50
23.	1736	Ordinance Regulating Excavations & Improvements within Public Rights-of-Way. [As amended by Ordinance No. 1777].	\$154.00
24.	1776	Abandonment of Vehicles Ordinance Violations	\$154.00
25.	1711	Ordinance Prohibiting the obstructions of View at Intersection and Corners Creating Traffic Hazards Violations	\$129.00
26.	1080	Public Nuisances Ordinance Violations	\$154.00
27.	1538	Weed Ordinance Violations	\$129.00
28.	1706	Business License Code (As amended), Violations	\$154.00
29.	981	Zoning Ordinance (As amended), Violations	\$154.00

30.	1672	Flood Damage Prevention Ordinance Violations	\$154.00
31.	1769	Hazardous Materials Transportation Violations	\$155.50
32.	1793	Health Code of the City of Prichard Violations	\$154.00

3. Section Four of Ordinance No. 1772, adopted March 16, 1993, as amended by Ordinance No. 1778, adopted June 1, 1993, is hereby amended to read as follows:

SECTION 4. PENALTY.

Any person receiving a second Municipal Offense Ticket for a violation of a municipal law or laws, and anyone failing to appear in Municipal court, or otherwise settle the matter prior to the date stated on the Municipal Offense Ticket, pursuant to the provisions of 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.

4. SEVERABILITY.

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.

5. REPEALER.

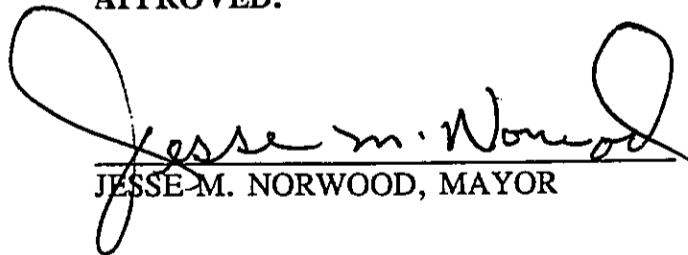
All ordinance or parts of ordinances of the City of Prichard in conflict with the provisions of this Ordinance, insofar as they conflict, are hereby repealed. All parts of Ordinance No. 1772 not specifically repealed by this Ordinance shall be and remain in full force and effect.

6. EFFECT OF ORDINANCE.

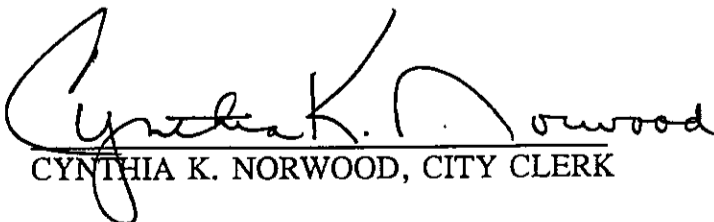
This Ordinance shall be in full force and effect from and after its adoption and publication as required by law. This Ordinance applies to property within the city limits and police jurisdiction of the City of Prichard and shall be in full force and effect therein as permitted by law.

ADOPTED THIS 17th day of May, 1994.

APPROVED:


JESSE M. NORWOOD, MAYOR

ATTESTED:


CYNTHIA K. NORWOOD, CITY CLERK