

ORDINANCE NO. 1526

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

SECTION 1. The word "person" as used in this ordinance shall include and be applicable to firms, corporations and associations; as well as to individuals.

SECTION 2. Every person owning or having in charge any premises in the City of Prichard, or in its police jurisdiction, shall keep the same free of any growth of weeds favorable to the harboring of mosquitoes or other insects of like kind, and every such growth of weeds is hereby declared to be a nuisance, and every such person who shall allow any such growth of weeds to accumulate on the premises which such person owns or of which he is in charge, shall be punished as for a violation of this Section.

SECTION 3. Any growth of weeds more than one foot in height shall be deemed favorable to the harboring of mosquitoes or insects of like kind, within the meaning of this ordinance.

SECTION 4. Whenever any officer of the Inspection Department of the City of Prichard shall discover on any premises in the City of Prichard any growth of weeds in violation of Section 2 of this ordinance, he shall notify the owner or the person having said premises in charge by certified mail, return receipt requested, at his last known address as appears from the current tax assessment roll. Refusal to accept delivery of said notice is tantamount to receipt. Thereupon, said person may have no less than ten (10) days within which to correct said violation.

Said notice shall be in substantially the following form, viz:

"NOTICE"

To the owner or owners of (here describing the property)
in the City of Prichard, Alabama:

You are hereby notified that there exists on the above mentioned property, a growth of weeds or grass, in violation of Section 2 of an ordinance adopted by the City Council of the City of Prichard, Alabama, on _____ (date), _____ (Year), entitled "Ordinance No. _____", and you are further notified that if said growth is not removed within ten (10) days after the date on this notice, an officer of the Inspection Department charged with the enforcement of the City's Ordinances, may issue a citation for said violation, and that an officer of the Inspection Department will enter upon said premises and will have the same cut and removed at your cost and expenses, and will certify the costs and expenses, and will assess the said costs against you and the above described property, and that the said expenses will constitute a lien on said property.

Dated this _____ day of _____, 19____.
Inspection Department of the City of Prichard, Alabama,
by: _____

(If said premises are in charge of a person other than the owner, then the notice aforesaid shall be addressed to such person).

SECTION 5. In the event the notice provided in the foregoing section shall be returned not found, service of said notice shall be effected by posting one copy thereof on the premises where said growth of weeds is found to exist.

SECTION 6. If after having received the notice described in Section 4, said property is not brought into compliance within the time period prescribed, said failure to comply shall constitute permission to an official or other authorized agent of the City to enter said property to cut said weeds or grass at the expense of the owner or person in charge of the property. The officials of the Inspection Department are hereby directed to keep an account of the expenses of cutting and removing such weeds, and to certify the same monthly to City Council. The official in charge of the Inspection Department shall keep separate accounts showing the total expense of cutting and removing said weeds and grass from each separate lot or premises and in certifying the same to the City Council shall report separately as to each piece of property wherefrom the official or agent has cut or removed weeds and grass, together with a description of said premises and the name of the owner or persons having same in charge and the total expense incurred in cutting and removing the grass and weeds from said property. If prisoners are employed in cutting and removing such weeds a reasonable charge for this labor shall be included in the expense to be charged against the owner or person in charge and the property.

SECTION 7. At intervals to be determined by the Council of the City of Prichard, it shall cause to be made a list showing the name of the owners or persons who had in charge the premises from which weeds have been removed at the expense of such persons as hereinbefore provided, together with a description of the property from which said weeds have been removed, and a statement of the amount of the expense (as reported by the Chief of Police) of cutting and removing the weeds from each such piece of property. (If the names of the owners of said property are not known, same may be stated as unknown), and said Council shall set a time and place when such persons may appear and show cause, if any they can, why the said expense should not be assessed against them and their respective premises, and shall cause said notice to be published one time in some newspaper published in the City of Prichard, the said publication to be made at least ten days in advance of the date fixed for said hearing. At the time and place fixed for said hearing, the Council of the City of Prichard shall proceed to hear and determine any objections that may be interposed to such assessments, and unless good cause shall be shown against the right of the City to assess the same, shall proceed to levy an assessment against the said persons and their respective premises (from which weeds have been cut and removed) for the expense of cutting and removing such weeds, and the assessment so made shall be final, and the City of Prichard shall have a charge and claim against such persons and a lien on the property so assessed, for the amount of the respective assessments, which lien and charge it shall proceed to enforce and collect as any other debts are collected or liens enforced.

SECTION 8. The owner or person having charge of any such premises, who having been served with notice as provided herein, who shall fail to bring the property into compliance with Section 2 within the time provided in said notice, shall be guilty of a violation of this ordinance, and on conviction, shall be punished as provided in this ordinance.

SECTION 9. For any violation of any section or provision of this ordinance, the Municipal Judge shall impose the following penalties:

- (a) for lots of one (1) acre or less, a fine of not less than \$25 nor more than \$500 or imprisonment not to exceed six (6) months, or both.
- (b) for lots greater than one (1) acre, but not greater than three (3) acres, a fine of not less than \$50 nor more than \$500 or imprisonment not to exceed six (6) months, or both.
- (c) for lots greater than three (3) acres, a fine of not less than \$100 nor more than \$500 or imprisonment not to exceed six (6) months, or both.

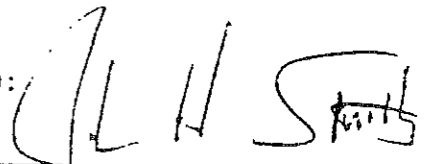
SECTION 10. Property under cultivation or otherwise used for agricultural purposes shall be exempt from the provisions of this ordinance.

SECTION 11. If any section or provision of this ordinance shall be held invalid, such holding shall not affect the validity of any other section or provision thereof which is not of itself invalid.

SECTION 12. This ordinance shall become effective upon its adoption and publication as required by law.

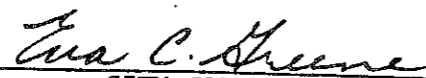
Adopted this 15 day of October, 1980.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

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

SECTION 1. The word "person" as used in this ordinance shall include and be applicable to firms, corporations and associations; as well as to individuals.

SECTION 2. Every person owning or having in charge any premises in the City of Prichard, or its police jurisdiction, shall keep the same free of any growth of weeds favorable to the harboring of mosquitoes or other insects of like kind, and every such growth of weeds is hereby declared to be a nuisance, and every such person who shall allow any such growth of weeds to accumulate on the premises which such person owns or of which he is in charge, shall be punished as for a violation of this Section.

SECTION 3. Any growth of weeds more than one foot in height shall be deemed favorable to the harboring of mosquitoes or insects of like kind, within the meaning of this ordinance.

SECTION 4. Whenever any ~~officer of the Inspection Department~~ ^{Environmental officer or City officer} of the City of Prichard shall discover ~~on any premises in the City of Prichard~~ ^{any growth of weeds in violation of Section 2 of this ordinance}, he shall ~~notify the owner or the person having said premises in charge by certified mail, (return receipt requested), at his last known address as appears from the current tax assessment roll.~~ ^{send a notice of violation to} Refusal to accept delivery of said notice is tantamount to receipt. Thereupon, said person may have no less than ten (10) days within which to correct said violation.

Said notice shall be in substantially the following form, viz:

"NOTICE"

To the owner or owners of (here describing the property) in the City of Prichard, Alabama:

You are hereby notified that there exists on the above mentioned property, a growth of weeds or grass, in violation of Section 2 of an ordinance adopted by the City Council of the City of Prichard, Alabama, on _____ (date), _____ (Year), entitled "Ordinance No. _____", and you are further notified that if said growth is not removed within ten (10) days after the date on this notice, an officer of the ~~Inspection Department~~ ^{Environmental} charged with the enforcement of the City's Ordinances, may issue a citation for said violation, and that an officer of the ~~Inspection Department~~ ^{Environmental} will enter upon said premises and will have the same cut and removed at your cost and expenses, and will certify the costs and expenses, and will assess the said costs against you and the above described property, and that the said expenses will constitute a lien on said property.

Dated this _____ day of _____, 19____.
by: ~~Inspection Department of the City of Prichard, Alabama,~~ ^{Environmental}

(If said premises are in charge of a person other than the owner, then the notice aforesaid shall be addressed to such person).

Add Posted Notice on Property to Sec 4.
SECTION 5. In the event the notice provided in the foregoing section shall be returned not found, service of said notice shall be effected by posting one copy thereof on the premises where said growth of weeds is found to exist.

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SECTION 6. If after having received the notice described in Section 4, *If* said property is not brought into compliance within the time period prescribed, said failure to comply shall constitute permission to an official or other authorized agent of the City to enter said property to cut said weeds or grass at the expense of the owner or person in charge of the property. The officials of the *Inspection* Department are hereby directed to keep an account of the expenses of cutting and removing such weeds, and to certify the same ~~monthly~~ to City Council. *From* The official in charge of the Inspection Department shall keep separate accounts showing the total expense of cutting and removing said weeds and grass from each separate lot or premises and in certifying the same to the City Council shall report separately as to each piece of property wherefrom the official or agent has cut or removed weeds and grass, together with a description of said premises and the name of the owner or persons having same in charge and the total expense incurred in cutting and removing the grass and weeds from said property. If *KEEP* prisoners are employed in cutting and removing such weeds a reasonable charge for this labor shall be included in the expense to be charged against the owner or person in charge and the property.

SECTION 7. At intervals to be determined by the Council of the City of Prichard, is shall cause to be made a list showing the name of the owners or persons who had in charge the premises from which weeds have been removed at the expense of such persons as hereinbefore provided, together with a description of the property from which said weeds have been removed, and a statement of the amount of the expense (as reported by the Chief of Police) of cutting and removing the weeds from each such piece of property. (If the names of the owners of said property are not known, same may be stated as unknown), and said Council shall set a time and place when such persons may appear and show cause, if any they can, why the said expense should not be assessed against them and their respective premises, and shall cause said notice to be published one time in some newspaper published in the City of Prichard, the said publication to be made at least ten days in advance of the date fixed for said hearing. At the time and place fixed for said hearing, the Council of the City of Prichard shall proceed to hear and determine any objections that may be interposed to such assessments, and unless good cause shall be shown against the right of the City to assess the same, shall proceed to levy as assessment against the said persons and their respective premises (from which weeds have been cut and removed) for the expense of cutting and removing such weeds, and the assessment so made shall be final, and the City of Prichard shall have a charge and claim against such persons and a lien on the property so assessed, for the amount of the respective assessments, which lien and charge it shall proceed to enforce and collect as any other debts are collected or liens enforced.

SECTION 8. The owner or person having charge of any such premises, who having been served with notice as provided herein, who shall fail to bring the property into compliance with Section 2 within the time provided in said notice, shall be guilty of a violation of this ordinance, and on conviction, shall be punished as provided in this ordinance.

SECTION 9. For any violation of any section or provision of this ordinance, the Municipal Judge shall impose the following penalties:

- (a) for lots of ^{1500 sq} one (1) acre or less, ^{1000 sq} a fine of not less than ~~\$25~~ nor more than ~~\$500~~ or imprisonment not to exceed six (6) months, or both.
- (b) for lots greater than one (1) acre, but not greater than three (3) acres, a fine of not less than ~~\$50~~ ³⁰⁰ nor more than ~~\$500~~ or imprisonment not to exceed six (6) months, or both.
- (c) for lots greater than three (3) acres, ^{3000 sq} a fine of not less than ~~\$100~~ ⁵⁰⁰ nor more than ~~\$500~~ or imprisonment not to exceed six (6) months, or both.

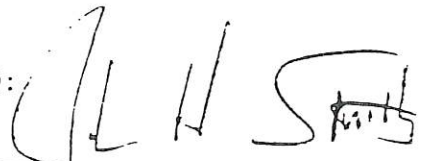
SECTION 10. Property under cultivation or otherwise used for agricultural purposes shall be exempt from the provisions of this ordinance.

SECTION 11. If any section or provision of this ordinance shall be held invalid, such holding shall not affect the validity of any other section or provision thereof which is not of itself invalid.

SECTION 12. This ordinance shall become effective upon its adoption and publication as required by law.

Adopted this 15 day of October, 1980.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

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

SECTION 1. The word "person" as used in this ordinance shall include and be applicable to firms, corporations and associations; as well as to individuals.

SECTION 2. Every person owning or having in charge any premises in the City of Prichard, or its police jurisdiction, shall keep the same free of any growth of weeds favorable to the harboring of mosquitoes or other insects of like kind, and every such growth of weeds is hereby declared to be a nuisance, and every such person who shall allow any such growth of weeds to accumulate on the premises which such person owns or of which he is in charge, shall be punished as for a violation of this Section.

SECTION 3. Any growth of weeds more than one foot in height shall be deemed favorable to the harboring of mosquitoes or insects of like kind, within the meaning of this ordinance.

SECTION 4. Whenever any officer of the Inspection Department of the City of Prichard shall discover on any premises in the City of Prichard any growth of weeds in violation of Section 2 of this ordinance, he shall notify the owner or the person having said premises in charge by certified mail, return receipt requested, at his last known address as appears from the current tax assessment roll. Refusal to accept delivery of said notice is tantamount to receipt. Thereupon, said person may have no less than ten (10) days within which to correct said violation.

Said notice shall be in substantially the following form, viz:

"NOTICE"

To the owner or owners of (here describing the property)
in the City of Prichard, Alabama:

You are hereby notified that there exists on the above mentioned property, a growth of weeds or grass, in violation of Section 2 of an ordinance adopted by the City Council of the City of Prichard, Alabama, on _____ (date) _____, (Year) _____, entitled "Ordinance No. _____", and you are further notified that if said growth is not removed within ten (10) days after the date on this notice, an officer of the Inspection Department charged with the enforcement of the City's Ordinances, may issue a citation for said violation, and that an officer of the Inspection Department will enter upon said premises and will have the same cut and removed at your cost and expenses, and will certify the costs and expenses, and will assess the said costs against you and the above described property, and that the said expenses will constitute a lien on said property.

Dated this _____ day of _____, 19____.
Inspection Department of the City of Prichard, Alabama,
by: _____

SECTION 8. The owner or person having charge of any such premises, who having been served with notice as provided herein, who shall fail to bring the property into compliance with Section 2 within the time provided in said notice, shall be guilty of a violation of this ordinance, and on conviction, shall be punished as provided in this ordinance.

SECTION 9. For any violation of any section or provision of this ordinance, the Municipal Judge shall impose the following penalties:

- (a) for lots of one (1) acre or less, a fine of not less than \$25 nor more than \$500 or imprisonment not to exceed six (6) months, or both.
- (b) for lots greater than one (1) acre, but not greater than three (3) acres, a fine of not less than \$50 nor more than \$500 or imprisonment not to exceed six (6) months, or both.
- (c) for lots greater than three (3) acres, a fine of not less than \$100 nor more than \$500 or imprisonment not to exceed six (6) months, or both.

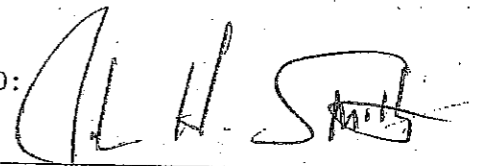
SECTION 10. Property under cultivation or otherwise used for agricultural purposes shall be exempt from the provisions of this ordinance.

SECTION 11. If any section or provision of this ordinance shall be held invalid, such holding shall not affect the validity of any other section or provision thereof which is not of itself invalid.

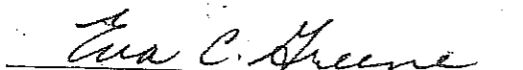
SECTION 12. This ordinance shall become effective upon its adoption and publication as required by law.

Adopted this 15 day of October, 1980.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

(If said premises are in charge of a person other than the owner, then the notice aforesaid shall be addressed to such person).

SECTION 5. In the event the notice provided in the foregoing section shall be returned not found; service of said notice shall be effected by posting one copy thereof on the premises where said growth of weeds is found to exist.

SECTION 6. If after having received the notice described in Section 4, said property is not brought into compliance within the time period prescribed, said failure to comply shall constitute permission to an official or other authorized agent of the City to enter said property to cut said weeds or grass at the expense of the owner or person in charge of the property. The officials of the Inspection Department are hereby directed to keep an account of the expenses of cutting and removing such weeds, and to certify the same monthly to City Council. The official in charge of the Inspection Department shall keep separate accounts showing the total expense of cutting and removing said weeds and grass from each separate lot or premises and in certifying the same to the City Council shall report separately as to each piece of property wherefrom the official or agent has cut or removed weeds and grass, together with a description of said premises and the name of the owner or persons having same in charge and the total expense incurred in cutting and removing the grass and weeds from said property. If prisoners are employed in cutting and removing such weeds a reasonable charge for this labor shall be included in the expense to be charged against the owner or person in charge and the property.

SECTION 7. At intervals to be determined by the Council of the City of Prichard, is shall cause to be made a list showing the name of the owners or persons who had in charge the premises from which weeds have been removed at the expense of such persons as hereinbefore provided, together with a description of the property from which said weeds have been removed, and a statement of the amount of the expense (as reported by the Chief of Police) of cutting and removing the weeds from each such piece of property. (If the names of the owners of said property are not known, same may be stated as unknown), and said Council shall set a time and place when such persons may appear and show cause, if any they can, why the said expense should not be assessed against them and their respective premises, and shall cause said notice to be published one time in some newspaper published in the City of Prichard, the said publication to be made at least ten days in advance of the date fixed for said hearing. At the time and place fixed for said hearing, the Council of the City of Prichard shall proceed to hear and determine any objections that may be interposed to such assessments, and unless good cause shall be shown against the right of the City to assess the same, shall proceed to levy as assessment against the said persons and their respective premises (from which weeds have been cut and removed) for the expense of cutting and removing such weeds, and the assessment so made shall be final, and the City of Prichard shall have a charge and claim against such persons and a lien on the property so assessed; for the amount of the respective assessments, which lien and charge it shall proceed to enforce and collect as any other debts are collected or liens enforced.

SECTION 1. The word "person" as used in this ordinance shall include and be applicable to firms, corporations and associations; as well as to individuals.

SECTION 5. Any growth of weeds more than one foot in height shall be deemed favorable to the harboring of mosquitoes or insects of like kind, within the meaning of this ordinance.

Said notice shall be in substantially the following form, viz:

To the owner or owners of (here describing the property)
in the City of Prichard, Alabama:

Dated this _____ day of _____, 19_____.
Inspection Department of the City of Prichard, Alabama,
by: _____.

(If said premises are in charge of a person other than the owner, then the notice aforesaid shall be addressed to such person).

SECTION 5. In the event the notice provided in the foregoing section shall be returned not found, service of said notice shall be effected by pasting one copy thereof on the premises where said growth of weeds is found to exist.

SECTION 6. If after having received the notice described in Section 4, said property is not brought into compliance within the time period prescribed, said failure to comply shall constitute permission to an official or other authorized agent of the City to enter said property to cut said weeds or grass at the expense of the owner or person in charge of the property. The officials of the Inspection Department are hereby directed to keep an account of the expenses of cutting and removing such weeds, and to certify the same monthly to City Council. The official in charge of the Inspection Department shall keep separate accounts showing the total expense of cutting and removing said weeds and grass from each separate lot or premises and in certifying the same to the City Council shall report separately as to each piece of property wherefrom the official or agent has cut or removed weeds and grass, together with a description of said premises and the name of the owner or persons having same in charge and the total expense incurred in cutting and removing the grass and weeds from said property. If prisoners are employed in cutting and removing such weeds a reasonable charge for this labor shall be included in the expense to be charged against the owner or person in charge and the property.

SECTION 7. At intervals to be determined by the Council of the City of Prichard, is shall cause to be made a list showing the name of the owners or persons who had in charge the premises from which weeds have been removed at the expense of such persons as hereinbefore provided, together with a description of the property from which said weeds have been removed, and a statement of the amount of the expense (as reported by the Chief of Police) of cutting and removing the weeds from each such piece of property. (If the names of the owners of said property are not known, same may be stated as unknown), and said Council shall set a time and place when such persons may appear and show cause, if any they can, why the said expense should not be assessed against them and their respective premises, and shall cause said notice to be published one time in some newspaper published in the City of Prichard, the said publication to be made at least ten days in advance of the date fixed for said hearing. At the time and place fixed for said hearing, the Council of the City of Prichard shall proceed to hear and determine any objections that may be interposed to such assessments, and unless good cause shall be shown against the right of the City to assess the same, shall proceed to levy as assessment against the said persons and their respective premises (from which weeds have been cut and removed) for the expense of cutting and removing such weeds, and the assessment so made shall be final, and the City of Prichard shall have a charge and claim against such persons and a lien on the property so assessed, for the amount of the respective assessments, which lien and charge it shall proceed to enforce and collect as any other debts are collected or liens enforced.

ORDINANCE NO. 15216

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

SECTION 1. The word "person" as used in this ordinance shall include and be applicable to firms, corporations and associations; as well as to individuals.

SECTION 2. Every person owning or having in charge any premises in the City of Prichard, or in police jurisdiction, shall keep the same free of any growth of weeds favorable to the harboring of mosquitoes or other insects of like kind, and every such growth of weeds is hereby declared to be a nuisance, and every such person who shall allow any such growth of weeds to accumulate on the premises which such person owns or of which he is in charge, shall be punished as for a violation of this Section.

SECTION 3. Any growth of weeds more than one foot in height shall be deemed favorable to the harboring of mosquitoes or insects of like kind, within the meaning of this ordinance.

SECTION 4. Whenever any officer of the Inspection Department of the City of Prichard shall discover on any premises in the City of Prichard any growth of weeds in violation of Section 2 of this ordinance, he shall notify the owner or the person having said premises in charge by certified mail, return receipt requested, at his last known address as appears from the current tax assessment roll. Refusal to accept delivery of said notice is tantamount to receipt. Thereupon, said person may have no less than ten (10) days within which to correct said violation.

Said notice shall be in substantially the following form, viz:

"NOTICE"

To the owner or owners of (here describing the property)
in the City of Prichard, Alabama:

You are hereby notified that there exists on the above mentioned property, a growth of weeds or grass, in violation of Section 2 of an ordinance adopted by the City Council of the City of Prichard, Alabama, on _____ (date), _____ (Year), entitled "Ordinance No. _____", and you are further notified that if said growth is not removed within ten (10) days after the date on this notice, an officer of the Inspection Department charged with the enforcement of the City's Ordinances, may issue a citation for said violation, and that an officer of the Inspection Department will enter upon said premises and will have the same cut and removed at your cost and expenses, and will certify the costs and expenses, and will assess the said costs against you and the above described property, and that the said expenses will constitute a lien on said property.

Dated this _____ day of _____, 19____.
Inspection Department of the City of Prichard, Alabama,
by: _____

(If said premises are in charge of a person other than the owner, then the notice aforesaid shall be addressed to such person).

SECTION 5. In the event the notice provided in the foregoing section shall be returned not found, service of said notice shall be effected by pasting one copy thereof on the premises where said growth of weeds is found to exist.

SECTION 6. If after having received the notice described in Section 4, said property is not brought into compliance within the time period prescribed, said failure to comply shall constitute permission to an official or other authorized agent of the City to enter said property to cut said weeds or grass at the expense of the owner or person in charge of the property. The officials of the Inspection Department are hereby directed to keep an account of the expenses of cutting and removing such weeds, and to certify the same monthly to City Council. The official in charge of the Inspection Department shall keep separate accounts showing the total expense of cutting and removing said weeds and grass from each separate lot or premises and in certifying the same to the City Council shall report separately as to each piece of property wherefrom the official or agent has cut or removed weeds and grass, together with a description of said premises and the name of the owner or persons having same in charge and the total expense incurred in cutting and removing the grass and weeds from said property. If prisoners are employed in cutting and removing such weeds a reasonable charge for this labor shall be included in the expense to be charged against the owner or person in charge and the property.

SECTION 7. At intervals to be determined by the Council of the City of Prichard, it shall cause to be made a list showing the name of the owners or persons who had in charge the premises from which weeds have been removed at the expense of such persons as hereinbefore provided, together with a description of the property from which said weeds have been removed, and a statement of the amount of the expense (as reported by the Chief of Police) of cutting and removing the weeds from each such piece of property. (If the names of the owners of said property are not known, same may be stated as unknown), and said Council shall set a time and place when such persons may appear and show cause, if any they can, why the said expense should not be assessed against them and their respective premises, and shall cause said notice to be published one time in some newspaper published in the City of Prichard, the said publication to be made at least ten days in advance of the date fixed for said hearing. At the time and place fixed for said hearing, the Council of the City of Prichard shall proceed to hear and determine any objections that may be interposed to such assessments, and unless good cause shall be shown against the right of the City to assess the same, shall proceed to levy an assessment against the said persons and their respective premises (from which weeds have been cut and removed) for the expense of cutting and removing such weeds, and the assessment so made shall be final, and the City of Prichard shall have a charge and claim against such persons and a lien on the property so assessed, for the amount of the respective assessments, which lien and charge it shall proceed to enforce and collect as any other debts are collected or liens enforced.

SECTION 8. The owner or person having charge of any such premises, who having been served with notice as provided herein, who shall fail to bring the property into compliance with Section 2 within the time provided in said notice, shall be guilty of a violation of this ordinance, and on conviction, shall be punished as provided in this ordinance.

SECTION 9. For any violation of any section or provision of this ordinance, the Municipal Judge shall impose the following penalties:

- (a) for lots of one (1) acre or less, a fine of not less than \$25 nor more than \$500 or imprisonment not to exceed six (6) months, or both.
- (b) for lots greater than one (1) acre, but not greater than three (3) acres, a fine of not less than \$50 nor more than \$500 or imprisonment not to exceed six (6) months, or both.
- (c) for lots greater than three (3) acres, a fine of not less than \$100 nor more than \$500 or imprisonment not to exceed six (6) months, or both.

SECTION 10. Property under cultivation or otherwise used for agricultural purposes shall be exempt from the provisions of this ordinance.

SECTION 11. If any section or provision of this ordinance shall be held invalid, such holding shall not affect the validity of any other section or provision thereof which is not of itself invalid.

SECTION 12. This ordinance shall become effective upon its adoption and publication as required by law.

Adopted this 15 day of October, 1980.

APPROVED:

J. L. H. Smith
MAYOR

ATTEST:

Eva C. Greene
CITY CLERK

(6)

ORDINANCE NO. 1566

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

SECTION 1. The word "person" as used in this ordinance shall include and be applicable to firms, corporations and associations; as well as to individuals.

SECTION 2. Every person owning or having in charge any premises in the City of Prichard, or its police jurisdiction, shall keep the same free of any growth of weeds favorable to the harboring of mosquitoes or other insects of like kind, and every such growth of weeds is hereby declared to be a nuisance, and every such person who shall allow any such growth of weeds to accumulate on the premises which such person owns or of which he is in charge, shall be punished as for a violation of this Section.

SECTION 3. Any growth of weeds more than one foot in height shall be deemed favorable to the harboring of mosquitoes or insects of like kind, within the meaning of this ordinance.

SECTION 4. Whenever any officer of the Inspection Department of the City of Prichard shall discover on any premises in the City of Prichard any growth of weeds in violation of Section 2 of this ordinance, he shall notify the owner or the person having said premises in charge by certified mail, return receipt requested, at his last known address as appears from the current tax assessment roll. Refusal to accept delivery of said notice is tantamount to receipt. Thereupon, said person may have no less than ten (10) days within which to correct said violation.

Said notice shall be in substantially the following form, viz:

"NOTICE"

To the owner or owners of (here describing the property)
in the City of Prichard, Alabama:

You are hereby notified that there exists on the above mentioned property, a growth of weeds or grass, in violation of Section 2 of an ordinance adopted by the City Council of the City of Prichard, Alabama, on _____ (date), _____ (Year), entitled "Ordinance No. _____", and you are further notified that if said growth is not removed within ten (10) days after the date on this notice, an officer of the Inspection Department charged with the enforcement of the City's Ordinances, may issue a citation for said violation, and that an officer of the Inspection Department will enter upon said premises and will have the same cut and removed at your cost and expenses, and will certify the costs and expenses, and will assess the said costs against you and the above described property, and that the said expenses will constitute a lien on said property.

Dated this _____ day of _____, 19____.
Inspection Department of the City of Prichard, Alabama,
by: _____

(If said premises are in charge of a person other than the owner, then the notice aforesaid shall be addressed to such person).

SECTION 5. In the event the notice provided in the foregoing section shall be returned not found, service of said notice shall be effected by posting one copy thereof on the premises where said growth of weeds is found to exist.

SECTION 6. If after having received the notice described in Section 4, said property is not brought into compliance within the time period prescribed, said failure to comply shall constitute permission to an official or other authorized agent of the City to enter said property to cut said weeds or grass at the expense of the owner or person in charge of the property. The officials of the Inspection Department are hereby directed to keep an account of the expenses of cutting and removing such weeds, and to certify the same monthly to City Council. The official in charge of the Inspection Department shall keep separate accounts showing the total expense of cutting and removing said weeds and grass from each separate lot or premises and in certifying the same to the City Council shall report separately as to each piece of property wherefrom the official or agent has cut or removed weeds and grass, together with a description of said premises and the name of the owner or persons having same in charge and the total expense incurred in cutting and removing the grass and weeds from said property. If prisoners are employed in cutting and removing such weeds a reasonable charge for this labor shall be included in the expense to be charged against the owner or person in charge and the property.

SECTION 7. At intervals to be determined by the Council of the City of Prichard, it shall cause to be made a list showing the name of the owners or persons who had in charge the premises from which weeds have been removed at the expense of such persons as hereinbefore provided, together with a description of the property from which said weeds have been removed, and a statement of the amount of the expense (as reported by the Chief of Police) of cutting and removing the weeds from each such piece of property. (If the names of the owners of said property are not known, same may be stated as unknown), and said Council shall set a time and place when such persons may appear and show cause, if any they can, why the said expense should not be assessed against them and their respective premises, and shall cause said notice to be published one time in some newspaper published in the City of Prichard, the said publication to be made at least ten days in advance of the date fixed for said hearing. At the time and place fixed for said hearing, the Council of the City of Prichard shall proceed to hear and determine any objections that may be interposed to such assessments, and unless good cause shall be shown against the right of the City to assess the same, shall proceed to levy an assessment against the said persons and their respective premises (from which weeds have been cut and removed) for the expense of cutting and removing such weeds, and the assessment so made shall be final, and the City of Prichard shall have a charge and claim against such persons and a lien on the property so assessed, for the amount of the respective assessments, which lien and charge it shall proceed to enforce and collect as any other debts are collected or liens enforced.