

ORDINANCE NO. 1080

An Ordinance Prohibiting Public Nuisances within the corporate limits of the City of Prichard, Alabama, and for related purposes, to provide for the enforcement of said Ordinance and to provide penalties for its violation.

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

Section 1. That every person, firm or corporation who or which causes, creates or maintains a public nuisance within the corporate limits of the City of Prichard, Alabama, shall be guilty of a misdemeanor and on conviction thereof in the Recorder's court shall be punished by the assessment of a fine of not less than \$1.00 and not more than \$100.00 as fined by said court.

The continued maintenance of such nuisance, once created or caused, shall be interpreted and construed a separate offense which shall be punishable hereunder.

Section 2. That the causing, creating or maintaining of a public nuisance, as herein provided against, shall be interpreted, construed and taken to mean the definition of a "public or common nuisance" as said quoted term is defined or understood to the common law and statutory law in force and effect in the State of Alabama as of the effective date of this ordinance.

Without affecting or limiting the generality of the above definition or meaning of the nuisance as herein provided against, it is hereby declared that any and/or all of the following be, and the same are hereby, declared to be public nuisances within the meaning of this ordinance:

(a) Any unsightly building, billboard, or other structure, or any old, abandoned or partially destroyed building or structure, or any building or structure commenced and left unfinished, or any building or structure which has been deemed to be unsuitable or unfit for human occupancy or habitation by any duly constituted official of the Department of Health, State of Alabama, or the Department of Health, Mobile County, Alabama, or any building which shall have been deemed by the building inspector of the City of Prichard to fail to comply with the minimum building codes in force and effect in the City of Prichard, or any abandoned well or excavation not properly protected and which may attract children and endanger them in the course of play.

(b) Accumulations of manure, or rubbish which are breeding places for flies, mosquitoes, mice, rats or other vermin.

(c) Filthy, littered or trash covered cellars, houseyards, factoryyards, vacant areas in rear of stores, vacant lots, houses, buildings, or premises containing trash, litter, rags, accumulation of empty barrels, boxes, crates, packing cases, paper, lumber or firewood not neatly piled, scrap iron, tin and other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire danger.

taken
Empty house
Deer's open No Windows

unsightly
Building

(d) Allowing diseased animals to run at large or allowing stagnant pools of water to accumulate; maintaining a privy or outdoor closet where connections to a sanitary sewer are available.

Section 3. Each day's or part of a day's continuance of anything prohibited by this ordinance shall be a separate offense hereunder.

Section 4. If any section or provision of this ordinance shall be held void or unconstitutional, all other sections and all other provisions of the ordinance which are not so held to be void or unconstitutional shall continue in full force and effect, it being hereby declared that the provisions of this ordinance are severable.

Section 5. This ordinance shall not be construed to repeal, amend or otherwise alter any other ordinance of the City of Prichard, Alabama, and that nothing contained in this ordinance shall be construed, interpreted or taken to limit the City of Prichard, Alabama, a municipal corporation, in its rights to proceed by injunction or other civil remedy against any such person, firm or corporation who so causes, creates or maintains a public nuisance within the corporate limits of the City of Prichard, Alabama.

Section 6. This ordinance shall be in full force and effect immediately on its adoption approval and publication as required by law.

Adopted this 17th day of October, 1966.

APPROVED:

W. C. Capps, Mayor

Attest:

Berniece H. Centanne
Berniece H. Centanne, City Clerk

On a yea and nay vote ordered by the President of the Council, the following voted yea for the immediate consideration of the above Ordinance:

Council President, Everette L. Turner

Councilmen,

J. V. Cochran

W. J. Rodgers

E. G. Sansom

Alford W. Turner

Nays: None.

Motion by Councilman Alford W. Turner and seconded by Councilman E. G. Sansom that the above ordinance be adopted as read and set out and on a yea and nay vote, the following voted yea: