

ORDINANCE No. 1922

AN ORDINANCE TO ENSURE THE PROPER STORAGE OF UNSERVICABLE
VEHICLE TIRES

Sponsored by: Mayor Charles E. Harden

Whereas, to protect and enhance the quality of the environment, and as part of a city-wide program for control of scrap tire storage and disposal; and

Whereas, the improper outdoor storage of scrap tires results in the collection of water and the breeding of mosquitoes and other insects which pose a health hazard and constitutes an unsightly blight on the community; and

Whereas, the City of Prichard has the right under its police powers to impose certain restrictions on the storage of scrap tires within the City and its police jurisdiction;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA:

SECTION 1: Definitions

(A) "Scrap tire" means a tire that is no longer suitable for its original intended purpose because of wear, damage or defect. It shall include, but not be limited to tires with less than 2/32" remaining tread depth, exposed wire, separation, sidewall punctures, blow-outs and/or tires not suitable to be re-treaded.

(B) "Person" means any individual, partnership or corporation whether or not such person is engaged in the business of dealing in vehicle tires or any other commercial undertaking.

(C) "Fully enclosed building" means any structure which provides shelter from the elements sufficient to prevent rainwater from accumulating in stored scrap tires. Tarpaulins, plastic sheeting or like temporary coverings are not fully enclosed structures.

SECTION 2: Outside storage of tires

No more than five (5) automobile, truck, or tractor tires may be stored overnight outside a fully enclosed building within the City of Prichard and its police jurisdiction, with the exception of scrap tires stored at a by a state licensed location regulated by such state licensing entity.

SECTION 3. Violations:

Any person who stores overnight more than five (5), automobile, truck, or tractor tires outside a fully enclosed building with the City of Prichard and its police jurisdiction, with the exception of state licensed locations, shall be prosecuted for violation of this ordinance as set out in the penal provisions below.

SECTION 4: Penalties:

Any person who violates this ordinance shall, upon conviction, be subject to a fine of \$100 per tire found to be so stored and, or imprisonment for a period of 30 days.

SECTION 5: Repealer

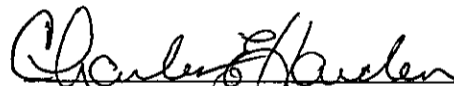
All ordinances or parts of ordinances in conflict with the provisions hereof are hereby repealed.

SECTION 6: Effective date

This ordinance shall take effect upon publication as required by law.

Adopted this the 25th day of March, 2004.

APPROVED:


Charles E. Harden, Mayor

ATTEST:


Darlene Palmer, City Clerk