

**CITY OF RUSSELLVILLE
ORDINANCE #2013-**

AN ORDINANCE AMENDING AN ORDINANCE DEFINING, ESTABLISHING A PROCEDURE FOR THE ABATEMENT OF NUISANCES AND PROVIDING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS PREVIOUSLY ADOPTED BY ORDINANCE 2001-107 AND AMENDED BY ORDINANCE 2005-110 AN AMENDED BY ORDINANCE 2008-104.

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

Section 2. is hereby amended to change the definition of inoperable vehicle as follows:

INOPERABLE VEHICLE: Shall mean any vehicle, that for a period of thirty (30) days is in a state of disassembly, or in the process of being stripped, or dismantled, or any other condition that renders the vehicle inoperable or incapable of being used for its designed purpose or any vehicle that is not currently licensed as required by law or that is kept or stored in a manner to constitute a health, safety, or fire hazard is defined as an inoperable vehicle.

Section 12. A. is hereby amended to provide as follows:

Offenses under this ordinance are hereby designated as VIOLATIONS within the meaning of Title 13A, Code of Alabama, 1975. Upon the determination of any law enforcement officer or compliance officer or any employee designated as such by the Mayor, that any violation of this ordinance exists, such official will make contact with the owner of the property and give them written notice of 15 working days to correct the violation(s). If after said time period, violation(s) shall exist, the law enforcement officer will make a complaint to the magistrate for issuance of a warrant or issue a uniform non-traffic citation to said individual committing the alleged violation(s). The defendant will have all rights secured to all persons charged by the City of Russellville with VIOLATIONS generally. If the defendant is found guilty by the Russellville Municipal Court, the court may impose a fine or imprisonment or both and court costs in accordance with the Alabama Criminal Code provisions applicable to VIOLATIONS generally, which will include sections 13-5-4(c), 13A-5-7 (b), 13A-5-12(b), Code of Alabama, 1975 as amended. Such violations are punishable by term of imprisonment in the municipal jail, not to exceed (30) days and a fine not to exceed \$100.00 for the first offense, \$200.00 for the second offense and \$500.00 for the each offense thereafter. In addition, if the violation continues to exist after the 15 days as it pertains to vehicles, any law enforcement officer or city compliance officer or any employee designated as such by the Mayor, shall have the authority to remedy the violation(s). The charge for remedying the violation(s) by the City of Russellville, Alabama, shall be assessed against the property owner and/or persons responsible for creating and/or allowing the violation to have occurred.

This amendment to said ordinance shall take effect immediately on its publication, the public good so requiring.

ADOPTED this 15th day of April, 2013

David Grissom, Mayor

ATTEST:

Kimberly Wright, City Clerk