

ORDINANCE NUMBER 2015-9

AN ORDINANCE OF THE CITY OF HAMILTON TO AMEND ORDINANCE NUMBER 497 ENTITLED "GARBAGE, TRASH, WEEDS, RUBBUSH, AND JUNK IN THE CITY LIMITS OF THE CITY OF HAMILTON, ALABAMA" OF THE CITY OF HAMILTON TO PROVIDE ADDITIONAL PENALTIES FOR ITS VIOLATION

BE IT ORDAINED by the City Council of the City of Hamilton, Alabama, as follows:

**SECTION I. AMENDMENT.** That Section 3, entitled "Penalties in summary disposition of litter offenses" of Ordinance 497 of the City of Hamilton, as amended, be and hereby is amended to read as follows:

**SECTION 3: Penalties in summary disposition of litter offenses.**

The schedule of maximum penalties for violation of the litter only provisions of this chapter is as follows: \$500 fine

**SECTION II. AMENDMENT.** That Section 25, entitled "Notice to remove litter, etc.; removal by City", of Ordinance 497 of the City of Hamilton be and hereby is amended to read as follows:

**SECTION 25. Notice to remove litter, etc.; removal; by City.**

a. If after due notice, which shall be 7 days written notice (notice may be hand delivered, sent certified mail to property owner of record with Marion County Revenue Commissioner's Office, or placed on a residence or structure on the property) an owner, agent, occupant or lessees fails to remove litter, vegetation or junk from any private property, the said owner, agent, occupant or lessees shall be in violation of this Ordinance. Said violation shall result in a punishment consisting of a fine of not less than \$100.00 and not more than \$300.00, or imprisonment of not more than 7 days in jail, or by both fine and imprisonment.

b. Additionally, if after due notice, an owner, agent, occupant or lessees fails to remove litter, vegetation or junk from any private property, the street and sanitation superintendent or any police office of this municipality is authorized to serve written notice to the owner or the owner's appointed agent via one of the means outlined in Paragraph 25.a. that, if the condition is not corrected within seven days, the property will be cleaned by the city or an approved contractor and the owner or the owner's appointed agent billed for the cost thereof. If the bill is not paid within twenty-eight days, the street and sanitation superintendent and/or the Municipal Court Clerk shall report the failure to pay to the City Clerk who shall assess the cost as a lien against the property until satisfied.

**SECTION III. INCLUSION.** Other than as provided in Section I and Section II of this amendment, Ordinance 497 of the City of Hamilton is adopted, re-alleged and incorporated by reference as if fully set forth herein.

**SECTION IV. SEVERABILITY.** Each and every provision of this ordinance is hereby declared to be an independent provision, and the holding of any provision hereof to be void or invalid, shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provision which might be held invalid.

Adopted and approved this the 16<sup>th</sup> day of November, 2015.

Wade Williams  
Wade Williams  
Mayor for the City of Hamilton

Authenticated:

Angela Owen  
Angela Owen  
Clerk for the City of Hamilton

There being no further business to discuss, a motion to adjourn was made by Frances Knight and seconded by Greg Ingram. All were in favor. Mayor Williams declared the meeting adjourned.

Wade Williams  
Mayor, Wade Williams

Angela Owen  
City Clerk, Angela Owen

Council:

[Signature]  
Greg Ingram  
Frances Knight  
[Signature]