

ORDINANCE NO.: 2018 - 3

AN ORDINANCE TO AMEND CHAPTER 9, ARTICLE IV, CARE OF PREMISES, OF THE CODE OF ORDINANCES OF THE CITY OF OZARK, BY CHANGING SEC. 9-51. UNLAWFUL ACTS AND DUTY OF OWNER OR OCCUPANT.

BE IT ORDAINED by the Ozark City Council, in regular session, that **Chapter 9, Article IV., Care of Premises**, of the *Code of Ordinances of the City of Ozark* be amended by changing **Sec. 9-51. Unlawful acts and duty of owner or occupant.**, as follows:

SECTION 1. Chapter 9, Article IV. Care of Premises, is hereby amended so that said **Section 9-51.**, is as follows:

“Sec. 9-51. -Unlawful acts and duty of owner or occupant.

(a) It shall be unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises of such residential property for the open storage of any inoperable motor vehicle, appliance, television, glass, building material, building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove from the premises all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, and garbage.

(b) It shall be unlawful for the owner or occupant of a business/commercial property to utilize the exterior premisses of such property for the open storage of any appliance, television, glass, electronic equipment, household furnishings, building material, building rubbish, abandoned vehicle or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such property clean and to remove from the premises all such items as listed above, including but not limited to weeds, dead trees, trash, and garbage. This section is not intended to include commercial property upon which a valid business license has been procured authorizing the storage of building materials and central heating and air-conditioning equipment, nor is this section intended to preclude the outside parking of operative motor vehicles used as part of the business' normal operations.

(c) It shall be unlawful for the owner or occupant of a junkyard, salvage yard or auto dismantle to fail to have its premises screened by natural objects, plants, fences or other appropriate means such as not to be visible from the traveled way.

(d) It shall be unlawful for the owner or occupant of a business/commercial property which stores or keeps recycling items or wrecked or inoperative vehicles for more than seventy- two (72) hours to fail to have its premises screened by natural objects, plants, fences or other appropriate means such as not to be visible from the traveled way or otherwise removed from sight such items referred to above. This provision, however, shall not be applicable to any business/commercial property which holds and keeps vehicles owned by others in anticipation of repair work being performed thereon. Such business/commercial property shall be required to produce upon request documentation supporting that such vehicle has been kept on its premises for the purpose of repair work being performed.

(e) It shall be unlawful for any owner or occupant of a business selling new, used or recycled tires not to keep said tires stored within a fence, screened off from view of the traveled way, or in an enclosed building, except that a maximum of thirty (30) new or used tires held for sale may be stored outside for display purposes. Tires must also be kept dry so that mosquito breeding or insect infestation is not possible within the tire.”

SECTION 2. Effective Date. This Ordinance shall become effective immediately after its adoption and publication as required by law.

ADOPTED AND APPROVED by the City Council of the City of Ozark, Alabama, this the 17th day of April, 2018.

THE CITY OF OZARK, ALABAMA

/s/Frank Garrett

Frank Garrett, Council President

/s/Bob Bunting

Bob Bunting, Mayor

ATTEST:

/s/Deborah Bruggink

Deborah Bruggink, City Clerk