



**ORDINANCE No. 2023-09**

*An Ordinance Amending Ordinance 2023-04 (Building and Fire Codes)*

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Fort Payne, Alabama, as follows:

Section 1. That Section 1 (I) of ordinance 2023-04 is amended to add the following language:

**a) Addendum: Performance by the City, collecting expenses:**

***Building Demolition:***

***Upon the failure of the owner to make improvements ordered, the city shall make same and assess the costs thereof against the land upon which the building or structure is or was located, and against the owner thereof. Upon the failure of any person whose duty it is to remedy any unsafe, untenable, dangerous or unsanitary condition of any building or structure, or any appurtenances thereto or therein, or to remove the same in the event the same is condemned, as hereinabove provided, or to repair the same within the time specified in such notice, it should thereupon be the duty of the building inspector or other designated official of the city to bring such failure to the attention of the city council at its next regular meeting ; and therefore, the city council shall proceed to adopt a resolution to provide for the remedying of such condition or, in such removal, shall be a debt due by the owner of the building to the city, for the collection of which the city shall be authorized to enter suit and, in addition to entering suit, such expense shall also be assessed against the land on which such building or structure, or part thereof, was or is located and collected at the same time and in the same manner as the annual taxes on the land, unless the owner pays the same without such assessment.***

Section 2. Repealer. All ordinances or parts of ordinances heretofore adopted by the City Council of Fort Payne, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

Section 3. Severability. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 4. Effective Date. This ordinance shall become effective immediately upon adoption and publication as provided by law.

***APPROVED AND ADOPTED by the City Council of the City of Fort Payne  
this 6<sup>th</sup> day of June 2023.***

THE CITY OF FORT PAYNE BY:

ATTEST:

\_\_\_\_\_  
Walter Watson  
Council President

\_\_\_\_\_  
Robert A. Parker  
City Clerk

[Seal]

TRANSMITTED TO THE MAYOR of the City of Fort Payne on the 6<sup>th</sup> day of June 2023

\_\_\_\_\_  
Robert A. Parker  
City Clerk

APPROVED:

ATTEST:

\_\_\_\_\_  
Brian Baine  
Mayor

\_\_\_\_\_  
Robert A. Parker  
City Clerk

Date of Mayor's Approval: \_\_\_\_\_

[SEAL]