

**TOWN OF MORRIS
ORDINANCE 2018-01**

AN ORDINANCE AMENDING ORDINANCE #00-03. THE ORDINANCE TO ESTABLISH RULES AND REGULATIONS PROHIBITING OVERGROWTH OF WEEDS AND ACCUMULATION OF LITTER WITHIN THE TOWN LIMITS OF MORRIS AND TO ESTABLISH CRIMINAL PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED by the Town Council of the Town of Morris while in regular meeting on the 27th day of February, 2018, as follows:

That Ordinance 00-03, the Town Ordinance of the Town of Morris be, and is hereby amended, by changing Section 2. Violations subsection C.

Section 1. Authority.

Pursuant to the authority provided by Amendment No. 497, Constitution of Alabama 1902, and Act No. 87-758 and Act No. 89-527, of the Legislature of Alabama, the Town of Morris hereby amends the following as the **TOWN OF MORRIS WEED AND LITTER ORDINANCE**.

Section 2. Violations.

- A. Weeds. It shall be unlawful for any owner, proprietor, tenant or other person in charge or control of any lot, place or premises that lies within the incorporated area of the Town of Morris when such lot, place or premises are not under cultivation for useful and productive purposes, to fail to keep and maintain the same free from injurious, noxious or unsightly weeds. Weeds higher than 12'' are hereby deemed unsightly. As used herein "weeds" shall include an economically useless plant; a plant of unsightly appearance; a tree or shrub of low economic value that tends to grow freely; a form of vegetable life of exuberant growth and injurious effect.

- B. Inoperable Motor Vehicles. It shall be unlawful to park, leave or store upon any lot, place or premises that lies within the incorporated area of the Town of Morris more than one inoperable motor vehicle. Provided that this subsection B shall not apply to a properly zoned and licensed business if such parking, leaving or storing of such motor vehicles is a reasonably necessary incident in the operation of said business.

C. Litter. It shall be unlawful for the owner, proprietor, tenant or other person in charge or control of a lot, place, or premises that lies within the incorporated area of the Town of Morris to fail to keep said lot, place or premises clean and free from litter. For purposes hereof "litter" shall mean and include garbage, refuse, junk, debris, salvaged materials, household furniture, trash, used motor vehicle tires, inoperable motor vehicles, kitchen and other household appliances, rags, paper, cardboard and other non-decorative matter, including any materials within which water may accumulate or which may shield or encourage the growth of insects or rodents, or other materials which generate obnoxious odors, or which offend the esthetics of the community and thereby cause a substantial diminution in the value of other property nearby, provided that this Subsection C shall not apply to a properly zoned and licensed business if such activity is a responsibly necessary incident in the operation of the business and is done in a manner which does not allow the accumulation of water within which mosquito larvae may live or encourage the growth of insects and/or rodents.

Additionally, it shall be unlawful for the owner, proprietor, tenant or other person in charge or control of a lot, place or premises that lies within the incorporated area of the Town of Morris to place leaves, limbs, hedge clippings, tree trunks or other debris, in any manner, that would obstruct any ditch, storm drainage pipe, or waterway within any public right-of-way, public drainage easement, or natural stream so as to impede the flow of water in such ditch, storm drainage pipe or waterway. This shall become effective as of the date of the adoption of this ordinance and continue until or when the Town of Morris shall be able to offer the necessary service of removing such items from the property of subscribers of such service.

Section 3. Penalties.

A. Offenses under this ordinance are hereby designated as VIOLATIONS within the meaning of Title 13A, Criminal Code, Code of AL 1975. Upon the determination of any law enforcement officer employed by the Town of Morris, that any violation of this ordinance exists, such official will make contact with the owner of the property and give then a written

notice and twenty (20) working days to correct the violation(s). If after said time period, violation(s) still exist, the law enforcement officer will make a complaint to magistrate for issuance of a warrant. The defendant will have all rights secured to all persons charged by the Town of Morris with VIOLATIONS generally. If the defendant is found guilty by the Morris 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, and which include Sections 13-5-4(c), 13A-5-7(b) and 13A-5-12(b), Code of AL 1975 as amended. Such violations are punishable by a term of imprisonment in the municipal jail, not to exceed thirty (30) days and a set fine not to exceed \$200.00 for the first offense, \$300.00 for the second offense and \$500.00 for each offense thereafter.

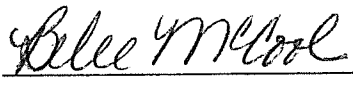
- B. Any person convicted of any offense provided for herein shall have the right to appeal to the Jefferson County Circuit Court, Criminal Division, for a trial de novo by filing within the same time and in the same manner as prescribed by law for VIOLATIONS generally. Trial by jury may be obtained by proper demand made in accordance with the law for VIOLATIONS generally.

Section 4. That this amended ordinance shall become effective immediately upon its reading in Town of Morris current council meeting adopting the amendment and posting 30 days as prescribed by law.

ADOPTED AND APPROVED THIS THE 27th DAY OF Feb., 2018.



Mayor



Town Clerk

CERTIFICATION

I, Bebe McCool, Town Clerk for the Town of Morris, do hereby certify the above to be a true and correct copy of the ordinance that was duly and legally adopted on this, the 27th of Feb., 2018 by the Town Council of the Town of Morris while in regular session.



Bebe McCool, Town Clerk