

ORDINANCE NUMBER 1539 - 21

AN ORDINANCE TO PROVIDE FOR FURTHER NOTIFICATION AND ENFORCEMENT OF FIRE CODE VIOLATIONS WITHIN THE CITY OF MUSCLE SHOALS, ALABAMA

Whereas, the City Council of the City of Muscle Shoals, Alabama is desirous of providing and clarifying the authority of the Fire Chief and his designated authorized representative to provide notice of and enforce violations of the City's fire code; and

BE IT ORDAINED by the City Council of the City of Muscle Shoals, Alabama, that:

Section 1. Sec. 42-65 of the Code of Ordinances, City of Muscle Shoals, Alabama, is hereby amended to include the following provisions in addition to and as a part of the existing requirements and the added provisions shall read as follows:

a) In the process of and for the purpose of providing inspection of buildings and structures within the City and to address violations of the City's Fire Code, the Fire Chief or his designated authority to include the City's Fire Marshal, and any other designated authorized representative is authorized as follows:

1. To conduct initial inspections and re-inspection as required. Upon finding a violation or incompleteness of required material or equipment, a written statement of the violation and the manner and method of its correction shall be provided to the owner or operator of the business along with a notice that the structure shall be brought into compliance with the City's Fire Code within thirty (30) days and a reinspection of the building or structure will be conducted thereafter.

2. In the event that upon reinspection, the building or structure remains in non-compliance with the City's Fire Code the owner or operator shall be provided a notice that a final re-inspection that the structure shall be brought into compliance with the City's Fire Code within fifteen (15) days and a reinspection of the building or structure will be conducted thereafter.

3. Upon failure of the building or structure to be brought into compliance after expiration of the time periods hereinabove provided, the Fire Chief or his designated authorized representative shall cause a letter be sent by certified mail, return receipt requested, to the owner or operator of the building or structure notifying the owner or operator that they have ten (10) business days to correct the violations or the necessary actions will be undertaken to seek issuance of a summons to appear before the Municipal Court for such violations

4. Notwithstanding the foregoing, should the owner or operator of the building or structure, in good faith, provide a valid approved contract and/or work order for the completion of the repairs necessary to bring the building or structure into compliance with the City's Fire Code, additional days shall be added from the date of the contract or work order to allow the owner or operator to complete the repairs. Allowance of the additional days shall be at the sole discretion of the Fire Chief or his designated authorized representative.

5. Any food trucks, concession trailers or tents for Special Events must be in full compliance of the City's Fire Code in order to operation and shall not be allowed to operate if any violation of the Fire Code exists.

Section 2. Any person found in violation of the foregoing shall be subject to punishment as set forth in Sec. 1-7 of the Code of Ordinances of the City of Muscle Shoals, Alabama.

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, and its provisions, shall become effective upon publication or posting pursuant to law or as otherwise provided for by law.

APPROVED and ADOPTED this the 18th day of October 2021.

**COUNCIL OF THE CITY OF
MUSCLE SHOALS, ALABAMA**

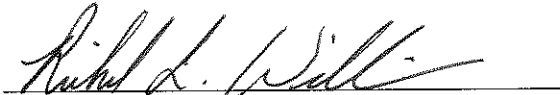
BY: Ken Sockwell
KEN SOCKWELL
President of the Council

ATTEST:

Richard L. Williams
RICHARD L. WILLIAMS,
City Clerk

TRANSMITTAL

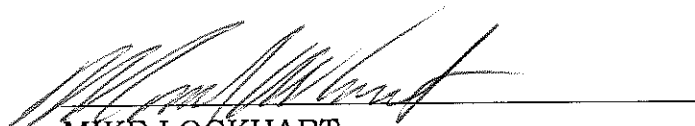
I hereby certify that the foregoing Ordinance Number 1539 - 21 was passed on the 18th day of October 2021 by the City Council of the City of Muscle Shoals and was transmitted to the Mayor on the 19th day of October 2021 at 3:15 p. m. o'clock.



City Clerk

APPROVED on 10/19/2021 at 3:00 PM o'clock.

VETO Issued on _____ at _____ o'clock.



MIKE LOCKHART
Mayor of the City of Muscle Shoals, Alabama

CERTIFICATE OF POSTING

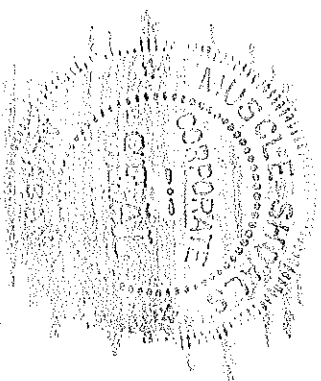
I, Richard L. Williams, City Clerk for the City of Muscle Shoals, Alabama, hereby certify that the above and foregoing Ordinance was duly and properly adopted by the Council of the City of Muscle Shoals, Alabama at a regular meeting of the said Council held on the 18th day of October 2021 at 6:00 o'clock p.m. in said City.

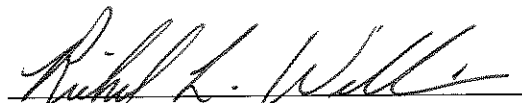
The said Ordinance has been duly and properly published or posted on the 19th day of October 2021 pursuant to and in compliance with Act. 2011-680 of the Acts of Alabama, by posting a copy of said Ordinance at the Office of the Mayor at City Hall in the City of Muscle Shoals, Alabama; Muscle Shoals Public Library; Muscle Shoals Recreation Building # 1, Gattman Park; and First Metro Bank, Muscle Shoals Branch; being four conspicuous public places lying and being within the City of Muscle Shoals, Alabama, there being no newspaper published and of general circulation in the City of Muscle Shoals, Alabama.

I certify that a copy of the said Ordinance has been posted to the City's website which may be found at
www.cityofmuscleshoals.com

Reasonable steps will be undertaken to maintain the postings for not less than thirty (30) days.

This 19th day of October 2021.




RICHARD L. WILLIAMS, City Clerk