

**ORDINANCE NO. 2026-09**

**AN ORDINANCE TO AMEND CHAPTER 9, NUISANCES, ARTICLE II, JUNK, REFUSE AND DEBRIS, DIVISION 1, GENERALLY OF THE *MUNICIPAL CODE OF THE CITY OF IRONDALE, ALABAMA***

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Irondale, Alabama, in regular meeting duly assembled, a quorum being present, as follows:

**Section 1. REMOVAL AND REPLACEMENT OF CHAPTER 9, NUISANCES, ARTICLE II, JUNK, REFUSE AND DEBRIS, DIVISION 1, GENERALLY.** Chapter 9, Nuisances, Article II, Junk, Refuse and Debris, Division 1, Generally, of the Municipal Code of the City of Irondale, Alabama, is hereby deleted in its entirety and replaced as follows:

**CHAPTER 9. – NUISANCES**

**ARTICLE II. - JUNK, REFUSE AND DEBRIS**

Cross reference— Abandoned and stolen personal property, § 12-26 et seq.; junk obstructing passage in streets, § 16-41; failure to clean site after moving building, § 16-93.

**DIVISION 1. - GENERALLY**

**Sec. 9-26. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*“Code Enforcement Officer”* means any police officer of the city.

*“Garbage”* means readily putrescible discarded materials composed of animal, vegetable, or other organic matter; solid waste.

*“Graffiti”* means any writing, inscription or drawing whether a message, slogan, symbol or combination of same in violation of or not in compliance with the city’s sign regulations and not otherwise authorized by the city sign regulations; An unauthorized defiling of public or private property by use of paint or corrosive material.

*“Nuisance”* is declared to include any condition or use of a premises or of a building exterior which is detrimental to the property of others, or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located, or within the view of the public affecting the overall appearance of the property or negatively reflecting on the

city at large. This includes, but is not limited to, the defacing of a private or public building or other property with graffiti, the keeping or the depositing on, or the scattering over such premises of any of the following:

- (1) Lumber, junk, trash, debris or Garbage.
- (2) Abandoned, discarded or unused objects or equipment such as any automobile, furniture, stove, refrigerator, freezer, can, or containers.

“*Owner*” or “*Owners*” means the owner of the property last assessing that property for state taxes, tenant, lessee occupant, and/or any person having charge of any lot or property within the corporate limits of the city upon which such storage or presence of materials constituting a Nuisance under this Article is made. The term shall also include the owner and/or lessee of such personalty involved in such storage or presence of materials. In addition, owners shall also mean the owner, tenant and/or occupant of any building or structure upon which graffiti has been placed.

“Public view” means that a condition or object on private property is visible to pedestrians or vehicular traffic from public property. Covering a proscribed object or condition that constitutes a Nuisance with a tarpaulin or any other type of cover shall not render that condition or object out of public view for purposes of this article.

(Ord. No. 386-81, § 4, 3-17-81; Ord. No. 2010-25, 7-6-10)

**Sec. 9-27. - Keeping unsanitary matter on premises.**

No person shall keep or permit another to keep upon any premises deleterious or septic material, unless such material is retained in containers or vessels which deny access to humans, flies, insects, rodents and other animals. The keeping or permitting of any such material on any premises is deemed to be a Nuisance.

(Ord. No. 386-81, § 1(d), 3-17-81)

**Sec. 9-28. - Owner's duty.**

It shall be the duty of each Owner to keep all exterior private property free and clear of a public Nuisance. These areas shall include, but are not limited to sidewalks, alleys, driveways, yards, grounds, fences, walls, property lines, storm drains, and vacant lots.

No Owner of any premises shall maintain or keep any Nuisance thereon, nor shall any Owner keep or maintain such premises in a manner causing substantial diminution in the value of other property in the neighborhood in which such premises is located, nor shall any person keep or maintain a building or other structure which contains graffiti within the public view.

(Ord. No. 386-81, § 2, 3-17-81; Ord. No. 2010-25, 7-6-10)

**Sec. 9-29. - Abatement by owners.**

The owners shall jointly and severally abate any nuisance by the prompt removal of such personalty into completely enclosed buildings authorized to be used for such storage purposes if within the city limits, or to remove it to a location outside the city limits. The owners of any buildings or structures may abate the Nuisance created by graffiti by removing, painting, and/or covering said graffiti or removing said graffiti from the public view.

(Ord. No. 386-81, § 4, 3-17-81; Ord. No. 2010-25, 7-6-10)

**Sec. 9-30. – Notice of Nuisance Declaration and Order to Abate; Failure to abate; Violation; Penalty.**

- (a) Upon the determination by the Code Enforcement Official that a Nuisance exists on any lot or property within the corporate limits of the city, a Notice of Nuisance Declaration and Order to Abate Nuisance shall be issued in writing by the Code Enforcement Official and delivered (i) by hand delivery, posting on the front door of the premises, or first class mail to any Owner responsible for said building and/or structure on which the Nuisance exists. A copy of the Notice of Nuisance Declaration and Order to Abate Nuisance shall also be posted at or within three (3) feet of an entrance to the main building on the property on the date of hand delivery or mailing.
- (b) The Notice of Nuisance Declaration and Order to Abate Nuisance shall contain the following information:
  - a. The address of the property on which the Nuisance exists;
  - b. A description of the circumstances giving rise to the Nuisance;
  - c. The actions required to abate the Nuisance;
  - d. the period of time within which the Nuisance must be abated and corrected, which shall be no less than seven (7) days; and

- e. A statement that if the nuisance is not abated during the period set by the enforcement official, the city may enter the property, abate the nuisance and assess the city's remedial cost thereof against the property or institute other actions to collect its expenses.
- (c) The Owner(s) to which the notice was issued shall correct such violation within the period of time specified in the notice. The period of time for abatement shall begin on the earlier to occur of the date of physical receipt of the notice by hand-delivery, the date of posting, or three (3) days following the date of mailing the notice by first class mail.
- (d) The failure of an Owner(s) to abate said Nuisance within the period of time set forth in the notice shall constitute a violation of this article and upon conviction, the Owner(s) shall be fined according to the provisions of Chapter 1. The fine for this section shall be no less than two hundred dollars (\$200) plus restitution for any cleanup by the city. Each day on which such Nuisance is permitted to exist following the period of time by which the violation must be corrected shall constitute a separate offense.
- (e) Among other responsibilities, the Code Enforcement Official shall furnish the mayor and the city clerk on a monthly basis a report of all nuisance declarations made in the preceding month.

(Ord. No. 386-81, § 5, 3-17-81; Ord. No. 2010-25, 7-6-10)

**Sec. 9-31. - Abatement by city.**

Whenever an Owner(s) fail(s) to abate any Nuisance hereunder period of time specified in the Notice of Nuisance Declaration and Order to Abate Nuisance, the city may abate any such Nuisance and recover the costs therefor from the Owner(s), jointly and severally. Whenever the Owner(s) fail(s) to abate graffiti, the city may remove, paint and/or cover said graffiti within public view and recover the costs therefor from the Owner(s), jointly and severally. Every such assessment shall constitute a lien against such property.

(Ord. No. 386-81, § 6, 3-17-81; Ord. No. 2010-25, 7-6-10)

**Sec. 9-32. - Enforcement.**

Enforcement of this article may be accomplished by the city in any manner authorized by law, in addition to removal by the city.

(Ord. No. 386-81, § 7, 3-17-81)

**Secs. 9-34—9-50. - Reserved.**

**Section 2. SEVERABILITY.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Irondale hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 3. ORDINANCES REPEALED.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 4. LEGAL RIGHTS NOT IMPAIRED.** Nothing in this ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5. ORDINANCE CUMULATIVE; COMPATIBILITY WITH OTHER REGULATIONS.** This Ordinance shall not be construed to modify or to repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this Ordinance are in addition to and cumulative to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

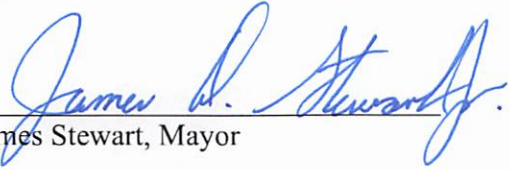
**Section 6. PUBLICATION OF ORDINANCE.** The City Clerk of the City of Irondale is hereby ordered and directed to cause this ordinance to be published in accordance with the law and that a copy of this ordinance be entered upon the minutes of the meeting of the City Council.

**Section 7. EFFECTIVE DATE.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall be in full force and effect upon adopted and publication as required by law and shall continue in full force and effect from month to month and year to year from its effective date until repealed.

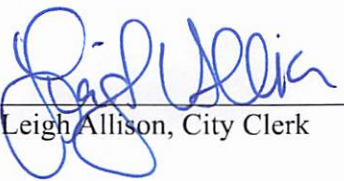
**ADOPTED & APPROVED** this 17th day of February, 2026.

  
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David Spivey, City Council President

**APPROVED:**

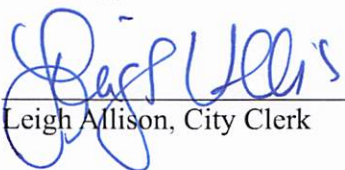
  
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James Stewart, Mayor

**ATTEST:**

  
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Leigh Allison, City Clerk

**CERTIFICATION**

I, Leigh Allison, City Clerk of the City of Irondale, Alabama hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Irondale at its regular meeting held on February 17, 2026, as the same appears in the minutes of record of said meeting.

  
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Leigh Allison, City Clerk