

Chickasaw City Council

State of Alabama **Mobile, County**

The Chickasaw City Council met in a regular session on Tuesday, July 23, 2024, at 7:00 p.m. Present were Mayor Barry Broadhead, Councilmember Jim Trout, Jennifer White, JR Rawls, and Ken Sterrett. Councilmember Jim Hanson was absent. City Attorney Nash Campbell and City Clerk Michelle Ross were present. Councilmember Jim Trout gave the invocation.

ADOPTION OF AGENDA - Councilmember White moved to approve the agenda for the regularly scheduled meeting on July 23, 2024. Councilmember Sterrett seconded the motion. Motion for final adoption passed by the following voice votes: AYE – White, Broadhead, Trout, Sterrett, Rawls. NAY-None

APPROVAL OF MINUTES – Councilmember Trout moved to approve the minutes from the regularly scheduled meeting on July 9, 2024. Councilmember White seconded the motion. Motion for final adoption passed by the following voice votes: AYE – White, Broadhead, Trout, Sterrett. NAY - None Councilmember Rawls abstained due to absence.

COMMUNICATION FROM THE MAYOR

RESOLUTIONS & ORDINANCES

Councilmember Sterrett moved to approve the first reading of Burn Ordinance No. 24-22. Seconded by Councilmember Rawls. Ordinance No. 24-22 will be placed on the Agenda for final reading and approval on August 24, 2024.

ORDINANCE NO 24-22

AN ORDINANCE TO REGULATE OPEN BURNING IN THE CITY OF CHICKASAW, CHICKASAW, ALABAMA

SECTION 1 - Purpose

This ordinance is enacted to protect, preserve, and promote the health, safety, welfare, and peace of the Citizens of Chickasaw, Alabama through the control of open burning.

SECTION 2 - Open Burning Standards

- A. No person shall kindle or maintain an open fire at any location or time without a permit from the Chickasaw Fire Department, except for the following purposes:
1. Open fires for cooking food for human consumption. Fires for recreational or ceremonial purposes – an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill, or barbeque pit and has a total fuel area of 3 feet (914mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.
 2. Fires set in salamanders or other devices used by construction or other workers for heating purposes.
- B. The Chickasaw Fire Department must permit fires for any other purpose. Permits may only be issued if the proposed open burning meets the following criteria.
1. The burning location must be at least 150 feet from the nearest occupied dwelling or structure other than a dwelling or structure located on the property on which the burning is conducted.
 2. The location of the burning must be a minimum of 100 feet from any public road

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3. Burning must be controlled to avoid creating a traffic hazard on any public road, street, or highway as a result of the air contaminants emitted.
4. Only untreated wood and vegetation may be burned.
5. Burning shall commence after 9:00 am, no new material shall be charged to the fire after 3:00 pm on any day in which the permit is valid.
6. The fire shall be attended at all times. There shall be a hose connected to a water supply or other extinguishing equipment readily available for use.
7. Burning shall be conducted only when there is good ventilation and the prevailing wind direction is away from any built-up area. No burning shall be conducted in areas under a current air stagnation advisory by the National Weather Service or during a "Drought Emergency" declared by the Governor.
8. The Fire Dept of the City Of Chickasaw may impose additional conditions to cover specific open burning situations where additional controls are deemed necessary under special circumstances.
9. Penalties/Fines. If any of the aforementioned items 1-9 are ignored or a set fire is intentionally left unattended causing damage to neighboring properties by either direct contact of fire, heat or smoke the responsible party is subject to a warning or a minimum fine of \$100 and maximum fine no more than \$500 as deemed by the Fire Dept of the City of Chickasaw.

SECTION 3 - Renovation of burning permits

The City of Chickasaw Fire Department or the State of Alabama may revoke a burning permit issued by the Chickasaw Fire Department any time after it is issued if the open burning creates a danger or serious nuisance for individuals or property.

SECTION 4 – NOT PERMITTED

Under no circumstances shall heavy oils, asphaltic materials (roofing, shingles), items containing natural or synthetic rubber (tires), plastics, refuse, household garbage, or industrial garbage be burned.

SECTION 5 - Severability

If any section, sentence, paragraph, clause, phrase or word of this ordinance is for any reason held or declared unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance and it shall be construed to have been the intent of the City Council of the City of Chickasaw to pass this ordinance without such unconstitutional, invalid or inoperative parts therein, and the remainder of this ordinance shall be deemed and held valid as if such parts had not been included herein.

FINANCIAL REPORT - *Accounts Payable \$79,347.53* - Councilmember White moved to put the accounts payable in line for payment, seconded by Councilmember Trout. Motion carried, and so ordered. Motion for final adoption passed by the following voice votes: AYE – White, Trout, Broadhead, Sterrett, Rawls. NAY-None.

MISCELLANEOUS BUSINESS & ANNOUNCEMENTS

No Miscellaneous Business or Announcements

PUBLIC COMMENT

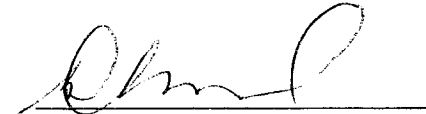
1. O'Ferrell – 221 E. Baratara Drive - City Maintenance workers cutting on private property at the Boat Launch and next to the boat launch. Mr. O'Ferrell stopped and asked the city maintenance workers cutting the grass – if they knew they were cutting private property.

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ADJOURNMENT - With there being no further business, Councilmember Rawls moved to adjourn the regularly scheduled council meeting at 7:11 p.m. Seconded by Councilmember Trout. Motion carried, and so ordered.

ATTEST:


Michelle Ross, City Clerk


Barry Broadhead, Mayor