

ORDINANCE NO: 017-2021

**DISTANCING OF BUSINESSES PERTAINING TO PHARMACY'S AND
MANUFACTURED HOMES SALES AND PROHIBITING PYROTECHNICS
WITHIN THE CORPORATE LIMITS OF THE CITY OF GOOD HOPE**

**BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
GOOD HOPE, ALABAMA, AS FOLLOWS:**

PHARMACY'S: It shall be prohibited for any pharmacy to be located within a 1 (one) mile radius of any other pharmacy unless divided by a four-lane highway, then it will be within .5 (one-half) mile radius of any other pharmacy.

MANUFACTURED HOME SALES LOTS: (A) Current existing business license holders within city limits, provided that such business shall purchase and maintain a current city business license with no lapse therein; but at such time as there is a lapse in the business license then there shall not be another license issued. (B) It shall be prohibited for any mobile home sales lot business to be located within 1.5 (one and a half) mile radius of any existing licensed manufactured home sales lot business, as described in Section 4 of Ordinance Number 007-2013.

FIREWORKS:

FIREWORKS DEFINITIONS

As used in this chapter, the term "pyrotechnics" means any:

- (1) Sparkler;
- (2) Squib;
- (3) Rocket;
- (4) Firecracker;
- (5) Roman candle;
- (6) Fire balloon;
- (7) Signal light;
- (8) Railroad track torpedo;
- (9) Flashlight composition;
- (10) Fireworks; or
- (11) Other device or composition used to obtain a visible or audible pyrotechnic display.

Section 1. It shall be unlawful for any person to have, keep, store, use, manufacture, sell, or handle within the city or its police jurisdiction any pyrotechnics except as otherwise provided in this article.

Exception: (A) Current existing business license holders within city limits, provided that such business shall purchase and maintain a current city business license with no lapse therein; but at such time as there is a lapse in the business license then there shall not be another license issued. (B) It shall be prohibited for any pyrotechnic business to be located within 1.5 (one and a half) mile radius of any existing licensed pyrotechnic business, as described in Section 4 of Ordinance Number 007-2013.

(C) It shall be permitted for private residents to use pyrotechnics, as defined above, for their own personal use.

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TOMMIE BROWN, JUDGE OF PROBATE, CULLMAN

Section 2. Pyrotechnics Display

(a) The city may, upon due application, issue a permit to a properly qualified person with a state permit for public display; for giving a pyrotechnic display of fireworks in the public parks or other open place within the city.

(b) An application for permit shall be made not less than 30 days prior to the planned date of display to the city clerk and must be accompanied by proof of approval of and issuance of permit for the proposed display by the state fire marshal.

(c) Upon receipt of an application for permit hereunder with the proper supporting documentation, the clerk shall provide a copy thereof to the fire chief. The fire chief shall submit their recommendation regarding approval or denial of the application to the clerk within seven days from the date the application is received by them. A recommendation for denial shall include a statement of the reason for denial.

(d) If the recommendation of the fire chief is to approve the application, the clerk shall schedule the application for hearing before the city council at its next regularly scheduled meeting. If the recommendations of the fire chief is for denial of the application, the clerk shall notify the applicant and provide to the applicant the recommendations for denial including the reason, therefore.

(e) Upon notification of denial, the applicant may submit a corrected application for display or may appeal the recommendation of the fire chief, or both, to the city council by notifying the city clerk, who shall place the appeal on the agenda for the next regularly scheduled council meeting.

(f) Any permits issued pursuant to this section shall impose such restrictions as in the opinion of the fire chief and may be necessary to properly safeguard life and property in each case.

(g) The fee for issuance of a fireworks display permit shall be as provided in the city fee schedule.

(h) At such time as the permittee under this section has set up the fireworks for the planned display, he shall notify the fire chief, who shall inspect the setup and give approval for the event to proceed or advise the permittee of any corrective action that must be taken before approval for the event will be given. If the corrective actions cannot be completed, the display must be cancelled, and the permit issued therefor shall become null and void.

Section 3. Signage

Under Alabama Code Section 23-1-6, signs, markers and advertising on the rights-of-way of state-controlled highways are prohibited except those official signs or markers placed in the right of way by the State Department of Transportation or under its authority. In other words, Alabama state law allows only authorized regulatory signs or signs that the Alabama Department of Transportation (DOT) gives special permission for to be placed in road's right of way. Any object placed in the right of way that does not have special permission from the DOT is illegally placed.

MISSISSIPPI

Section 4. Penalty

Any individual, firm, partnership, corporation, or other entity violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$500 or imprisoned for not more than six (6) months, or both, in the discretion of the court.

Section 5. Severability

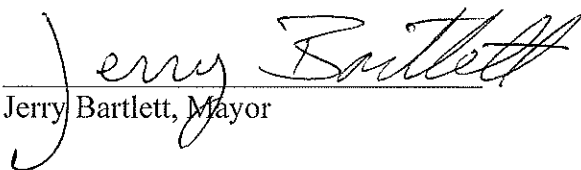
Should any section or provision of this ordinance be held invalid, such holding shall not affect the validity of any other section or provision hereof.

Section 6. Effective Date

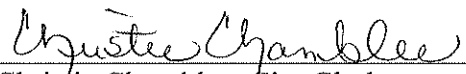
This ordinance shall become effective upon its adoption and publication as required by law and shall supersede and repeal all ordinances in conflict herewith.

ADOPTED AND APPROVED THIS 13th day of September, 2021.

MISC 367 810


Jerry Bartlett, Mayor

ATTEST:


Christie Chamblee, City Clerk