

**MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 28, 2026**

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday April 28, 2026, at 9:00 a.m.

Councilmembers:

Present: Small, Penn, Ingram, Reynolds, Fleming, and Woods  
Absent: Gregory

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Approved:

\_\_\_\_\_  
COUNCIL PRESIDENT

\_\_\_\_\_  
CITY CLERK

**MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 28, 2026**

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, April 28, 2026, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the City Clerk.

Patricia Evans, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

**Present on Roll Call:**

Chairman: Gregory  
Vice-Chairman: Small  
Councilmembers: Penn, Ingram, Reynolds, Fleming, and Woods  
Absent: None

**STATEMENT OF RULES BY PRESIDING OFFICER**

The Presiding Officer provided an overview of the City Council’s Rules of Procedure.

**APPROVAL OF MINUTES**

The minutes from the meeting of April 21, 2026 were approved as submitted.

**COMMUNICATIONS FROM THE MAYOR**

Mayor Cheriogotis invited citizens to attend the 75<sup>th</sup> Anniversary of the National Day of Prayer on Thursday, May 7, 2026, at the USS Battleship Parkway.

Mayor Cheriogotis offered comments about the Mobile Museum of Art.

Mayor Cheriogotis read a proclamation declaring May 2, 2026, as “Walk for Epilepsy Mobile Day” in Mobile.

Mayor Cheriogotis presented a proclamation to four local chefs of the Azalea City Community Development Corporation in recognition of their outstanding volunteer service to the citizens of Mobile using their culinary talents.

**MONTHLY FINANCE REPORTS**

Donna Bryars, Deputy Director of Finance, provided the monthly finance report for the month ending March 2026.

**ADOPTION OF THE AGENDA**

Councilmember Penn moved to adopt the agenda, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted.

**APPEALS**

Request of Yodianne Sanchez for a waiver of the Noise Ordinance at Trinity Gardens Park Amphitheater on May 2, 2026, from 2:00 p.m. – 6:00 p.m. (District 1).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Jarvius Coleman for a waiver of the Noise Ordinance at Trinity Gardens Park on June 21, 2026, from 2:00 p.m. – 6:00 p.m. (District 1).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Shelby Brashaw for a waiver of the Noise Ordinance at Cathedral Square Park on May 1, 2026, from 4:00 p.m. – 8:00 p.m.

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Stuart Guy for a waiver of the Noise Ordinance at 352 St. Francis Street on May 2, 2026, from 2:00 p.m. – 7:00 p.m. (District 2).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

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The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Kacey Chappelle for a waiver of the Noise Ordinance at British Park on May 17, 2026, from 2:00 p.m. – 5:00 p.m. (District 2).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Reverend Leon Bell, Jr., for a waiver of the Noise Ordinance at 661 S. Broad Street on May 24, 2026, from 8:00 a.m. – 1:00 p.m. (District 2).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Creola Ruffin for a waiver of the Noise Ordinance at 351 St. Francis Street on July 25-26, 2026, from 6:30 p.m. – 10:00 p.m. (District 2).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Creola Ruffin for a waiver of the Noise Ordinance at Cooper Riverside Park on July 24-25, 2027, from 4:30 p.m. – 10:00 p.m. (District 2).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Anthony LunaBankhead for a waiver of the Noise Ordinance at Medal of Honor Park on May 3, 2026, from 1:00 p.m.– 3:00 p.m. (District 6).

Councilmember Ingram moved to adopt the waiver, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the waiver adopted.

**PUBLIC HEARINGS**

**PUBLIC HEARING TO CONSIDER THE APPLICATION OF CHARLES HENRY ROYAL II FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE.**

The Presiding Officer announced that today was the day for the public hearing to consider the application of Charles Henry Royal II for a certificate of public convenience and necessity to operate a shuttle service and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

**PUBLIC HEARING TO DECLARE THE STRUCTURE AT 357 CASSIDY STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).**

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 357 Cassidy Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

**PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1202 GORGAS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).**

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1202 Gorgas Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

**PUBLIC HEARING TO DECLARE THE STRUCTURE AT 7310 4th STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).**

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 7310 4<sup>th</sup> Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

**PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL**

**NON-AGENDA ITEMS:**

Chris Patterson, 205 S. McVay Drive, concerns about a ticket he received on February 15, 2026, from the Mobile Police Department.

Estella Trotter, Mobile, Al, expressed concerns about City officials personally profiting from dismantling black historic communities / neighborhoods and calling it economic development.

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Tyra Jackson, 656 Momote Drive W., introduced a week-long summer dance program for children ages 14-15.

Reggie Hill, Mobile, Al, Definitions for wording in Section 2-62 of Mobile City Code. Requesting that someone from the (reported) Legislative Body/Administration would provide specifics pertaining to: the use of last \$26M of ARP Funding; and updated Vehicle Inventory List; status of Performance Contracts Evaluation Metrics; usage of Recreation Centers during the Summer months; accessing properties slated for nuisance abatement or demolition; Rent Status; expectations for MHA update; Drainage Project Lists; and how many millions have went to non-programmatic Public Safety items since November of 2025.

**NOTE:** Lisa Lambert, City Clerk, read the following letter, addressed to the Council, at the request of Councilmember Gregory:

Councilwoman Gregory

I am a District 7 resident on Border Drive East, and I am writing to formally document the severe and ongoing impact the Lavretta Park pickleball courts are having on my health and quality of life — and to ask that this letter be entered into the public record.

The problems began before the courts even opened. During construction, the ground compression and vibration were so disruptive that I was forced to call and complain nearly every day. That should have been an early signal of what was to come.

Since the courts opened, the noise has been relentless — all day, every day. Players routinely remain past park closing hours, and I have had to contact Mobile Police on multiple occasions to enforce the city's own rules. This should not fall to residents.

I live on Border Drive East — two streets from Park Hill Lane. Despite that distance, the impact noise is as loud as if the courts were in my own backyard. Mobile's flat terrain offers no topographic buffer; sound travels without obstruction. I cannot spend time in my backyard without running multiple high-powered fans in an attempt to mask the noise, and even that is not sufficient.

I want to address something directly, because I believe it is important for this council to understand: I am currently under the care of a medical professional and receiving treatment for stress, anxiety, and trauma-related symptoms that I attribute to chronic exposure to this noise. I am not alone in this. I am also experiencing what researchers now call "phantom pickleball noise" — I hear the popping even when no one is playing. This is not imagination. This is a documented, medically recognized phenomenon.

In 2025, physician-led research published through the Acoustical Society of America found that the most commonly reported health concern among residents living near pickleball courts was trauma and PTSD — followed closely by auditory hallucinations, specifically the experience of hearing phantom pickleball sounds. Nearly a quarter of affected residents in that study reported PTSD-like symptoms, and over half described their experience as severe distress. The research also notes that a single set of courts can generate up to 40,000 impulsive pops per day, and that most local noise ordinances — including, likely, Mobile's — do not regulate repetitive impulse noise of this kind, only average decibel levels.

(Source: Romito & Fink, MD — "Pickleball noise: A qualitative description of the psychological and physiological effects on nearby residents," presented at the 188th Acoustical Society of America Meeting, May 2025.

[https://pubs.aip.org/asa/jasa/article/157/4\\_Supplement/A274/3353533](https://pubs.aip.org/asa/jasa/article/157/4_Supplement/A274/3353533))

I am disclosing my health situation not to invite dismissal, but because the council deserves to understand the real human cost of inadequate planning and an inadequate response.

The proposed solutions in the city's 100-Day Agenda — sound-dampening blankets and

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acoustic fencing — are not sufficient. Sound does not stop at a fence line. On flat terrain, it travels up and over any barrier. I am asking the city to seriously consider full enclosure of the courts, relocation to a site away from residential areas, or removal. Anything less is the appearance of action, not a solution.

I respectfully request this letter be read into the public record at the next City Council meeting.

**NOTE:** Councilmember Reynolds stated that reading a letter sent via email to address the council was not in their rules of procedure and should have been voted on.

**Councilmember Small noted his concern and stated that moving forward that would be done.**

**ORDINANCES HELD OVER**

**ORDINANCE TO AMEND CHAPTER 6, “AMBULANCES AND OTHER MEDICAL TRANSPORTATION”, OF THE MOBILE CITY CODE.** The following ordinance which was introduced and read at the regular meeting of April 14, 2026 and was held over until the regular meetings of April 21, 2026, and April 28, 2026 was called up by the Presiding Officer.

ORDINANCE: 06-018-2026

Sponsored by: Mayor Cheriogotis

BE IT ORDAINED BY THE CITY COUNCIL OF MOBILE, ALABAMA, as follows:

**SECTION I:** Chapter 6 of the Mobile City Code is hereby amended to read, in its entirety, as follows:

**Chapter 6 AMBULANCES AND OTHER MEDICAL TRANSPORTATION**

**ARTICLE I. IN GENERAL**

**Sec. 6-1. Purpose.**

In order to lessen congestion caused by emergency vehicles on the public streets, to facilitate the prompt dispatch of emergency ambulances when needed to protect life and health, and to further promote health, safety and welfare of its citizens, it is hereby declared that the city designates the city fire department as the advanced life support/emergency ambulance provider for all 911 calls within the city limits pursuant to the procedures hereinafter stated. After careful consideration in order to lessen congestion by emergency vehicles on the public streets, to secure safety of pedestrians and vehicles using the public streets and thoroughfares, and additionally because the public necessity requires that such regulations be adopted to preserve and enforce the health, safety and welfare, and the good order and security of the city and its inhabitants, the rules and regulations of private ambulances and municipal emergency ambulances in the city as set out herein are hereby established by the city council exercising sound legislative judgement.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-2. Definitions.**

For the purpose of this chapter, the following words, terms, phrases and their derivations shall have the meanings respectively ascribed thereto by this article:

1Editor's note(s)—Ord. No. 06-030-2022, adopted June 7, 2022, amended the Code by, in effect, repealing former ch.6, §§ 6-1—6-9, 6-16—6-20, 6-31—6-37, 6-48—6-54, 6-66—6-77, 6-86, 6-87, and 6-89, and adding a new ch.6. Former ch.6 pertained to similar subject matter, and derived from Ord. No. 06-050, adopted July 23, 1991; Ord. No. 06-067, adopted September 1, 1992; Ord. No. 01-044, adopted July 6, 1993; Ord. No. 06-046, adopted July 6, 1993; Ord. No. 06-069, adopted October 25, 1994; Ord. No. 06-049, adopted September 26, 2000; Ord. No. 06-054, adopted October 1, 2002; Ord. No. 06-017-2005, adopted February 22, 2005; Ord. No. 06-036-2005, adopted April 26, 2005;

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Ord. No. 06-012-2007, adopted April 10, 2007; Ord. No. 06-049-2016, adopted September 27, 2016; and Ord. No. 06-028-2018, adopted October 9, 2018.

Cross reference(s)—Taxicabs, ch..59; wrecker services and wrecker rotation list, ch.63

**Advanced life support (ALS)** shall mean the provision of life saving, stabilizing and supportive emergency medical procedures by firemedics and paramedics that are complex and invasive in nature.

**Alabama Gulf Emergency Medical Services System Inc. (AGEMSS)** shall mean the regional EMS committee as mandated by state law.

**Ambulance** shall mean any motor vehicle constructed, reconstructed, arranged, equipped or used for the purpose of transporting ill, sick, injured or individuals in need of or requesting medical attention.

**Ambulance call** shall mean the act of proceeding with an ambulance for the purpose of transporting any patient for compensation.

(1) **Emergency** shall mean a response to a call in which it is believed that the imminent loss of life or limb will result. To be accomplished with use of all warning devices and lights.

(2) **Urgent** shall mean a response to a call which does not require the use of all haste but does need to be achieved expeditiously. Warning devices may be used judiciously.

(3) **Nonemergency** shall mean a response that does not require the use of warning devices including, but not limited to interhospital transfers, discharges to home, visits to physicians' offices and the transport of the deceased patients to funeral homes.

**Ambulance attendant** shall mean any person licensed as an EMT who has the duty of performing or assisting in the performance of an ambulance call.

**Basic life support (BLS)** shall mean the provision of life saving, stabilizing and supportive emergency medical procedures by EMTs and firemedics that are simple and non-invasive in nature.

**Certificate** shall mean a certificate of public convenience and necessity.

**City** shall mean all areas within the corporate limits of the City of Mobile, Alabama.

**City council** shall mean the city council of the City of Mobile, Alabama.

**Driver** shall mean any EMT who drives or attempts to drive any ambulance and who is responsible for the safe transport of the patient and ambulance attendant(s) to and from emergency scenes and the hospital.

**Emergency medical technician (EMT)** shall mean ambulance personnel with current certification and licensure from the Alabama Department of Public Health as a basic or specially skilled emergency medical technician. This individual may also be referred to as an ambulance attendant.

**Emergency physicians advisory board (EPAB)** shall mean an advisory board established herein which will recommend medical protocols, regulations and performance standards related to the medical and clinical aspects of ambulance service in the city.

**Emergency vehicle operator** shall mean an ambulance driver with all of the following qualifications; (1) valid drivers license; (2) current emergency vehicle operations certificate from an approved course, maintained at all times in the emergency medical provider service's employee file; (3) current approved CPR card; (4) certificate of completion from a Department of Transportation Emergency Medical Responder Curriculum Course, or from the Alabama Fire College Emergency Care Provider Course.

**EMS dispatch center** shall mean the central communications center from which all E-911 dispatches originate.

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**EPAB director** shall mean the licensed physician appointed by the EPAB to serve as administrative officer in carrying out the duties and powers of the EPAB.

**Fire chief** shall mean the chief of the fire department of the City of Mobile, Alabama or his or her duly authorized representative.

**Fire department** shall mean the fire department of the City of Mobile, Alabama.

**Firemedic** shall mean an EMT-P/firefighter employed by the fire department.

**Firemedic ambulance** shall mean any motor vehicle operated by the city fire department that meets the criteria for advanced life support/emergency ambulance.

**Interfacility emergency ALS transfer** shall mean the transfer of a patient requiring advanced paramedic skill such as the administration of TPA from one facility to another where more advanced procedures are to be performed.

**Medical control, off-line** shall mean a physician holding a current license from the state medical license commissioner, who provides medical guidance and who oversees and provides quality assurance and medical liaison for an emergency medical service.

**Medical control, on-line** shall mean direction given ambulance personnel by a base station physician through direct voice contact, with or without vital signs and/or telemetry, as required by applicable medical protocols.

**Medical control physician** shall mean a physician licensed to practice medicine in the state, knowledgeable in the applicable medical protocols, radio procedure and general operating policies of the Southwest Alabama Regional Emergency Medical Services Region, the city and the state department of public health and a person from whom ambulance personnel shall, subject to the provisions of this code take medical direction in person, by radio, or by remote communications device.

**Medical protocol** shall mean any diagnosis-specific or problem-oriented written statement of standard procedure, or algorithm, promulgated by the EPAB and approved by the state EMS committee as the normal standard of pre-hospital care for a given clinical condition.

**Medical review** shall mean a monthly review of ambulance reports and procedures by the offline medical control for quality assurance purposes.

**Mutual aid call** shall mean a request for emergency ambulance service issued by an ambulance dispatcher in one political jurisdiction to an ambulance dispatcher or ambulance crew in a neighboring political jurisdiction.

**Owner** shall mean a person or entity engaged in business as the owner, manager, officer or proprietor of a company, firm or organization providing private ambulance service within the city.

**Paramedic** shall mean a person licensed by the state as an emergency medical technician paramedic.

**Private ambulance** shall mean any motor vehicle meeting the criteria designated by this chapter for ambulances which are owned and operated by a company or corporation doing business within the city.

**State** shall mean the State of Alabama.

**State EMS committee** shall mean the committee appointed by the state department of public health for the purpose of regulating emergency medical services in the state. (Ord. No. 06-030-2022, § 1, 6-7-22)

**Sec. 6-3. Penalty.**

(a) Any person who violates any of the provisions of this chapter, chapter 6 of the city Code, shall be punished as prescribed in chapter 1, article II, division 2, section 1-31 et seq., city Code

(b) Each violation of this chapter shall constitute a separate offense. Continuing violations of this chapter shall constitute a separate offense each day the violation is in existence.

(c) This section shall not serve to limit any other remedies available to the city in law or equity. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-4. Other state laws and regulations.**

No portion of this chapter shall be construed in such a manner which is inconsistent with any federal, state or local law or regulations. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-5. Certificate, permits and fees required.**

No company shall operate an ambulance for hire on any street of the city without first having obtained from the city council a certificate declaring that the public convenience and necessity require such an operation, except as provided herein. No person shall operate an ambulance for hire on any street of the city without having first obtained a business license from the city revenue department. All certificates and permits which are issued pursuant to the provisions of this chapter are nontransferable. Any company lawfully operating an ambulance for hire service within the city, with the city's authorization, on the effective date of this amendment shall automatically be issued a certificate on the effective date of this amendment. Nothing herein shall relieve the obligation of any ambulance company issued a certificate on the effective date of this ordinance from the company's obligation to seek renewal of the certificate upon the expiration of the certificate as set forth in Division 1. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-6. Governmental ambulance exemptions.**

All ambulances owned and operated by governmental entities, such as the city, the county and the state, including state subdivisions or instrumentalities, shall be exempt from the certificate, permit, business license and fee requirements of this chapter, but not from the vehicle safety and personnel training requirements herein. This exemption applies to any subdivision or instrumentality of the State of Alabama that provides patient transport between facilities it owns and operates within the city limits. In the event that other ambulance for hire services are unavailable for a period exceeding sixty (60) minutes, government-owned and operated ambulances that meet all applicable state licensure, staffing, and operational requirements may transport patients to any medically appropriate destination. Specialty ambulances solely for the purposes of neonatal and pediatric transports owned by governmental entities are exempted. Exempted entities are still required to comply with the reporting requirements of the city fire department's Private Ambulance Service Policy, Policy 3080. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-7. Firemedic ambulance service.**

(a) The fire department will determine the patient category of all individuals at the time of response based upon medical protocol.

(b) The fire department shall provide emergency medical treatment and transportation with regard to the patient and shall not refuse transport of any patient requiring category I (ALS/emergency) treatment to a hospital within the city; regardless of the patient's insurance status or ability to pay.

(c) The fire department will dispatch ambulance services to respond to category II (BLS/urgent) calls on a rotating basis.

(d) The fire department will direct callers with category III (non-emergency) to alternative forms of transportation.

(e) A firemedic ambulance may transport any patient from a special event as deemed appropriate by the firemedic and/or on-line medical control, regardless of the patient's transport category. The fee for the transport will be charged to the patient.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-8. Private ambulance ALS—Duties and responsibilities.**

Private ambulance services within the city shall have the following ALS/emergency duties and responsibilities:

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(1) Comply with the requirements of all directives, rules and protocols approved or recognized by the Alabama Department of Public Health, Office of Emergency Medical Services, and any other applicable city, state, and federal protocols, regulations, rules and statutes.

(2) Comply with the city fire department's policies, including all requirements for responding to BLS calls from the city dispatcher. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-9. Unlawful operation and prohibited acts.**

(a) It shall be unlawful for any person to intentionally or knowingly:

(1) Follow any police car or fire apparatus which is traveling in response to an emergency call on the streets of the city or to follow any ambulance to or near the scene or an emergency call on the streets of the city.

(2) Solicit on the streets of the city the business of transporting injured or sick persons. This prohibition shall not be construed to prohibit lawful advertisements.

(3) All persons and entities are prohibited from using, disclosing, publishing, or acting upon the existence, contents, substance, purpose, or meaning of any communication concerning traffic accidents or emergency incidents transmitted by or between law enforcement, fire department, emergency dispatch, or other public safety personnel, for the purpose of soliciting business, obtaining patients, securing service contracts, or otherwise deriving any financial or commercial benefit for themselves or another.

In addition, no person or entity shall disclose, publish, or use any personally identifying, medical, or other private information concerning any individual involved in an emergency incident that is obtained through such communications.

Nothing herein shall prohibit any person from lawfully monitoring or receiving publicly accessible emergency service communications, or from reporting or discussing the general occurrence of traffic accidents, fires, or other emergency incidents.

(4) Use a uniform, insignia, badge, title, identification card or vehicle marking that so closely resembles or mimics those of the fire department as to confuse the public.

(5) Own or cause to be operated an ambulance on any street of the city without first having obtained a permit thereof in accordance with this chapter or unless exempted therefrom by the provisions of this chapter.

(6) Request the services of any ambulance which is not licensed or permitted in accordance with the provisions of this chapter or exempted therefrom by the provision of this chapter.

(7) Perform duties as an ambulance attendant (EMT, A-EMT, or paramedic) without an active Alabama license from the Alabama Department of Public Health.

(8) Give false information to induce the dispatch of an ambulance.

(9) Own or cause to be operated an ambulance on any street of the city without complying with the ambulance service policy of the fire department, including requirements to respond to BLS calls from the city dispatcher. (Ord. No. 06-030-2022, § I, 6-7-22)

**Secs. 6-10 Emergency Authority to Deploy Ambulance and EMS Resources**

The purpose of this Section is to protect life and public safety by authorizing rapid deployment of emergency medical services resources during major emergencies, disasters, or mass-casualty incidents occurring within or affecting the city.

(a) The fire chief, or the chief's designee in the chain of command, is hereby authorized to request, activate, and deploy licensed ambulance services and emergency medical services providers when, in the fire chief's judgment, such action is reasonably necessary to respond to:

(1) Natural disasters, including but not limited to hurricanes, tornadoes, floods, or severe storms;

(2) Mass-casualty incidents, including but not limited to mass shootings, large fires, structural collapses, hazardous materials incidents, or transportation accidents involving multiple victims;

(3) Public health or safety emergencies resulting in a need for medical surge capacity; or

(4) Any other large-scale emergency posing an immediate threat to life requiring resources beyond the city's routinely available EMS capabilities.

(b) Upon activation under this Ordinance, the fire chief may:

- (1) Request assistance from licensed ambulance services and EMS providers operating within or outside the city;
- (2) Coordinate with county, regional, or state emergency management and EMS agencies;
- (3) Direct staging locations, patient distribution, and operational assignments consistent with applicable medical control and incident command protocols; and
- (4) Integrate responding EMS resources into the incident command structure.

(c) All responding EMS personnel shall operate within their Alabama scope of practice and in accordance with all directives, rules and protocols approved or recognized by the Alabama Department of Public Health, Office of Emergency Medical Services.

(d) Nothing in this Ordinance shall prohibit an ambulance service or EMS provider from billing patients, insurers, or other responsible payors in the ordinary course of business for medically necessary services rendered during an activation, unless otherwise governed by mutual aid agreement or separate contract with the city. The city shall not be responsible for compensation unless a written agreement, mutual aid agreement, or contract provides otherwise.

**Secs. 6-11 Special events.**

Sponsors/planners of special events to be held in the city limits with an attendance of five thousand (5,000) or more, must submit an application with the City of Mobile Events Department. The event sponsor/planner shall be responsible for paying the cost for MFRD personnel at a rate prescribed in the City of Mobile Event Services Guide, plus any additional fees incurred by the fire department. The fire department may at its discretion adjust this rate to cover increases, if any, in costs and may, in addition, adjust its fees based on costs incurred for the special event. Payment arrangements for any special events coverage shall be made as prescribed in the City of Mobile Event Services Guide

For events that are partially sponsored by the city in conjunction with other entities, the other entities shall be responsible for reimbursing the city personnel overtime cost for each individual MFRD employee working the event for the total number of hours worked including pre-event briefings and post event debriefings. Notwithstanding the foregoing, the requirements of this section shall not apply to any special event held on property owned or operated by the State of Alabama, including events hosted by public institutions of higher education.

**6-12—6-30. Reserved.**

**ARTICLE II. PERMITS AND CERTIFICATES**

**DIVISION 1. GENERALLY**

**Sec. 6-31. When certificates not needed.**

No certificate of public convenience and necessity shall be required for any person operating emergency ambulance or other vehicles under the following conditions:

- (1) Rendering assistance during any catastrophe or major emergency when the ambulances authorized to operate in the city by certificate are either insufficient in number, or inadequate for any other reason, as determined by the fire chief or fire dispatch center;
- (2) Operating an ambulance brought in solely for the purpose of a drill or training exercise;
- (3) Operating any ambulance rendering requested assistance currently authorized by the city in cases of disaster or major emergency pursuant to provisions of a mutual aid agreement approved by the city.
- (4) Traveling through the city, or the transporting of patients who are picked up beyond the limits of the city to locations within the city and returning those patients to their point of pickup. (Ord. No. 06-030-2022, § 1, 6-7-22)

**Sec. 6-32. Application for certificate of public convenience and necessity.**

Applications for a certificate of public convenience and necessity for the operation of an ambulance within the city shall be in writing, signed and sworn to by the applicant, and shall be filed with the fire chief of the city or his/her duly authorized representative. The

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application shall be on a form prescribed by the fire chief and shall contain at least the following:

- (1) The name and address of the applicant and the trade name under which the applicant does or proposes to do business; if the applicant is an individual, the name, age and address of the applicant and the length of time the applicant has resided in the city; or if a partnership or association, the business name thereof and the name, age and address of each partner and the length of time each partner has resided in the city; or if a corporation, the names and addresses of all officers and directors of such corporation.
- (2) The number of vehicles the applicant desires to operate and the class, size, design and color scheme of each vehicle.
- (3) Whether or not the applicant has ever been convicted of any crimes directly or indirectly related to the duties and responsibilities of operating ambulances.
- (4) Whether or not the applicant, his/her or its associates or employees have any claims or judgments against them for damages resulting from the negligent operation of an ambulance, or any other vehicle.
- (5) The financial ability of the applicant to comply with the provisions of the chapter.
- (6) The nature and character of the service that the applicant proposes to render; the facts showing the demand for such service; the experience that the applicant has had in rendering such service and the period of time, if any, that he or it has rendered it in the city.
- (7) Documentation from the applicant's insurance carrier, stating that the insurance required hereunder is available to the applicant and that such coverage is or will be provided prior to the issuance by the fire chief of the certificate to operate hereunder, naming the City as an additional insured.
- (8) Agreement to comply with the ambulance service policy of the city fire department including all requirements for responding to BLS calls from the city dispatcher.  
(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-33. Investigation of applications.**

Upon receipt of a properly filed application for a private ambulance service certificate of public convenience and necessity the fire chief shall cause an investigation to be made of the information provided in the application to determine if it is accurate and complete.  
(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-34. Public hearings upon the public convenience and necessity of issuing such certificate.**

(a) Upon receipt of the written investigative report provided for in section 6-33, the council shall schedule a public hearing by resolution. Notice of such public hearing by the council shall be given by publishing said notice once in a newspaper of general circulation within the city at least ten (10) days prior to the date set for such hearing. The purpose of such public hearing shall be to determine, among other things, the following:

- (1) Whether or not the public convenience and necessity require the operation of such ambulance or ambulances;
- (2) Whether the applicant will be able to provide ambulance service of such permanence and quality as to best serve the public interest;
- (3) The experience that the applicant has had in rendering ambulance service;
- (4) The past experience of the applicant in satisfying judgments, if any, to claimants as a result of injuries received by reason of negligent operation of the ambulance;
- (5) The financial ability of the applicant to respond to damages to property resulting from the negligent operation of an ambulance;
- (6) The character and condition of the ambulance(s) and capabilities of ambulance attendant personnel to be used by the proposed ambulance business.

(b) In the event the city council finds that the public convenience and necessity require the issuance of such a certificate and that the applicant meets the required qualifications and will be able to give proper and adequate service in the best interest of the inhabitants of the city, the mayor shall direct the fire chief to issue a certificate of public convenience and necessity to the applicant; said certificate of public convenience and necessity shall state any restrictions mandated by the city council, including but not limited to time periods and number of authorized ambulances.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-35. Form, contents, and issuance of certificate.**

(a) Every certificate issued hereunder shall be authorized by the city council and the mayor, signed by the fire chief, and attested by the city clerk and shall contain, in addition to the name and address of the applicant, the number of vehicles authorized to be operated pursuant to such certificate along with any time limits which may be applicable.

(b) The fire chief, upon receiving direction from the mayor to issue a certificate to an applicant for the operation of ambulances hereunder, shall issue such certificate to the applicant. A copy of every certificate issued shall be filed with and maintained by the fire department and the city clerk's office.

(c) The term of a certificate will be up to ten (10) years.

(d) A certificate may be renewed by following the application procedures in this division 1, provided the fire chief may waive investigation under section 6-33.

(e) Any provider with an approved certificate wishing to stop providing services within the City of Mobile must provide 30 days written notice to the Fire Chief

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-36. Causes of revocation, alteration or suspension of certificate or permit.**

Every certificate or ambulance permit issued hereunder shall be subject to revocation, alteration or suspension by the city if any of the following conditions should occur:

- (1) The public convenience and necessity no longer warrant such operation;
- (2) The owner has refused to render the full service authorized by his/her/its certificate;
- (3) The owner has been convicted of a crime which directly relates to the duties and responsibilities of the certified occupation;
- (4) The certificate was obtained by an application in which any material fact was intentionally omitted or falsely stated;
- (5) The owner has persisted in permitting his/her/its motor vehicles to be operated in violation of any law;
- (6) The owner has willfully and knowingly violated or failed to comply with any of the provisions hereof;
- (7) The owner or his/her/its agent has, without good cause, induced or sought to induce a change of destination to or from a hospital or other place specified by the person hiring the ambulance;
- (8) The owner or his/her/its agent has allowed the service to be operated in a negligent manner;
- (9) The insurance coverage required herein has been cancelled, reduced, withdrawn, suspended or terminated;
- (10) The owner has allowed any of his/her/its vehicles or equipment to become damaged, deteriorated or unclean to the extent that it is unsatisfactory for public use;
- (11) The owner fails to comply with the terms of this chapter, including but not limited to failure;
  - a. To maintain the financial ability to comply with the requirements of this chapter;
  - b. To respond to category II (BLS/urgent) calls as required by the fire department; or
  - c. To comply with the ambulance service policy of the city fire rescue department; or
  - d. To comply with any limitations imposed by the city council in the certificate;
- (12) The owner has failed to comply with applicable federal, state or local laws or regulations. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-37. Procedure for revocation, alteration or suspension of certificate or permit.**

The fire chief, or his or her duly authorized designee, may at any time give notice in writing to the certificate or permit holder or person in control of the operation and maintenance of such ambulance service and the city clerk's office that the certificate issued for the operation and maintenance of such ambulance service has been suspended or revoked.

The notice shall outline the reason or reasons for suspension or revocation. The notice of suspension or revocation shall become final ten (10) days after the notice of suspension or revocation is received unless on or before the expiration of such ten (10) days the certificate holder shall file within the city clerk's office or the fire chief a written notice of appeal of such suspension or revocation. The appeal shall operate as a stay of suspension or revocation of the certificate until such time as the city council shall grant a hearing and make a final adjudication which shall be appealable to the circuit court of the county. This hearing before the city council will be held in a reasonable time. (Ord. No. 06-030-2022, § I, 6-7-22)

**Secs. 6-38—6-45. Reserved.**

## **DIVISION 2. VEHICLE AND PERSONNEL**

**Secs. 6-46, 6-47. Reserved.**

### **Sec. 6-48. Ambulance attendant personnel and qualifications.**

No person shall perform duties as an ambulance attendant within the city unless that person holds a current and valid Emergency Medical Technician (EMT), Advanced Emergency Medical Technician (A-EMT) or Paramedic license issued by the Alabama Department of Public Health, Office of Emergency Medical Services, as required by state law. All ambulance attendants within the city shall perform duties and provide patient care strictly within the scope of practice authorized by the State of Alabama for their level of licensure or certification. Ambulance attendants shall further comply with all medical directives, rules, regulations, standing orders, protocols, and guidelines approved, adopted, or otherwise recognized by the Alabama Department of Public Health, Office of Emergency Medical Services, as the same may be amended from time to time. (Ord. No. 06-030-2022, § I, 6-7-22)

**Secs. 6-49—6-65. Reserved.**

## **ARTICLE III. OPERATIONAL PROCEDURES**

### **Sec. 6-66. Central place of business.**

Each private ambulance service owner shall maintain a central place of business with at least one (1) properly listed telephone for receiving all calls for ambulance service, where all business records and daily manifests herein required shall be maintained and available upon request and be generally responsible for the conduct and operation of its ambulance(s). Each owner shall, in writing, immediately notify the fire chief of any change of the business address or of the telephone number where said owner may be contacted at all times. (Ord. No. 06-030-2022, § I, 6-7-22)

### **Sec. 6-67. Certificate holder's records and reports.**

All ambulance services operating within the city shall create, maintain, and retain patient care and operational records in full compliance with the city fire department's Private Ambulance Service Policy, Policy 3080, as it may be amended from time to time. Such records shall be completed accurately, timely, and in the manner and format required by said policy and shall be made available for inspection or submission upon request. Failure to maintain records in accordance with the city fire department's Private Ambulance Service Policy, Policy 3080 shall constitute a violation of this Chapter and may subject the ambulance service to suspension or revocation of its authorization to operate within the city, in addition to any other penalties or remedies provided by law. (Ord. No. 06-030-2022, § I, 6-7-22)

### **Sec. 6-68. Patient Care Surfaces.**

Ambulance services and attendants shall ensure that all patient care surfaces within an ambulance are handled in accordance with all applicable medical directives, rules, regulations, standards, infection control guidelines, and protocols approved, adopted, or otherwise recognized by the Alabama Department of Public Health, Office of Emergency Medical Services, as the same may be amended from time to time. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-69. Attendants required.**

No ambulance shall operate or transport a patient within the city unless staffed with at least the minimum number and level of attendants required by all applicable medical directives, rules, regulations, standing orders, protocols, and guidelines approved, adopted, or otherwise recognized by the Alabama Department of Public Health, Office of Emergency Medical Services, as the same may be amended from time to time.

Each required attendant shall be properly licensed or certified at the level required for the services being provided and shall function within his or her authorized scope of practice. Operation of an ambulance without the required minimum staffing shall constitute a violation of this Chapter and may result in suspension or revocation of the provider's authorization to operate within the city, in addition to any other remedies provided by law. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-70. Standards of vehicle and equipment.**

No ambulance shall operate, transport patients, or provide emergency or non-emergency medical services within the city unless the ambulance service and each ambulance vehicle are properly licensed, permitted, and inspected in accordance with all applicable requirements of the State of Alabama and the Alabama Department of Public Health, Office of Emergency Medical Services.

All ambulances operating within the city shall remain in full compliance with all applicable state laws, rules, regulations, standards, and protocols governing the licensing, inspection, staffing, equipment, maintenance, and operation of ambulances, as the same may be amended from time to time. Proof of current state licensure and inspection shall be provided to the city upon request. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-71. Ambulance equipment safety.**

All ambulances operating within the City shall be equipped, supplied, and maintained in full compliance with all medical equipment and safety requirements established by the State of Alabama and the Alabama Department of Public Health, Office of Emergency Medical Services, including but not limited to required medical equipment, communications capabilities, sanitation standards, and safety features, as such requirements may be amended from time to time. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-72. Fees.**

Fees authorized by federal law and regulations, including regulations and guidance of the Center for Medicare and Medicaid Services, are permissible. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-73. Radio dispatcher procedure.**

(a) In the event an owner received a private call for ambulance service which is of an emergency nature, said owner shall follow the Private Ambulance Policy 3080(b). It shall be unlawful for a private ambulance attendant or owner to make an emergency ambulance call on the city streets without:

(1) Having been requested by a private individual.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-74. General vehicular procedure in emergency situation.**

(a) When the driver of any ambulance has reasonable grounds to believe that an emergency exists, the driver of the ambulance may:

(1) Park the ambulance or stand in any place in order to provide medical services irrespective of the otherwise applicable provisions of law, ordinance or regulations;

(2) Proceed with warning devices operating past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the maximum speed limits permitted by law, ordinance or regulation; provided, however, that any governing directives issued by the city's chief of police are obeyed and that life and property are not endangered thereby;

(4) Disregard, with warning devices operating, laws, ordinances and regulations governing directions or movements or turning in specified directions.

(b) The foregoing provision shall not operate to relieve the driver of any ambulance from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-75. Duties of the fire chief.**

It shall be the duty and responsibility of the fire chief to:

- (1) Administer the provisions of this chapter.
  - (2) Investigate or cause his or her designee to investigate all complaints involving any type of ambulance service within the city and take appropriate action where necessary.
- (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-76. Professional conduct.**

Paramedics, EMTs, drivers, dispatch personnel and all other personnel employed by the owner hereunder, including all persons involved in billing and collection activities, shall, at all times, conduct themselves in a professional manner as generally described in the "Rules for Ambulance Attendant." (Ord. No. 06-030-2022, § I, 6-7-22)

**Secs. 6-77—6-85. Reserved.**

**ARTICLE IV. NONEMERGENCY TRANSPORT**

**Sec. 6-86. Private company used for nonemergencies.**

In order to provide maximum ALS/emergency medical coverage for the citizens of the city, the fire department shall inform individuals who request nonemergency transport when contacting 911 that they must contact a private ambulance company or use alternative forms of transportation. All nonemergency transport shall have access to TDDs and other auxiliary aids and services to assist disabled persons who use the service. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-87. Reimbursement of nonemergency ambulance transport.**

Private ambulance service shall be responsible for the billing and collection of fees from private transported individuals. The city will not compensate private ambulance services for private ambulance transportation services rendered. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-88. Reserved.**

**Sec. 6-89. Disposition of the deceased.**

(a) Transport of individuals that are obviously dead, where the death is not of a suspicious nature and not under investigation by any law enforcement agency shall be the responsibility of the family of the deceased. Arrangements may be made with a private ambulance service or funeral home for transport. Where family of the deceased cannot be located the transport of the body shall be coordinated with the county medical examiner's office.

(b) Transport of deceased individuals where the deaths are being investigated by a local law enforcement agency shall be the responsibility of that agency. (Ord. No. 06-030-2022, § I, 6-7-22)

**The ordinance was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the ordinance, which was seconded by Councilmember Woods**

**Councilmember Reynolds moved to amend the ordinance as follows:**

SECTION I: Chapter 6 of the Mobile City Code is hereby amended to read, in its entirety, as follows:

**Chapter 6 AMBULANCES AND OTHER MEDICAL TRANSPORTATION**

**ARTICLE I. IN GENERAL**

**Sec. 6-1. Purpose.**

In order to lessen congestion caused by emergency vehicles on the public streets, to facilitate the prompt dispatch of emergency ambulances when needed to protect life and health, and to further promote health, safety and welfare of its citizens, it is hereby declared that the city designates the city fire department as the advanced life support/emergency ambulance provider for all 911 calls within the city limits pursuant to the procedures hereinafter stated. After careful consideration in order to lessen congestion by emergency vehicles on the public streets, to secure safety of pedestrians and vehicles using the public streets and thoroughfares, and additionally because the public necessity requires that such regulations be adopted to preserve and enforce the health, safety and welfare, and the good order and security of the city and its inhabitants, the rules and regulations of private ambulances and municipal emergency ambulances in the city as set out herein are hereby established by the city council exercising sound legislative judgement.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-2. Definitions.**

For the purpose of this chapter, the following words, terms, phrases and their derivations shall have the meanings respectively ascribed thereto by this article:

Editor's note(s)—Ord. No. 06-030-2022, adopted June 7, 2022, amended the Code by, in effect, repealing former ch. 6, §§ 6-1—6-9, 6-16—6-20, 6-31—6-37, 6-48—6-54, 6-66—6-77, 6-86, 6-87, and 6-89, and adding a new ch. 6. Former ch. 6 pertained to similar subject matter, and derived from Ord. No. 06-050, adopted July 23, 1991; Ord. No. 06-067, adopted September 1, 1992; Ord. No. 01-044, adopted July 6, 1993; Ord. No. 06-046, adopted July 6, 1993; Ord. No. 06-069, adopted October 25, 1994; Ord. No. 06-049, adopted September 26, 2000; Ord. No. 06-054, adopted October 1, 2002; Ord. No. 06-017-2005, adopted February 22, 2005; Ord. No. 06-036-2005, adopted April 26, 2005; Ord. No. 06-012-2007, adopted April 10, 2007; Ord. No. 06-049-2016, adopted September 27, 2016; and Ord. No. 06-028-2018, adopted October 9, 2018.

Cross reference(s)—Taxicabs, ch. 59; wrecker services and wrecker rotation list, ch. 63.

Advanced life support (ALS) shall mean the provision of life saving, stabilizing and supportive emergency medical procedures by firemedics and paramedics that are complex and invasive in nature.

Alabama Gulf Emergency Medical Services System Inc. (AGEMSS) shall mean the regional EMS committee as mandated by state law.

Ambulance shall mean any motor vehicle constructed, reconstructed, arranged, equipped or used for the purpose of transporting ill, sick, injured or individuals in need of or requesting medical attention.

Ambulance call shall mean the act of proceeding with an ambulance for the purpose of transporting any patient for compensation.

(1) Emergency shall mean a response to a call in which it is believed that the imminent loss of life or limb will result. To be accomplished with use of all warning devices and lights.

(2) Urgent shall mean a response to a call which does not require the use of all haste but does need to be achieved expeditiously. Warning devices may be used judiciously.

(3) Nonemergency shall mean a response that does not require the use of warning devices including, but not limited to interhospital transfers, discharges to home, visits to physicians' offices and the transport of the deceased patients to funeral homes.

Ambulance attendant shall mean any person licensed as an EMT who has the duty of performing or assisting in the performance of an ambulance call.

Basic life support (BLS) shall mean the provision of life saving, stabilizing and supportive emergency medical procedures by EMTs and firemedics that are simple and non-invasive in nature.

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Certificate shall mean a certificate of public convenience and necessity.

Certified Provider shall mean an ambulance for hire company holding a Certificate as defined in this section.

City shall mean all areas within the corporate limits of the City of Mobile, Alabama.

City council shall mean the city council of the City of Mobile, Alabama.

Driver shall mean any EMT who drives or attempts to drive any ambulance and who is responsible for the safe transport of the patient and ambulance attendant(s) to and from emergency scenes and the hospital.

Emergency medical technician (EMT) shall mean ambulance personnel with current certification and licensure from the Alabama Department of Public Health as a basic or specially skilled emergency medical technician. This individual may also be referred to as an ambulance attendant.

Emergency physicians advisory board (EPAB) shall mean an advisory board established herein which will recommend medical protocols, regulations and performance standards related to the medical and clinical aspects of ambulance service in the city.

Emergency vehicle operator shall mean an ambulance driver with all of the following qualifications; (1) valid drivers license; (2) current emergency vehicle operations certificate from an approved course, maintained at all times in the emergency medical provider service's employee file; (3) current approved CPR card; (4) certificate of completion from a Department of Transportation Emergency Medical Responder Curriculum Course, or from the Alabama Fire College Emergency Care Provider Course.

EMS dispatch center shall mean the central communications center from which all E-911 dispatches originate.

EPAB director shall mean the licensed physician appointed by the EPAB to serve as administrative officer in carrying out the duties and powers of the EPAB.

Fire chief shall mean the chief of the fire department of the City of Mobile, Alabama or his or her duly authorized representative.

Fire department shall mean the fire department of the City of Mobile, Alabama.

Firemedic shall mean an EMT-P/firefighter employed by the fire department.

Firemedic ambulance shall mean any motor vehicle operated by the city fire department that meets the criteria for advanced life support/emergency ambulance.

Interfacility emergency ALS transfer shall mean the transfer of a patient requiring advanced paramedic skill such as the administration of TPA from one facility to another where more advanced procedures are to be performed.

Medical control, off-line shall mean a physician holding a current license from the state medical license commissioner, who provides medical guidance and who oversees and provides quality assurance and medical liaison for an emergency medical service.

Medical control, on-line shall mean direction given ambulance personnel by a base station physician through direct voice contact, with or without vital signs and/or telemetry, as required by applicable medical protocols.

Medical control physician shall mean a physician licensed to practice medicine in the state, knowledgeable in the applicable medical protocols, radio procedure and general operating policies of the Southwest Alabama Regional Emergency Medical Services Region, the city and the state department of public health and a person from whom ambulance personnel

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shall, subject to the provisions of this code take medical direction in person, by radio, or by remote communications device.

Medical protocol shall mean any diagnosis-specific or problem-oriented written statement of standard procedure, or algorithm, promulgated by the EPAB and approved by the state EMS committee as the normal standard of pre-hospital care for a given clinical condition.

Medical review shall mean a monthly review of ambulance reports and procedures by the offline medical control for quality assurance purposes.

Mutual aid call shall mean a request for emergency ambulance service issued by an ambulance dispatcher in one political jurisdiction to an ambulance dispatcher or ambulance crew in a neighboring political jurisdiction.

Owner shall mean a person or entity engaged in business as the owner, manager, officer or proprietor of a company, firm or organization providing private ambulance service within the city.

Paramedic shall mean a person licensed by the state as an emergency medical technician paramedic.

Private ambulance shall mean any motor vehicle meeting the criteria designated by this chapter for ambulances which are owned and operated by a company or corporation doing business within the city.

State shall mean the State of Alabama.

State EMS committee shall mean the committee appointed by the state department of public health for the purpose of regulating emergency medical services in the state.  
(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-3. Penalty.**

(a) Any person who violates any of the provisions of this chapter, chapter 6 of the city Code, shall be punished as prescribed in chapter 1, article II, division 2, section 1-31 et seq., city Code

(b) Each violation of this chapter shall constitute a separate offense. Continuing violations of this chapter shall constitute a separate offense each day the violation is in existence.

(c) This section shall not serve to limit any other remedies available to the city in law or equity.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-4. Other state laws and regulations.**

No portion of this chapter shall be construed in such a manner which is inconsistent with any federal, state or local law or regulations.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-5. Certificate, permits and fees required.**

No company shall operate an ambulance for hire on any street of the city without first having obtained from the city council a certificate declaring that the public convenience and necessity require such an operation, except as provided herein. No person shall operate an ambulance for hire on any street of the city without having first obtained a business license from the city revenue department. All certificates and permits which are issued pursuant to the provisions of this chapter are nontransferable. Any company lawfully operating an ambulance for hire service within the city, with the city's authorization, on the effective date of this amendment shall automatically be issued a certificate on the effective date of this amendment. Nothing herein shall relieve the obligation of any ambulance company issued a certificate on the effective date of this ordinance from the company's obligation to seek renewal of the certificate upon the expiration of the certificate as set forth in Division 1.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-6. Governmental ambulance exemptions.**

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All ambulances owned and operated by governmental entities, such as the city, the county and the state, including state subdivisions or instrumentalities, shall be exempt from the certificate, permit, business license and fee requirements of this chapter, but not from the vehicle safety and personnel training requirements herein. This exemption applies to any subdivision or instrumentality of the State of Alabama that provides transport of patients between facilities it owns and operates within the city limits. In the event that other Certified Providers are unavailable for a period exceeding sixty (60) minutes from either the time a Certified Provider receives a request for immediate service, or the time of a scheduled transport, as is applicable, or if the Certified Provider rejects a request for service and/or transport, government-owned and operated ambulances that meet all applicable state licensure, staffing, and operational requirements may transport patients to any medically appropriate destination. Specialty ambulances solely for the purposes of neonatal and pediatric transports owned by governmental entities are exempted. Entities exempted under this section shall submit a Quarterly Report to the MFRD District Chief of EMS no later than the fifth (5th) business day of January, April, July, and October, covering the previous quarter. Reports must be provided in an editable electronic format and include the following data elements:

- a. Report Title Format: Institution Name\_Quarter\_Year;
  - b. Transport Service Name;
  - c. Date of Transport;
  - d. Time of Transport;
  - e. Transport Destination Type; and
  - f. Total Number of transports.
- (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-7. Firemedic ambulance service.**

- (a) The fire department will determine the patient category of all individuals at the time a call is received from 911 based upon medical protocol.
  - (b) Upon receipt of a call from 911, the fire department shall provide emergency medical treatment and transportation with regard to the patient and shall not refuse transport of any patient requiring category I (ALS/emergency) treatment to a hospital within the city; regardless of the patient's insurance status or ability to pay.
  - (c) The fire department will dispatch Certified Providers to respond to category II (BLS/urgent) calls on a rotating basis.
  - (d) The fire department will direct callers with category III (non-emergency) to alternative forms of transportation.
  - (e) A firemedic ambulance may transport any patient from a special event as deemed appropriate by the firemedic and/or on-line medical control, regardless of the patient's transport category. The fee for the transport will be charged to the patient.
- (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-8. Private ambulance ALS—Duties and responsibilities.**

Private ambulance services within the city shall have the following ALS/emergency duties and responsibilities:

- (1) Comply with the requirements of all directives, rules and protocols approved or recognized by the Alabama Department of Public Health, Office of Emergency Medical Services, the State Committee of Public Health and any other applicable city, state, and federal protocols, regulations, rules and statutes.
  - (2) Patients who, during routine nonemergency transport, develop problems that require ALS procedures.
  - (3) Continuation of ALS initiated outside the city limits and to a facility inside the city.
  - (4) Transport of those emergency patients who desire private ambulance service and who directly call the private organization to transport the individual to the facility of his or her choice.
  - (5) Interfacility transport of emergency ALS patients.
  - (6) Comply with Sec. 6-67.
- (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-9. Unlawful operation and prohibited acts.**

- (a) It shall be unlawful for any person to intentionally or knowingly:

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(1) Follow any police car or fire apparatus which is traveling in response to an emergency call on the streets of the city or to follow any ambulance to or near the scene or an emergency call on the streets of the city.

(2) Solicit on the streets of the city the business of transporting injured or sick persons. This prohibition shall not be construed to prohibit lawful advertisements.

(3) All persons and entities are prohibited from using, disclosing, publishing, or acting upon the existence, contents, substance, purpose, or meaning of any communication concerning traffic accidents or emergency incidents transmitted by or between law enforcement, fire department, emergency dispatch, or other public safety personnel, for the purpose of soliciting business, obtaining patients, securing service contracts, or otherwise deriving any financial or commercial benefit for themselves or another.

In addition, no person or entity shall disclose, publish, or use any personally identifying, medical, or other private information concerning any individual involved in an emergency incident that is obtained through such communications.

Nothing herein shall prohibit any person from lawfully monitoring or receiving publicly accessible emergency service communications, or from reporting or discussing the general occurrence of traffic accidents, fires, or other emergency incidents.

(4) Use a uniform, insignia, badge, title, identification card or vehicle marking that so closely resembles or mimics those of the fire department as to confuse the public.

(5) Own or cause to be operated an ambulance on any street of the city without first having obtained a permit thereof in accordance with this chapter or unless exempted therefrom by the provisions of this chapter.

(6) Request the services of any ambulance which is not licensed or permitted in accordance with the provisions of this chapter or exempted therefrom by the provision of this chapter.

(7) Perform duties as an ambulance attendant (EMT, A-EMT, or paramedic) without an active Alabama license from the State of Alabama.

(8) Give false information to induce the dispatch of an ambulance.

(9) Own or cause to be operated an ambulance on any street of the city without complying with the ambulance service policy of the fire department, including requirements to respond to BLS calls from the city dispatcher. (Ord. No. 06-030-2022, § 1, 6-7-22)

**Secs. 6-10 Emergency Authority to Request Ambulance and EMS Resources**

The purpose of this Section is to protect life and public safety by authorizing rapid deployment of emergency medical services resources during major emergencies, disasters, or mass-casualty incidents occurring within or affecting the city.

(a) The fire chief, or the chief's designee in the chain of command, is hereby authorized to request service from available Certified Providers when, in the fire chief's judgment and in the interest of public safety, such action is reasonably necessary to respond to:

(1) Natural disasters, including but not limited to hurricanes, tornadoes, floods, or severe storms;

(2) Mass-casualty incidents, including but not limited to mass shootings, large fires, structural collapses, hazardous materials incidents, or transportation accidents involving multiple victims;

(3) Public health or safety emergencies resulting in a need for medical surge capacity; or

(4) Any other large-scale emergency posing an immediate threat to life requiring resources beyond the city's routinely available EMS capabilities.

(b) In the event the fire chief or the chief's designee makes the determination that a request pursuant to Sec. 6-10(a) is necessary the fire chief may also:

(1) Request assistance from Certified Providers;

- (2) Coordinate with county, regional, or state emergency management and EMS agencies;
- (3) Direct staging locations, patient distribution, and operational assignments consistent with applicable medical control and incident command protocols; and
- (4) Integrate responding EMS resources into the incident command structure.

**Secs. 6-11 Special events.**

Sponsors/planners of special events to be held in the city limits with an attendance of five thousand (5,000) or more, must submit an application with the City of Mobile Events Department. The event sponsor/planner shall be responsible for paying the cost for MFRD personnel at a rate prescribed in the City of Mobile Event Services Guide, plus any additional fees incurred by the fire department. The fire department may at its discretion adjust this rate to cover increases, if any, in costs and may, in addition, adjust its fees based on costs incurred for the special event. Payment arrangements for any special events coverage shall be made as prescribed in the City of Mobile Event Services Guide

For events that are partially sponsored by the city in conjunction with other entities, the other entities shall be responsible for reimbursing the city personnel overtime cost for each individual MFRD employee working the event for the total number of hours worked including pre-event briefings and post event debriefings. Notwithstanding the foregoing, the requirements of this section shall not apply to any special event held on property owned or operated by the State of Alabama, including events hosted by public institutions of higher education.

**Secs. 6-12. Response Time and Requirements for Calls.**

(a) All calls dispatched to a Certified Provider by the EMS dispatch center shall be rotated among the Certified Providers.

(b) Certified Providers shall respond to any call dispatched to a Certified Provider by the EMS dispatch center within the City limits of Mobile in the time required by the ambulance service policy of the City fire rescue department.

(c) Certified Providers may not divert from any call assigned by the EMS dispatch center.

(d) Certified Providers shall provide an available response unit to the City fire rescue department requests no less than ninety percent (90%) of the time, measured over the applicable reporting period by the City's fire rescue department. This Response Reliability Percentage shall be calculated by dividing the total calls for which the Certified Provider provided an available response unit by the total calls dispatched to the Certified Provider.

(e) When the Certified Provider is dispatched to a scene under the charge of the Mobile Fire Rescue Department or Mobile Police Department, the Certified Provider will comply with the directions of the officer in charge.

(f) Inability or failure of the Certified Provider to provide an immediate response to a call dispatched to the Certified Provider by the EMS dispatch center will count against the Certified Provider's availability compliance for the month, even if another Certified Provider responds within the prescribed response time.

(g) Each Certified Provider shall be entitled, upon request, to the date, time, and 911 incident report number for each incident in which the Certified Provider was not able to provide an available response unit for purposes of calculating the Response Reliability Percentage.

(h) If any Certified Provider fails to meet the Response Reliability Percentage for any two (2) consecutive months or any four (4) months in any one-year period, the Certified Provider will be in default of the requirements of this ordinance. The Certified Provider is entitled to notice of such default. The fire chief, or his or her duly authorized designee, may institute proceedings as set forth in 6-37 upon default by a Certified Provider.

6-13—6-30. Reserved.

**ARTICLE II. PERMITS AND CERTIFICATES**

**DIVISION 1. GENERALLY**

**Sec. 6-31. When certificates not needed.**

No certificate of public convenience and necessity shall be required for any person operating emergency ambulance or other vehicles under the following conditions:

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- (1) Rendering assistance during any catastrophe or major emergency when the ambulances authorized to operate in the city by certificate are either insufficient in number, or inadequate for any other reason, as determined by the fire chief or fire dispatch center;
- (2) Operating an ambulance brought in solely for the purpose of a drill or training exercise;
- (3) Operating any ambulance rendering requested assistance currently authorized by the city in cases of disaster or major emergency pursuant to provisions of a mutual aid agreement approved by the city.
- (4) Traveling through the city, or the transporting of patients who are picked up beyond the limits of the city to locations within the city and returning those patients to their point of pickup. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-32. Application for certificate of public convenience and necessity.**

Applications for a certificate of public convenience and necessity for the operation of an ambulance within the city shall be in writing, signed and sworn to by the applicant, and shall be filed with the fire chief of the city or his/her duly authorized representative. The application shall be on a form prescribed by the fire chief and shall contain at least the following:

- (1) The name and address of the applicant and the trade name under which the applicant does or proposes to do business; if the applicant is an individual, the name, age and address of the applicant and the length of time the applicant has resided in the city; or if a partnership or association, the business name thereof and the name, age and address of each partner and the length of time each partner has resided in the city; or if a corporation, the names and addresses of all officers and directors of such corporation.
- (2) The number of vehicles the applicant desires to operate and the class, size, design and color scheme of each vehicle.
- (3) Whether or not the applicant has ever been convicted of any crimes directly or indirectly related to the duties and responsibilities of operating ambulances.
- (4) Whether or not the applicant, his/her or its associates or employees have any claims or judgments against them for damages resulting from the negligent operation of an ambulance, or any other vehicle.
- (5) The financial ability of the applicant to comply with the provisions of the chapter.
- (6) The nature and character of the service that the applicant proposes to render; the facts showing the demand for such service; the experience that the applicant has had in rendering such service and the period of time, if any, that he or it has rendered it in the city.
- (7) Documentation from the applicant's insurance carrier, stating that the insurance required hereunder is available to the applicant and that such coverage is or will be provided prior to the issuance by the fire chief of the certificate to operate hereunder, naming the City as an additional insured.
- (8) Agreement to comply with the ambulance service policy of the city fire department including all requirements for responding to BLS calls from the city dispatcher.  
(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-33. Investigation of applications.**

Upon receipt of a properly filed application for a private ambulance service certificate of public convenience and necessity the fire chief shall cause an investigation to be made of the information provided in the application to determine if it is accurate and complete.  
(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-34. Public hearings upon the public convenience and necessity of issuing such certificate.**

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(a) Upon receipt of the written investigative report provided for in section 6-33, the council shall schedule a public hearing by resolution. Notice of such public hearing by the council shall be given by publishing said notice once in a newspaper of general circulation within the city at least ten (10) days prior to the date set for such hearing. The purpose of such public hearing shall be to determine, among other things, the following:

(1) Whether or not the public convenience and necessity require the operation of such ambulance or ambulances;

(2) Whether the applicant will be able to provide ambulance service of such permanence and quality as to best serve the public interest;

(3) The experience that the applicant has had in rendering ambulance service;

(4) The past experience of the applicant in satisfying judgments, if any, to claimants as a result of injuries received by reason of negligent operation of the ambulance;

(5) The financial ability of the applicant to respond to damages to property resulting from the negligent operation of an ambulance;

(6) The character and condition of the ambulance(s) and capabilities of ambulance attendant personnel to be used by the proposed ambulance business.

(b) In the event the city council finds that the public convenience and necessity require the issuance of such a certificate and that the applicant meets the required qualifications and will be able to give proper and adequate service in the best interest of the inhabitants of the city, the mayor shall direct the fire chief to issue a certificate of public convenience and necessity to the applicant; said certificate of public convenience and necessity shall state any restrictions mandated by the city council, including but not limited to time periods and number of authorized ambulances.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-35. Form, contents, and issuance of certificate.**

(a) Every certificate issued hereunder shall be authorized by the city council and the mayor, signed by the fire chief, and attested by the city clerk and shall contain, in addition to the name and address of the applicant, the number of vehicles authorized to be operated pursuant to such certificate along with any time limits which may be applicable.

(b) The fire chief, upon receiving direction from the mayor to issue a certificate to an applicant for the operation of ambulances hereunder, shall issue such certificate to the applicant. A copy of every certificate issued shall be filed with and maintained by the fire department and the city clerk's office.

(c) The term of a certificate will be up to ten (10) years.

(d) A certificate may be renewed by following the application procedures in this division 1, provided the fire chief may waive investigation under section 6-33.

(e) Any provider with an approved certificate wishing to stop providing services within the City of Mobile must provide 30 days written notice to the Fire Chief

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-36. Causes of revocation, alteration or suspension of certificate or permit.**

Every certificate or ambulance permit issued hereunder shall be subject to revocation, alteration or suspension by the city if any of the following conditions should occur:

(1) The public convenience and necessity no longer warrant such operation;

(2) The Certified Provider has refused to render the full service authorized by his/her/its certificate;

(3) The owner or Certified Provider has been convicted of a crime which directly relates to the duties and responsibilities of the certified occupation;

(4) The certificate was obtained by an application in which any material fact was intentionally omitted or falsely stated;

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- (5) The Certified Provider has persisted in permitting his/her/its motor vehicles to be operated in violation of any law;
- (6) The Certified Provider has willfully and knowingly violated or failed to comply with any of the provisions hereof;
- (7) The Certified Provider or his/her/its agent has, without good cause, induced or sought to induce a change of destination to or from a hospital or other place specified by the person hiring the ambulance;
- (8) The Certified Provider or his/her/its agent has allowed the service to be operated in a negligent manner;
- (9) The insurance coverage required herein has been cancelled, reduced, withdrawn, suspended or terminated;
- (10) The Certified Provider has allowed any of his/her/its vehicles or equipment to become damaged, deteriorated or unclean to the extent that it is unsatisfactory for public use;
- (11) The Certified Provider fails to comply with the terms of this chapter, including but not limited to failure;
  - a. To maintain the financial ability to comply with the requirements of this chapter;
  - b. To respond to category II (BLS/urgent) calls as required by the fire department; or
  - c. To comply with the ambulance service policy of the city fire rescue department; or
  - d. To comply with any limitations imposed by the city council in the certificate;
- (12) The Certified Provider has failed to comply with applicable federal, state or local laws or regulations. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-37. Procedure for revocation, alteration or suspension of certificate or permit.**  
The fire chief, or his or her duly authorized designee, may at any time give notice in writing to the certificate or permit holder or person in control of the operation and maintenance of such ambulance service and the city clerk's office that the certificate issued for the operation and maintenance of such ambulance service has been suspended or revoked. The notice shall outline the reason or reasons for suspension or revocation. The notice of suspension or revocation shall become final ten (10) days after the notice of suspension or revocation is received unless on or before the expiration of such ten (10) days the certificate holder shall file within the city clerk's office or the fire chief a written notice of appeal of such suspension or revocation. The appeal shall operate as a stay of suspension or revocation of the certificate until such time as the city council shall grant a hearing and make a final adjudication which shall be appealable to the circuit court of the county. This hearing before the city council will be held in a reasonable time.  
(Ord. No. 06-030-2022, § I, 6-7-22)

**Secs. 6-38—6-45. Reserved.**

**DIVISION 2. VEHICLE AND PERSONNEL**

**Secs. 6-46, 6-47. Reserved.**

**Sec. 6-48. Ambulance attendant personnel and qualifications.**  
No person shall perform duties as an ambulance attendant within the city unless that person holds a current and valid Emergency Medical Technician (EMT), Advanced Emergency Medical Technician (A-EMT) or Paramedic license issued by the State of Alabama, as required by state law. All ambulance attendants within the city shall perform duties and provide patient care strictly within the scope of practice authorized by the State of Alabama for their level of licensure or certification. Ambulance attendants shall further comply with all medical directives, rules, regulations, standing orders, protocols, and guidelines approved, adopted, or otherwise recognized by the State of Alabama, as the same may be amended from time to time. (Ord. No. 06-030-2022, § I, 6-7-22)

**Secs. 6-49—6-65. Reserved.**

**ARTICLE III. OPERATIONAL PROCEDURES**

**Sec. 6-66. Central place of business.**

Each Certified Provider shall maintain a central place of business with at least one (1) properly listed telephone for receiving all calls for ambulance service, where all business records and daily manifests herein required shall be maintained and available upon request and be generally responsible for the conduct and operation of its ambulance(s). Each Certified Provider shall, in writing, immediately notify the fire chief of any change of the business address or of the telephone number where said Certified Provider may be contacted at all times. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-67. Certified Providers recordkeeping and reporting requirements.**

(a) All Certified Providers shall submit a Monthly Performance and Compliance Report by the fifth (5th) business day of each month to the MFRD District Chief of EMS.

(b) The report must include the following data points regarding calls received by a Certified Provider from the EMS dispatch center, the number of:

- i. Total requests
- ii. Cancelled calls
- iii. Responses exceeding 25 minutes
- iv. Calls without unit availability
- v. Completed transports
- vi. Patient refusals

(c) The report must include the following data points regarding direct requests to the Certified Provider for transfer by ambulance, the number of:

- i. Interfacility transfers / hospital discharges that originate within the city limits
- ii. Direct requests (Emergency)
- iii. Direct requests (Non-emergency)
- iv. Body pickups (within the city limits)
- v. Transport calls without unit availability

(d) The Monthly Performance and Compliance Report shall be submitted in an editable electronic format (e.g., .XLSX) use standardized terminology for response modes and dispositions, and contain, for each call dispatched to a Certified Provider by the EMS dispatch center:

- i. Report Title Format: Provider Name\_Month\_Year
- ii. Incident Number per Active 911 (i.e. F2506250001)
- iii. Unit ID
- iv. Times (Dispatch, Enroute, Staged, On-Scene, Transport)
- v. Transport Destination (if applicable)
- vi. Response Mode
- vii. Call Disposition

(e) All records and reports required to be prepared and maintained by Certified Providers shall be maintained and made available as herein required for a period of six (6) years following the date of service. Records shall be provided at the listed intervals but shall also be made available immediately to the Fire Chief or their designee upon request.

(f) Failure to maintain and transmit records as set forth in this Section shall constitute a violation of this Chapter and may subject the ambulance service to suspension or revocation of its authorization to operate within the city, in addition to any other penalties or remedies provided by law. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-68. Patient Care Surfaces.**

Ambulance services and attendants shall ensure that all patient care surfaces within an ambulance are handled in accordance with all applicable medical directives, rules, regulations, standards, infection control guidelines, and protocols approved, adopted, or otherwise recognized by the Alabama Department of Public Health, Office of Emergency Medical Services, as the same may be amended from time to time.(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-69. Attendants required.**

No ambulance shall operate or transport a patient within the city unless staffed with at least the minimum number and level of attendants required by all applicable medical directives, rules, regulations, standing orders, protocols, and guidelines approved, adopted, or otherwise recognized by the Alabama Department of Public Health, Office of Emergency Medical Services, as the same may be amended from time to time.

Each required attendant shall be properly licensed or certified at the level required for the services being provided and shall function within his or her authorized scope of practice. Operation of an ambulance without the required minimum staffing shall constitute a violation of this Chapter and may result in suspension or revocation of the provider's authorization to operate within the city, in addition to any other remedies provided by law. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-70. Standards of vehicle and equipment.**

No ambulance shall operate, transport patients, or provide emergency or non-emergency medical services within the city unless the ambulance service and each ambulance vehicle are properly licensed, permitted, and inspected in accordance with all applicable requirements of the State of Alabama and the Alabama Department of Public Health, Office of Emergency Medical Services.

All ambulances operating within the city shall remain in full compliance with all applicable state laws, rules, regulations, standards, and protocols governing the licensing, inspection, staffing, equipment, maintenance, and operation of ambulances, as the same may be amended from time to time. Proof of current state licensure and inspection shall be provided to the city upon request. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-71. Ambulance equipment safety.**

All ambulances operating within the City shall be equipped, supplied, and maintained in full compliance with all medical equipment and safety requirements established by the State of Alabama, including but not limited to required medical equipment, communications capabilities, sanitation standards, and safety features, as such requirements may be amended from time to time. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-72. Fees.**

Fees authorized by federal law and regulations, including regulations and guidance of the Center for Medicare and Medicaid Services, are permissible. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-73. Radio dispatcher procedure.**

(a) In the event a Certified Provider receives a private call for ambulance service which is of an emergency nature, the Certified Provider shall maintain all records required under

**Sec. 6-67 regarding such call.**

(b) It shall be unlawful for a private ambulance attendant or Certified Provider to make an emergency ambulance call on the city streets without:

(1) Having been requested by a private individual.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-74. General vehicular procedure in emergency situation.**

(a) When the driver of any ambulance has reasonable grounds to believe that an emergency exists, the driver of the ambulance may:

(1) Park the ambulance or stand in any place in order to provide medical services irrespective of the otherwise applicable provisions of law, ordinance or regulations;

(2) Proceed with warning devices operating past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the maximum speed limits permitted by law, ordinance or regulation; provided, however, that any governing directives issued by the city's chief of police are obeyed and that life and property are not endangered thereby;

(4) Disregard, with warning devices operating, laws, ordinances and regulations governing directions or movements or turning in specified directions.

(b) The foregoing provision shall not operate to relieve the driver of any ambulance from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others. (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-75. Duties of the fire chief.**

It shall be the duty and responsibility of the fire chief to:

- (1) Administer the provisions of this chapter.
  - (2) Investigate or cause his or her designee to investigate all complaints involving any type of ambulance service within the city and take appropriate action where necessary.
- (Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-76. Professional conduct.**

Paramedics, EMTs, drivers, dispatch personnel and all other personnel employed by the Certified Provider hereunder, including all persons involved in billing and collection activities, shall, at all times, conduct themselves in a professional manner as generally described in the "Rules for Ambulance Attendant."

(Ord. No. 06-030-2022, § I, 6-7-22)

**Secs. 6-77—6-85. Reserved.**

**ARTICLE IV. NONEMERGENCY TRANSPORT**

**Sec. 6-86. Private company used for nonemergencies.**

In order to provide maximum ALS/emergency medical coverage for the citizens of the city, the fire department shall inform individuals who request nonemergency transport when contacting 911 that they must contact a private ambulance company or use alternative forms of transportation. All nonemergency transport shall have access to TDDs and other auxiliary aids and services to assist disabled persons who use the service.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-87. Reimbursement of nonemergency ambulance transport.**

Private ambulance service shall be responsible for the billing and collection of fees from private transported individuals. The city will not compensate private ambulance services for private ambulance transportation services rendered.

(Ord. No. 06-030-2022, § I, 6-7-22)

**Sec. 6-88. Reserved.**

**Sec. 6-89. Disposition of the deceased.**

(a) Transport of individuals that are obviously dead, where the death is not of a suspicious nature and not under investigation by any law enforcement agency shall be the responsibility of the family of the deceased. Arrangements may be made with a private ambulance service or funeral home for transport. Where family of the deceased cannot be located the transport of the body shall be coordinated with the county medical examiner's office.

(b) Transport of deceased individuals where the deaths are being investigated by a local law enforcement agency shall be the responsibility of that agency.

(Ord. No. 06-030-2022, § I, 6-7-22)

**The move was seconded by Councilmember Woods and the vote was as follows:**

Ayes: Penn, Ingram, Small, Reynolds, Fleming, Woods, and Gregory

Nays: None

**The Presiding Officer declared the amendment adopted.**

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The Presiding Officer called for the vote on the original motion as amended, following comments from Councilmember Woods and Small the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, Woods, and Gregory

Nays: None

**The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance adopted as amended.**

**CONSIDER THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNING APPROVAL FOR PROPERTY LOCATED AT 4800 MOFFETT ROAD.** The following ordinance which was introduced and read at the regular meeting of April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

ORDINANCE: 64-019-2026

Sponsored by: Councilmember Penn

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12<sup>TH</sup> DAY OF JULY 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Planning Approval was approved on March 1, 2018, allowing the expansion of a water treatment plant in an R-1, Single-Family Residential District, on property located at 4800 Moffett Road and described as follows:

LOT 1 MAWSS STICKNEY PLANT OFFICE SUBDIVISION, AS RECORDED ON THE INSTRUMENT NUMBER 2021021258 IN THE OFFICE OF THE JUDGE OF PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA.

WHEREAS, on December 10, 2025, the owner of said property applied for a Major Modification of a previously approved Planning Approval allowing the expansion of a water treatment plant in an R-1, Single-Family Residential District, to allow the expansion of a water treatment plant in an R-1, Single-Family Residential Suburban District.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification of February 19, 2026, and recommended approval of the Major Modification of the Planning Approval subject to the following conditions:

1. Submission of a revised site plan, prior to the application being forwarded to the City Council, depicting all existing and proposed site improvements, consistent with the previously approved Planning Approval. At a minimum, the site plan shall include:

- Total lot area in square feet and acres;
- The footprint and square footage of all buildings, tanks, clarifiers, processing facilities, and structures;
- Zoning district information;
- Parking layout and total number of spaces;
- Traffic circulation and access;
- All streets along with the site has frontage, including existing rights-of-way;
- The site's legal description or recorder plat reference;
- A graphic scale and north arrow; and
- All required notes, including a note stating that future development or redevelopment may require additional Planning Approval and/or PUD modifications, subject to review and approval by the Planning Commission and City Council; and

2. Submission of an AutoCAD (.dwg) file, prior to the application being forwarded to the City Council, of the revised site plan meeting the Planning and Zoning Department's submittal standards.

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WHEREAS, the City Council finds that the proposed modification:

- a) Is consistent with all applicable requirements of this Chapter;
- b) Is compatible with the character of the surrounding neighborhood;
- c) Will not impede the orderly development and improvement of surrounding property;
- d) Having considered the applicable factors the request will not adversely affect the health, safety, or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e) Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- f) Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- g) Shall not be detrimental or endanger the public health, safety, or general welfare.
- h) Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the modification of the Planning Approval is hereby approved with the following required conditions:

1. Submission of a revised site plan, prior to the application being forwarded to the City Council, depicting all existing and proposed site improvements, consistent with the previously approved Planning Approval. At a minimum, the site plan shall include:
  - Total lot area in square feet and acres;
  - The footprint and square footage of all buildings, tanks, clarifiers, processing facilities and structures;
  - Zoning district information;
  - Parking layout and total number of spaces;
  - Traffic circulation and access;
  - All streets along which the site has frontage, including existing rights-of-way;
  - The site's legal description or recorded plat reference;
  - A graphic scale and north arrow; and
  - All required notes, including a note stating that future development or redevelopment may require additional Planning Approval and/or PUD modifications, subject to review and approval by the Planning Commission and City Council; and
2. Submission of an AutoCAD (.dwg) file, prior to the applications being forwarded to the City Council, of the revised site plan meeting the Planning and Zoning Department's submittal standards.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

The ordinance was read by the City Clerk, whereupon Councilmember Ingram moved to adopt the ordinance, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

**CONSIDER THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 4800 MOFFETT ROAD.** The following ordinance which was introduced and read at the regular meeting of

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April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

ORDINANCE: 64-020-2026

Sponsored by: Councilmember Penn

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12<sup>TH</sup> DAY OF JULY 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Planning Unit Development was approved on March 1, 2018, to allow multiple buildings on a single building site, to allow construction of a new clarifier, pump station, and associated site improvements located at 4800 Moffett Road and described as follows:

LOT 1, MAWSS STICKNEY PLANT OFFICE SUBDIVISION, AS RECORDED ON THE INSTRUMENT NUMBER 2021021258 IN THE OFFICE OF THE JUDGE OF PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA.

WHEREAS, on December 10, 2025, the owner of said property applied for a Major Modification of the Planned Unit Development allowing multiple buildings on a single building site, to allow construction of a new clarifier, pump station, and associated site improvements.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification of February 19, 2026, and recommended approval of the Major Modification of the Planned Unit Development subject to the following conditions:

1. Submission of a revised site plan, prior to the application being forwarded to the City Council, depicting all existing and proposed site improvements, consistent with the previously approved Planned Unit Development. At a minimum, the site plan shall include:

- Total lot area in square feet and acres;
- The footprint and square footage of all buildings, tanks, clarifiers, processing facilities, and structures;
- Zoning district information;
- Parking layout and total number of spaces;
- Traffic circulation and access;
- All streets along with the site has frontage, including existing rights-of-way;
- The site's legal description or recorder plat reference;
- A graphic scale and north arrow; and
- All required notes, including a note stating that future development or redevelopment may require additional Planning Approval and/or PUD modifications, subject to review and approval by the Planning Commission and City Council; and

2. Submission of an AutoCAD (.dwg) file, prior to the application being forwarded to the City Council, of the revised site plan meeting the Planning and Zoning Department's submittal standards.

WHEREAS, the City Council finds that the proposed modification:

- a) Is consistent with all applicable requirements of this Chapter;
- b) Is compatible with the character of the surrounding neighborhood;
- c) Will not impede the orderly development and improvement of surrounding property;
- d) Having considered the applicable factors the request will not adversely affect the health, safety, or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e) Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;

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- f) Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- g) Shall not be detrimental or endanger the public health, safety, or general welfare.
- h) Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the modification of the Planned Unit Development is hereby approved with the following required conditions:

1. Submission of a revised site plan, prior to the application being forwarded to the City Council, depicting all existing and proposed site improvements, consistent with the previously approved Planned Unit Development. At a minimum, the site plan shall include:
  - Total lot area in square feet and acres;
  - The footprint and square footage of all buildings, tanks, clarifiers, processing facilities and structures;
  - Zoning district information;
  - Parking layout and total number of spaces;
  - Traffic circulation and access;
  - All streets along which the site has frontage, including existing rights-of-way;
  - The site's legal description or recorded plat reference;
  - A graphic scale and north arrow; and
  - All required notes, including a note stating that future development or redevelopment may require additional Planning Approval and/or PUD modifications, subject to review and approval by the Planning Commission and City Council; and
2. Submission of an AutoCAD (.dwg) file, prior to the applications being forwarded to the City Council, of the revised site plan meeting the Planning and Zoning Department's submittal standards.

The ordinance was read by the City Clerk, whereupon Councilmember Ingram moved to adopt the ordinance, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

**RESOLUTIONS HELD OVER**

**APPROVE PURCHASE ORDER TO DONOHOO CHEVROLET, LLC FOR 25 CHEVROLET TAHOE SUVs FOR MPD; \$1,283,337.50.** The following resolution which was introduced and read at the regular meeting of April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

RESOLUTION: 08-445-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>10797</u>	2026	(2050) FLEET MANAGEMENT-GARAGE	25 2026 CHEVROLET TAHOE PPV SUVs FOR MPD (SEALED BID 6035)	\$1,283,337.50	<u>(293039) DONOHOO CHEVROLET LLC</u>

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
 Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**APPROVE PURCHASE ORDER TO SHI INTERNATIONAL CORPORATION FOR ANNUAL RENEWAL OF MS OFFICE 365, POWER BI, WINSERVER, VISIO, PLANNER, TEAMS, COPILOT, AND EXCHANGE SOFTWARE SUBSCRIPTIONS FOR MIT; \$458,654.48.** The following resolution which was introduced and read at the regular meeting of April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

RESOLUTION: 08-449-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>10567</u>	2026	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF MS OFFICE 365, POWER BI, WINSERVER, VISIO, PLANNER, TEAMS, COPILOT, AND EXCHANGE SOFTWARE SUBSCRIPTIONS FOR MIT (AL STATE CONTRACT)	\$458,654.48	<u>(272641) SHI INTERNATIONAL CORP</u>

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
 Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**REALLOCATE FUNDS FROM CITY-WIDE STORM DRAINAGE AND PIPE PROJECT TO MISC. DRAINAGE STORM WATER FEE FOR ON-CALL MISCELLANEOUS DRAINAGE CONTRACT; \$400,214.00.** The following resolution which was introduced and read at the regular meeting of April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

RESOLUTION: 09-450-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$400,214 in Capital Project #C0052 City-Wide Storm Drain & Pipe Proj; Alabama Municipal Trust Fund (2010); be reallocated to Capital Project #C0844 Misc Drainage Storm Water Fee; Alabama Municipal Trust Fund (2010), to support a contract amendment for the On-Call Miscellaneous Drainage Contract, currently in Capital Project #C0844.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**REALLOCATE FUNDS IN THE MUNICIPAL STORM WATER FEES CAPITAL PROJECT TO VARIOUS STORM WATER MANAGEMENT PROJECTS; \$2,538,000.00.**

The following resolution which was introduced and read at the regular meeting of April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

RESOLUTION: 09-451-2026

Sponsored by: Mayor Cheriogotis

**WHEREAS, THE CITY COUNCIL OF THE CITY OF MOBILE** adopted Ordinance Number 01-024 on August 21, 2018 levying a storm water fee on Residential and Commercial Property to support the Storm Water Management Program (MS4); and

**WHEREAS,** Ordinance No. 01-024 is now codified at Article III, Chapter 17 of the Mobile City Code; and

**WHEREAS,** Section 17-47 of the Mobile City Code states:

“The storm water fees levied and collected pursuant to this division shall be deposited into a fund known as storm water fund to be designated for expenses incurred complying with the City’s NPDES permit for operations of its MS4, including but not limited to eliminating floatables from and improving water quality in the rivers, streams and waterways of the City and other storm water management activities required by the City’s storm water management program. All amounts remaining in the fund at the end of the fiscal year shall not lapse but shall retain their dedication to storm water purposes.”

**WHEREAS,** the Revenue Commissioner of Mobile County assessed, collected, enforced and remitted the fees to the City of Mobile; and

**WHEREAS,** in order for such funds to be utilized for the purposes set forth in Section 17-47, the Mobile City Council desires to allocate the funds to capital projects;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA,** that the sum of \$2,538,000.00 currently deposited in the Storm Water fund, be allocated to Capital Project #C0446 Municipal Storm Water Fees Project for the following Storm Water Management projects:

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Household Hazardous Waste Days 2027 (2 events - spring and fall)	\$150,000
Debris Removal from Bridges Adjacent to Creeks – Osprey Contract	\$25,0000
Water Street Reimagined	\$500,000
Vactor 2100i Combination Sewer Cleaner	\$515,714
McNally Park Dredging	\$325,000
Center for Hard to Recycle Materials (CHaRM) – Feasibility Study	\$35,500
On-Call Miscellaneous Drainage Repairs (City Wide)	\$986,786

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
 Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**AUTHORIZE CONTRACT WITH GORAM AIR CONDITION COMPANY, INC. FOR CONVENTION CENTER – MECHANICAL IMPROVEMENTS; \$310,000.00.** The following resolution which was introduced and read at the regular meeting of April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

RESOLUTION: 21-452-2026

Sponsored by: Mayor Cheriogotis

The authorization set forth below is expressly conditioned upon and shall not become effective unless and until the funding transfer resolution adopted contemporaneously herewith is approved.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement by and between the City of Mobile and the company listed below, in an amount not to exceed Three Hundred Ten Thousand Dollars (\$310,000.00), including all contingencies and allowances, for the work described therein, said Agreement being on file with the office of the City Clerk and incorporated herein by reference.

**No payment obligation shall arise unless and until funds are lawfully available and encumbered in accordance with applicable law.**

The City Council finds and determines that sufficient funds are available, appropriated, and authorized for this purpose.

The Mayor is authorized to execute the Agreement in substantially the form presented, subject to non-substantive revisions approved as to form and legality by the City Legal Department.

Name of Company: Goram Air Conditioning Company, Inc.

Project Name: ARTHUR R. OUTLAW CONVENTION CENTER – MECHANICAL IMPROVEMENTS

Project Number: CN-015-25

Amount: \$310,000.00

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The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**AUTHORIZE CONTRACT WITH ROGERS & WILLARD, INC. FOR CONSTRUCTION OF NEW CITY ANIMAL SERVICES FACILITY; \$6,318,289.00.** The following resolution which was introduced and read at the regular meeting of April 21, 2026 and was held over until the regular meeting of April 28, 2026, was called up by the Presiding Officer.

RESOLUTION: 21-453-2026

Sponsored by: Mayor Cheriogotis and Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Rogers & Willard, Inc.

Project Name: City of Mobile Animal Services Facility

Project Number: BG-054-22 (C1035)

Amount: \$6,318,289.00

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Gregory and following comments from Councilmembers Reynolds, Gregory, Penn, Woods, and Small the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.** Councilmember Gregory moved for the suspension of the rules to consider consent resolutions 37-454 through 60-464 being introduced for the first time. The motion was seconded by Councilmember Woods and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

**CONSENT RESOLUTIONS BEING INTRODUCED**

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL RETAIL – MORE THAN 30 DAYS LICENSE TO COURTYARD MOBILE; 1000 W. I-65 SERVICE ROAD S.** The following resolution was introduced by Councilmember Gregory.

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RESOLUTION: 37-454-2026

Sponsored by: Councilmember Fleming

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

Type of application: Special Retail – More than 30 Days License

Submitted by: TEXAS HOSPITALITY FUND I LLC

Location: Courtyard Mobile  
1000 W. I-65 Service Road S.  
Mobile, Al 36609

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DECLARE THE STRUCTURE AT 357 CASSIDY STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-455-2026

Sponsored by: Councilmember Ingram

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances "adopted December 5, 2017, the accessory structure at 357 CASSIDY STEET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A -No.3,4, 5, 7, 8 and 15; and**

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 357 CASSIDY STREET described as:

**LOT 9 SILVERHILL ADD DBK 107 NS P 19 #SEC 44 T4S R1W #MP29 02 44 0 030**

**Parcel Number: 29 02 44 0 030 213**

**Last Assessed to: WILKERSON TERRANCE J**

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be **demolish** in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

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BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DECLARE THE STRUCTURE AT 1202 GORGAS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-456-2026

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances "adopted December 5, 2017, the accessory structure at 1202 GORGAS STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No.3,4, 5,6, 7, 8 and 15; and**

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1202 GORGAS STREET described as:

**LOT 2 BLK 23 BASCOMBE TRT DBK 128 P 1 #SEC 37 T4S R1W #MP2910 37 0 006**

**Parcel Number: 29 10 37 0 006 004**

**Last Assessed to: MCCANTS LUCILLE & ANNA MASSEY**

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be **demolish** in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

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Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DECLARE THE STRUCTURE AT 7310 4<sup>TH</sup> STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-457-2026

Sponsored by: Councilmember Gregory

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances "adopted December 5, 2017, the accessory structure at 7310 4TH STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A-No.4, 5, 7, 8, 14 and 15; and**

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 7310 4TH STREET described as:

**THEE 50 FT OF LOT 5 BLK 2 DIXIELAND BABY FARMS ACC TO PLAT REC IN MBK 5/439 DESC AS FOLL FROM SW COR OF LOT 5 RUN ELY ALG N/L OF 4TH ST 150 FT TO POB CONT ELY ALG N/L 4TH ST 50 FT TH DEFL 90 DEG 04 MIN LT RUN NLY ALG E/L LOT 5 80 FTTHDEFL89 DEG 56 MIN LT RUN WLY ALG N/L LOT 5 50 FT TH DEFL 90 DEG 04 MIN LT RUN SLY & PAR TO W/L OF LOT 5 80 FTO BEG #SEC 18 T4S R2W #MP28 04 18 4 002**

Parcel Number: 28 04 18 4 002 066

Last Assessed to: BROWN REBECCA

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be **demolish** in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**ASSESS COST FOR REMOVAL OF WEEDS, WEED LIEN GROUP 1673.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-458-2026

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OF OR ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE, ALABAMA.

WHEREAS, an itemized report in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been raised by any of the property owners liable to be assessed for the work of culling such weeds, and the City Council being of the opinion that such report in all respects be confirmed.

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Weed Lien Group 1673** shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DETERMINE AN APPROPRIATION TO LEXINGTON HOMEOWNERS ASSOCIATION INC., SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-459-2026

Sponsored by: Councilmember Reynolds

WHEREAS, Councilmember Reynolds wishes to appropriate \$8,000.00 to Lexington Homeowners Association, from the District 4 Discretionary Fund (10041020 42080); and

WHEREAS, Lexington Homeowners Association, is an Alabama non-profit corporation which provides a service to the community; and

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WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Lexington Homeowners Association will be used to assist with the neighborhood beautification.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$8,000.00 to Lexington Homeowners Association, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DETERMINE AN APPROPRIATION TO THE JAPANESE GARDEN FOUNDATION, INC., SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-460-2026

Sponsored by: Councilmember Reynolds

WHEREAS, Councilmember Reynolds wishes to appropriate \$2,500.00 to Japanese Garden Foundation, Inc., from the District 4 Discretionary Fund (10041020 42080); and

WHEREAS, Japanese Garden Foundation, Inc., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Japanese Garden Foundation, Inc will be used to assist with the 2026 Sister City Student Exchange.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,500.00 to Japanese Garden Foundation, Inc., for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DETERMINE AN APPROPRIATION TO VIA COMMUNITY CENTER SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Gregory.

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RESOLUTION: 60-461-2026

Sponsored by: Councilmember Fleming

WHEREAS, Councilmember Fleming wishes to appropriate \$1,000.00 to VIA Community Center, from the District 5 Discretionary Fund (10041020 42080); and

WHEREAS, VIA Community Center, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to VIA Community Center will be used to assist with the "Cheers to the Years" gala on August 20, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to VIA Community Center, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DETERMINE AN APPROPRIATION TO MOBILE BOTANICAL GARDENS SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-462-2026

Sponsored by: Councilmember Fleming

WHEREAS, Councilmember Fleming wishes to appropriate \$1,000.00 to VIA Community Center, from the District 5 Discretionary Fund (10041020 42080); and

WHEREAS, VIA Community Center, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to VIA Community Center will be used to assist with the "Cheers to the Years" gala on August 20, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to VIA Community Center, for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

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Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DETERMINE AN APPROPRIATION TO CHARLOTTE OAKS HOMEOWNERS ASSOCIATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.**

The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-463-2026

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate \$2,500.00 to Charlotte Oaks Homeowners Association, Inc., from the District 6 Discretionary Fund (10041020 42080); and

WHEREAS, Charlotte Oaks Homeowners Association, Inc., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Charlotte Oaks Homeowners Association, Inc. will be used to assist with the neighborhood's beautification project.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,500.00 to Charlotte Oaks Homeowners Association, Inc. for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**DETERMINE AN APPROPRIATION TO JAPANESE GARDEN FOUNDATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.**

The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-4614-2026

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate \$2,500.00 to Charlotte Oaks Homeowners Association, Inc., from the District 6 Discretionary Fund (10041020 42080); and

WHEREAS, Charlotte Oaks Homeowners Association, Inc., is an Alabama non-profit corporation which provides a service to the community; and

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WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Charlotte Oaks Homeowners Association, Inc. will be used to assist with the neighborhood's beautification project.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,500.00 to Charlotte Oaks Homeowners Association, Inc. for the purposes described hereinabove and pursuant to language in the request serves a public purpose and the Council further approves and directs the payment of same.

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CIP RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.** Councilmember Gregory moved for the suspension of the rules to CIP resolution 08-465 being introduced for the first time. The motion was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

**CIP RESOLUTIONS BEING INTRODUCED**

**APPROVE PURCHASE ORDER TO PUTTERMAN ATHLETICS, LLC FOR QUILTED ACOUSTIC PANELS FOR LAVRETTA PARK PICKLEBALL COURTS; \$29,153.43.** The following resolution was introduced by Councilmember Ingram.

RESOLUTION: 08-465-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>10858</u>	2026	(2050) FLEET MANAGEMENT – GARAGE	QUILTED ACOUSTIC PANELS FOR LAVRETTA PARK PICKLEBALL COURTS (PRICE BELOW BID REQUIREMENT)	\$29,153.43	<u>(299604)</u> <u>PUTTERMAN</u> <u>ATHLETICS LLC</u>

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The resolution was read by the City Clerk, whereupon Councilmember Ingram moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.** Councilmember Gregory moved for the suspension of the rules to consider resolutions 08-470, 08-471, 08-472, and 21-476 being introduced for the first time. The motion was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

**RESOLUTIONS BEING INTRODUCED**

**AUTHORIZE AGREEMENT WITH THE DOWNTOWN MOBILE DISTRICT MANAGEMENT CORPORATION FOR BASE LINE SERVICES.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 01-466-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Base Line Services Agreement between City of Mobile and the Downtown Mobile District Management Corporation, in which the parties agree to supplemental services in the downtown District, as outlined in the agreement attached hereto or one with wording substantially similar, and made apart hereof, as though set forth in full, and to take such further action necessary to effectuate the Agreement. A copy of said Agreement is on file in the office of the City Clerk.

**AUTHORIZE AGREEMENT WITH MATTHEW BROOKS TO PROVIDE TENNIS TEACHING PRO FOR PARKS AND RECREATION DEPARTMENT.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 01-467-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with **Matthew Brooks** to provide Tennis Teaching Pro for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event should not exceed \$80,000 per year as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is filed in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

**AUTHORIZE AGREEMENT WITH PEYTON HICKS TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS AND RECREATION DEPARTMENT.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 01-468-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with **Peyton Hickman** to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

**AUTHORIZE AGREEMENT WITH FRANK TRICE TO PROVIDE RACQUET STRINGER SERVICES FOR PARKS AND RECREATION DEPARTMENT.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 01-469-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with **Frank Trice** to provide racquet stringer services for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

**APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN INC. FOR 2025 FORD EXPLORER SUV FOR MPD; \$38,773.00.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-470-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>11042</u>	2026	(2050) FLEET MANAGEMENT – GARAGE	ONE 2025 OR NEWER FORD EXPLORER 4WD SUV FOR MPD (AL STATE CONTRACT)	\$38,773.00	<u>(292393) STIVERS FORD LINCOLN INC</u>

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
 Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**APPROVE PURCHASE ORDER TO CARAHSOFT FOR RENEWAL OF SAP CONCUR TRAVEL MANAGEMENT SOFTWARE FOR FINANCE; \$19,197.36.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-471-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>10706</u>	2026	(2500) FINANCE ADMINISTRATION	ONE -YEAR RENEWAL OF SAP CONCUR TRAVEL MANAGEMENT SOFTWARE FOR FINANCE (PRICE BELOW BID REQUIREMENT, BID EXEMPT AS SOFTWARE, GSA CONTRACT)	\$19,197.36	<u>(295556) CARAHSOFT</u>

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
 Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**APPROVE PURCHASE ORDER TO BEST PRICE SERVICES, LLC FOR STORM DRAINAGE VEGETATION AND DEBRIS REMOVAL; NORTH HAMILTON STREET TO**

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**CONCEPTION STREET; \$29,900.00.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-472-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>11228</u>	2026	(2070) PUBLIC SERVICES ADMINISTRATION	STORM DRAINAGE VEGETATION AND DEBRIS REMOVAL – NORTH HAMILTON STREET TO CONCEPTION STREET (PRICE BELOW BID REQUIREMENT; VENDOR ROTATION POOL)	\$29,900.00	<u>(292420) BEST PRICE SERVICES LLC</u>

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**RE-ALLOCATE FUNDS FROM CAPITAL PROJECT MOUNTING UNIT – NEW TRAINING CTR TO CAPITAL PROJECT MPD MOUNTED UNIT GRAND BAY UPGRADES; \$156,016.95.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 09-473-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$ 156,016.95 in Alabama Municipal Trust (Fund 2010) be reallocated from Capital Project #C0634 Mounting Unit – New Training CTR to C0968 MPD Mounted Unit Grand Bay Upgrades Alabama Municipal Trust (Fund 2010).

**RE-ALLOCATE FUNDS FROM CAPITAL PROJECT ADEM TESTING TO CAPITAL PROJECT STORMWATER MGMT MS4 PROGRAM TO SUPPORT THE CITY OF MOBILE’S MS4 PROGRAM; \$475,000.00.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 09-474-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$475,000.00 be reallocated from Capital Project (C0771) ADEM Testing to

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Capital Project (C0391) Stormwater MGMT MS4 Program to support the City of Mobile's MS4 Program.

**AUTHORIZE CONTRACT AMENDMENT #4 WITH GOODWYN MILLS & CAWOOD, INC. FOR IMPROVEMENTS TO THE MASTER PLAN FOR THE MOBILE CIVIC CENTER ARENA; \$62,500.00 (INCREASE).** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 21-475-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, Amendment Number 04 to Contract 4469, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. Whereby, the sum of \$62,500.00 shall be added to the amended contract amount. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Goodwyn Mills & Cawood, Inc.

Project Name: Mobile Civic Center – Improvements Master Plan

Project Number: CC-034D-22

Amount: \$62,500.00 (additional amount)

**AUTHORIZE CHANGE ORDER #2 TO THE CONTRACT WITH PL RUSSELL, LLC FOR MOBILE RIVERFRONT REDEVELOPMENT, COOPER RIVERSIDE PARK GREAT LAWN UPGRADES; \$64,338.626.** The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 21-476-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, Change Order No.2 to the contract, by and between the City of Mobile, and the company listed below, for work as outlined in the Change Order No.2 attached hereto and made a part hereof as though set forth in full. A copy of said executed Change Order No.2 is on file in the office of the City Clerk.

Name of Company: PL Russell, LLC

Project Name: Mobile Riverfront Redevelopment, Cooper Riverside Park, Great Lawn Upgrades

Project Number: PR-029-22

Amount: \$64,338.62 (increase)

The resolution was read by the City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**CONSIDER THE APPLICATION TO CHARLES HENRY ROAYAL II FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 37-477-2026

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Charles H. Royal for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

**AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; JOINER.** The following resolution was held over until the regular meeting of May 5, 2026.

RESOLUTION: 60-478-2026

Sponsored by: Mayor Cheriogotis

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claims of Marcia Joiner, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

**CALL FOR PUBLIC HEARINGS**

**CALL FOR PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CITY OF MOBILE UNIFIED DEVELOPMENT CODE, CHAPTER 64 (SCHEDULED FOR JUNE 2, 2026) (DISTRICT 2).** The following resolution was introduced by Councilmember Ingram.

RESOLUTION: 41-479-2026

BE IT RESOLVED by the City Council of the City of Mobile, Alabama, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation in Mobile County the attached NOTICE OF PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CITY OF MOBILE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022, in the time and manner as set forth in said notice.

**NOTICE OF PUBLIC HEARING TO AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022**

NOTICE is hereby given that at 10:30 a.m. on Tuesday, June 2, 2026, in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama 36644, and pursuant to Code of Alabama § 11-52-77, the City Council for the City of Mobile will hold a public hearing on, take public comment on, and consider an ordinance to AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CITY OF MOBILE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, adopted July 12, 2022 by the City Council. All persons may be heard in opposition to or in favor of the said ordinance at the said time and place. Government Plaza, 205 Government Street, Mobile, Alabama 36644, serves as the City Hall for the City of Mobile.

Written comments may be submitted. Those desiring to submit written comments may email them to [cityclerk@cityofmobile.org](mailto:cityclerk@cityofmobile.org), or may mail them to City of Mobile, City Clerk, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, Mobile Government Plaza, Ninth Floor, 205 Government Street, Mobile, Alabama 36644. Written comments must be received by noon on Wednesday, May 27, 2026.

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The proposed amendments to Appendix A include the establishment of the minor deviation administrative process for staff and applicants, identifies the process for development in SD districts, clarifies curb-cut requirements for access to parking lots from primary and secondary frontages as well as the location of the parking lots in relation to the façade of the principal building, clarifies the screening requirements for surface parking lots and parking structures, reintroduces the screening requirements for rooftop equipment, clarifies the design intent of metal fences, reintroduces signage and façade illustrative graphics, and corrects regulatory text, typographical and reference errors and omissions. Amendments are proposed to the following Sections of Appendix A:

Section 1. General Provisions

Section 2. Administrative Procedures

Section 3. Zoning Sub-Districts

Section 5. Development Standards

Section 6. Frontage Standards

Section 7. Building Design and Material Standards

Section 9. Definitions and Rules of Construction

No amendments are proposed for Section 4. Use Regulations or Section 8. Nonconformities

The amendments can be viewed on the City of Mobile's website at:  
<https://mapformobile.org/udc/>

A copy of the proposed amendments is available for public inspection in the Office of the Mobile City Clerk on the 9th floor of Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36602, during normal business hours.

Councilmember Ingram then moved to call for the public hearing, which move was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Ingram, Small, Reynolds, Fleming, Woods, and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as June 2, 2026.

**ANNOUNCEMENTS**

Councilmember Penn thanked the Bay Area Women's Coalition for hosting the Trinity Gardens Annual Neighborhood Cleanup held on April 22 -23, 2026, at the Dotch Community Center from 8:00 a.m. – 3:00 p.m.

Councilmember Penn said that he was invited to be the guest speaker at Bishop State Community College's Men of Excellence Graduation Ceremony.

Councilmember Penn said that Spring Gala at the Dotch Community Center on Saturday, April 25, 2026, was a great success.

Councilmember Ingram thanked Matt Anderson, Director of Public Services, and his team for inviting her to attend a ride a long to get a firsthand look at the work being done to clear drainage ditches across District 2.

Councilmember Ingram stated that she was one of the guest speakers at the Dearborn YMCA's Annual Luncheon on Thursday, April 23, 2026.

Councilmember Ingram announced that an Administrative Services Committee meeting will be held on Tuesday, May 5, 2026, at 1:00 p.m. to discuss updates concerning the Mobile Housing Authority.

Councilmember Gregory said that she gave the welcoming remarks this morning at the 20<sup>th</sup> Annual "Serve It Up With Love" tennis tournament.

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Councilmember Small stated that he attended the Dearborn YMCA's Annual Luncheon on Thursday, April 23, 2026.

Councilmember Small announced that a community meeting will be held on Tuesday, May 19, 2026, at Eichold-Mertz Elementary School at 6:00 p.m.

Councilmember Reynolds moved to adjourn the meeting, which was seconded by Councilmember Ingram and the vote was as follows:

Ayes: Small, Penn, Ingram, Reynolds, Fleming, Woods, and Gregory  
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:45 a.m.

Adopted:

\_\_\_\_\_  
COUNCIL PRESIDENT

\_\_\_\_\_  
CITY CLERK