

BOOK  
OF  
ORDINANCES  
CITY  
OF  
MARGARET

BOOK NO. 2

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ORDINANCE NO. 51

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, the owner of the following described real estate situated in St. Clair County, Alabama, to-wit:

That part of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama, beginning 660 feet Westerly from the NE Corner of the SE 1/4 of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama; thence Westerly 660 feet; thence Southerly 1200 feet; thence N.E. along Seaboard Coast Line Railroad 1059 feet; thence due North 385 feet to point of beginning.

did file its written petition, duly signed by Billy Butler and Marie Butler, with the Town Clerk of the Town of Margaret, requesting that said described territory in its petition be annexed to the Town of Margaret under the provisions of 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said 11-42-20; and,

WHEREAS, the Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that the owner of said described lands filed said petition by affixing its signature thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

39344

REC'D & FILED AS INSTRUMENT  
WALLACE W. WATSON, JR.  
JUDGE OF PROBATE

1989 AUG 30 AM 10:28

ST. CLAIR COUNTY  
ASSISTANT CLERK  
LIBRARY CENTER  
INSTRUMENT REG. FILE

SECTION 1. That said petition of the owner of the following described lands situated in St. Clair County, Alabama, to-wit:

That part of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama, beginning 660 feet Westerly from the NE corner of the SE1/4 of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama; thence Westerly 660 feet; thence Southerly 1200 feet; thence N.E. along Seaboard Coast Line Railroad 1059 feet; thence due North 385 feet to point of beginning.

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

SECTION 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the annexation of said described lands to the Town of Margaret, and that the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same shall become a part of the corporate area of the Town of Margaret, Alabama, upon the date of publication of this ordinance.

SECTION 3. This ordinance shall be effective upon passage, approval and publication as required by law.

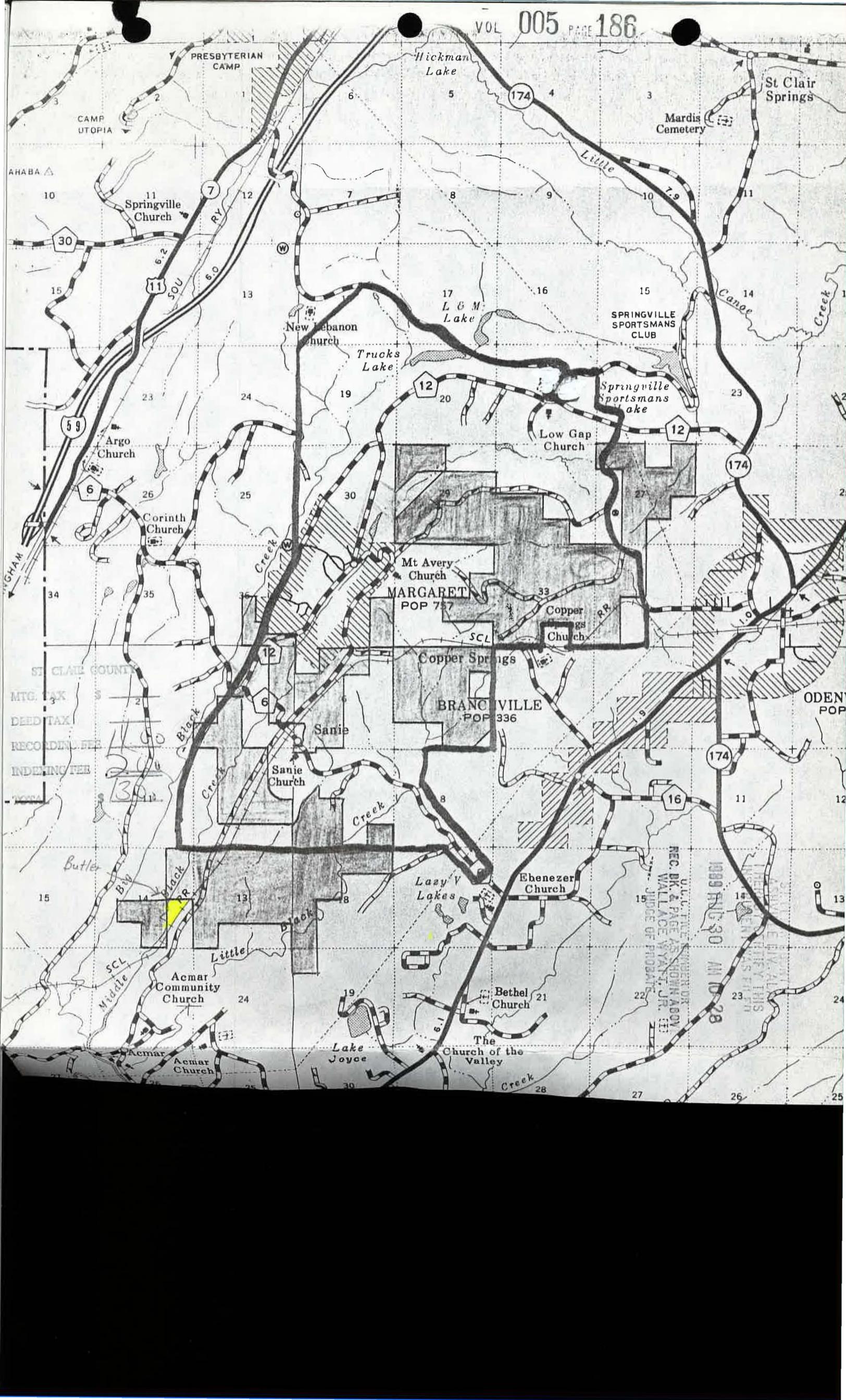
ADOPTED and approved this the 12 day of June, 1989.

Billy Butts  
Mayor

Marie Butts  
Town Clerk

EXHIBIT A

That part of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama, beginning 660 feet Westerly from the NE corner of the SE 1/4 of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama; thence Westerly 660 feet; thence Southerly 1200 feet; thence N.E. along Seaboard Coast Line Railroad 1059 feet; thence due North 385 feet to point of beginning.



PRESBYTERIAN CAMP  
 CAMP UTOPIA  
 AHABA  
 11 Springville Church  
 17 L & M Lake  
 Trucks Lake  
 Springville Sportsmans Club  
 Springville Sportsmans Lake  
 Low Gap Church  
 Argo Church  
 Corinth Church  
 Mt Avery Church  
 MARGARET POP 757  
 Copper Springs Church  
 Copper Springs  
 BRANCHVILLE POP 336  
 Sanie  
 Sanie Church  
 Ebenezer Church  
 Bethel Church  
 The Church of the Valley  
 Acmar Community Church  
 Acmar Church  
 Lake Joyce  
 Hickman Lake  
 Little  
 Canoe  
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ST. CLAIR COUNTY  
 MTC. TAX \$  
 DEED TAX  
 RECORDING FEE  
 INDEXING FEE  
 TOTAL \$30.00

REC. BK. & PAGE AS SHOWN ABOVE  
 WALLACE WYANT, JR. III  
 JUDGE OF PROBATE  
 1989 MAR 30 AM 10:28  
 U.S. FILE NUMBER OR  
 ASHLEY E. BIV. ALL ABOVE  
 INFORMATION IS FROM  
 THE PUBLIC RECORDS

PETITION FOR ANNEXATION

The undersigned, being the owners of that certain real property more particularly described in Exhibit A, attached hereto and incorporated herein, hereby petition the Town Council of the Town of Margaret, Alabama, to annex said property into the corporate limits of the Town of Margaret, Alabama.

Billy Butler  
Marie Butler

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #51 was posted at the following three (3) places in Town on June 13, 1989.

Simmons Grocery

Mayor's Office

Penny's Restaurant

  
*Marie Butler*  
\_\_\_\_\_

Clerk

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ORDINANCE NO. 52

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$150,000  
PRINCIPAL AMOUNT OF GENERAL OBLIGATION WARRANTS,  
SERIES 1989

Adopted by  
the Town Council of the  
Town of Margaret, Alabama  
on  
June 29, 1989

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AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$150,000  
PRINCIPAL AMOUNT OF GENERAL OBLIGATION WARRANTS,  
SERIES 1989

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
MARGARET, as follows:

ARTICLE 1

Definitions

SECTION 1.01 Definitions and Use of Phrases

For all purposes of this ordinance, except as  
otherwise expressly provided or unless the context  
otherwise requires:

(i) The terms defined in this Article have the  
meanings assigned to them in this Article and include the  
plural as well as the singular, and vice versa.

(ii) The terms "herein", "hereof" and "hereunder" and  
other words of similar import refer to this ordinance as a  
whole and not to any particular Article, Section or other  
subdivision.

Business Day shall mean any day other than a Saturday,  
a Sunday or a day on which banking institutions are  
required or authorized to close in the city where the  
Principal Office of the Paying Agent is located.

Debt Service shall mean the principal, premium (if  
any) and interest payable on the Warrants.

Defaulted Interest shall have the meaning stated in  
Section 3.08.

Enabling Law shall mean Section 11-47-2 of the Code of  
Alabama 1975.

Federal Securities shall mean direct obligations of,  
or obligations the payment of which is guaranteed by, the  
United States of America.

Holder when used with respect to any Warrant shall  
mean the person in whose name such Warrant is registered  
in the Warrant Register.

Interest Payment Date, when used with respect to any installment of interest on a Warrant, shall mean the date specified in such Warrant as the fixed date on which such installment of interest is due and payable.

Internal Revenue Code shall mean the Internal Revenue Code of 1986.

Issuer shall mean the Town of Margaret, a municipal corporation organized under the laws of the State of Alabama.

Maximum Annual Debt Service shall mean the maximum aggregate amount of principal and interest payable on all outstanding Warrants during the then current or any subsequent fiscal year; provided, that for purposes of this definition

(1) the interest payable on any Warrants issued to finance or refinance the acquisition or construction of public improvements shall be excluded from interest payable until such additions or improvements are placed in service, provided that escrowed or trusteed funds are available to pay such interest,

(2) the principal amount of Warrants required to be redeemed in any fiscal year shall be deemed to be payable in such fiscal year rather than the fiscal year of their stated maturity, and

(3) the interest rate on Warrants with a variable interest rate shall be deemed to be the interest rate in effect on the last day of the most recently completed quarterly fiscal period of the Issuer or, if such Warrants were issued after the last day of such period, on the date such Warrants were issued.

Minimum Reserve Fund Balance shall mean the lesser of (i) the maximum aggregate amount of principal and interest payable on the Warrants during the then current or any subsequent Fiscal Year, calculated in accordance with the definition of "Maximum Annual Debt Service" contained in this Ordinance and (ii) the maximum amount of the proceeds from the sale of the Warrants that can (under the provisions of Section 148 of the Code and any applicable regulations, and without any approval from the Secretary of the Treasury or the Treasury Department) be paid into, and invested in higher yielding investments forming a part of, a reasonably required reserve fund, without causing the Warrants to be "arbitrage bonds" within the meaning of Section 148.

Original Purchasers shall mean the original purchasers of the Warrants from the Issuer identified in Section 7.01.

Outstanding when used with respect to Warrants shall mean, as of the date of determination, all Warrants authenticated and delivered under this ordinance, except:

(1) Warrants cancelled by the Paying Agent or delivered to the Paying Agent for cancellation,

(2) Warrants for whose payment or redemption money in the necessary amount has been deposited with the Paying Agent for the Holders of such Warrants, provided that, if such Warrants are to be redeemed, notice of such redemption has been duly given pursuant to this ordinance or provision therefor satisfactory to the Paying Agent has been made; and

(3) Warrants in exchange for or in lieu of which other Warrants have been registered and delivered under this ordinance.

Paying Agent shall mean the agent of the Issuer appointed as such pursuant to Section 3.10 for the purpose of paying Debt Service on the Warrants.

Post-Default Rate shall mean the rate of 12% per annum. Interest at the Post-Default Rate shall be computed on the basis of an assumed year of 360 days with 12 months with 30 days each.

Principal Office of the Paying Agent shall mean the office where the Paying Agent maintains its principal corporate trust office in Birmingham, Alabama, or such other office within the State of Alabama as shall be designated by the Paying Agent by written notice to the Issuer and the Holders of the Warrants.

Principal Payment Date, when used with respect to any Warrant, shall mean the date specified in such Warrant as the fixed date on which the principal of such Warrant is due and payable.

Qualified Investments shall mean:

(1) Federal Securities, and

(2) A certificate of deposit issued by, or other interest-bearing deposit with, any bank organized under the laws of the United States of America or any state

thereof (including without limitation the Paying Agent), provided that (i) such bank has capital, surplus and undivided profits of not less than \$25,000,000, (ii) such deposit is insured by the Federal Deposit Insurance Corporation or (iii) such deposit is secured by such bank by pledging Federal Securities having a market value (exclusive of accrued interest) not less than the face amount of such deposit (less the amount of such deposit insured by the Federal Deposit Insurance Corporation).

Refunded Bonds shall mean the \$168,000 aggregate principal amount of Water Revenue Bonds, Series 1983 issued by The Water Works Board of the Town of Margaret which are now outstanding in the aggregate principal amount of \$158,500.

Regular Record Date for the interest payable on any Interest Payment Date on the Warrants shall mean the date specified in Section 3.08.

Special Funds shall mean the Warrant Fund and the Reserve Fund.

Reserve Fund shall mean the fund established under Section 6.02.

Special Record Date for the payment of any Defaulted Interest on Warrants shall mean the date fixed by the Paying Agent pursuant to Section 3.08.

Term Warrant shall have the meaning stated in the form of the Warrants contained in Section 3.03.

Warrant shall mean any Warrant authenticated and delivered pursuant to this ordinance.

Warrant Fund shall mean the fund established pursuant to Section 6.01.

Warrantholder, when used with respect to any Warrant, shall mean the person in whose name such Warrant is registered in the Warrant Register.

Warrant Payment Date shall mean each date (including any date fixed for redemption of Warrants) on which Debt Service is payable on the Warrants.

Warrant Register shall mean the register or registers for the registration and transfer of Warrants maintained by the Issuer pursuant to Section 3.06.

ARTICLE 2

Representations and Warranties

SECTION 2.01 Findings, Representations and Warranties

The Issuer makes the following findings, representations and warranties as the basis for the undertakings on its part herein contained:

(1) The Water Works Board of the Town of Margaret (the "Board") has heretofore issued the Refunded Bonds for the purpose of acquiring and constructing certain improvements to the Board's waterworks system. It is advantageous and in the public interest for the Issuer to provide financial assistance to the Board in order to refund the Refunded Bonds and for such purpose to issue the Warrants herein authorized. Any additional funds necessary to refund the Refunded Bonds over and above the net proceeds of the Warrants shall be provided out of the Issuer's own funds.

(2) The Warrants are being issued for the purpose of improving the waterworks system presently owned and operated by the Board. As such, the Warrants are being issued for an exempt purpose pursuant to Amendment No. 126 of the Constitution of Alabama for purposes of calculating the Issuer's constitutional debt limit.

ARTICLE 3

The Warrants

SECTION 3.01 Authorization of Warrants

Pursuant to the authority to do so contained in the applicable provisions of the constitution and laws of Alabama, including particularly the Enabling Law, there is hereby authorized to be issued a series of warrants entitled "General Obligation Warrants, Series 1989" (herein called the "Warrants"). The Warrants shall be issued for the purposes specified in Article 2.

SECTION 3.02 Amount and Terms

(a) The aggregate principal amount of the Warrants which may be authenticated and delivered and Outstanding is limited to \$150,000.

(b) The Warrants shall be issuable as two fully registered warrants without coupons. Each Warrant shall have a single principal maturity. The Warrants shall be numbered 1 and 2 respectively.

(c) One Warrant shall mature on July 1, 2002 (the "2002 Term Warrant"), shall be issued in the principal amount of \$50,000 and shall bear interest at the rate of 7.40%. The 2002 Term Warrant shall be subject to partial mandatory redemption on July 1 in the years and the amounts and subject to the terms and conditions set forth in the form of the 2002 Term Warrant in Section 2.03 below.

(d) One Warrant shall mature on July 1, 2014 (the "2014 Term Warrant"), shall be issued in the principal amount of \$100,000 and shall bear interest at the rate of 8.00%. The 2014 Term Warrant shall be subject to partial mandatory redemption on July 1 in the years and the amounts and subject to the terms and conditions set forth in the form of the 2014 Term Warrant in Section 3.03 below.

(e) The Warrants shall be dated July 1, 1989 and shall bear interest from such date, or the most recent date to which interest has been paid or duly provided for, until the principal thereof shall become due and payable, at the applicable rate per annum set forth in subsection (c) of this Section. Interest on the Warrants shall be payable on January 1 and July 1 in each year, beginning January 1, 1990 (each such date being herein called an "Interest Payment Date"), and shall be computed on the basis of a 360-day year with 12 months of 30 days each. Interest on overdue principal and premium and (to the extent legally enforceable) on any overdue installment of interest on the Warrants shall be payable at the Post-Default Rate.

(f) Payment of interest on the Warrants which is due, and punctually paid or duly provided for, on any Interest Payment Date shall be made by check or draft mailed by the Paying Agent to the persons entitled thereto at their addresses appearing in the Warrant Register. Such payments of interest shall be deemed timely made if so mailed on the Interest Payment Date (or, if such Interest Payment Date is not a Business Day, on the Business Day next following such Interest Payment Date). Payment of the principal of (and premium, if any, on) the Warrants at maturity and payment of accrued interest on the Warrants due upon redemption (except partial redemption) on any date other than an Interest Payment Date shall be made only upon surrender thereof at the Principal Office of the Paying Agent.

SECTION 3.03 Form of Warrants

The Warrants and the authentication certificate shall be substantially in the following form, with such appropriate insertions, omissions, substitutions and other variations as are required or permitted by this ordinance:

[Form of 2002 Term Warrant]

TOWN OF MARGARET

GENERAL OBLIGATION WARRANT, SERIES 1989

No. 1 \$50,000

Maturity Date: July 1, 2002 Interest Rate: 7.40%

The Town of Margaret, a municipal corporation organized under the laws of the State of Alabama (the "Issuer"), for value received, hereby acknowledges that it is indebted in the principal sum of

\_\_\_\_\_ Dollars

and hereby directs its Treasurer to pay (but solely out of the Warrant Fund referred to below) such principal sum to

\_\_\_\_\_

or registered assigns, on the maturity date specified above and to pay (but solely out of the Warrant Fund) interest on such principal sum from the date hereof, or the most recent date to which interest has been paid or duly provided for, until such principal sum shall become due and payable, at the per annum rate of interest specified above. Interest shall be payable on January 1 and July 1 in each year, beginning January 1, 1990 (each such date being herein called an "Interest Payment Date"), and shall be computed on the basis of a 360-day year with 12 months of 30 days each. Interest shall be payable on overdue principal (and premium, if any) on this warrant and (to the extent legally enforceable) on any overdue installment of interest on this warrant at the Post-Default Rate specified in the Warrant Ordinance referred to below.

The interest so payable, and punctually paid or duly provided for, on any Interest Payment Date will, as provided in the Warrant Ordinance, be paid to the person in whose name this warrant is registered at the close of business on the Regular Record Date for such interest, which shall be the 15th day (whether or not a Business Day) next preceding such Interest Payment Date. Any such interest not so punctually paid or duly provided for shall forthwith cease to be payable to the registered Holder on such Regular Record Date and shall be paid to the person in whose name this warrant is registered at the close of

business on a Special Record Date for the payment of such Defaulted Interest to be fixed by the Paying Agent, notice of such Special Record Date being given to Holders of the Warrants not less than 10 days prior to such Special Record Date.

Payment of interest on this warrant due on each Interest Payment Date shall be made by check or draft mailed by the Paying Agent to the person entitled thereto at his address appearing in the Warrant Register maintained by the Paying Agent. Such payments of interest shall be deemed timely made if so mailed on the Interest Payment Date (or, if such Interest Payment Date is not a Business Day, on the Business Day next following such Interest Payment Date). Payment of the principal of (and premium, if any, on) this warrant at maturity and payment of accrued interest on this warrant due upon redemption (except partial redemption) on any date other than an Interest Payment Date shall be made only upon surrender of this warrant at the Principal Office of the Paying Agent. All such payments shall be made in such coin or currency of the United States of America as at the time of payment is legal tender for the payment of public and private debts.

This warrant is one of a duly authorized issue of warrants of the Issuer, aggregating \$150,000 in principal amount, entitled "General Obligation Warrants, Series 1989" (the "Warrants") and issued under and pursuant to an ordinance duly adopted by the governing body of the Issuer (the "Warrant Ordinance") and the constitution and laws of the State of Alabama, including particularly Section 11-47-2 of the Code of Alabama 1975. Capitalized terms not otherwise defined herein shall have the meanings assigned in the Warrant Ordinance.

The Warrant Ordinance provides that First Alabama Bank, an Alabama banking corporation with its principal office in the City of Birmingham, Alabama, will serve as "Paying Agent" with respect to the Warrants unless and until a successor is appointed pursuant to the terms and conditions of the Warrant Ordinance. For purposes of this warrant and the Warrant Ordinance, the Principal Office of the Paying Agent shall mean the office where the Paying Agent maintains its principal corporate trust office in Birmingham, Alabama, or such other office within the State of Alabama as shall be designated by the Paying Agent by written notice to the Issuer and the Holders of the Warrants.

The indebtedness evidenced by the Warrants is a general obligation of the Issuer for the payment of which the full faith and credit of the Issuer have been irrevocably pledged, pro rata and without preference or priority of one Warrant over another.

Pursuant to the Warrant Ordinance the Issuer has established a special fund for the payment of Debt Service on the Warrants (the "Warrant Fund") that will be held by the Paying Agent. The Issuer has obligated itself to pay or cause to be paid into the Warrant Fund or from the taxes, revenues or other general funds of the Issuer sums sufficient to provide for the payment of Debt Service on the Warrants as the same becomes due and payable.

In the manner and with the effect provided in the Warrant Ordinance, this warrant is subject to redemption prior to maturity as follows:

(1) Optional Redemption. This warrant is subject to redemption at the option of the Issuer on or after July 1, 1999 at the applicable redemption price (expressed as a percentage of principal amount) set forth in the table below plus accrued interest to the redemption date:

<u>Redemption Date</u>	<u>Redemption Price</u>
July 1, 1999 through June 30, 2000	102%
July 1, 2000 through June 30, 2001	101.5%
July 1, 2001 and thereafter	101%

If the entire principal balance of this warrant is called for redemption, the date fixed for redemption may be July 1, 1999 or any date thereafter. If less than the entire principal balance of this warrant is called for redemption, (i) the date fixed for redemption may be July 1, 1999 or any Interest Payment Date thereafter and (ii) the Issuer shall specify the principal amount of this warrant to be redeemed.

(2) Mandatory Redemption. This warrant is subject to partial mandatory redemption on July 1 in the following years and amounts (plus accrued interest to the redemption date but less credits as provided below) as follows:

<u>Year</u>	<u>Amount</u>
1993	\$5,000
1994	5,000
1995	5,000
1996	5,000
1997	5,000
1998	5,000
1999	5,000
2000	5,000
2001	5,000

---

\$5,000 of this warrant  
will be retired at maturity

If this warrant is redeemed pursuant to the optional redemption provisions with respect to the Warrants, the principal amount so redeemed shall be credited first against the principal amount of this warrant scheduled to be retired at maturity (assuming that all mandatory redemptions are made as scheduled) and then in inverse chronological order against the mandatory redemption of this warrant required by this paragraph.

Any redemption shall be made upon at least 30 days' notice in the manner and upon the terms and conditions provided in the Warrant Ordinance.

If less than the entire principal balance of this warrant is redeemed, such partial redemption shall be endorsed hereon by the Holder of this warrant in the space provided below. Such partial redemption shall be valid upon payment of the applicable redemption price to the Holder hereof, and the Municipality and the Paying Agent shall be released and discharged from all liability to the extent of such payment, irrespective of whether such endorsement is actually made upon this warrant. This warrant may not be sold, pledged, transferred or otherwise disposed of unless prior to the delivery thereof, the Holder shall surrender the same to the Paying Agent in exchange for a warrant of the same maturity in an aggregate principal amount equal to the unpaid principal of this warrant. Accordingly, ANY PERSON WHO INTENDS TO ACQUIRE THIS WARRANT SHOULD VERIFY THE UNPAID PRINCIPAL AMOUNT HEREOF WITH THE PAYMENT AGENT BEFORE ACQUIRING THE SAME.

performed; and that the indebtedness evidenced and ordered paid by this warrant, together with all other indebtedness of the Issuer, is within every debt and other limit prescribed in the constitution and laws of the State of Alabama.

Unless the certificate of authentication hereon has been executed by the Paying Agent by manual signature, this warrant shall not be entitled to any benefit under the Warrant Ordinance or be valid or obligatory for any purpose.

IN WITNESS WHEREOF, the Issuer has caused this warrant to be duly executed under its corporate seal.

Dated: \_\_\_\_\_

TOWN OF MARGARET

By \_\_\_\_\_  
Its Mayor

[SEAL]

Attest:

\_\_\_\_\_  
Its City Clerk

[Form of Registration As Claim Against  
Warrant Fund]

I hereby certify that this warrant has been registered by me as a claim against the Warrant Fund referred to in this warrant.

\_\_\_\_\_  
Treasurer of the Town of  
Margaret

Certificate of Authentication

This warrant is one of the Warrants issued pursuant to the within-mentioned Warrant Ordinance.

Date of Authentication: \_\_\_\_\_

FIRST ALABAMA BANK  
as Paying Agent

By \_\_\_\_\_  
Its Authorized Officer

Certificate of Partial Redemption

<u>Redemption Date</u>	<u>Principal Amount Redeemed</u>	<u>Signature of Holder</u>
_____	_____	_____
_____	_____	_____

[Form of 2014 Term Warrant]

TOWN OF MARGARET

GENERAL OBLIGATION WARRANT, SERIES 1989

No. 2

\$100,000

Maturity Date: July 1, 2014

Interest Rate: 8.00%

The Town of Margaret, a municipal corporation organized under the laws of the State of Alabama (the "Issuer"), for value received, hereby acknowledges that it is indebted in the principal sum of

\_\_\_\_\_ Dollars

and hereby directs its Treasurer to pay (but solely out of the Warrant Fund referred to below) such principal sum to

\_\_\_\_\_,  
or registered assigns, on the maturity date specified above and to pay (but solely out of the Warrant Fund) interest on such principal sum from the date hereof, or the most recent date to which interest has been paid or duly provided for, until such principal sum shall become due and payable, at the per annum rate of interest specified above. Interest shall be payable on January 1 and July 1 in each year, beginning January 1, 1990 (each such date being herein called an "Interest Payment Date"), and shall be computed on the basis of a 360-day year with 12 months of 30 days each. Interest shall be payable on overdue principal (and premium, if any) on this warrant and (to the extent legally enforceable) on any overdue installment of interest on this warrant at the Post-Default Rate specified in the Warrant Ordinance referred to below.

The interest so payable, and punctually paid or duly provided for, on any Interest Payment Date will, as provided in the Warrant Ordinance, be paid to the person in whose name this warrant is registered at the close of business on the Regular Record Date for such interest, which shall be the 15th day (whether or not a Business Day) next preceding such Interest Payment Date. Any such interest not so punctually paid or duly provided for shall forthwith cease to be payable to the registered Holder on such Regular Record Date and shall be paid to the person in whose name this warrant is registered at the close of

business on a Special Record Date for the payment of such Defaulted Interest to be fixed by the Paying Agent, notice of such Special Record Date being given to Holders of the Warrants not less than 10 days prior to such Special Record Date.

Payment of interest on this warrant due on each Interest Payment Date shall be made by check or draft mailed by the Paying Agent to the person entitled thereto at his address appearing in the Warrant Register maintained by the Paying Agent. Such payments of interest shall be deemed timely made if so mailed on the Interest Payment Date (or, if such Interest Payment Date is not a Business Day, on the Business Day next following such Interest Payment Date). Payment of the principal of (and premium, if any, on) this warrant at maturity and payment of accrued interest on this warrant due upon redemption (except partial redemption) on any date other than an Interest Payment Date shall be made only upon surrender of this warrant at the Principal Office of the Paying Agent. All such payments shall be made in such coin or currency of the United States of America as at the time of payment is legal tender for the payment of public and private debts.

This warrant is one of a duly authorized issue of warrants of the Issuer, aggregating \$150,000 in principal amount, entitled "General Obligation Warrants, Series 1989" (the "Warrants") and issued under and pursuant to an ordinance duly adopted by the governing body of the Issuer (the "Warrant Ordinance") and the constitution and laws of the State of Alabama, including particularly Section 11-47-2 of the Code of Alabama 1975. Capitalized terms not otherwise defined herein shall have the meanings assigned in the Warrant Ordinance.

The Warrant Ordinance provides that First Alabama Bank, an Alabama banking corporation with its principal office in the City of Birmingham, Alabama, will serve as "Paying Agent" with respect to the Warrants unless and until a successor is appointed pursuant to the terms and conditions of the Warrant Ordinance. For purposes of this warrant and the Warrant Ordinance, the Principal Office of the Paying Agent shall mean the office where the Paying Agent maintains its principal corporate trust office in Birmingham, Alabama, or such other office within the State of Alabama as shall be designated by the Paying Agent by written notice to the Issuer and the Holders of the Warrants.

The indebtedness evidenced by the Warrants is a general obligation of the Issuer for the payment of which the full faith and credit of the Issuer have been irrevocably pledged, pro rata and without preference or priority of one Warrant over another.

Pursuant to the Warrant Ordinance the Issuer has established a special fund for the payment of Debt Service on the Warrants (the "Warrant Fund") that will be held by the Paying Agent. The Issuer has obligated itself to pay or cause to be paid into the Warrant Fund or from the taxes, revenues or other general funds of the Issuer sums sufficient to provide for the payment of Debt Service on the Warrants as the same becomes due and payable.

In the manner and with the effect provided in the Warrant Ordinance, this warrant is subject to redemption prior to maturity as follows:

(1) Optional Redemption. This warrant is subject to redemption at the option of the Issuer on or after July 1, 1999 at the applicable redemption price (expressed as a percentage of principal amount) set forth in the table below plus accrued interest to the redemption date:

<u>Redemption Date</u>	<u>Redemption Price</u>
July 1, 1999 through June 30, 2000	102%
July 1, 2000 through June 30, 2001	101.5%
July 1, 2001 through June 30, 2002	101%
July 1, 2002 through June 30, 2003	100.5%
July 1, 2003 and thereafter	100%

If the entire principal balance of this warrant is called for redemption, the date fixed for redemption may be July 1, 1999 or any date thereafter. If less than the entire principal balance of this warrant is called for redemption, (i) the date fixed for redemption may be July 1, 1999 or any Interest Payment Date thereafter and (ii) the Issuer shall specify the principal amount of this warrant to be redeemed.

(2) Mandatory Redemption. This warrant is subject to partial mandatory redemption on July 1 in the following years and amounts (plus accrued interest to the redemption date but less credits as provided below) as follows:

<u>Year</u>	<u>Amount</u>
2003	\$5,000
2004	5,000
2005	5,000
2006	5,000
2007	5,000
2008	10,000
2009	10,000
2010	10,000
2011	10,000
2012	10,000
2013	10,000

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\$15,000 of this warrant  
will be retired at maturity

If this warrant is redeemed pursuant to the optional redemption provisions with respect to the Warrants, the principal amount so redeemed shall be credited first against the principal amount of this warrant scheduled to be retired at maturity (assuming that all mandatory redemptions are made as scheduled) and then in inverse chronological order against the mandatory redemption of this warrant required by this paragraph.

Any redemption shall be made upon at least 30 days' notice in the manner and upon the terms and conditions provided in the Warrant Ordinance.

If less than the entire principal balance of this warrant is redeemed, such partial redemption shall be endorsed hereon by the Holder of this warrant in the space provided below. Such partial redemption shall be valid upon payment of the applicable redemption price to the Holder hereof, and the Municipality and the Paying Agent shall be released and discharged from all liability to the extent of such payment, irrespective of whether such endorsement is actually made upon this warrant. This warrant may not be sold, pledged, transferred or otherwise disposed of unless prior to the delivery thereof, the Holder shall surrender the same to the Paying Agent in exchange for a warrant of the same maturity in an aggregate principal amount equal to the unpaid principal of this warrant. Accordingly, ANY PERSON WHO INTENDS TO ACQUIRE THIS WARRANT SHOULD VERIFY THE UNPAID PRINCIPAL AMOUNT HEREOF WITH THE PAYING AGENT BEFORE ACQUIRING THE SAME.

Warrants (or portions thereof as aforesaid) for whose redemption and payment provision is made in accordance with the Warrant Ordinance shall thereupon cease to be entitled to the benefits of the Warrant Ordinance and shall cease to bear interest from and after the date fixed for redemption.

As provided in the Warrant Ordinance and subject to certain limitations therein set forth, this warrant is transferable on the Warrant Register maintained at the Principal Office of the Paying Agent, upon surrender of this warrant for transfer at such office, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Issuer and the Paying Agent duly executed by, the registered Holder hereof or his attorney duly authorized in writing, and thereupon one or more new Warrants of a like aggregate principal amount, of any authorized denominations and of the same maturity, will be issued to the designated transferee or transferees.

The Warrants are issuable in denominations of \$5,000 and any multiple thereof. As provided in the Warrant Ordinance and subject to certain limitations therein set forth, Warrants are exchangeable for a like aggregate principal amount of Warrants of any authorized denominations and of the same maturity, as requested by the Holder surrendering the same.

No service charge shall be made for any transfer or exchange hereinbefore referred to, but the Issuer may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

The Issuer, the Paying Agent and any agent of the Issuer or the Paying Agent may treat the person in whose name this warrant is registered as the owner hereof for the purpose of receiving payment as herein provided and for all other purposes, whether or not this warrant is overdue, and neither the Issuer, the Paying Agent nor any agent shall be affected by notice to the contrary.

It is hereby certified, recited and declared that the indebtedness evidenced and ordered paid by this warrant is lawfully due without condition, abatement or offset of any description; that this warrant has been registered as a claim against the Warrant Fund in the manner provided by law; that all acts, conditions and things required by the constitution and laws of the State of Alabama to happen, exist and be performed precedent to and in the issuance of this warrant have happened, do exist and have been

performed; and that the indebtedness evidenced and ordered paid by this warrant, together with all other indebtedness of the Issuer, is within every debt and other limit prescribed in the constitution and laws of the State of Alabama.

Unless the certificate of authentication hereon has been executed by the Paying Agent by manual signature, this warrant shall not be entitled to any benefit under the Warrant Ordinance or be valid or obligatory for any purpose.

IN WITNESS WHEREOF, the Issuer has caused this warrant to be duly executed under its corporate seal.

Dated: \_\_\_\_\_

TOWN OF MARGARET

By \_\_\_\_\_  
Its Mayor

[SEAL]

Attest:

\_\_\_\_\_  
Its City Clerk

[Form of Registration As Claim Against  
Warrant Fund]

I hereby certify that this warrant has been registered by me as a claim against the Warrant Fund referred to in this warrant.

\_\_\_\_\_  
Treasurer of the Town of  
Margaret

Certificate of Authentication

This warrant is one of the Warrants issued pursuant to the within-mentioned Warrant Ordinance.

Date of Authentication: \_\_\_\_\_

FIRST ALABAMA BANK  
as Paying Agent

By \_\_\_\_\_  
Its Authorized Officer

Certificate of Partial Redemption

<u>Redemption Date</u>	<u>Principal Amount Redeemed</u>	<u>Signature of Holder</u>
_____	_____	_____
_____	_____	_____

SECTION 3.04 Execution, Registration and Authentication

(a) The Warrants shall be executed on behalf of the Issuer by its Mayor under its seal reproduced thereon and attested by its Town Clerk and the certification of registration of each Warrant as a claim against the Warrant Fund shall be executed by the Treasurer of the Issuer. The signature of any of these officers on the Warrants may be manual or, to the extent permitted by law, facsimile. Warrants bearing the manual or facsimile signatures of individuals who were at any time the proper officers of the Issuer shall bind the Issuer, notwithstanding that such individuals or any of them shall have ceased to hold such offices prior to the authentication and delivery of such Warrants or shall not have held such offices at the date of such Warrants.

(b) No Warrants shall be secured by, or be entitled to any lien, right or benefit under, this ordinance or be valid or obligatory for any purpose, unless there appears on such Warrant a certificate of authentication substantially in the form provided for herein, executed by the Paying Agent by manual signature, and such certificate upon any Warrant shall be conclusive evidence, and the

only evidence, that such Warrant has been duly authenticated and delivered hereunder.

SECTION 3.05 Temporary Warrants

(a) Pending the preparation of definitive Warrants, the Issuer may execute, and upon request of the Issuer the Paying Agent shall authenticate and deliver, temporary Warrants which are printed, lithographed, typewritten, mimeographed or otherwise produced, in any denomination, substantially of the tenor of the definitive Warrants in lieu of which they are issued, with such appropriate insertions, omissions, substitutions and other variations as the officers executing such Warrants may determine, as evidenced by their execution of such Warrants.

(b) If temporary Warrants are issued, the Issuer will cause definitive Warrants to be prepared without unreasonable delay. After the preparation of definitive Warrants, the temporary Warrants shall be exchangeable for definitive Warrants upon surrender of the temporary Warrants at the Principal Office of the Paying Agent, without charge to the Holder. Upon surrender for cancellation of any one or more temporary Warrants the Issuer shall execute and the Paying Agent shall authenticate and deliver in exchange therefor a like principal amount of definitive Warrants of authorized denominations. Until so exchanged, temporary Warrants shall in all respects be entitled to the security and benefits of this ordinance.

SECTION 3.06 Registration, Transfer and Exchange

(a) The Issuer shall cause to be kept at the Principal Office of the Paying Agent a register (herein referred to as the "Warrant Register") in which, subject to such reasonable regulations as it may prescribe, the Issuer shall provide for the registration of Warrants and registration of transfers of Warrants entitled to be registered or transferred as herein provided. The Paying Agent is hereby appointed "Warrant Registrar" for the purpose of registering Warrants and transfers of Warrants as herein provided.

(b) Upon surrender for transfer of any Warrant at the Principal Office of the Paying Agent, the Issuer shall execute, and the Paying Agent shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Warrants of a like aggregate principal amount, of any authorized denominations and of the same maturity.

(c) At the option of the Holder, Warrants may be exchanged for other Warrants of a like aggregate principal amount, of any authorized denominations and of the same maturity, upon surrender of the Warrants to be exchanged at the Principal Office of the Paying Agent. Whenever any Warrants are so to be surrendered for exchange, the Issuer shall execute, and the Paying Agent shall authenticate and deliver, the Warrants which the Holder making the exchange is entitled to receive.

(d) All Warrants surrendered upon any exchange or transfer provided for in this ordinance shall be promptly cancelled by the Paying Agent.

(e) All Warrants issued upon any transfer or exchange of Warrants shall be the valid obligations of the Issuer and entitled to the same security and benefits under this ordinance as the Warrants surrendered upon such transfer or exchange.

(f) Every Warrant presented or surrendered for transfer or exchange shall (if so required by the Issuer or the Paying Agent) be duly endorsed, or be accompanied by a written instrument of transfer in form satisfactory to the Issuer and the Paying Agent duly executed, by the Holder thereof or his attorney duly authorized in writing.

(g) No service charge shall be made for any transfer or exchange of Warrants, but the Issuer may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Warrants.

(h) The Issuer shall not be required (i) to transfer or exchange any Warrant during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of Warrants and ending at the close of business on the day of such mailing, (ii) to transfer or exchange any Warrant so selected for redemption in whole or in part, or (iii) to exchange any Warrant during a period beginning at the opening of business on any Regular Record Date and ending at the close of business on the relevant Interest Payment Date therefor.

SECTION 3.07 Mutilated, Destroyed, Lost and Stolen Warrants

(a) If (i) any mutilated Warrant is surrendered to the Paying Agent, or the Issuer and the Paying Agent

receive evidence to their satisfaction of the destruction, loss or theft of any Warrant, and (ii) there is delivered to the Issuer and the Paying Agent such security or indemnity as may be required by them to save each of them harmless, then, in the absence of notice to the Issuer or the Paying Agent that such Warrant has been acquired by a bona fide purchaser, the Issuer shall execute and upon its request the Paying Agent shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Warrant, a new Warrant of like tenor and principal amount, bearing a number not contemporaneously outstanding.

(b) Upon the issuance of any new Warrant under this Section, the Issuer may require the payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses connected therewith.

(c) Every new Warrant issued pursuant to this Section in lieu of any destroyed, lost or stolen Warrant shall constitute an original additional contractual obligation of the Issuer, whether or not the destroyed, lost or stolen Warrant shall be at any time enforceable by anyone, and shall be entitled to all the security and benefits of this ordinance equally and ratably with all other Outstanding Warrants.

(d) The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement or payment of mutilated, destroyed, lost or stolen Warrants.

SECTION 3.08 Payment of Interest on Warrants;  
Interest Rights Preserved

(a) Interest on any Warrant which is payable, and punctually paid or duly provided for, on any Interest Payment Date shall be paid to the person in whose name that Warrant is registered at the close of business on the Regular Record Date for such interest, which shall be the 15th day (whether or not a Business Day) next preceding such Interest Payment Date.

(b) Any interest on any Warrant which is payable, but is not punctually paid or duly provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the Holder on the relevant Regular Record Date solely by virtue of such Holder having been such Holder; and such Defaulted

Interest shall be paid by the Issuer to the persons in whose names such Warrants are registered at the close of business on a special record date (herein called a "Special Record Date") for the payment of such Defaulted Interest, which shall be fixed in the following manner. The Issuer shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Warrant and the date of the proposed payment (which date shall be such as will enable the Paying Agent to comply with the next sentence hereof), and at the same time the Issuer shall deposit with the Paying Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment, such money when deposited to be held solely for the benefit of the persons entitled to such Defaulted Interest as in this subsection provided. Thereupon the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment and not less than 10 days after the receipt by the Paying Agent of the notice of the proposed payment. The Paying Agent shall promptly notify the Issuer of such Special Record Date and, in the name and at the expense of the Issuer, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first-class postage prepaid, to each Holder of a Warrant at his address as it appears in the Warrant Register not less than 10 days prior to such Special Record Date. Notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor having been mailed as aforesaid, such Defaulted Interest shall be paid to the persons in whose names the Warrants are registered on such Special Record Date.

(c) Subject to the foregoing provisions of this Section, each Warrant delivered under this ordinance upon transfer of or in exchange for or in lieu of any other Warrant shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Warrant and each such Warrant shall bear interest from such date that neither gain nor loss in interest shall result from such transfer, exchange or substitution.

#### SECTION 3.09 Persons Deemed Owners

The Issuer, the Paying Agent and any agent of the Issuer or the Paying Agent may treat the person in whose name any Warrant is registered as the owner of such

Warrant for the purpose of receiving payment of Debt Service on such Warrant (subject to Section 3.08) and for all other purposes whatsoever whether or not such Warrant is overdue, and, to the extent permitted by law, neither the Issuer, the Paying Agent nor any such agent shall be affected by notice to the contrary.

SECTION 3.10 Paying Agent

(a) First Alabama Bank, an Alabama banking corporation with its principal office in the City of Birmingham, Alabama, is hereby appointed "Paying Agent" for the purpose of paying Debt Service on the Warrants on behalf of the Issuer.

(b) The Debt Service on the Warrants shall, except as otherwise provided herein, be payable at the Principal Office of the Paying Agent.

(c) If the bank designated as Paying Agent pursuant to subsection (a) of this Section shall resign or shall become incapable of acting or shall be adjudged a bankrupt or insolvent or a receiver of it or of its property shall be appointed or any public officer shall take charge or control of it or of its property or affairs for the purpose of rehabilitation, conservation or liquidation, then, in any such case, the Issuer shall appoint a successor Paying Agent. Any successor Paying Agent must have capital and surplus of not less than \$20,000,000 must be subject to supervision or examination by federal or State of Alabama authority, and must have a corporate trust office within the State of Alabama. The Issuer shall give notice of the appointment of any such successor Paying Agent by registered or certified mail to the Holders of Warrants as their names and addresses appear in the Warrant Register.

SECTION 3.11 Payments Due on a Day Other than a Business Day

If any payment on the Warrants is due on a day which is not a Business Day, such payment shall be made on the first succeeding day which is a Business Day with the same effect as if made on the day such payment was due.

SECTION 3.12 Cancellation

All Warrants surrendered for payment, redemption, transfer or exchange shall be promptly cancelled by the Paying Agent. No Warrants shall be registered in lieu of

or in exchange for any Warrant cancelled as provided in this Section, except as expressly provided by this ordinance.

#### ARTICLE 4

##### Redemption of Warrants

###### SECTION 4.01 General Applicability of Article

(a) The Warrants shall be redeemable in accordance with the redemption provisions set forth in the form of the Warrants contained in Section 3.03 and the provisions of this Article.

(b) Warrants shall be redeemed in accordance with the mandatory redemption provisions of the Warrants without any direction from or consent by the Issuer. Warrants shall be redeemed in accordance with the optional redemption provisions of the Warrants only upon direction of the Issuer.

###### SECTION 4.02 Election to Redeem; Notice to Paying Agent

The election of the Issuer to exercise any right of optional redemption shall be evidenced by a certified resolution of the governing body of the Issuer delivered to the Paying Agent. In case of any redemption at the option of the Issuer of less than all the Outstanding Warrants, the Issuer shall, at least 60 days prior to the date fixed by the Issuer for redemption of Warrants (unless a shorter notice shall be satisfactory to the Paying Agent), notify the Paying Agent of such redemption date and of the principal amount and maturities of Warrants to be redeemed.

###### SECTION 4.03 Selection by Paying Agent of Warrants to be Redeemed

(a) If less than all the Outstanding Warrants are to be redeemed, the particular Warrants to be redeemed shall be selected not less than 30 nor more than 60 days prior to the redemption date by the Paying Agent from the Outstanding Warrants which have not previously been called for redemption, in the manner provided in this ordinance or, if no such provision is made, by such method as the Paying Agent shall deem fair and appropriate and which may provide for the selection for redemption of portions (equal to the smallest authorized denomination of the

Warrants, or a multiple thereof) of the principal of Warrants of a denomination larger than the smallest authorized denomination.

(b) The Paying Agent shall promptly notify the Issuer in writing of the Warrants selected for redemption and, in the case of any Warrant selected for partial redemption, the principal amount thereof to be redeemed.

(c) For all purposes of this ordinance, unless the context otherwise requires, all provisions relating to the redemption of Warrants shall relate, in the case of any Warrant redeemed or to be redeemed only in part, to the portion of the principal of such Warrant which has been or is to be redeemed.

#### SECTION 4.04 Notice of Redemption

(a) Unless waived by the Holders of all Warrants then Outstanding, notice of redemption shall be given by registered or certified mail, mailed not less than 30 nor more than 60 days prior to the redemption date, to each Holder of Warrants to be redeemed at his address appearing in the Warrant Register.

(b) All notices of redemption shall state:

(1) the redemption date,

(2) the redemption price,

(3) the principal amount of Warrants to be redeemed, and, if less than all Outstanding Warrants are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Warrants to be redeemed,

(4) that on the redemption date the redemption price of each of the Warrants to be redeemed will become due and payable and that the interest thereon shall cease to accrue from and after said date, and

(5) the place or places where the Warrants to be redeemed are to be surrendered for payment of the redemption price.

(c) Notice of redemption of Warrants to be redeemed at the option of the Issuer shall be given by the Issuer or, at the Issuer's request, by the Paying Agent in the name and at the expense of the Issuer. Notice of

redemption of Warrants in accordance with the mandatory redemption provisions of the Warrants shall be given by the Paying Agent in the name and at the expense of the Issuer.

(d) The Issuer and the Paying Agent shall, to the extent practical under the circumstances, comply with the standard set forth in Securities and Exchange Commission's Exchange Act Release No. 23856 dated December 3, 1986, regarding redemption notices, but their failure to do so shall not in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed in this Section.

SECTION 4.05 Deposit of Redemption Price

Prior to any redemption date, the Issuer shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Warrants which are to be redeemed on that date. Such money shall be held solely for the benefit of the persons entitled to such redemption price.

SECTION 4.06 Warrants Payable on Redemption Date

(a) Notice of redemption having been given as aforesaid, the Warrants so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Issuer shall default in the payment of the redemption price) such Warrants shall cease to bear interest. Upon surrender of any such Warrant for redemption in accordance with said notice such Warrant shall be paid by the Issuer at the redemption price. Installments of interest due prior to the redemption date shall be payable to the Holders of the Warrants registered as such on the relevant Record Dates according to the terms of such Warrants and the provisions of Section 3.08.

(b) If any Warrant called for redemption shall not be so paid upon surrender thereof for redemption, the principal (and premium, if any) shall, until paid, bear interest from the redemption date at the Post-Default Rate.

SECTION 4.07 Warrants Redeemed in Part

If any Warrant is to be redeemed only in part, such partial redemption shall be endorsed on such Warrant by the Holder of the Warrant. Such partial redemption shall be valid upon payment of the applicable redemption price

to the holder of such Warrant and the Municipality and the Paying Agent shall be released and discharged from all liability to the extent of such payment, irrespective of whether such endorsement is actually made upon such Warrant. No Warrant may be sold, pledged, transferred or otherwise disposed of unless prior to the delivery thereof, the Holder has surrendered the same to the Paying Agent in exchange for a Warrant of the same maturity in an aggregate principal amount equal to the unpaid principal of such Warrant.

## ARTICLE 5

### Source of Payment

#### SECTION 5.01 General Obligation

The indebtedness evidenced and ordered paid by the Warrants shall be a general obligation of the Issuer for the payment of Debt Service on which the full faith and credit of the Issuer are hereby irrevocably pledged, pro rata and without preference or priority of one Warrant over another. The Issuer hereby covenants and agrees to levy and collect taxes, to the maximum extent permitted by law, at such rate or rates as shall make available tax proceeds which, when added to the revenues of the Issuer from other sources available for such purposes, will be sufficient to pay the reasonable expenses of carrying on the necessary governmental functions of the Issuer and to pay Debt Service on the Warrants as the same shall become due and payable.

#### SECTION 5.02 Provision for Payment of Warrants

(a) If Debt Service on the Warrants is paid in accordance with the terms of the Warrants and this ordinance, then all covenants, agreements and other obligations of the Issuer to the Warrantholders shall thereupon cease, terminate and become void and be discharged and satisfied. In such event the Paying Agent shall pay to the Issuer any surplus remaining in the Warrant Fund.

(b) Warrants shall, prior to the maturity or redemption date thereof, be deemed to have been paid within the meaning and with the effect expressed in subsection (a) of this Section if:

(1) in case such Warrants are to be redeemed on any date prior to their maturity, either (i) the

Paying Agent shall receive evidence that notice of such redemption has been given in accordance with the terms of this ordinance or (ii) the Issuer shall confer on the Paying Agent irrevocable authority for the giving of such notice on behalf of the Issuer,

(2) there shall have been deposited with the Paying Agent cash and/or Federal Securities which (assuming due and punctual payment of the principal of and interest on such Federal Securities) will provide money sufficient to pay when due the Debt Service due and to become due on such Warrants on and prior to the redemption date or maturity date thereof, as the case may be, and

(3) such Federal Securities are not subject to redemption prior to their respective maturities at the option of the issuer of such Securities.

All cash and/or Federal Securities so deposited with the Paying Agent shall be held in trust and applied by the Paying Agent solely to the payment of Debt Service on such Warrants as the same shall become due and payable. At such time as any Warrant shall be deemed paid as aforesaid, it shall no longer be secured by or entitled to the benefits of this ordinance, except for the purpose of any payment from such cash and/or Federal Securities deposited with the Paying Agent and the purpose of transfer and exchange as herein provided.

## ARTICLE 6

### The Special Funds

#### SECTION 6.01 Warrant Fund

(a) There is hereby established a special fund entitled "General Obligation Warrants, Series 1989 Debt Service Fund" (herein called the "Warrant Fund"). Money in the Warrant Fund shall be used solely for the payment of Debt Service on the Warrants as the same shall become due and payable.

(b) The Issuer shall deposit into the Warrant Fund the following amounts on or before the following dates:

(1) on the date of delivery of the Warrants, all accrued interest and premium (if any) from the sale of the Warrants to the original purchaser or purchasers thereof;

(2) not later than 10:00 a.m. (Birmingham, Alabama time) on each Warrant Payment Date the Issuer shall deposit into the Warrant Fund, in immediately available funds, an amount equal to the Debt Service on the Warrants that is due and payable on such Warrant Payment Date.

SECTION 6.02 Reserve Fund

(a) There is hereby established a special fund which shall be designated the "General Obligation Warrants, Series 1989 Reserve Fund". The Paying Agent shall be the depository, custodian and disbursing agent for the Reserve Fund. The amount required to be accumulated and maintained in the Reserve Fund is an amount equal to the Minimum Reserve Fund Balance.

(b) Simultaneously with the delivery of this Indenture, the Issuer shall deposit into the Reserve Fund the sum of \$15,000.

(c) If on the 25th day of any month the amount in the Reserve Fund is less than the Minimum Reserve Fund Balance (whether as a result of a withdrawal, the issuance of Additional Bonds, valuation of said Fund pursuant to subsection (e) of this Section or otherwise), the Issuer shall deposit the sum of \$500 into the Reserve Fund and such deposits shall continue to be made on the 25th day of each month thereafter until the amount on deposit in such Fund shall again equal the Minimum Reserve Fund Balance.

(d) Except as provided in subsection (e) of this Section, money on deposit in the Reserve Fund shall be used to pay Debt Service on the Bonds as it becomes due and payable, but only if the money then held in the Warrant Fund shall be insufficient for such purpose.

(e) Any investments constituting a part of the Reserve Fund shall be valued at fair market value (exclusive of accrued interest). On August 1 of each year, the Paying Agent shall make a valuation of investments in the Reserve Fund. If, as a result of such valuation, the balance in the Reserve Fund is determined to be less than the Minimum Reserve Fund Balance, then monthly transfers to such Fund shall be made and continued as required by this Section. If, as a result of such valuation, the balance in the Reserve Fund is determined to exceed the Minimum Reserve Fund Balance, the Paying Agent shall withdraw the amount of such excess and pay the same to the Issuer.

SECTION 6.03 Security for Special Funds

Any money on deposit in the Special Funds or held by the Paying Agent pursuant to this Ordinance shall, unless invested as provided herein or secured by the Federal Deposit Insurance Corporation (or any successor agency of the United States of America), be secured for the benefit of the Issuer and the Holders of the Warrants either

(1) by holding on deposit as collateral security Federal Securities, or other marketable securities eligible as security for the deposit of public funds under regulations of the Comptroller of the Currency, having a market value (exclusive of accrued interest) not less than the amount of money being secured, or

(2) if the furnishing of security in the manner provided in the foregoing paragraph (1) is not permitted by the then applicable laws and regulations, then in such manner as may be required or permitted by the applicable State of Alabama and federal laws and regulations respecting the security for, or granting a preference in the case of, the deposit of public funds.

SECTION 6.04 Investment of Special Funds

(a) The Issuer may cause any money on deposit in a Special Fund not then needed for the payment of Debt Service on the Warrants to be invested or reinvested by the Paying Agent in Qualified Investments. All such investments must mature or be subject to redemption at the option of the holder on or prior to the respective date or dates when cash funds will be required for purposes of the Warrant Fund. Any investment made with money on deposit in the Special Funds shall be held by or under control of the Paying Agent and shall be deemed at all times a part of such Special Fund.

(b) All interest accruing on such investments and any profit realized therefrom shall be deposited in the Special Fund in which such investments are being held and shall be credited to the deposits required by Section 6.01; any losses resulting from liquidation of investments shall be charged to such Special Fund and shall be added to the next ensuing deposit specified in Section 6.01. The Paying Agent shall sell and reduce to cash a sufficient portion of such investments whenever the cash balance in the Warrant Fund is insufficient to pay Debt Service on the Warrants when due.

(c) Any investment of money in a Special Fund may be made by the Paying Agent through its own bond department, investment department or other commercial banking department providing investment services. Any certificate of deposit issued by, or other interest-bearing deposit with, the Paying Agent shall be deemed an investment rather than a deposit requiring security in the manner specified in Section 6.03.

## ARTICLE 7

### Sale and Delivery of Warrants

#### SECTION 7.01 Sale of Warrants

(a) The 2002 Term Warrant is hereby sold to Ashville Savings Bank, an Alabama banking corporation, for a purchase price of \$50,000 plus accrued interest (if any). The 2014 Term Warrant is hereby sold to Mr. Leon Edwards for a purchase price of \$100,000 plus accrued interest (if any).

(b) The Original Purchasers shall be under no duty to inquire as to the application of the proceeds of the Warrants. Nevertheless, such proceeds shall be held and applied solely for the purposes specified in this ordinance.

#### SECTION 7.02 Closing Papers

The officers of the Issuer and any person or persons designated and authorized by any officer of the Issuer to act in the name and on behalf of the Issuer, or any one or more of them, are authorized to do and perform or cause to be done and performed in the name and on behalf of the Issuer such other acts, to pay or cause to be paid on behalf of the Issuer such related costs and expenses, and to execute and deliver or cause to be executed and delivered in the name and on behalf of the Issuer such other notices, requests, demands, directions, consents, approvals, orders, applications, certificates, agreements, further assurances, or other instruments or communications, under the seal of the Issuer, or otherwise, as they or any of them may deem necessary, advisable, or appropriate in order to carry into effect the intent of the provisions of this ordinance and to demonstrate the validity of the Warrants, the absence of any pending or threatened litigation with respect to the Warrants and the transactions contemplated by this ordinance, and the exemption of interest on the Warrants from Federal and State of Alabama income taxation.

SECTION 7.03 Application of Proceeds

The proceeds from the sale of the Warrants shall be delivered to the Treasurer of the Issuer and shall be applied by the Treasurer for the following purposes and in the following order:

(1) the amount (if any) received as accrued interest and premium on the sale of the Warrants shall be deposited in the Warrant Fund;

(2) the balance of such proceeds shall be paid to General Electric Capital Corporation together with sufficient funds from the Issuer's own funds in order to pay all outstanding principal and accrued interest with respect to the Refunded Bonds.

ARTICLE 8

Miscellaneous

SECTION 8.01 Amendment of Description of Improvements

The Issuer may amend or change the description of the Improvements contained in this ordinance, provided that:

(1) the governing body of the Issuer adopts an ordinance setting forth such amendment or change,

(2) the Improvements, as so amended or changed, are eligible for financing with proceeds of warrants issued pursuant to the Enabling Law, and

(3) such amendment or change will not cause the amount of the Warrants chargeable against the Issuer's constitutional limitation on indebtedness to increase.

SECTION 8.02 Covenant Regarding Tax Exemption

The Issuer covenants and agrees that it will not take any action, or fail to take any action, if such action or failure to act would cause interest on the Warrants to be or become includible in gross income of the Holders thereof for purposes of Federal income taxation. Without limiting the generality of the preceding sentence, the Issuer covenants and agrees that, to the extent necessary for interest on the Warrants to be so excludable from gross income,

(1) proceeds of the Warrants shall not be used in any private business use; payment of the Warrants shall not be secured by, or derived from, property used in a private business use; proceeds of the Warrants shall not be used to make or finance loans to persons other than governmental units; and proceeds of the Warrants shall not be used in any manner that would cause the Warrants to be or become private activity bonds, as defined in Section 141 of the Internal Revenue Code;

(2) the Issuer will make timely rebate payments to the United States of excess arbitrage profits, as required by Section 148(f) of the Internal Revenue Code;

(3) the Issuer will not invest any portion of the proceeds of the Warrants, or any funds that are replaced by proceeds of the Warrants or deposited in any sinking fund for the payment of the Warrants, in a manner that would cause the Warrants to be or become arbitrage bonds under Section 148 of the Internal Revenue Code;

(4) the Issuer will not cause or permit the Warrants to be federally guaranteed, within the meaning of Section 149(b) of the Internal Revenue Code;

(5) the Issuer will not employ any device in connection with the issuance of the Warrants or the refunding of the Refunded Warrants to obtain a material financial advantage (based on arbitrage) apart from savings attributable to lower interest rates; and

(6) the Issuer shall submit to the Secretary of the Treasury a statement or report with respect to the issuance of the Warrants as required by Section 149(e) of the Internal Revenue Code.

SECTION 8.03 Designation of Warrants as Qualified Tax-Exempt Obligations

The Issuer hereby designates the Warrants as "qualified tax-exempt obligations" for purposes of the provisions of Section 265 of the Internal Revenue Code relating to the 20% disallowance of financial institution interest expense allocable to tax-exempt obligations. The Issuer does not reasonably anticipate that the amount of tax-exempt obligations issued by it or its subordinate

governmental entities will exceed \$10 million during the calendar year 1989. The Issuer hereby expresses its intent to make all designations, notices and filings, and to take all other action necessary for the Warrants to be deemed "qualified tax-exempt obligations."

SECTION 8.04 Agreement to Pay Attorneys' Fees

If the Issuer should default under any of the provisions of this ordinance and the Holder of any Warrant should employ attorneys or incur other expenses for the collection of any payments due hereunder or the enforcement of performance or observance of any agreement or covenant on the part of the Issuer herein contained, the Issuer will (to the extent legally enforceable) on demand therefor pay to such Holder the reasonable fees of such attorneys and such other expenses so incurred.

SECTION 8.05 Provisions of Ordinance a Contract

The terms, provisions and conditions set forth in this ordinance constitute a contract between the Issuer and the Holders of the Warrants and shall remain in effect until the Debt Service on the Warrants shall have been paid in full or provision for such payment has been made in accordance with Article 5.

SECTION 8.06 Separability Clause

If any provision in this ordinance or in the Warrants shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

SECTION 8.07 Notices to Warrantholders; Waiver

(a) Where this ordinance provides for notice to any Warrantholder of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and mailed, first-class postage prepaid, to such Holder at the address of such Holder as it appears in the Warrant Register, not later than the latest date, and not earlier than the earliest date, prescribed for the giving of such notice.

(b) In any case where notice to Warrantholders is given by mail, neither the failure to mail such notice, nor any defect in any notice so mailed, to any particular Warrantholder shall affect the sufficiency of such notice with respect to other Warrantholders. Where this

ordinance provides for notice in any manner, such notice may be waived in writing by the person entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Warranholders shall be filed with the Issuer and the Paying Agent, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 8.08 Repeal of Conflicting Provisions

All ordinances, resolutions and orders or parts thereof in conflict with this ordinance are to the extent of such conflict, hereby repealed.

SECTION 8.09 Effect of Headings and Table of Contents

The Article and Section headings herein and in the Table of Contents are for convenience only and shall not affect the construction hereof.

Adopted this 29 day of June, 89.

Bill Joe Butler  
Mayor

[S E A L]

Attest: Maria Butler  
Clerk

\* \* \* \*

\*

\*

\*

There being no further business to come before the meeting, it was moved and seconded that the meeting be adjourned. Motion carried.

Minutes approved:

Mayor Billy Butch  
Mayor

Marie Butch  
Town Clerk

WAIVER

The undersigned, constituting all of the members of the Town Council of the Town of Margaret (the "Issuer"), hereby acknowledge timely receipt of notice of a meeting of the Town Council of the Issuer to be held at Town Hall in the Town of Margaret, Alabama on June 29, 1989, at 7:00 P.m. for the purpose of (i) authorizing the issuance of \$150,000 General Obligation Warrants, Series 1989 and (ii) transacting such other business or taking such further action as might be conducted or taken at a regular meeting of the Town Council.

We do hereby waive any and all irregularities in such notice and any further notice of the date, time, place or purpose of such meeting, and we do hereby consent and agree that such meeting may be held for the aforesaid purposes.

Billy Burt  
[Name]

Eugene Handrick  
[Name]

Charles Hicks  
[Name]

Ruth Miller  
[Name]

Robert R. Mizg  
[Name]

\_\_\_\_\_  
[Name]

Johnny L. Wilson  
[Name]

REC. BK. & PAGE AS SHOWN ABOVE  
WALLACE WYATT  
JUDGE OF PROBATE  
1930 FEB 28 PM 3  
U.C.C. FILE NUMBER  
HENRY DENNETT  
INSTRUMENT WAS RECORDED

ORDINANCE NO. 53

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, all of the owners of the following described real estate situated in St. Clair County, Alabama, to-wit:

A portion of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East, being more particularly described as follows: Commence at the Southeast corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1; thence West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section a distance of 790 feet, more or less, to a point; thence north a distance of 420 feet, more or less, to a point on the west right of way of the Argo to Margaret Road (County #12); thence north along the west right of way line of said road to its point of intersection with the north line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence East along the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  (crossing and including said road) to a point being 210 feet west of the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section; thence North 210 feet; thence East 210 feet to a point on the east line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence South along the East line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  to the point of beginning, being in and a part of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East, and including a portion of the Argo to Margaret Road (County #12).

ALSO: A portion of the Argo to Margaret Road (County #12) more particularly described as follows: Commence at the intersection of the present Town Limits of Margaret, Alabama and the Margaret to Argo Road (County #12); thence in a South-Southwesterly direction following the meanderings of said road, having a 100 foot right of way to its intersection with the above described property at a point on the East line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East.

LESS AND EXCEPT: All that part of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East that lies south or southeast of the Margaret Public Road as the same is now located and containing about five acres, which piece or parcel of land is bounded on the East, South and West by the land line and on the North or Northwest by said Margaret Public Road and being all in the Southeast corner of the above described twenty acre piece of land. All minerals and mining rights are hereby excepted. Except right-of-way for paved highway conveyed to St. Clair County.

A portion of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East, being more particularly described as follows: Commence at the Southeast corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1; thence West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section a distance of 790 feet, more or less, to a point; thence north a distance of 420 feet, more or less, to a point on the west right of way of the Argo to Margaret Road (County #12); thence north along the west right of way line of said road to its point of intersection with the north line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence East along the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  (crossing and including said road) to a point being 210 feet west of the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section; thence North 210 feet; thence East 210 feet to a point on the east line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence South along the East line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  to the point of beginning, being in and a part of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East, and including a portion of the Argo to Margaret Road (County #12).

ALSO: A portion of the Argo to Margaret Road (County #12) more particularly described as follows: Commence at the intersection of the present Town Limits of Margaret, Alabama and the Margaret to Argo Road (County #12); thence in a South-Southwesterly direction following the meanderings of said road, having a 100 foot right of way to its intersection with the above described property at a point on the East line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East.

LESS AND EXCEPT: All that part of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East that lies south or southeast of the Margaret Public Road as the same is now located and containing about five acres, which piece or parcel of land is bounded on the East, South and West by the land line and on the North or Northwest by said Margaret Public Road and being all in the Southeast corner of the above described twenty acre piece of land. All minerals and mining rights are hereby excepted. Except right-of-way for paved highway conveyed to St. Clair County.

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

Section 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the annexation of said described lands to the Town of Margaret, and that the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same

did file their written petition, duly signed by George D. Johnson, Barbara Johnson, Lethia A. Price, John S. Price, Charles P. Todd, Emily M. Todd, Joyce Lett, Robert R. Mize, and Jimmie L. Mize, with the Town Clerk of the Town of Margaret, requesting that said described territory in its petition be annexed to the Town of Margaret under the provisions of § 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map or said territory showing its said relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said § 11-42-20; and,

WHEREAS, the Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality with a population of Two Thousand or less inhabitants located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that all of the owners of said described lands joined in said petition by affixing their signatures thereto.

NOW, THEREFORE, BE IT ORDANIED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

SECTION 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama, to-wit:

shall become a part of the corporate area of the Town of Margaret, Alabama, upon the date of publication of this Ordinance.

Section 3. This Ordinance shall be effective upon passage, approval and publication as required by law.

ADOPTED and approved this the 12 day of February, 1990.

Billy Butler  
Mayor

ATTEST:

Marie Luttrell  
Town Clerk

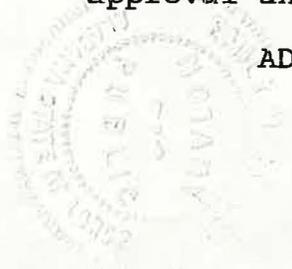


EXHIBIT A

A portion of the NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East, being more particularly described as follows: Commence at the Southeast corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1; thence West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section a distance of 790 feet, more or less, to a point; thence north a distance of 420 feet, more or less, to a point on the west right of way of the Argo to Margaret Road (County #12); thence north along the west right of way line of said road to its point of intersection with the north line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence East along the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  (crossing and including said road) to a point being 210 feet west of the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section; thence North 210 feet; thence East 210 feet to a point on the east line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence South along the East line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  to the point of beginning, being in and a part of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16, South, Range 1 East, and including a portion of the Argo to Margaret Road (County #12).

Also: A portion of the Argo to Margaret Road (County #12) more particularly described as follows: Commence at the intersection of the present Town Limits of Margaret, Alabama and the Margaret to Argo Road (County #12); thence in a South-Southwesterly direction following the meanderings of said road, having a 100 foot right of way to its intersection with the above described property at a point on the East line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East.

Less and Except: All that part of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East that lies south or southeast of the Margaret Public Road as the same is now located and containing about five acres, which piece or parcel of land is bounded on the East, South and West by the land line and on the North or Northwest by said Margaret Public Road and being all in the Southeast corner of the above described twenty acre piece of land. All minerals and mining rights are hereby excepted. Except right-of-way for paved highway conveyed to St. Clair County.



PETITION FOR ANNEXATION

We, the undersigned, being the owners of that certain real property more particularly described in Exhibit A, attached hereto and incorporated herein, hereby petition the Town Council of the Town of Margaret, Alabama, to annex said property into the corporate limits of the Town of Margaret, Alabama.

George D. Johnson  
Barbara Johnson

EXHIBIT A

A portion of the NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East, being more particularly described as follows: Commence at the Southeast corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1; thence West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section a distance of 790 feet, more or less, to a point; thence north a distance of 420 feet, more or less, to a point on the west right of way of the Argo to Margaret Road (County #12); thence north along the west right of way line of said road to its point of intersection with the north line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence East along the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  (crossing and including said road) to a point being 210 feet west of the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section; thence North 210 feet; thence East 210 feet to a point on the east line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence South along the East line of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  to the point of beginning, being in and a part of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16, South, Range 1 East, and including a portion of the Argo to Margaret Road (County #12).

Also: A portion of the Argo to Margaret Road (County #12) more particularly described as follows: Commence at the intersection of the present Town Limits of Margaret, Alabama and the Margaret to Argo Road (County #12); thence in a South-Southwesterly direction following the meanderings of said road, having a 100 foot right of way to its intersection with the above described property at a point on the East line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East.

Less and Except: All that part of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 1, Township 16 South, Range 1 East that lies south or southeast of the Margaret Public Road as the same is now located and containing about five acres, which piece or parcel of land is bounded on the East, South and West by the land line and on the North or Northwest by said Margaret Public Road and being all in the Southeast corner of the above described twenty acre piece of land. All minerals and mining rights are hereby excepted. Except right-of-way for paved highway conveyed to St. Clair County.

ST. CLAIR COUNTY

MTG. TAX	\$	
<del>DEED TAX</del>		
RECORDING FEE		7.00
INDEXING FEE		20.00
CERT. FEE		2.00
TOTAL	\$	30.00

1990 FEB 28 PM 1:43

REC. BK. & PAGE AS SHOWN ABOVE  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

ST. CLAIR COUNTY  
ALABAMA  
I HEREBY CERTIFY THIS  
INSTRUMENT WAS FILED

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #53 was adopted by the Mayor and Town Council on February 12, 1990 and that a copy of same was posted at the following three (3) places in Town on February 15, 1990.

Mayor's Office

Simmons Grocery

Margaret Grill

  
Marie Butler  
Town Clerk

ORDINANCE NO. 54

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, all of the owners of the following described real estate situated in St. Clair County, Alabama, to-wit:

All that portion of the South Thirty Acres situated on the East side of the New Margaret-Odenville Highway in the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 30, Township 15, Range 2 East, St. Clair County, Alabama. Surface rights only, containing 27 acres, more or less.

did file their written petition, duly signed by Donald D. Kujan and Betty J. Kujan, with the Town Clerk of the Town of Margaret, requesting that said described territory in its petition be annexed to the Town of Margaret under the provisions of § 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map or said territory showing its said relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said § 11-42-20; and,

WHEREAS, the Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality with a population of Two Thousand

or less inhabitants located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that all of the owners of said described lands joined in said petition by affixing their signatures thereto.

NOW, THEREFORE, BE IT ORDNANIED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

SECTION 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama, to-wit:

All that portion of the South Thirty Acres situated on the East side of the New Margaret-Odenville Highway in the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 30, Township 15, Range 2 East, St. Clair County, Alabama. Surface rights only, containing 27 acres, more or less.

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

Section 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the annexation of said described lands to the Town of Margaret, and that the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same shall become a part of the corporate area of the Town of Margaret, Alabama, upon the date of publication of this Ordinance.

Section 3. This Ordinance shall be effective upon passage, approval and publication as required by law.

ADOPTED and approved this the 12 day of February, 1990.



Billy Butte  
Mayor

ATTEST:

Marie Butte  
Town Clerk

PETITION FOR ANNEXATION

The undersigned, being the owners of that certain real property more particularly described in Exhibit A, attached hereto and incorporated herein, hereby petition the Town Council of the Town of Margaret, Alabama to annex said property into the corporate limits of the Town of Margaret, Alabama.

Donald D. Kujan  
Betty J. Kujan

EXHIBIT A

All that portion of the South thirty Acres situated on the East side of the New Margaret-Odenville Highway in the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 30, Township 15, Range 2 East, St. Clair County, Alabama. Surface rights only, containing 27 acres, more or less.



MTG. TAX	\$	
DEED TAX	\$	
RECORDING FEE	\$	15.00
INDEXING FEE	\$	2.00
CERT. FEE	\$	1.00
TOTAL	\$	18.00

L & M Lake

MARGARET POP 717

BRANCOVILLE POP 336

1990 FEB 20  
 REC. BK & PAGE 131518  
 VOL. 005 PAGE 236

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #54 was adopted by the Mayor and Town Council on February 12, 1990, and that a copy of same was posted at the following three (3) places in Town on February 15, 1990.

Mayor's Office

Simmons Grocery

Margaret Grill

  
Marie Butler  
Town Clerk

ORDINANCE NO. 55

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, the owner of the following described real estate situated in St. Clair County, Alabama, to-wit:

Section 13, Township 16S, Range 1 E, the NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$  of the SE $\frac{1}{4}$ , N $\frac{1}{2}$  of SW $\frac{1}{4}$ , SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; Section 14, Township 16S, Range 1 E, the E $\frac{1}{2}$  of NE $\frac{1}{4}$ , W $\frac{1}{2}$  of SE $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; Section 18, Township 16, Range 2E, the NW $\frac{1}{4}$ , N $\frac{1}{2}$  of NE $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , less and except all minerals and mining rights which have heretofore been reserved.

did file its written petition, duly signed by Ted Swope, as Regional Manager of Inland-Rome, Inc., a corporation, with the Town clerk of the Town of Margaret, requesting that said described territory in its petition be annexed to the Town of Margaret under the provisions of 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said 11-42-20; and

WHEREAS, the Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that the owner of said described lands filed said petition by affixing its signature thereto by its duly authorized representative.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

01116

REC. BK. & PAGE AS SHOWN ABOVE  
 WALLACE WYATT, JR.  
 JUDGE OF PROBATE

U.C.C. FILE NUMBER OR  
 INSTRUMENT WAS FILED

1990 FEB 28 PM 1:43

ST. CLAIR COUNTY  
 ASSEMBLY  
 I HEREBY CERTIFY THIS  
 INSTRUMENT WAS FILED

SECTION 1. That said petition of the owner of the following described lands situated in St. Clair County, Alabama, to-wit:

Section 13, Township 16S, Range 1E, the NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$  of the SE $\frac{1}{4}$ , N $\frac{1}{2}$  of SW $\frac{1}{4}$ , SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; Section 14, Township 16S, Range 1E, the E $\frac{1}{4}$  of NE $\frac{1}{4}$ , W $\frac{1}{2}$  of SE $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; Section 18, Township 16, Range 2E, the NW $\frac{1}{4}$ , N $\frac{1}{2}$  of NE $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , less and except all minerals and mining rights which have heretofore been reserved.

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

SECTION 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the annexation of said described lands to the Town of Margaret, and that the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same shall become a part of the corporate area of the Town of Margaret, Alabama, upon the date of publication of this ordinance.

SECTION 3. This Ordinance shall be effective upon passage, approval and publication as required by law.

ADOPTED and approved this the 12 day of February, 1990.

Billy Butts  
Mayor

ATTEST:

Marie Lutler  
Town Clerk

PETITION FOR ANNEXATION

The undersigned, being the owners of that certain real property more particularly described in Exhibit A, attached hereto and incorporated herein, hereby petition the Town Council of the Town of Margaret, Alabama to annex said property into the corporate limits of the Town of Margaret, Alabama.

Inland-Rome, Inc., a  
corporation

BY: Ted Swope  
Its Regional Manager

  
Ted Swope

EXHIBIT A

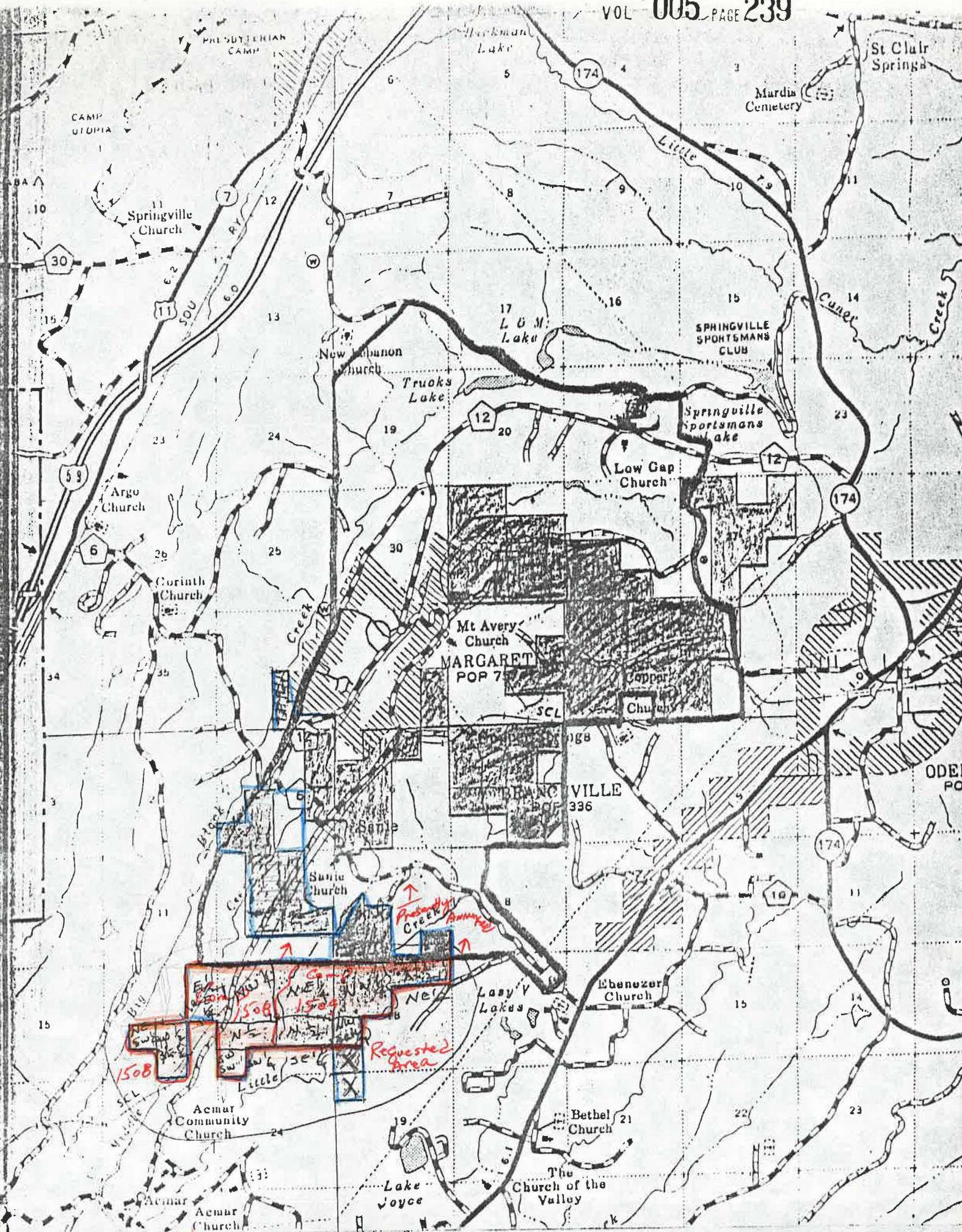
Section 13, Township 16S, Range 1E, the NE 1/4, NW 1/4, N 1/2 of the SE 1/4, N 1/2 of SW 1/4, SW 1/4 of SW 1/4; Section 14, Township 16s, Range 1E, the E 1/2 of NE 1/4, W 1/2 of SE 1/4, NE 1/4 of SW 1/4; Section 18, Township 16, Range 2E, the NW 1/4, N 1/2 of NE 1/4, NE 1/4 of SW 1/4.

ST. CLAIR COUNTY	
MTG. TAX	\$ _____
DEED TAX	_____
RECORDING FEE	<u>12.50</u>
INDEXING FEE	<u>2.00</u>
CERT. FEE	<u>1.00</u>
TOTAL	\$ <u>15.50</u>

U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

1990 FEB 28 PM 1:43

ST. CLAIR COUNTY  
ASHVILLE, GA., ALA.  
I HEREBY CERTIFY THIS  
INSTRUMENT WAS FILED



Newly Annexed

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #55 was adopted by the Mayor and Town Council on February 12, 1990 and that a copy of same was posted at the following three (3) places in Town on February 15, 1990.

Mayor's Office

Simmons Grocery

Margaret Grill

  
\_\_\_\_\_  
Town Clerk

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #55 was adopted by the Mayor and Town Council on February 12, 1990 and that a copy of same was posted at the following three (3) places in Town on February 15, 1990.

Mayor's Office

Simmons Grocery

Margaret Grill

  
*Marie Butler*  
\_\_\_\_\_  
Town Clerk

ORDINANCE NO. 56

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, the owner of the following described real estate situated in St. Clair County, Alabama, to-wit:

That part of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama, beginning 660 feet Westerly from the NE corner of the SE $\frac{1}{4}$  of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama; thence Westerly 660 feet; thence Southerly 1200 feet; thence NE along Seaboard Coast Line Railroad 1059 feet; thence dur North 385 feet to point of beginning

did file its written petition, duly signed by Billy Butler and Marie Butler, with the Town Clerk of the Town of Margaret, requesting that said described property in its petition be annexed to the Town of Margaret under the provisions of 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said 11-41-20; and,

WHEREAS, the Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that the owner of said described lands filed said petition by affixing its signature thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

REC. BK. & PAGE AS SHOWN ABOVE  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

01117  
1930 FEB 28 PM 1:43  
LIBRARY OF THE TOWN OF MARGARET, ALA.  
REGISTERED INSTRUMENT WAS FILED

SECTION 1. That said petition of the owner of the following described lands situated in St. Clair County, Alabama, to-wit;

That part of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama, beginning 660 feet Westerly from the NE corner of the SE  $\frac{1}{4}$  of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama; thence Westerly 660 feet; thence Southerly 1200 feet; thence NE along Seaboard Coast Line Railroad 1059 feet; thence due North 385 feet to point of beginning.

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

SECTION 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the ennexation of said described lands to the Town of Margaret, and the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same shall become a part of the corporate area of the Town of Margaret, Alabama, upon the date of publication of this ordinance.

SECTION 3. This ordinance shall be effective upon passage, approval and publication as required by law.

ADOPTED and approved this the 12 day of February, 1990.

Billy Burtles  
Mayor

Marie Lutler  
Town Clerk

EXHIBIT A

That part of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama, beginning 660 feet Westerly from the NE corner of the SE  $\frac{1}{4}$  of Section 14, TS 16 S, Range 1 E, St. Clair County, Alabama; thence Westerly 660 feet; thence Southerly 1200 feet; thence NE along Seaboard Coast Line Railroad 1059 feet; thence due North 385 feet to point of beginning.

Butler



PETITION FOR ANNEXATION

The undersigned, being the owners of that certain real property more particularly described in Exhibit A, attached hereto and incorporated herein, hereby petition the Town Council of the Town of Margaret, Alabama, to annex said property into the corporate limits of the Town of Margaret, Alabama.

Billy Butler  
Marie Butler

ST. CLAIR COUNTY

MTG. TAX	\$	—
DEED TAX		—
RECORDING FEE		<u>12.50</u>
INDEXING FEE		<u>20.00</u>
CERT. FEE		<u>1.00</u>
TOTAL	\$	<u>15.50</u>

U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

1990 FEB 28 PM 1:44

ST. CLAIR COUNTY  
ASSHESSE, WYATT, JR.  
I HEREBY CERTIFY THIS  
INSTRUMENT WAS FILED

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #56 was adopted by the Mayor and Town Council on February 12, 1990, and that a copy of same was posted at the following three (3) places in Town on February 15, 1990.

Mayor's Office

Simmons Grocery

Margaret Grill

  
Marie Butler  
Town Clerk

ORDINANCE NO. 57

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, the owner of the following described real estate situated in St. Clair County, Alabama, to-wit:

The S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 32, Township 15, Range 2E, less and except that portion sold to Moore Lumber Company; also, the E $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 32, Township 15, Range 2E.

did file a written petition, duly signed by Walter Coleman, with the Town Clerk of the Town of Margaret, requesting that said described territory in its petition be annexed to the Town of Margaret under the provisions of 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said 11-42-20; and

WHEREAS, the Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality with a population of Two Thousand or less inhabitants located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that all of the owners of said described lands joined in said petition by affixing their signatures thereto,

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

Section 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama, to wit:

The S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 32, Township 15, Range 2E, less and except that portion sold to Moore Lumber Company; also, the E $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 32, Township 15, Range 2E.

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

Section 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the annexation of said described lands to the Town of Margaret, and that the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same shall become a part of the corporate area

01118

REC. BK. & PAGE AS SHOWN ABOVE  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

1990 FEB 28 PM 1:44

ST. CLAIR COUNTY  
ASHVILLE, ALA.  
I HEREBY CERTIFY THIS  
INSTRUMENT WAS FILED

of the Town of Margaret, Alabama, upon the date of publication of this Ordinance.

Section 3. This Ordinance shall be effective upon passage, approval and publication as required by law.

ADOPTED and approved this the 12 day of February, 1990.

Billy Butts  
Mayor

ATTEST:

Marie Butts  
Town Clerk



PETITION FOR ANNEXATION

The undersigned, being the owners of that certain real property more particularly described in Exhibit A, attached hereto and incorporated herein, hereby petition the Town Council of the Town of Margaret, Alabama, to annex said property into the corporate limits of the Town of Margaret, Alabama.

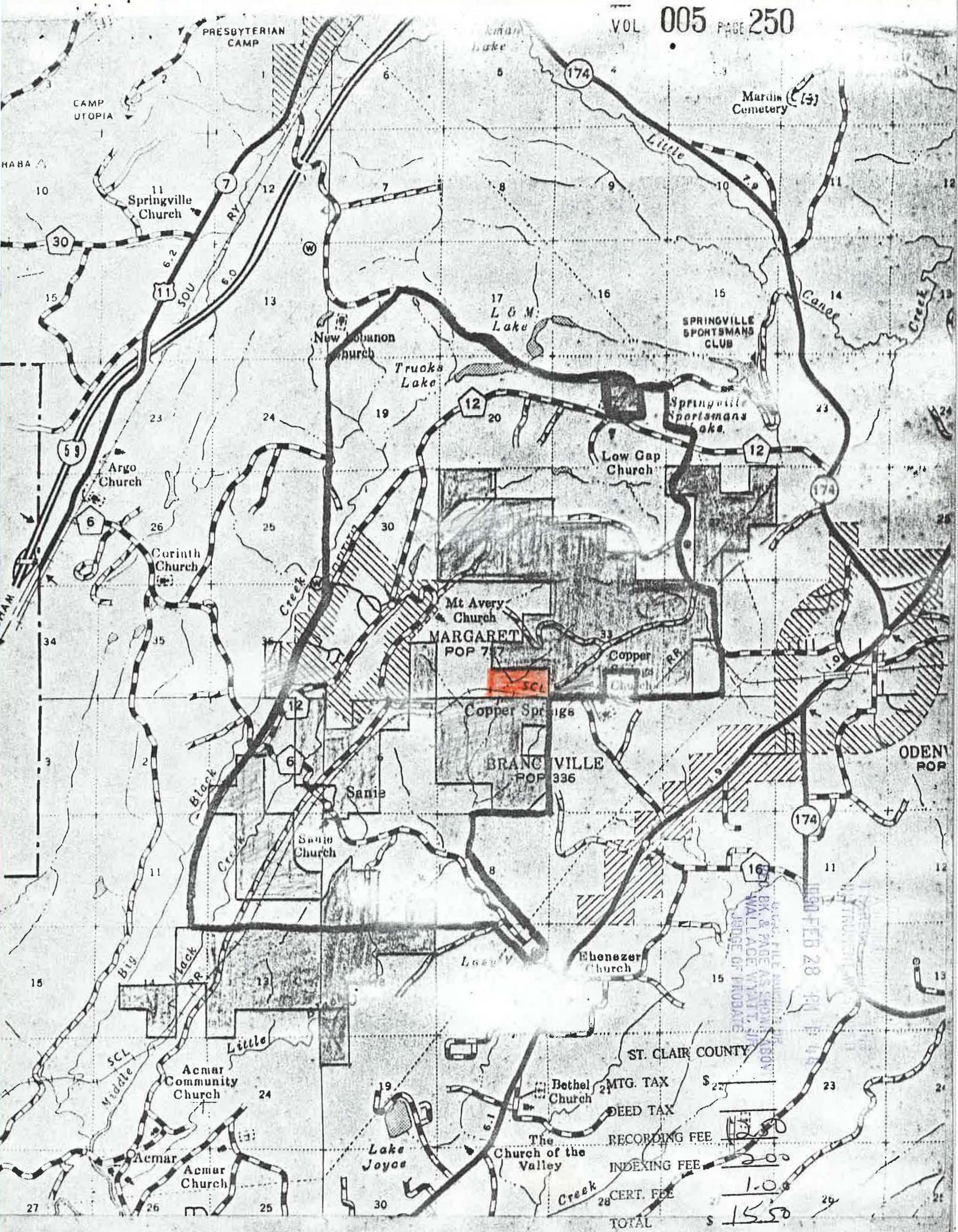
BRODEN, INC., a  
corporation

BY: Walter W. Coleman, Sr.  
Its President

Walter W. Coleman Sr.  
Walter W. Coleman, Sr.

EXHIBIT A

The S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 32, Township 15, Range 2E, less and except that portion sold to Moore Lumber Company; also, the E $\frac{1}{2}$  of the SW $\frac{1}{2}$  of Section 32, Township 15, Range 2E.



ST. CLAIR COUNTY	
MTG. TAX	\$ 27
DEED TAX	
RECORDING FEE	12.50
INDEXING FEE	2.00
CERT. FEE	1.00
TOTAL	\$ 15.50

MISSOURI STATE ARCHIVES  
 FILE NO. 100-100000-1000  
 FEB 28 1950

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #57 was adopted by the Mayor and Town Council on February 12, 1990, and that a copy of same was posted at the following three (3) places in Town on February 15, 1990.

Mayor's Office

Simmons Grocery

Margaret Grill

  
Marie Butler  
Town Clerk

ORDINANCE NO. 58

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, the owner of the following described real estate situated in St. Clair County, Alabama, to-wit:

The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 30, Township 15 South, Range 2E., less and except that portion already annexed by the Town of Margaret did file its written petition, duly signed by Edward and Joanne Moseley, with the Town Clerk of the Town of Margaret, requesting that said described territory in its petition be annexed to the Town of Margaret under the provisions of 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory showing its said relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said 11-42-20; and

WHEREAS, the Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that the owner of said described lands filed said petition by affixing its signature thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

1990 MAY - 7 AM 2:15

01819  
ST. CLAIR COUNTY  
ASHVILLE, GA., ALA.  
I HEREBY CERTIFY THIS  
INSTRUMENT WAS FILED

SECTION 1. That said petition of the owner of the following described lands situated in St. Clair County, Alabama, to-wit:

The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 30, Township 15 South, Range 2E., less and except that portion already annexed by the Town of Margaret

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

SECTION 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the annexation of said described lands to the Town of Margaret, and that the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same shall become a part of the corporate area of the Town of Margaret, Alabama, upon the date of publication of this ordinance.

SECTION 3. This ordinance shall be effective upon passage, approval and publication as required by law.

ADOPTED and approved this the 17 day of April, 1990.

Billy Burt  
Mayor

ATTEST:

Marie Lutten  
Town Clerk

EXHIBIT A

The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 30, Township 15 South,  
Range 2E., less and except that portion already annexed by the Town  
of Margaret.



ST. CLAIR COUNTY  
 ASHVILLE DIV., ALA.  
 I HEREBY CERTIFY THIS  
 INSTRUMENT WAS FILED

1990 MAY -7 AM 2:15

REC'D BY THE REGISTER WR  
 WALLACE WYATT, JR.  
 JUDGE OF PROBATE

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #58 was passed by the Mayor and Council on April 17, 1990. I further certify that the same was posted at the following three places in Town on April 20, 1990.

Mayor's Office

Simmons Grocery

Johnnie's Game Room

  
*Marie Butler*  
Clerk

ORDINANCE NO. 59

AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, TO INCLUDE CERTAIN ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama, as follows:

WHEREAS, all of the owners of the following described real estate situated in St. Clair County, Alabama, to-wit:

The South half of the North half of the Northeast quarter of the Southwest quarter, Section 30, Township 15, South, Range 2 East; also the North 8.57 feet of the South half of the Northeast quarter of the Southwest quarter, Section 30, Township 15 South, Range 2 East; less and except the North 4.28 feet, Section 30, Township 15 South, Range 2 East.

did file their written petition, duly signed by Jackie N. Jimmerson and Lisa Jimmerson, with the Town Clerk of the Town of Margaret, requesting that said described territory in its petition be annexed to the Town of Margaret under the provisions of 11-42-20, et seq., Code of Alabama, 1975; and

WHEREAS, said petition did have attached thereto, marked "Exhibit A", an accurate description of said territory proposed to be annexed, together with a map of said territory showing its said relationship to the corporate limits of the Town of Margaret, all as is required under the provisions of said 11-42-20; and

WHEREAS, The Town Council of the Town of Margaret has heretofore examined the aforesaid petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the Town of Margaret, a municipality with a population of Two Thousand or less inhabitants located within the State of Alabama; and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality; and that all of the owners of said described lands joined in said petition by affixing their signatures thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, as follows:

SECTION 1. That said petition of all of the owners of the following described lands situated in St. Clair County, Alabama,

REC. BK. & PAGE AS SHOWN ABOVE  
U.C.C. FILE NUMBER OR  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

1991 APR - 1 AM 9:32

05074

ST. CLAIR COUNTY  
ASSHIELD DIV. ALA  
I HEREBY CERTIFY THIS  
INSTRUMENT WAS FILED

to wit:

The South half of the North half of the Northeast quarter of the Southwest quarter, Section 30, Township 15, South, Range 2 East; also the North 8.57 feet of the South half of the Northeast quarter of the Southwest quarter, Section 30, Township 15 South, Range 2 East; less and except the North 4.28 feet, Section 30, Township 15 South, Range 2 East.

requesting the same to be annexed to the Town of Margaret, Alabama, be and the same hereby is approved.

SECTION 2. That the Town Council of the Town of Margaret, Alabama, does hereby assent to the annexation of said described lands to the Town of Margaret, and that the corporate limits of the Town of Margaret be and the same hereby are extended and rearranged so as to embrace and include said described lands, and that the same shall become a part of the corporate area of the Town of Margaret, Alabama, upon the date of publication of this Ordinance.

SECTION 3. This Ordinance shall be effective upon passage, approval and publication as required by law.

ADOPTED and approved this the 15 day of October, 19 90.



Bill Butler  
Mayor

ATTEST:

Marie Butler

EXHIBIT A

The South half of the North half of the Northeast quarter of the Southwest quarter, Section 30; Township 15 South, Range 2 East; also the North 8.57 feet of the South half of the Northeast quarter of the Southwest quarter, Section 30, Township 15 South, Range 2 East; less and except the North 4.28 feet, Section 30, Township 15 South, Range 2 East.

PETITION FOR ANNEXATION

The undersigned, being the owners of the certain real property more particularly described in Exhibit A, attached hereto and incorporated herein, hereby petition the Town Council of the Town of Margaret, Alabama, to annex said property into the corporate limits of the Town of Margaret, Alabama.

Jackie Zimmerman  
Lisa Zimmerman

DEED TAX \$  
 RECORDING FEE 1.250  
 INDEXING FEE 2.000  
 CERT. FEE 1.000  
 TOTAL \$ 15.50

06  
37 AC.±

ST. CLAIR COUNTY

CREEK

CITY LIMITS

DENVILLE ROAD

Masley  
2.09  
1.3 AC.±

317 (s)  
Masley  
MARGARET 39± (s) CITY LIMITS

02.02

2.08 Edward C. Masley  
7.8 AC.±

~~02.01  
9 AC.±~~

2.01  
3.5 AC.±  
Jackie S. Zimmerman

2.06  
6.3 AC.±

Zimmerman

160'  
137'  
03  
75'(s)

168'  
172.3'  
1376'  
06.03  
140'(s)  
135'(s)

175'  
189.4'  
120'  
04  
203.4'  
114'

06.02  
229'

02  
19 AC.±

MARGARET



REC. BK. & PAGE AS SHOWN ABOVE  
JUDGE OF PROBATE  
WALLACE WYATT, JR.

1991 APR -1 AM 9:32

ST. CLAIR COUNTY  
ASHELEY COUNTY, ALA  
I HEREBY CERTIFY THIS  
INSTRUMENT WAS FILED

1496'  
176.1'  
127'  
125'  
02.04  
240.8'  
178.3'

213.67  
703

NO. 4-1-194

RECEIVED FROM Jane of Margaret DOLLARS

recording Ordinance

Account Total \$ \_\_\_\_\_

Amount Paid \$ 15.00

Balance Due \$ \_\_\_\_\_

Wallace Wyatt, Jr

THE EFFICIENCY LINE AN AMPAD PRODUCT

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance #59 was passed by the Mayor and Council on October 15, 1990. I further certify that the same was posted at the following three places in Town on October 20, 1990.

Mayor's Office

Simmons Grocery

Johnnie's Game Room



Marie Butler  
Clerk

ORDINANCE NO. 60

AN ORDINANCE ADOPTING A FINE SCHEDULE FOR THE TOWN OF MARGARET,  
ALABAMA

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA, AS FOLLOWS:

1. Fine Schedule: The attached fine schedule is hereby adopted  
and shall remain in effect until repealed or amended.

2. Repealer: All ordinances heretofore adopted by the Town  
Council of the Town of Margaret, Alabama which are in conflict with the  
provisions of the ordinance are hereby repealed to the extent of such  
conflict.

3. Effective Date: This ordinance shall become effective immediately  
upon its adoption and publication as required by law.

ADOPTED AND APPROVED THIS THE 14 DAY OF January, 1991.

Billy Butler  
Mayor

ATTEST:

Marie Butler  
Clerk

TOWN OF MARGARET  
MUNICIPAL COURT  
SCHEDULE OF FINES

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor To Play Pool	\$ 100.00	44.00	144.00	200
Allowing minor to drive w/o license	35.00	34.00	79.00	100
Assault, 3rd Degree	150.00	44.00	194.00	500
Attempting To Elude An Officer	200.00	44.00	244.00	500
Bail Jumping, 2nd Degree	150.00	44.00	194.00	500
Bond Forfeiture	40.00	44.00	84.00	200
Carrying Concealed Weapon	150.00	44.00	194.00	300
Contempt of Court	100.00	44.00	144.00	200
Contributing/Delinquency of Minor	200.00	44.00	244.00	500
Criminal Littering	250.00	44.00	294.00	500
Criminal Mischief, 2nd Degree	200.00	44.00	244.00	300
Criminal Mischief, 3rd Degree	150.00	44.00	194.00	300
Criminal Tampering, 3rd Degree	100.00	44.00	144.00	300
Criminal Trespassing, 3rd Degree	150.00	44.00	194.00	300
Child Passenger Restraint	10.00	34.00	44.00	100
Destroying Public Property	100.00	44.00	144.00	300
Discharging Firearms in City Limits	100.00	44.00	144.00	300
Disobeying A Lawful Order	100.00	44.00	144.00	300
Disorderly Conduct	150.00	44.00	194.00	300
Driving on Wrong Side of Road	25.00	34.00	59.00	100
Driving While License Susp/Revoked	150.00	34.00	184.00	200
Driving Without A Driver's License	35.00	34.00	69.00	200
Driving Under The Influence (SET/STATE)				
1st Offense	300.00	34.00	334.00	500
2nd Offense	500.00	34.00	534.00	750
3rd Offense	1000.00	34.00	1034.00	1500
Failure To Appear In Court	60.00	44.00	104.00	300
Failure To Dim Headlights	25.00	34.00	59.00	100
Failure to Disperse	100.00	44.00	144.00	200
Failure To Yield Right Of Way	25.00	34.00	59.00	100
Failure To Stop For School Bus	100.00	34.00	134.00	200
Following Too Closely	25.00	34.00	59.00	100
Failure To Stop at Stop Sign	20.00	34.00	54.00	100
Failure To Stop for Railroad Gates	30.00	34.00	64.00	100
Failure To Yield for Emergency Vehicle	25.00	34.00	59.00	100
False Reporting To Law Enf. Authority	75.00	44.00	119.00	300
False Reporting An Incident	100.00	44.00	144.00	300
Firearms While Fighting/Public Place	200.00	44.00	244.00	300
Gambling (Simple)	100.00	44.00	144.00	200
Promoting Gambling	200.00	44.00	244.00	300
Gaming	50.00	44.00	94.00	200
Harassment	100.00	44.00	144.00	200

TOWN OF MARGARET  
MUNICIPAL COURT  
SCHEDULE OF FINES

OFFENSE	FINE	COSTS	TOTAL	BOND
Improper: Brakes	20.00	34.00	54.00	100
Lights	20.00	34.00	54.00	100
Mufflers	20.00	34.00	54.00	100
Turn	20.00	34.00	54.00	100
Passing	30.00	34.00	64.00	100
Tags	35.00	34.00	69.00	100
Indicent Exposure	100.00	44.00	144.00	300
Inciting to Riot	200.00	44.00	244.00	500
Leaving Scene Of Accident	150.00	44.00	194.00	500
Loitering	75.00	44.00	119.00	200
Menacing	150.00	44.00	194.00	300
Minor in Possession of Alcohol	40.00	44.00	84.00	200
Negotiating A Non-Negotiable Instrument	150.00	44.00	194.00	300
No Helmet On Motorcycle	20.00	34.00	54.00	100
Parking in Handicap Zone	25.00	34.00	59.00	100
Parking in/on Roadway	30.00	34.00	64.00	100
Passing School/Church Bus	100.00	34.00	134.00	200
Possession/Open Alcoholic Bev./Public	100.00	44.00	144.00	200
Public Intoxication	100.00	44.00	144.00	200
Public Lewdness	100.00	44.00	144.00	300
Racing on Highway	150.00	34.00	184.00	300
Reckless Driving	150.00	34.00	184.00	300
Reckless Endangerment	200.00	44.00	244.00	500
Resisting Arrest	200.00	44.00	244.00	500
Refusing to Aid Police	100.00	44.00	144.00	300
Refusing to Aid Fire Control	100.00	44.00	144.00	300
Riot	300.00	44.00	344.00	500
Selling alcoholic beverages to minors	200.00	44.00	244.00	500
Selling cigarettes to minors	50.00	44.00	94.00	200
Selling Firearms/Bowie Knife to Minor	100.00	44.00	144.00	200
Speeding	20.00	34.00	54.00	100
Speeding(Aggravated=20mph^ limit)	35.00	34.00	69.00	100
Theft of property - 3rd Degree	250.00	44.00	294.00	500
Theft of services	250.00	44.00	294.00	500
Tinted Windsheild (unlawful)	100.00	34.00	134.00	200
Unauthorized use of vehicle	200.00	44.00	244.00	500
Unlawful assembly	200.00	44.00	244.00	500

TOWN OF MARGARET  
MUNICIPAL COURT  
SCHEDULE OF FINES

<u>OFFENSE</u>	<u>FINE</u>	<u>COSTS</u>	<u>TOTAL BOND</u>	
Violation Of A.B.C. Law	150.00	44.00	194.00	300
Warrant Withdrawn	----	44.00	-----	---
Winsheid or window tinting (unlawful)	100.00	34.00	134.00	200

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing ordinance #60 was adopted by the Mayor and Council on January 14, 1991. I further certify that a copy of the same was posted at the following three (3) places in Town on January 15, 1991.

Mayor's Office

Simmons Grocery

Johnnie's Game Room

  
Marie Butler  
Clerk

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA,  
AS FOLLOWS:

Section 1. District #1 is hereby altered and extended to include the Northeast Quarter of the Northeast Quarter of Section 6, Township 16 South, Range 2 East and the Southeast Quarter of the Northeast Quarter of Section 6, Township 16 South, Range 2 East, and the Southwest Quarter of the Northeast Quarter of Section 6, Township 16 South, Range 2 East; which territory includes Railroad Lane, Railroad Drive, Industrial Lane, Davis Street, and Martin Lane.

Section 2. District #3 is hereby altered and extended to include all that portion of the South thirty acres situated on the East side of the New Margaret-Odenville Highway in the Southeast Quarter of the Northeast Quarter, Section 30, Township 15, Range 2 East, St. Clair Co., Alabama; which property is owned by Donald and Betty Kujan.

Section 3. This ordinance shall become effective immediately upon its passage and publication as required by law.

DATED THIS THE 21 DAY OF May, 1992.



Billy Butler  
Mayor

Marie Butler  
Town Clerk

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, do hereby certify that the foregoing ordinance #61 was passed by the mayor and council on May 21, 1992 and that a copy of same was posted at the following three (3) places in town on May 23, 1992.

Simmons Grocery

Mayor's Office

Willie's Lounge

*Marie Butler*  
Clerk

ORDINANCE NO. 62

RECORDED IN ABOVE  
DEED VOLUME & PAGE  
FILED ASHVILLE, ALA.  
1992 AUG 10 AM 11:01  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

0203 0214

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:

Section 1. The Town of Margaret is hereby divided into (2) multimember districts to be designated as District No. 1 and District No. 2.

Section 2. The districts are the areas within the Town of Margaret described as follows:

(a) District No. 1. That portion of the Town which lies west of Middle Black Creek and also that portion east of Middle Black Creek which includes the north side of Hillcrest Road to North Hillcrest Road.

(b) District No. 2. That portion of the Town which lies east of Middle Black Creek excluding the north side of Hillcrest Road to North Hillcrest Road.

Section 3. At the municipal election in 1992, and every four (4) years thereafter, the qualified electors in District No. 1 of the Town of Margaret, Alabama, who are entitled to participate in such election shall elect three (3) council members to the Town Council for that district. The three (3) candidates receiving the highest number of votes shall be declared elected. Each council member so elected must be a bona fide elector of and must actually reside in the district of his qualification and election. Each such council member shall hold office for a period of four (4) years and until his successor shall be elected and qualified, or until such council member shall resign, die, move his or her residence outside of said district or otherwise be removed from office.

Section 4. At the municipal election in 1992, and every four (4) years thereafter, the qualified electors in District No. 2 of the Town of Margaret, Alabama, who are entitled to participate in such election shall elect two (2) council members to the Town Council for that district. The two (2) candidates receiving the highest number of votes shall be declared elected. Each council member so elected must be a bona fide elector of and must actually reside in the district of his qualification and election. Each such council member shall hold office for a period of four (4) years and until his successor shall be elected and qualified, or until such council member shall resign, die, move his or her residence outside of said district or otherwise be removed from office.

Section 5. At the municipal election to be held in 1992, and each four (4) years thereafter, the qualified electors of the Town of Margaret, Alabama, who are entitled to participate in such elections shall elect a mayor at large who must be a bona fide elector of and who must actually reside in the town limits of the Town of Margaret, Alabama. The mayor shall hold such office for a period of four (4) years, and until his successor shall be duly elected and qualified, or until the mayor shall resign, die, move his or her residence outside of the town limits of the Town of Margaret, Alabama, or otherwise be removed from office.

Section 6. This ordinance shall not affect the duties, rights, and tenure of the office of the members of the present Town Council who shall continue to hold and discharge the duties of said office as is now incumbent upon them or as may be hereafter made incumbent upon them by law, until their successors shall be elected and qualified under this ordinance.

Section 7. All ordinances or parts of ordinances which conflict with this ordinance are hereby repealed.

Section 8. The provisions of this ordinance are severable. If any part of this ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This ordinance shall become effective immediately upon its approval and publication as required by law.

ADOPTED AND APPROVED THIS 11 DAY OF June, 1992.

Billy Butler  
Mayor

ATTEST:

Marie Butler  
Clerk

0203 0215  
RECORDED IN ABOVE  
DEED VOLUME & PAGE  
FILED ASHVILLE, AL  
'92 AUG 10 AM 11 42  
WALLACE WYATT, JR.  
JUDGE OF PROBATE

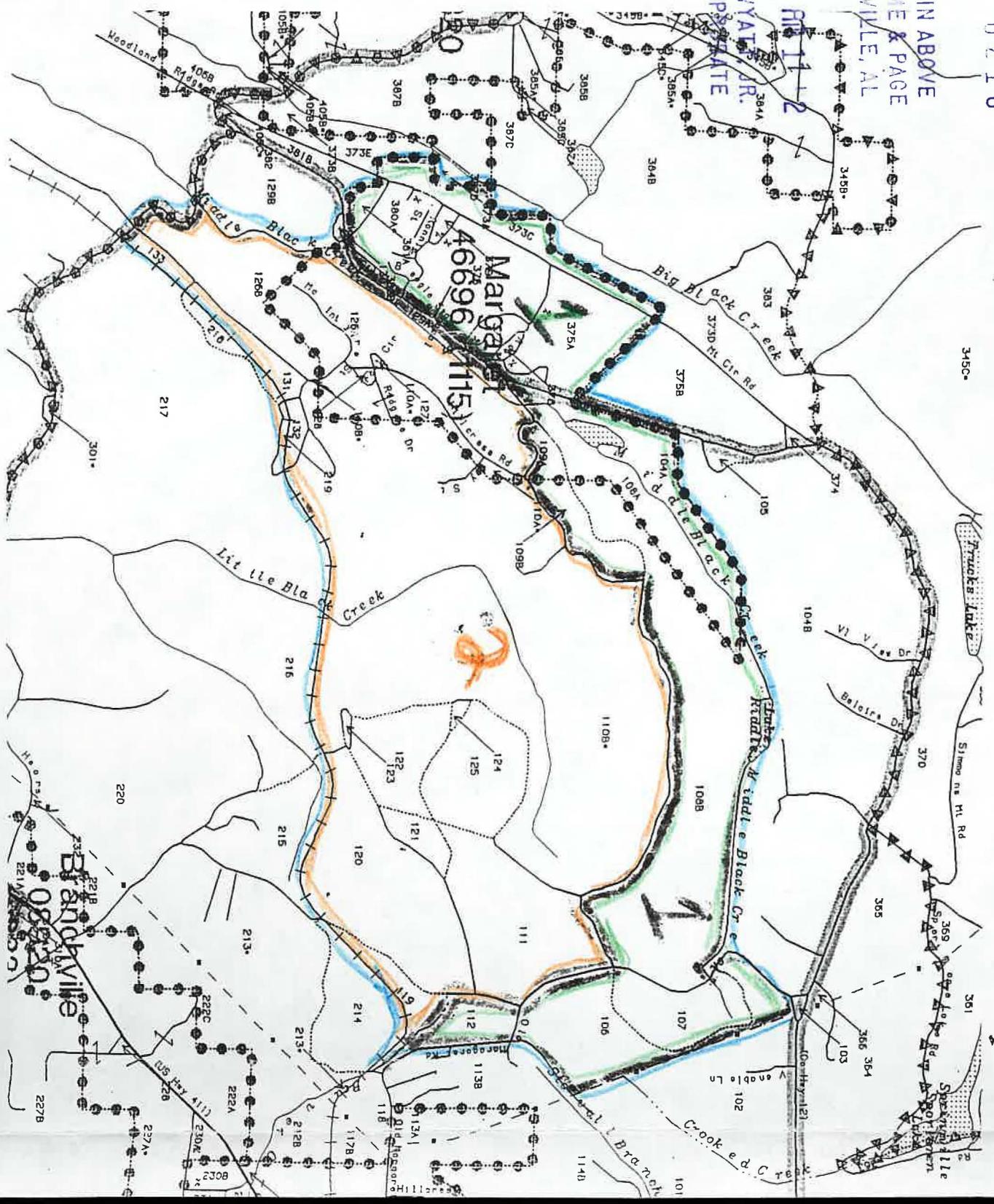
ST. CLAIR COUNTY

MTG. TAX	\$	_____
DEED TAX		_____
RECORDING FEE		<u>7.50</u>
INDEXING FEE		<u>2.00</u>
CERT. FEE		<u>1.00</u>
TOTAL	\$	<u>10.50</u>

0203 0216

RECORDED IN ABOVE  
DEED VOLUME & PAGE  
FILED ASHVILLE, AL

'92 AUG 10  
WALLACE WYATT, JR.  
JUDGE OF PROBATE



Clerk's Certificate

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing ordinance No. 62 was passed by the mayor and council on June 11, 1992, and a copy of same was posted at the following three (3) places in town on June 12, 1992.

Simmons Grocery

Willie's Lounge

Mayor's Office

*Marie Butler*  
Clerk

AMENDMENT TO ORDINANCE NO. 63.

Section 2. Regular meetings of the Council shall be held every other Tuesday night until further notice beginning with the meeting on July 20, 1999.

ADOPTED AND APPROVED THIS THE 7th DAY OF JULY, 1999.

Eager Hardwick  
Mayor

B.B. Brasher  
Council Member

Michelle Edwards  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

ATTEST:

Marilyn Norton  
Clerk

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA, that the order of procedures in all instances for meetings of the council shall be as follows:

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the council of Margaret, Alabama.

Section 2. Regular meetings of the Council shall be held on the following dates:

*Every other Monday beginning Oct. 5, 1992*

Section 3. Special meetings may be held at the call of the mayor by serving notice on each member of the council not less than twenty-four hours before the time set for such special meeting, or special meetings may be held as provided by Section 11-43-50, of the Alabama Code, whenever two council members (or the mayor) making the request shall have the right to call such meeting.

Section 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama.

Section 5. All regular meetings shall convene at 7 o'clock at the Town Hall and all meetings, regular and special, shall be open to the public.

Section 6. The order of business shall be as follows:

1. A call to order
2. Roll call
3. Reading of the minutes
4. Reports of standing committees
5. Reports of special committees
6. Reports of officers
7. Reading of petitions, applications, complaints, appeals, communications, etc.
8. Auditing accounts
9. Resolutions, ordinances, orders, and other business.

Section 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 8. No person, not a member of the council, shall be allowed to address the same while in session without permission of the presiding officer.

Section 9. Every officer, whose duty it is to report at the regular meetings of the council, who shall be in default thereof, may be fined at the discretion of the council.

Section 10. Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council. All resolutions and ordinances shall be in writing.

Section 11. Motions to reconsider must be by a member who voted with a majority, and at the same or next succeeding meeting of the council.

Section 12. Whenever it shall be required by one or more members the "yeas" and "nays" shall be recorded; and any member may call for a division on any question.

Section 13. All questions of order shall be decided by the presiding officer of the council with the right of appeal to the council by any member.

Section 14. The presiding officer of the council may, at his discretion, call any member to take the chair, to allow him to address the council, make a motion, or discuss any other matter at issue.

Section 15. Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the most distant day; and the largest sum shall be first put.

Section 16. All meetings of the council shall be public.

Section 17. A motion for adjournment shall always be in order.

Section 18. The rules of the council may be altered, amended, or temporarily suspended by a vote of two-thirds of the members present.

Section 19. The chairman of each respective committee, or the council member acting for him in his place, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.

Section 20. All ordinances, resolutions or propositions submitted to the council which require the expenditure of money shall lie over until the next meeting; provided such ordinances, resolutions, or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the town.

Section 21. The clerk, engineer, attorney and chief of police, and such other officers or employees of the Town of Margaret, shall, when requested, attend all meetings of the council and shall remain in the council room for such length of time as the council may direct.

Section 22. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent of the council be obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

Section 23. This ordinance shall go into effect upon the passage and publication as required by law.

ADOPTED AND APPROVED THIS THE 5 DAY OF October, 1992.

Jeffrey D. Wilson  
Mayor

Carol Horsley  
Council Member

Ralph W. Johnson  
Council Member

Eugene Hardin  
Council Member

Ruth Miller  
Council Member

Charles Hicks  
Council Member

ATTEST:

Marie Butler  
Clerk

CLERK'S CERTIFICATE

I, Marie Butler, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing ordinance #63 was passed at a meeting of the mayor and council on October 4, 1992, and that a copy of same was posted at the following three (3) places in town on October 9, 1992.

Mayor's Office

Simmons Grocery

Willie's Lounge

  
*Marie Butler*  
Clerk

AN ORDINANCE AUTHORIZING DISPOSITION OF STOLEN AND ABANDONED PROPERTY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARGARET, ALABAMA, WHILE IN REGULAR SESSION ON AUGUST 23, 1993, AS FOLLOWS:

SECTION 1. TAKING UP AND STORING OF ABANDONED OR STOLEN PERSONAL PROPERTY.

THE CHIEF OF POLICE, IS HEREBY AUTHORIZED TO TAKE UP AND STORE ANY ABANDONED OR STOLEN PERSONAL PROPERTY FOUND WITHIN THE CORPORATE LIMITS, BUT WITHIN THE POLICE JURISDICTION, OF THE CITY OF MARGARET, ALABAMA. A PERMANENT RECORD, GIVING THE DATE OF THE TAKING OF EACH PIECE OF SUCH PROPERTY, THE RECORD, GIVING THE DATE OF THE TAKING OF EACH PIECE OF SUCH PROPERTY, THE PLACE WHERE FOUND AND TAKEN, AND A DESCRIPTION OF THE PROPERTY, SHALL BE KEPT BY OR UNDER THE DIRECTION OF THE CHIEF OF POLICE. THE PROPERTY SO TAKEN SHALL BE STORED IN A SUITABLE PLACE TO PROTECT IT FROM DETERIORATION.

SECTION 2. RETURN OF PROPERTY TAKEN UP AND STORED.

AT ANY TIME PRIOR TO SALE HEREUNDER THAT SATISFACTORY PROOF OF OWNERSHIP OF ABANDONED OR STOLEN PROPERTY WHICH HAS BEEN TAKEN UP AND STORED IS MADE TO THE CHIEF OF POLICE, SUCH PROPERTY SHALL BE RETURNED TO THE OWNER UPON THE OWNER'S PAYING THE REASONABLE EXPENSE OF TAKING THE PROPERTY IN CHARGE, IT'S MAINTENANCE AND STORAGE, NOTIFICATION TO HIM, AND THE PRO RATA COST OF ANY PUBLICATION IN REGARD TO IT. ANY SWORN STATEMENTS, RECORDS, OR OTHER PROOF OF OWNERSHIP, UPON WHICH SUCH PROPERTY IS RELEASED TO THE OWNER, SHALL BE REDUCED TO WRITING AND PLACED ON FILE BY THE CHIEF OF POLICE. AN EXACT COPY OF ANY RECORDS, THE ORIGINAL OF WHICH THE OWNER NEEDS TO KEEP, MAY BE SUBSTITUTED FOR THE ORIGINAL.

SECTION 3. NOTICE TO OWNER.

THE CHIEF OF POLICE, WHO TAKES UP AND STORES ANY ABANDONED OR STOLEN PERSONAL PROPERTY AS AUTHORIZED HEREUNDER, WHO KNOWS OR IS ABLE TO ASCERTAIN FROM ANY NOTATIONS IN OR ON SUCH PROPERTY THE NAME AND ADDRESS OF THE OWNER THEREOF, SHALL IMMEDIATELY GIVE OR CAUSE TO BE GIVEN NOTICE IN WRITING TO SUCH OWNER OF THE FACT OF SUCH TAKING UP AND STORING, AND THE REASONS THEREFORE, AND OF THE PLACE FROM WHICH AND TO WHICH SUCH PROPERTY HAS BEEN REMOVED. IN THE EVENT SUCH PROPERTY IS STORED IN A PUBLIC GARAGE OR WAREHOUSE, A COPY OF SUCH NOTICE SHALL BE GIVEN TO THE PROPRIETOR OF SUCH GARAGE OR WAREHOUSE. IF SUCH PROPERTY BE A MOTOR VEHICLE, A REASONABLE EFFORT WILL BE MADE BY THE CHIEF OF POLICE, TO ASCERTAIN THE OWNER THROUGH THE LICENSE PLATE, MOTOR NUMBER, OR ANY OTHER INDICATION OF OWNERSHIP.

SECTION 4. SALE OF ABANDONED OR STOLEN PROPERTY.

AT LEAST EVERY SIX MONTHS, THE CHIEF OF POLICE, SHALL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH THE PROPERTY WHICH SHALL HAVE BEEN TAKEN UP AND STORED FOR A PERIOD OF THREE MONTHS OR MORE, THE SALES TO BE MADE AFTER NOTICE OF THE TIME AND PLACE THEREOF SHALL HAVE BEEN FIRST GIVEN BY PUBLICATION OF NOTICE ONCE A WEEK FOR TWO CONSECUTIVE WEEKS IN A NEWSPAPER OF GENERAL CIRCULATION PUBLISHED IN THE CITY OF MARGARET, ALABAMA, OR IF NO PAPER IS PUBLISHED IN SAID CITY, THEN IN ANY NEWSPAPER OR GENERAL CIRCULATION IN ST. CLAIR COUNTY, ALABAMA, PROVIDED THAT IF THE PROPERTY BE PERISHABLE THE SAME MAY BE SOLD AT ONCE WITHOUT SUCH PUBLICATION AND WITHOUT OTHER NOTICE AT A PUBLIC OR PRIVATE SALE BY THE CHIEF OF POLICE, IN WHICH CASE THE PROCEEDS SHALL BE HELD FOR A PERIOD OF SIX MONTHS FOR THE ACCOUNT OF THE OWNER AND IF NOT CALLED FOR WITHIN THAT TIME SHALL BE CONVERTED INTO THE GENERAL FUND OF THE CITY OF MARGARET, ALABAMA. THE FIRST OF THE PUBLICATIONS REFERRED TO HEREIN ABOVE SHALL BE AT LEAST 20 DAYS BEFORE THE SALE. SUCH SALES SHALL BE HELD AS THEY ARE NEEDED IN THE DISCRETION OF THE CHIEF OF POLICE. EACH ARTICLE SHALL BE SOLD SEPARATELY AND A NOTATION IN THE STORAGE RECORD BOOK SHALL BE MADE OF THE AMOUNT RECEIVED FOR EACH ARTICLE. IN MAKING THE SALE, THE CHIEF OF POLICE SHALL HAVE THE RIGHT TO REJECT ANY AND ALL BIDS IF THE AMOUNT BID BE UNREASONABLY LOW, AND SHALL HAVE THE RIGHT TO CONTINUE THE SALES FROM TIME TO TIME IF NO BIDDERS ARE PRESENT. AFTER DEDUCTING AND PAYING ALL EXPENSES, INCURRED IN THE TAKING UP, STORING, MAINTAINING AND SELLING OF THE PROPERTY, THE BALANCE, IF ANY, SHALL BE PAID INTO THE GENERAL FUND OF THE CITY OF MARGARET, ALABAMA.

SECTION 5. REPEAL.

ALL ORDINANCE, OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 6. NO SALES TO CITY OFFICERS OR EMPLOYEES.

NO PROPERTY WHICH IS SOLD UNDER THIS ORDINANCE SHALL BE SOLD TO ANY OFFICER OR EMPLOYEE OF THE CITY OF MARGARET, ALABAMA, AND NO SUCH OFFICER OR EMPLOYEE, EITHER DIRECTLY OR INDIRECTLY, SHALL BID ON, NEGOTIATE FOR, OR BUY, ANY PROPERTY UNDER THE PROVISIONS OF THIS ORDINANCE. ANY OFFICER OR EMPLOYEE OF THE CITY OF MARGARET, ALABAMA, WHO DIRECTLY OR INDIRECTLY BIDS ON, NEGOTIATES FOR, OR BUYS, ANY PROPERTY UNDER THE PROVISIONS OF THIS ORDINANCE, SHALL BE FINED NO MORE THAN \$100.00 OR IMPRISONED NOT MORE THAN SIX MONTHS; OR BOTH.

SECTION 7. LIBERAL CONSTRUCTION.

THIS ORDINANCE SHALL BE CONSTRUED LIBERALLY. IF ANY SECTION OR PART OF A SECTION IS DECLARED INVALID IN ITS GENERAL OR SPECIFIC APPLICATION, SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF OTHER SECTIONS, PARTS, OR APPLICATIONS.

SECTION 8. GEOGRAPHICAL LIMITS.

THIS ORDINANCE SHALL APPLY TO THE AREA EMBRACED BY THE CITY OF MARGARET, ALABAMA AND ITS POLICE JURISDICTION.

ADOPTED AND APPROVED ON THIS THE 23RD DAY OF AUGUST, 1993.

  
Jeffrey S. Wilson  
MAYOR

ATTEST:

Marilyn Norton  
CITY CLERK

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 64 was adopted by the Mayor and Council on August 23, 1993. I further certify that a copy of the same was posted at the following three (3) places in Town on August 24, 1993.

Post Office

Simmons Grocery

Mt. Avery Baptist Church

Myrtle Norton  
Clerk

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 64 was adopted by the Mayor and Council on August 23, 1993. I further certify that a copy of the same was posted at the following three (3) places in Town on August 24, 1993.

Post Office

Simmons Grocery

Mt. Avery Baptist Church

Myrtle Norton  
Clerk



ORDINANCE NO. 65

AN ORDINANCE ADOPTING A FINE SCHEDULE FOR THE TOWN OF MARGARET,  
ALABAMA.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA, AS FOLLOWS:

1. Fine Schedule: The attached fine schedule is hereby adopted  
and shall remain in effect until repealed or amended.
2. Repealer: All ordinances heretofore adopted by the Town  
Council of the Town of Margaret, Alabama which are in conflict  
with the provisions of the ordinance are hereby repealed to  
the extent of such conflict.
3. Effective Date: This ordinance shall become effective October  
1, 1993, upon publication as required by law.

ADOPTED AND APPROVED THIS THE 20TH DAY OF SEPTEMBER, 1993.

  
Jeffrey H. Wilson  
Mayor

ATTEST:

Murphy Norton  
Town Clerk

**TOWN OF MARGARET  
MUNICIPAL COURT  
SCHEDULE OF FINES**

<u>OFFENSE</u>	<u>FINE</u>	<u>COSTS</u>	<u>TOTAL</u>	<u>BOND</u>
Allow Minor To Play Pool	\$ 100.00	54.00	154.00	200
Allowing Minor to Drive w/o License	35.00	40.50	75.00	100
Assault, 3rd Degree	150.00	54.00	204.00	500
Attempting To Elude/Officer	200.00	54.00	254.00	500
Bail Jumping, 2nd Degree	150.00	54.00	204.00	500
Bond Forfeiture	40.00	54.00	94.00	200
Carrying Concealed Weapon	150.00	54.00	204.00	300
Contempt of Court	100.00	54.00	154.00	200
Contrib./Delinquency/Minor	200.00	54.00	254.00	500
Criminal Littering	250.00	54.00	304.00	500
Criminal Mischief, 2nd Degree	200.00	54.00	304.00	300
Criminal Mischief, 3rd Degree	150.00	54.00	204.00	300
Criminal Tampering, 3rd Degree	100.00	54.00	154.00	300
Criminal Trespassing 3rd Degree	150.00	54.00	204.00	300
Child Passenger Restraint	10.00	40.50	50.50	100
Destroying Public Property	100.00	54.00	204.00	300
Discharging Firearms in City Limits	100.00	54.00	154.00	300
Disobeying A Lawful Order	100.00	54.00	154.00	300
Disorderly Conduct	150.00	54.00	204.00	300
Driving on Wrong Side of Road	25.00	40.50	65.50	100
Driving While License Suspended/Revoked	150.00	40.50	190.50	200
Driving Without Driver's License	35.00	40.50	75.50	200
Driving Under the Influence (Set/State) 1st Offense	500.00	50.50	550.50	500
2nd Offense	750.00	50.50	800.50	750
3rd Offense	1000.00	50.50	1050.50	1500
Failure To Appear in Court	60.00	54.00	114.00	300
Failure To Dim Headlights	25.00	40.50	65.50	100
Failure To Disperse	100.00	54.00	154.00	200
Failure To Yield Right of Way	25.00	40.50	65.50	100
Failure To Stop For School Bus	100.00	40.50	140.50	200
Following Too Closely	25.00	40.50	65.50	100
Failure To Stop at Stop Sign	20.00	40.50	60.50	100
Failure To Stop/Railroad Gates	30.00	40.50	70.50	100
Failure To Yield for Emergency Vehicle	25.00	40.50	65.50	100
False Reporting To Law Enforcement Authority	75.00	54.00	129.00	300
False Reporting An Incident	100.00	54.00	154.00	300
Firearms While Fighting/ Public Place	200.00	54.00	254.00	300

Gambling (Simple)	100.00	54.00	154.00	200
Promoting Gambling	200.00	54.00	254.00	300
Gaming	50.00	54.00	104.00	200
Harrassment	100.00	54.00	154.00	200
Improper:				
Brakes	20.00	40.50	60.50	100
Lights	20.00	40.50	60.50	100
Mufflers	20.00	40.50	60.50	100
Turn	20.00	40.50	60.50	100
Passing	30.00	40.50	70.50	100
Tags	35.00	40.50	75.50	100
Indecent Exposure	100.00	54.00	154.00	300
Inciting to Riot	200.00	54.00	254.00	500
Leaving Scene of Accident	150.00	54.00	204.00	500
Loitering	75.00	54.00	129.00	200
Menacing	150.00	54.00	204.00	300
Minor in Possession Alcohol	40.00	54.00	94.00	200
Negotiating A Non-Negotiable Instrument	150.00	54.00	204.00	300
No Helmet On Motorcycle	20.00	40.50	60.50	100
Parking In Handicap Zone	25.00	40.50	65.50	100
Parking In/On Roadway	30.00	40.50	70.50	100
Passing School/Church Bus	100.00	40.50	140.50	200
Possession/Open Alcoholic Beverage in Public	100.00	54.00	154.00	200
Public Intoxication	100.00	54.00	154.00	200
Public Lewdness	100.00	54.00	154.00	300
Racing On Highway	150.00	40.50	190.50	300
Reckless Driving	150.00	40.50	190.50	300
Reckless Endangerment	200.00	54.00	254.00	500
Resisting Arrest	200.00	54.00	254.00	500
Refusing To Aid Police	100.00	54.00	154.00	300
Refusing To Aid Fire Control	100.00	54.00	154.00	300
Riot	300.00	54.00	354.00	500
Selling Alcoholic Beverages to Minors	200.00	54.00	254.00	500
Selling Cigarettes to Minors	50.00	54.00	104.00	200
Selling Firearms/Bowie Knife to Minor	100.00	54.00	154.00	200
Speeding	20.00	40.50	60.50	200
Speeding (Aggravated = 20mph ^ limit)	35.00	40.50	75.50	100
Theft of Property	250.00	54.00	304.00	500
Theft of Services	250.00	54.00	304.00	500

Unauthorised Use of Vehicle	200.00	54.00	254.00	500
Unlawful Assembly	200.00	54.00	254.00	500
Violation of A.B.C. Law	150.00	54.00	204.00	300
Warrant Withdrawn	-----	54.00	-----	--
Windshield/Window Tinting (Unlawful)	100.00	40.50	140.50	200

**TOWN OF MARGARET  
MUNICIPAL COURT  
SCHEDULE OF FINES**

<u>OFFENSE</u>	<u>FINE</u>	<u>COSTS</u>	<u>TOTAL</u>	<u>BOND</u>
Allow Minor To Play Pool	\$ 100.00	54.00	154.00	200
Allowing Minor to Drive w/o License	35.00	40.50	75.00	100
Assault, 3rd Degree	150.00	54.00	204.00	500
Attempting To Elude/Officer	200.00	54.00	254.00	500
Bail Jumping, 2nd Degree	150.00	54.00	204.00	500
Bond Forfeiture	40.00	54.00	94.00	200
Carrying Concealed Weapon	150.00	54.00	204.00	300
Contempt of Court	100.00	54.00	154.00	200
Contrib./Delinquency/Minor	200.00	54.00	254.00	500
Criminal Littering	250.00	54.00	304.00	500
Criminal Mischief, 2nd Degree	200.00	54.00	304.00	300
Criminal Mischief, 3rd Degree	150.00	54.00	204.00	300
Criminal Tampering, 3rd Degree	100.00	54.00	154.00	300
Criminal Trespassing 3rd Degree	150.00	54.00	204.00	300
Child Passenger Restraint	10.00	40.50	50.50	100
Destroying Public Property	100.00	54.00	204.00	300
Discharging Firearms in City Limits	100.00	54.00	154.00	300
Disobeying A Lawful Order	100.00	54.00	154.00	300
Disorderly Conduct	150.00	54.00	204.00	300
Driving on Wrong Side of Road	25.00	40.50	65.50	100
Driving While License Suspended/Revoked	150.00	40.50	190.50	200
Driving Without Driver's License	35.00	40.50	75.50	200
Driving Under the Influence (Set/State) 1st Offense	400.00	50.50	450.50	500
2nd Offense	750.00	50.50	800.50	750
3rd Offense	1000.00	50.50	1050.50	1500
Failure To Appear in Court	60.00	54.00	114.00	300
Failure To Dim Headlights	25.00	40.50	65.50	100
Failure To Disperse	100.00	54.00	154.00	200
Failure To Yield Right of Way	25.00	40.50	65.50	100
Failure To Stop For School Bus	100.00	40.50	140.50	200
Following Too Closely	25.00	40.50	65.50	100
Failure To Stop at Stop Sign	20.00	40.50	60.50	100
Failure To Stop/Railroad Gates	30.00	40.50	70.50	100
Failure To Yield for Emergency Vehicle	25.00	40.50	65.50	100
False Reporting To Law Enforcement Authority	75.00	54.00	129.00	300
False Reporting An Incident	100.00	54.00	154.00	300
Firearms While Fighting/ Public Place	200.00	54.00	254.00	300

Gambling (Simple)	100.00	54.00	154.00	200
Promoting Gambling	200.00	54.00	254.00	300
Gaming	50.00	54.00	104.00	200
Harrassment	100.00	54.00	154.00	200
Improper:				
Brakes	20.00	40.50	60.50	100
Lights	20.00	40.50	60.50	100
Mufflers	20.00	40.50	60.50	100
Turn	20.00	40.50	60.50	100
Passing	30.00	40.50	70.50	100
Tags	35.00	40.50	75.50	100
Indecent Exposure	100.00	54.00	154.00	300
Inciting to Riot	200.00	54.00	254.00	500
Leaving Scene of Accident	150.00	54.00	204.00	500
Loitering	75.00	54.00	129.00	200
Menacing	150.00	54.00	204.00	300
Minor in Possession Alcohol	40.00	54.00	94.00	200
Negotiating A Non-Negotiable Instrument	150.00	54.00	204.00	300
No Helmet On Motorcycle	20.00	40.50	60.50	100
Parking In Handicap Zone	25.00	40.50	65.50	100
Parking In/On Roadway	30.00	40.50	70.50	100
Passing School/Church Bus	100.00	40.50	140.50	200
Possession/Open Alcoholic Beverage in Public	100.00	54.00	154.00	200
Public Intoxication	100.00	54.00	154.00	200
Public Lewdness	100.00	54.00	154.00	300
Racing On Highway	150.00	40.50	190.50	300
Reckless Driving	150.00	40.50	190.50	300
Reckless Endangerment	200.00	54.00	254.00	500
Resisting Arrest	200.00	54.00	254.00	500
Refusing To Aid Police	100.00	54.00	154.00	300
Refusing To Aid Fire Control	100.00	54.00	154.00	300
Riot	300.00	54.00	354.00	500
Selling Alcoholic Beverages to Minors	200.00	54.00	254.00	500
Selling Cigarettes to Minors	50.00	54.00	104.00	200
Selling Firearms/Bowie Knife to Minor	100.00	54.00	154.00	200
Speeding	20.00	40.50	60.50	200
Speeding (Aggravated = 20mph ^ limit)	35.00	40.50	75.50	100
Theft of Property	250.00	54.00	304.00	500
Theft of Services	250.00	54.00	304.00	500

Unauthorised Use of Vehicle	200.00	54.00	254.00	500
Unlawful Assembly	200.00	54.00	254.00	500
Violation of A.B.C. Law	150.00	54.00	204.00	300
Warrant Withdrawn	-----	54.00	-----	--
Windshield/Window Tinting (Unlawful)	100.00	40.50	140.50	200

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 65 was adopted by the Mayor and Council on September 20, 1993. I further certify that a copy of the same was posted at the following three (3) places in Town on September 25, 1993.

Post Office

Simmons Grocery

Willie's Pitt Stop Lounge

Myrtle Norton  
Clerk

AN ORDINANCE GRANTING THE RIGHT, PRIVILEGE AND FRANCHISE TO Alltel CORPORATION, GRANTEE, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, ERECT, EQUIP, OWN, MAINTAIN AND OPERATE IN, ALONG, UNDER, OVER AND ACROSS THE STREETS, AVENUES, ALLEYS, BRIDGES, VIADUCTS AND PUBLIC GROUND OF THE TOWN OF MARGARET, ALABAMA ANY AND ALL SUCH APPLIANCES, STRUCTURES AND FIXTURES NECESSARY OR CONVENIENT FOR RENDITION OF TELEPHONE AND OTHER COMMUNICATION SERVICE AND FOR CONDUCTING A GENERAL LOCAL AND LONG DISTANCE TELEPHONE BUSINESS.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:

**SECTION 1. Grant of Right, Privilege, Franchise**

Pursuant to Alabama Constitution, Art. XII, SEC. 220, there is hereby granted to Alltel Corporation, and its successors and assigns, hereinafter called the Grantee, the right authority, privilege and franchise to own, construct, erect, build, equip, lease, maintain, and operate in, along, under, over and across the streets, avenues, alleys, bridges, viaducts and public grounds of the Town of Margaret and subsequent additions thereto, any and all such appliances, structures, and fixtures necessary or convenient for rendering telephone and other communications service and for conducting a communications business, including the rendition of local and long distance telephone service to the Town and the inhabitants thereof.

**SECTION 2. Location of Poles and Conduit**

The Grantee shall have the right to determine the number and locations of poles, wires, cables, conduits, markers, and other property and appliances to be placed in, over, upon, and other property and appliances to be placed in, over, upon, under, and across the streets, avenues, alleys and other public places of said Town so long as such poles, wires, cables, conduits, markers, property and appliances do not interfere with or obstruct the normal flow of traffic, or otherwise impede the common uses of the streets, avenues, alleys, and other public places of said Town.

**SECTION 3. Streets to be Restored to Good Condition**

The surface of any street, alley, highway or public place disturbed by the Grantee is building, constructing, renewing or maintaining its plant and system shall be restored

within thirty (30) days after completion of the work to as good as condition as before the commencement of the work.

**SECTION 4. Operation and Maintenance of Telephone Plant**

The Grantee shall maintain its system in reasonable operating condition at all normal times during the continuance of this agreement. An exception to this condition is automatically in effect when service furnished by the Grantee is interrupted, impaired or prevented by fires, strikes, riots or other occurrences beyond the control of the Grantee or by storms, floods, or other casualties, in any of which events the Grantee shall do all things reasonable within its powers to do to restore normal services.

**SECTION 5. Temporary Removal of Wires**

The Grantee on the request of any person shall remove or raise or lower its wires temporarily to permit the moving of houses or other bulky structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the benefited party or parties, and the Grantee may require such payment in advance. The Grantee shall be given not less than forty-eight (48) hours advance notice to arrange for such temporary wire changes.

**SECTION 6. Tree Trimming**

The right, license, privilege and permission is hereby granted to the Grantee, its successors and assigns, to trim trees upon and overhanging the streets, alleys, sidewalks, and public places of the Town so as to prevent the branches of such trees from coming in contact with the wires or cable of the Grantee, and when so ordered by the Town said trimming shall be done under the supervision and direction of the Town of Margaret, or any Town official to whom said duties have been or may be delegated.

**SECTION 7. Compensation for Right, Privilege, and Franchise**

The Grantee shall pay, in addition to all taxes now or hereinafter required by law to be paid, a franchise fee or sum equal to five percent (5%) of the base rate for telephone service received by the Grantee for the rendition of local exchange telephone transmission service within the corporate limits of the

Town of Margaret and any future extension of such corporate limits. The first payment hereunder shall be made April 10, 1994, and shall be equal in amount to five percent (5%) of the base rate for telephone service derived by the Grantee from subscribers located within the Town commencing as of the effective date of this Ordinance and ending March 31, 1994. Thereafter, payment shall be made quarterly on the 10th day of the month following the end of each quarter. All payments shall be accompanied by a certified statement of revenue derived by the Grantee from subscribers located within the Town of Margaret.

**SECTION 8. Period of Time of this Ordinance - Termination**

This agreement shall be in force and effect for a full term and period of ten (10) years from and after its effective date hereinafter provided.

**SECTION 9. No Exclusive Privileges Conferred by the Ordinance**

Nothing herein contained shall be construed as giving to the Grantee any exclusive privilege.

**SECTION 10. Successors and Assigns**

The rights, powers, limitations, duties, restrictions and liabilities herein provided for shall inure to and be binding upon the parties hereto and upon their respective successors and assigns.

**SECTION 11. Partial Invalidity and Repeal Provisions**

If any section, sentence, clause or phrase of this Ordinance is for any reason held illegal, ultra vires, or unconstitutional, such invalidity shall not affect the validity of the remaining portions of this Ordinance. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed.

**SECTION 12. Indemnification of Town**

The Grantee shall indemnify, hold harmless and defend the Town of Margaret at all times during the term of this franchise from and against all claims of injury or death of persons or physical damage to property, both real and personal, which results from the negligence of the Grantees, its employees or assigns, in the construction, erection, operation and/or

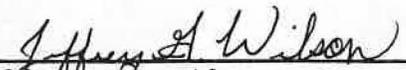
maintenance of any structure, equipment, appurtenances or product authorized or used pursuant to authority of this Ordinance.

The Grantee shall have thirty (30) days from and after the passage and approval of this Ordinance to file its written acceptance thereof with the Town Clerk and upon such acceptance being filed, this Ordinance shall take effect and be in force from and after the date of its passage, approval and publication as required by law and shall effectuate and make binding the agreement provided by the terms hereof. Provided, however, if the Grantee fails to file its written acceptance as provided herein, the continued use and enjoyment of the streets, avenues, alleys, bridges, viaducts and public grounds of the Town of Margaret and any extensions thereof by the Grantee shall constitute acceptance of this Ordinance by the Grantee, and said Ordinance shall become effective and be in force as aforesaid.

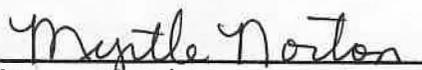
**SECTION 14. Effective Date**

This Ordinance shall become effective after publication as required by law.

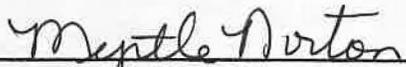
ADOPTED THIS 29th DAY OF NOVEMBER, 1993.

  
\_\_\_\_\_  
Jeffrey G. Wilson, Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

I, Myrtle Norton, Town Clerk of the Town of Margaret, Alabama do hereby certify that the above Ordinance was duly adopted by the Council of the Town of Margaret, Alabama at a regular meeting held on the 29th day of November, 1993 and that same has been posted in three public places, one of which was the Mayor's office and the same now appears in the Margaret book of the Town of Margaret.

  
\_\_\_\_\_  
Town Clerk

ACCEPTANCE

WHEREAS, the Town Council of the Town of Margaret, Alabama, did on the 29th of November, 1993 enact an Ordinance entitled:

"AN ORDINANCE GRANTING THE RIGHT, PRIVILEGE AND FRANCHISE TO Alltel CORPORATION, GRANTEE, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, ERECT, EQUIP, OWN, MAINTAIN, AND OPERATE IN, ALONG, UNDER, OVER AND ACROSS THE STREETS, AVENUES, ALLEYS, BRIDGES, VIADUCTS AND PUBLIC GROUNDS OF THE TOWN OF MARGARET, ALABAMA, ANY AND ALL SUCH APPLIANCES, STRUCTURES AND FIXTURES NECESSARY OR CONVENIENT FOR RENDITION OF TELEPHONE AND OTHER COMMUNICATION SERVICE AND FOR CONDUCTING A GENERAL LOCAL AND LONG DISTANCE TELEPHONE BUSINESS."

and,

WHEREAS, said Ordinance was on the 29th day of November, 1993, duly approved by the Mayor of said Town and the seal of said Town was thereto affixed and attested by the Town Clerk and was duly posted as required by law.

NOW, THEREFORE, in compliance with the terms of said Ordinance as enacted, approved, attested and published, the Alltel Corporation hereby accepts said Ordinance and files this its written Acceptance with the Clerk of the Town of Margaret, Alabama in her office.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_, a Corporation

By: \_\_\_\_\_  
Its

ATTEST

\_\_\_\_\_  
Its Secretary

Acceptance filed in the office of the Town Clerk of the Town of Margaret, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Town Clerk

VOW

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
MARGARET, ALABAMA AS FOLLOWS:

Section 1. It shall be unlawful and a public nuisance per se for any person to permit his premises, whether vacant, or not, to accumulate a growth of weeds, shrubbery, trees, bottles, tin cans, brush, trash, rubbish or anything that will, or is likely to constitute a health and/or sight hazard within 50 feet of any street, thoroughfare, or residence.

Section 2. Any person violating this ordinance will be given written notice to have their premises cleaned up and grass cut in ten (10) days. At the end of ten (10) days, if the premises has not been cleaned up and/or grass cut, the Town of Margaret will clean up and cut the grass. The Town of Margaret will then send the violator a bill for this service. This bill is to be paid in fifteen (15) days.

Section 3. Any person violating any of the provisions of this ordinance or any section or provision thereof, or any person doing any act or thing declared by this ordinance to be unlawful shall be guilty of an offense against the City of Margaret, Alabama, and upon conviction, shall be punished by a fine of not more than Three Hundred Dollars (\$300.00) or ninety (90) days imprisonment at hard labor, or both.

Section 4. This ordinance shall be effective upon its passage and publication as provided by law.

ADOPTED THIS 27TH DAY OF DECEMBER, 1993.

  
\_\_\_\_\_  
Jeffrey A. Wilson, Mayor

ATTEST:

I, Myrtle Norton, Town Clerk of the Town of Margaret, Alabama do hereby certify that the above Ordinance was duly adopted by the Council of the Town of Margaret, Alabama at a regular meeting held on the 13th day of December, 1993 and that same has been posted in three public places, one of which was the Mayor's office and the same now appears in the Margaret book of the Town of Margaret.

Myrtle Norton  
Town Clerk

Amended

ORDINANCE NO. 94-68

AN ORDINANCE ADOPTING A FINE SCHEDULE FOR THE TOWN OF MARGARET,  
ALABAMA.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA, AS FOLLOWS:

1. Fine Schedule: The attached fine schedule is hereby adopted and shall remain in effect until repealed or amended.
2. Repealer: All ordinances heretofore adopted by the Town Council of the Town of Margaret, Alabama which are in conflict with the provisions of the ordinance are hereby repealed to the extent of such conflict.
3. Effective Date: This ordinance shall become effective January 1, 1994 upon publication as required by law.

ADOPTED AND APPROVED THIS THE 10TH DAY OF JANUARY, 1994.

Jeffrey S. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 94-68 was adopted by the Mayor and Council on January 10, 1994. I further certify that a copy of the same was posted at the following three (3) places in Town on January 11, 1994.

Mayor's Office

Simmons Grocery

Post Office

**TRAFFIC FINES**

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor to Drive w/o License	\$ 35.00	\$ 47.50	\$ 82.50	\$100.00
Driving While Suspended/Revoked	200.00	47.50	247.50	300.00
Driving on Wrong Side of Road	25.00	47.50	72.50	100.00
Driving w/o First Obtaining License	50.00	47.50	97.50	150.00
D.U.I., 1st Offense	500.00	57.50	557.50	750.00
D.U.I., 2nd Offense	750.00	57.50	807.50	1000.00
D.U.I., 3rd Offense	1000.00	57.50	1057.50	1500.00
Driving With Windshield Wipers on/Lights Off	10.00	47.50	57.50	100.00
Failure to Dim Headlights	25.00	47.50	72.50	100.00
Failure to Yield Right of Way	25.00	47.50	72.50	100.00
Failure to Stop for School Bus	150.00	47.50	197.50	250.00
Failure to Stop at Stop Sign	20.00	47.50	67.50	100.00
Failure to Stop/Railroad Gates	30.00	47.50	77.50	100.00
Failure to Use Child Restraint	10.00	47.50	57.50	100.00
Failure to Wear Seat Belt	10.00	47.50	57.50	100.00
Failure to Yield/Emergency Veh.	50.00	47.50	97.50	150.00
Following Too Closely	20.00	47.50	67.50	100.00
Improper Backing	20.00	47.50	67.50	100.00
Improper Brakes	20.00	47.50	67.50	100.00
Improper Lights	20.00	47.50	67.50	100.00
Improper Mufflers	20.00	47.50	67.50	100.00
Improper Passing	20.00	47.50	67.50	100.00
Improper or No Rear View Mirror	20.00	47.50	67.50	100.00
Improper Signal	10.00	47.50	57.50	100.00
Improper Tag	25.00	47.50	72.50	100.00
Improper Tires	20.00	47.50	67.50	100.00
Improper Turn	20.00	47.50	67.50	100.00
No Helmet on Motorcycle	20.00	47.50	67.50	100.00



**MISDEMEANOR FINES**

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor to Play Pool	\$ 100.00	\$ 61.00	\$161.00	\$200.00
Assault, 3rd Degree	200.00	61.00	261.00	300.00
Assault, 3rd Domestic	250.00	61.00	311.00	500.00
Attempting to Elude/Officer	200.00	61.00	261.00	500.00
Bail Jumping, 2nd Degree	200.00	61.00	261.00	500.00
Bond Forfeiture	100.00	61.00	161.00	200.00
Carrying Concealed Weapon	200.00	61.00	261.00	300.00
Contempt of Court	100.00	61.00	161.00	200.00
Contributing Delinquency/Minor	200.00	61.00	261.00	500.00
Criminal Littering	250.00	61.00	311.00	500.00
Criminal Mischief, 2nd Degree	200.00	61.00	261.00	500.00
Criminal Mischief, 3rd Degree	150.00	61.00	211.00	300.00
Criminal Tampering, 3rd Degree	100.00	61.00	161.00	300.00
Criminal Trespassing, 3rd Degree	150.00	61.00	211.00	300.00
Criminal Trespassing, 2nd Degree	200.00	61.00	261.00	300.00
Destroying Public Property	150.00	61.00	211.00	300.00
Discharging Firearms/City Limits	100.00	61.00	161.00	300.00
Disobeying a Lawful Order	100.00	61.00	161.00	300.00
Disorderly Conduct	150.00	61.00	211.00	300.00
Failure to Appear in Court	80.00	61.00	141.00	300.00
Failure to Disperse	100.00	61.00	161.00	200.00
False Reporting to Law Enforcement Authority	75.00	61.00	136.00	300.00
False Reporting An Incident	100.00	61.00	161.00	300.00
Firearms While Fighting on Public Property	200.00	61.00	261.00	300.00
Gambling (Simple)	100.00	61.00	161.00	200.00
Promoting Gambling	200.00	61.00	261.00	300.00
Gaming	50.00	61.00	111.00	200.00
Harrassment	100.00	61.00	161.00	200.00

OFFENSE	FINE	COSTS	TOTAL	BOND
Indecent Exposure	100.00	61.00	161.00	300.00
Inciting to Riot	200.00	61.00	261.00	500.00
Leaving Scene of Accident	200.00	61.00	261.00	500.00
Littering Highway	100.00	61.00	161.00	200.00
Menacing	150.00	61.00	211.00	300.00
Minor in Possession of Alcohol	40.00	61.00	101.00	200.00
Negotiating Non-Negotiable Instrument	150.00	61.00	211.00	300.00
Possession Open Alcoholic Beverage in Public	100.00	61.00	161.00	200.00
Possession Marijuana/1st Offense	200.00	61.00	261.00	300.00
Possession Marinuana/2nd Offense	300.00	61.00	361.00	500.00
Possession Drug Paraphanalia	100.00	61.00	161.00	200.00
Public Intoxication	100.00	61.00	161.00	200.00
Public Lewdness	100.00	61.00	161.00	200.00
Reckless Endangerment	200.00	61.00	161.00	500.00
Resisting Arrest	200.00	61.00	261.00	500.00
Refusing to Aid Police	100.00	61.00	161.00	300.00
Refusing to Aid Fire Control	100.00	61.00	161.00	300.00
Riot	300.00	61.00	361.00	500.00
Selling Alcoholic Beverage to Minors	200.00	61.00	261.00	500.00
Selling Cigarettes to Minors	50.00	61.00	111.00	200.00
Selling Firearms/Bowie Knife to Minors	100.00	61.00	161.00	200.00
Theft of Property	250.00	61.00	311.00	500.00
Theft of Services	250.00	61.00	311.00	500.00
Unauthorized Use of Vehicle	200.00	61.00	261.00	500.00
Unlawful Assembly	200.00	61.00	261.00	500.00
Violation of A.B.C. Law	200.00	61.00	261.00	300.00
Warrant Withdrawn	10.00	61.00	71.00	

AN ORDINANCE AMENDING SECTIONS 1, 2, & 4 OF ORDINANCE NO. 26 OF THE TOWN OF MARGARET LEVYING A PRIVILEGE, LICENSE OR EXCISE TAX AGAINST PERSONS, FIRMS, OR CORPORATIONS STORING, USING, OR OTHERWISE CONSUMING OR ENGAGING IN THE BUSINESS OF SELLING AT RETAIL TANGIBLE PERSONAL PROPERTY OR CONDUCTING PLACES OF AMUSEMENT IN THE TOWN OF MARGARET, ALABAMA OR WITHIN ITS POLICE JURISDICTION.

Be it ordained by the Town Council of the Town of Margaret, in the State of Alabama, as follows:

I. Section 1 of Ordinance No. 26 of the Town of Margaret which was adopted by the Town Council and approved by the Mayor of the said Town on December 8, 1980 is hereby amended so that the said Section 1 shall read in its entirety as follows:

Section 1. There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm, or corporation, (including the State of Alabama, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the Town in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft and commercial fishing vessels of over five (5) tons load displacement as registered with the U. S. Coast Guard and licensed by the State of Alabama Department of Conservation and Natural Resources), an amount equal to Two percent ( 2 %) of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such

business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer on the gross sales of the business.

(b) Upon every person, firm, or corporation engaged or continuing within the Town, in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests, conducted by or under the auspices of any educational institution within the Town, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the Town, an amount equal to Two percent ( 2 %) of the gross receipts of any such business. Provided, however, notwithstanding any language to the contrary in the prior portion of this subsection, the tax provisions so specified shall not apply to any athletic event conducted by a public primary or secondary school. The tax amount which would have been collected pursuant to this subsection shall continue to be collected by said public primary or secondary school but shall be retained by the school which collected it and shall be used by said school for school purposes.

(c) Upon every person, firm or corporation engaged or continuing within the Town in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, an amount equal to Two percent ( 2 %) of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within the Town in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer, house trailer, or mobile home set-up materials and

supplies including but not limited to steps, blocks, anchoring, cable pipes and any other materials pertaining thereto an amount equal to One percent ( 1 %) of the gross proceeds of sale of said automotive vehicle, truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of \$75.00 per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm or corporation engaged or continuing within the Town in the business of selling at retail any machine, machinery or equipment which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefore which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to Two percent ( 2 %) of the gross proceeds of the sale thereof. Provided, however, the Two percent ( 2 %) rate herein prescribed with respect to parts, attachments, and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid

on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(f) Upon every person, firm or corporation engaged or continuing within the Town in the business of selling through coin-operated dispensing machines, food and food products for human consumption, not including beverages other than coffee, milk, milk products and substitutes therefor, there is hereby levied a tax equal to Two percent ( 2 %) of the cost of such food, food products and beverages sold through such machines, which cost for the purpose of this subsection shall be the gross proceeds of sales of such business.

II. Section 2 of Ordinance No. 26 of the Town of Margaret which was adopted by the Town Council and approved by the Mayor of said Town on December 8, 1980 is hereby amended so that the said Section 2 shall read in its entirety as follows:

Section 2. Levy of the Tax in Police Jurisdiction.  
Upon every person, firm, or corporation engaged in the doing of an act, or who shall do an act, or continuing in the doing of an act, or engaged in the operation of any business, or who shall engage in the operation of any business, within the police jurisdiction of the Town but beyond the corporate limits of said Town, for which or upon which a privilege or license tax is in this ordinance levied or required within the corporate limits of the Town, there is hereby levied, in addition to all other taxes of every kind now imposed by law or by municipal ordinance, to be collected as herein provided for the privilege or license taxes herein levied within the corporate limits of the Town, a privilege or license tax equal to one-half of that provided, levied or required in this ordinance for the doing of such act, or the engaging or continuing therein, or the engaging or continuing in the operation of such business within the corporate limits of the Town. Provided further, that except for the amount of the privilege or license tax herein levied within the police jurisdiction of said Town but without the corporate limits thereof, all the provisions of this ordinance extend and apply to all the area within the police jurisdiction of the Town.

III. Section 3 of Ordinance No. 26 of the Town of Margaret which was adopted by the Town Council and approved by the Mayor of said Town on December 8, 1980 is hereby amended so that the said Section 3 shall read in its entirety as follows:

Section 3. (a) An excise tax is hereby imposed on the storage, use or other consumption in the Town of tangible personal property (not including materials and supplies

bought for use in fulfilling a contract for the painting, repairing, or reconditioning of vessels, barges, ships and other watercraft and commercial fishing vessels of over five (5) tons load displacement as registered with the U. S. Coast Guard and licensed by the State of Alabama Department of Conservation and Natural Resources) purchased at retail on or after the effective date of this ordinance for storage, use or other consumption in the Town, except as provided in subsections (b), (c), and (d), at the rate of Two percent ( 2 %) of the sales price of such property within the corporate limits of said Town.

(b) An excise tax is hereby imposed on the storage, use or other consumption in the Town of any machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property purchased at retail on or after the effective date of this ordinance at the rate of Two percent ( 2 %) of the sales price of any such machine, within the corporate limits of the Town, provided, that the term "machine" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax is hereby imposed on the storage, use or other consumption in the Town of any automotive vehicle or truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies including but not limited to steps, blocks, anchoring, cable pipes and any other materials pertaining thereto purchased at retail on or after the effective date of this ordinance for storage, use or other consumption in the Town at the rate of One percent ( 1 %) of the sales price of such automotive vehicle, truck trailer, semi-trailer, house trailer or mobile home set-up materials and supplies within the corporate limits of said Town. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) An excise tax is hereby levied and imposed on the storage, use or other consumption in the Town of any machine, machinery or equipment which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or

products, livestock or poultry on farms, and the parts of such machines, machinery, or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery, or equipment, and which are necessary to and customarily used in the operation of such machine, machinery, or equipment, which is purchased at retail after the effective date of this ordinance, for the storage, use or other consumption in the Town at the rate of Two percent ( 2 %) of the sales price of such property within the corporate limits of said Town regardless of whether the retailer is or is not engaged in the business in this City. Provided, however, the Two percent ( 2 %) rate herein prescribed with respect to parts, attachments, and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities. Where any used machine, machinery or equipment which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock, and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery, or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery, or equipment sold, less the credit for the used machine, machinery, or equipment taken in trade.

An excise tax is hereby imposed on tangible personal property at one-half the rates specified in subsections (a), (b), (c), and (d) of this section on the storage, use or other consumption of such tangible personal property outside the corporate limits of the Town, but within the police jurisdiction.

IV. This ordinance shall become effective on the 1st day of August, 1994.

Adopted and approved this 31<sup>st</sup> day of May, 1994.

Jeffrey A. Wilson  
Mayor

ATTEST:

Marilyn Norton  
City Clerk

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 94-69 was adopted by the Mayor and Council on May 31, 1994. I further certify that a copy of the same was posted at the following three (3) places in Town on January 11, 1994.

Mayor's Office

Willie's Lounge

PJ's Lounge

ORDINANCE TO ESTABLISH A MUNICIPAL COURT

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:

Section 1. Establishment of Municipal Court. That there be and there is hereby established, effective June 17, 1994, a Municipal Court for the Town of Margaret, Alabama, pursuant to the provisions of Title 12, Chapter 14, Code of Alabama, 1975.

Section 2. Jurisdiction. The Municipal Court of the Town of Margaret, Alabama, shall have jurisdiction of all prosecutions for the breach of ordinances of the municipality within its corporate limits and police jurisdiction. The jurisdiction shall also extend to all prosecutions for violations of state misdemeanors committed within the corporate limits and police jurisdiction of the municipality where such offenses have been made offenses against the municipality.

Section 3. Time and Place of Holding Court. The Municipal Court of the Town of Margaret, Alabama, shall hold court at such time and place as the governing body may determine with the advice of the municipal judge.

Section 4. Provisions for Judge

A. The Municipal Court shall consist of one municipal judge to be appointed by a vote of a majority of the members elected or appointed to the municipal governing body. The judge shall be appointed for a term of two years. The municipal judge shall be eligible for reappointment upon the expiration of his term. He shall hold office until his successor is appointed and qualified.

B. The municipal judge must be licensed to practice law in the State of Alabama and must be a qualified elector of the State of Alabama. No judge shall be otherwise employed in any capacity by the municipality during his term of office.

C. The office of the municipal judge shall be vacant if he dies, resigns, or is removed, and vacancies shall be filled by the municipal governing body in the same manner as original appointments are made. Any person so appointed shall be eligible to serve two years from the date of appointment.

D. The municipal judge shall, before assuming office, take and sign the oath provided by the Constitution, and a copy thereof shall be filed in the office of the Secretary of State, the Administrative Director of Courts, and the Clerk of the Municipality.

E. The municipal judge shall be subject to all grounds of disqualification from hearing specific cases applicable to state court judges.

Section 5. Compensation of Judge. The annual salary of the municipal judge of the Town of Margaret, Alabama, shall be payable in twelve equal monthly installments. This salary shall not be diminished during the judge's term of office. Any general increase in the compensation of all or substantially all municipal employees shall be applied proportionately to the salary of the municipal judge.

Section 6. Powers of the Court.

A. The Municipal Judge shall have the power to admit to bail any person charged with the violation of any municipal ordinance by requiring an appearance bond, with good security, to be approved by the municipal judge or his designee in an amount not to exceed one thousand dollars (\$1,000.00) and may, in his discretion, admit to bail such persons on a personal recognizance bond conditioned on the appearance of such persons before him on a day named therein to answer the charges preferred against them.

B. The Municipal Judge shall have the authority to punish any person convicted of violating a municipal ordinance with a fine of not more than five hundred dollars (\$500.00) and/or a sentence of imprisonment or hard labor for a period not exceeding six (6) months except, when in the enforcement of the penalties prescribed in Section 32-5A-191 (DUI cases), such fine and sentence of imprisonment or hard labor shall not exceed the maximum fine and imprisonment authorized by that statute. The penalty imposed on a corporation shall consist of a fine only, plus costs of court.

C. The Municipal Judge in his judgment may provide that if a fine and costs are not paid within the time prescribed, the defendant, unless indigent, shall work out the amount of the judgment under the direction of the municipal authority allowing not less than fifteen dollars (\$15.00) for each day's service.

D. Upon each conviction in municipal court for a violation of any ordinance of the Town of Margaret, Alabama, there shall be taxed against the defendant as court costs the sum of ten dollars (\$10.00) and there shall also be taxed as costs the additional costs and fees imposed by the statutes of the State of Alabama, and the latter such costs and fees shall be remitted pursuant to the said statutes. All costs taxed for the town, as hereinabove provided, shall be paid into the town treasury.

E. Upon conviction, the court may, upon a showing of inability to make immediate payment of fines and costs, accept defendant's bond with or without surety and with waiver of exemptions as to personality, such fines and costs to be payable within ninety days, upon non-payment of which executions may issue upon the bond as upon judgements in state courts.

F. The Municipal Judge shall have the authority to continue the case from time to time to permit the fine and costs to be paid, remit fines, costs and fees, impose intermittent sentences, establish work release programs, require attendance of educational, corrective or rehabilitative programs, suspend driving privileges for such times and under such conditions as provided by law and order hearings to determine the competence of the defendant to stand trial; provided further, that the judge may enter an order authorizing the defendant to drive under the conditions set forth in the order.

G. All cases in municipal court shall be tried by a municipal judge without a jury.

H. The Municipal Judge may suspend execution of sentence and place a defendant on probation for varying periods of time, not to exceed two (2) years, under the procedures and conditions set out in Section 12-14-13, Code of Alabama 1975.

I. The Municipal Judge may administer oaths, compel the attendance of witnesses and compel the production of books and papers, punish by fine not exceeding fifty dollars (\$50.00) and/or imprisonment not exceeding five days any person found and adjudged to be in contempt of court, and shall have power coextensive with the jurisdiction of the district court to issue writs and other process, and to approve and declare bonds forfeited. The Municipal Judge shall designate any other municipal officers who shall be authorized to approve appearance and appeal bonds.

J. The Municipal Court shall take judicial notice of the ordinances of the municipality.

K. The Sheriff of the county and all law enforcement officers of the municipality shall obey the Municipal Judge having legal authority in faithfully executing the warrants and processes committed to them for service according to their mandates.

Section 7. Powers of the Mayor. The Mayor may remit fines and such costs as are payable to the municipality and commute sentences imposed by municipal judges or the court to which an appeal was taken for violations of municipal ordinances, and he shall report his action to the council or other governing body at the first regular meeting thereof in the succeeding month with his reasons therefor in writing.

Section 8. Appeals.

A. All appeals from judgments of the municipal court shall be to the circuit court of the circuit in which the violation occurred for trial de novo.

B. The municipality may appeal, without bond, within fourteen days of the date of judgement or denial of a timely filed post-judgment motion, from a judgment of the municipal court holding a municipal ordinance invalid.

C. A defendant may appeal in any case within fourteen days from the entry of judgment or denial of a timely filed post-judgment motion by filing notice of appeal and giving bond, with or without surety, approved by the court or the clerk in an amount not more than twice the amount of the fine and costs, as fixed by the court, or in the event no fine is levied the bond shall be in an amount not to exceed \$1,000.00, as fixed by the court, conditioned upon defendant's appearance before the circuit court. The municipal court may waive appearance bond upon satisfactory showing that the defendant is indigent or otherwise unable to provide a surety bond. If an appeal bond is waived, a defendant sentenced to imprisonment shall not be released from custody, but may obtain release at any time by filing a bond approved by the municipal court. If the defendant is not released, the prosecutor shall notify the circuit clerk and the case shall be set for trial at the earliest practicable time.

D. When an appeal has been taken, the municipality shall file the notice and other documents in the court to which the appeal is taken within fourteen days, failing which the municipality shall be deemed to have abandoned the prosecution, the defendant shall stand discharged, and the bond shall be automatically terminated.

E. Upon trial or plea of guilty in the circuit court on appeal, the court may impose any penalty or sentence which the municipal court might have imposed.

F. Where an appellant, without sufficient cause, does not appear for trial de novo when called for trial, the court may dismiss the appeal, order the bond forfeited, and remand the case to the court appealed from for enforcement of the lower court judgment; provided, however, that on the motion of the appellant for good cause shown, the circuit court may within thirty (30) days from the date of the order of dismissal, set the order of dismissal aside and reinstate the appeal on such terms as the circuit court may prescribe. The entry of a judgment of default on the appeal bond shall comply with the procedures set forth in Section 15-13-81, and a forfeiture may be entered by the circuit court or the court from which the appeal is taken.

Thirty days after the appeal is dismissed, unless such dismissal is set aside, the circuit clerk must return the file, with a copy of the order of dismissal and cost bill to the municipal court clerk. The judge of the municipal court may enter judgment of default on the appeal bond by utilizing the procedures set forth in Section 15-13-81.

G. Upon receipt of notice of dismissal of an appeal, the

municipal court may issue a warrant for arrest of the defendant who may also be arrested without a warrant as an escapee. Upon arrest, the defendant shall be delivered to the municipal authorities and punished according to the judgment of the municipal court.

H. If a judgment is entered against a defendant on appeal, the circuit court shall remand the defendant to the municipal authorities for punishment in accordance with the judgment of the circuit court, unless, when the judgment is for fine and costs only, the judgment is paid or a judgment is conferred therefor in favor of the municipality with sureties or as otherwise provided for convictions under state law.

I. Upon receipt of payment of fines, forfeitures and costs upon appeals, the clerk of the circuit court shall within thirty (30) days pay ninety percent (90%) of such fines and forfeitures and ten percent (10%) of the cost to the treasurer of the municipality. The circuit clerk shall be liable on his bond for such fines and costs plus a penalty of five percent (5%) per month for default in such payments.

J. From the judgment of the circuit court, the municipality, in a case holding invalid an ordinance, or in the defendant in any case, may appeal to the court of criminal appeals in like manner as in cases of appeals for convictions of violation of the criminal laws of the state. If the appeal is taken by the municipality, it shall not be required to give surety for the cost of the appeal. When taken by the defendant, he may give bail with sufficient sureties, conditioned that he will appear and abide by the judgment of the appellate court; and failing to give bail, he must be committed to the municipal jail, but he may give such bail at any time pending the appeal. When an appeal is taken by the defendant, bail is given pending the appeal and the judgment of conviction is affirmed or the appeal is dismissed, the defendant is bound by the undertaking of bail to surrender himself to the municipal authorities within fifteen days from the date of such affirmance of dismissal; and, if he shall fail to do so, the clerk of the circuit court from which the appeal is taken, upon motion of the municipality, must endorse the bail bond forfeited, and a writ or writs of arrest must be issued by the clerk to the sheriff. Upon arrest the defendant shall be delivered to the municipal authorities, and the sentence must without delay be carried out as if no appeal had been taken. If bail is forfeited as herein provided, a conditional judgment must be entered by the court in favor of the municipality and the same proceedings had thereon for the municipality as is authorized by law to be had in the name of the state in state cases.

Section 9. Warrants. The Municipal Judge is authorized to issue arrest and search warrants upon affidavit for municipal ordinance violations returnable to the municipal court and for violations of state law returnable to any state court.

Section 10. Magistrates. The Municipal Judge shall take steps

to have magistrates appointed as needed for the Town of Margaret, Alabama, pursuant to Rule 18 of the Alabama Rules of Judicial Administration. The powers of the magistrate shall be limited to: (1) issuance of arrest warrants; (2) setting bail when issuing arrest warrants in accordance with the discretionary bail schedule; provided, however, that no magistrate shall set bail for any offense in excess of the maximum amount posted in the bail schedule, unless approved by the Supreme Court; (3) approving surety bonds and receiving cash bail in municipal ordinance prosecutions; (4) authorizing the release of defendants on their personal recognizance in misdemeanor prosecutions; (5) receiving plea of guilty in misdemeanor cases where a schedule of fines has been prescribed pursuant to Rule 20, Alabama Rules of Judicial Administration; (6) accountability to the municipal court for all uniform traffic tickets and complaints, monies received and records of offenses; and (7) such other authority as may be granted by law.

Section 11. Acting Municipal Judge. In the absence from the town, death, disability, or disqualification of a municipal judge, for any reason, the mayor of the municipality shall have the authority to designate a person, licensed to practice law in the state and a qualified elector of the state, not otherwise employed in any capacity by the municipality, to serve as acting municipal judge with all power and authority of a duly appointed municipal judge. No such acting judge may serve for more than thirty successive days or a total of sixty days in any calendar year; provided that when the duly appointed municipal judge is disqualified pursuant to the Constitution, the time of service limitations for acting judges shall not apply during such disqualifications.

Section 14. Severability Clause. Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provisions of this ordinance would have been enacted regardless of any provisions which might have been invalid.

Section 15. Repealer. All ordinances or parts of ordinances inconsistent herewith and in force at the time this ordinance takes effect are hereby repealed.

Section 16. Effective Date. This ordinance shall become effective June 17, 1994 following its passage, approval and publication as required by law.

ADOPTED AND APPROVED THIS THE 27th DAY OF June, 1994.

Jeffrey H. Wilson  
Mayor



ATTEST:

Meyrtle Norton  
Town Clerk

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STATE OF ALABAMA

St. Clair COUNTY

I, the undersigned clerk of the Town of Margaret, Alabama, do hereby certify that the above and foregoing ordinance was properly advertised and duly adopted by the Town Council of the Town of Margaret, Alabama.

Meyrtle Norton  
Town Clerk

ORDINANCE ADOPTING STATE MISDEMEANORS, VIOLATIONS AND OFFENSES  
AS MUNICIPAL ORDINANCE VIOLATIONS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA AS FOLLOWS:

Section 1. Any person or corporation committing an offense within the corporate limits of the Town of Margaret, Alabama, or within the police jurisdiction thereof, which is declared by a law or laws of the State of Alabama now existing or hereafter enacted to be a misdemeanor, shall be guilty of an offense against the Town of Margaret, Alabama.

Section 2. Any person or corporation committing an offense within the corporate limits of the Town of Margaret, Alabama, or within the police jurisdiction thereof, which is declared by a law or laws of the State of Alabama now existing or hereafter enacted to be a violation, shall be guilty of an offense against the Town of Margaret, Alabama.

Section 3. Any person or corporation committing within the corporate limits of the Town of Margaret, Alabama, or within the police jurisdiction thereof, an offense as defined by Section 13A-1-2 of the Alabama Criminal Code, which offense is not declared by a law or laws of the State of Alabama now existing or hereafter enacted to be a felony, misdemeanor or violation, shall be guilty of an offense against the Town of Margaret, Alabama.

Section 4. Any person found to be in violation of Sections One (1), Two (2), or Three (3) of this ordinance shall, upon conviction, be punished by a fine of not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00) and/or may be imprisoned or sentenced to hard labor for the town for a period not exceeding six (6) months, at the discretion of the Court trying the case, unless otherwise provided by Section 5 of this ordinance. Any corporation found to be in violation of Sections One (1), Two (2), or Three (3) of this ordinance shall, upon conviction, be punished by a fine of not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00), at the discretion of the Court trying the case.

Section 5. Any person found to be in violation of Section 32-5A-191, Code of Alabama, 1975, as amended, shall, upon conviction, be punished in accordance with the provisions of that statute, provided, however, that no fine shall exceed five thousand dollars (\$5,000.00) and no sentence of imprisonment or hard labor shall exceed one year.

Section 6. Any Ordinance heretofore adopted by the Town Council of the Town of Margaret, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

Section 7. If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 8. This Ordinance shall become effective on June 27, 1994.

ADOPTED AND APPROVED THIS THE 27th DAY OF June, 1994.

Jeffrey G. Wilson  
Mayor

ATTEST:

Meyrtle Norton  
Town Clerk

STATE OF ALABAMA

ST CLAIR COUNTY

I, the undersigned clerk of the Town of Margaret, Alabama, do hereby certify that the above and foregoing Ordinance was properly advertised and duly adopted by the Town Council of the Town of Margaret, Alabama.

Meyrtle Norton  
Town Clerk

ORDINANCE ADOPTING ADDITIONAL LOCAL COURT COSTS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:

Section 1. In addition to any court costs and fees now or hereafter authorized, an additional court cost, up to but not to exceed the County District Court Costs, will be levied in the Margaret Municipal Court. Additional costs of \$17.50 will be charged on each case.

Section 2. This court cost will be paid into a special municipal fund designated as the "Corrections Fund." These funds will be used exclusively for the operation and maintenance of the municipal jail, other correctional facilities, if any, or court complex.

Section 3. The municipal governing body may appropriate other funds, space, and property sufficient to maintain and equip any municipal jail or court complex. The municipal governing body may also receive gifts, grants, and property for the use of the jail or court complex and may contract for services related to the construction, equipment, and maintenance of the jail or court complex.

Section 4. This ordinance becomes effective on July 1, 1994.

ADOPTED AND APPROVED THIS THE 27th DAY OF June, 1994.

Jeffrey A. Wilson  
Mayor

ATTEST  
Myrtle Norton  
Town Clerk

STATE OF ALABAMA  
ST. CLAIR COUNTY

I, the undersigned clerk of the Town of Margaret, Alabama, do hereby certify that the above and foregoing Ordinance was properly advertised and duly adopted by the Town Council of the Town of Margaret, Alabama.

Myrtle Norton  
Town Clerk

94-694



Rep. McDaniel

H. 584

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Enrolled, An Act,

10 To authorize the various municipal governing bodies  
11 individually or jointly with other municipalities to levy  
12 additional costs and fees on certain municipal cases and to  
13 provide for the distribution of the funds to construct, equip,  
14 and maintain a jail or jails or a court complex.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. (a) In addition to any court costs and  
17 fees now or hereafter authorized, any municipal governing  
18 body, by majority vote of the municipal governing body, may  
19 individually or jointly with one or more municipalities in the  
20 county levy and assess additional court costs and fees up to  
21 an amount not to exceed the district county court costs and fees on  
22 each case hereafter filed in any municipal court of the  
23 municipality or municipalities. The cost or fee shall not be  
24 waived by any court unless all other costs, fees, assessments,  
25 fines, or charges associated with the case are waived. The  
26 costs and fees when collected by the clerks or other  
27 collection officers of the courts, shall be paid into a  
28 special municipal fund designated as the "Corrections Fund."  
29 The affected governing body shall allocate the funds  
30 exclusively for the operation and maintenance of the municipal

Total  
\$ 97.00

1 jail or jails, other correctional facilities, if any, any  
2 juvenile detention center, or court complex.

3 Section 2. The municipal governing body may  
4 appropriate other funds, space, and property sufficient to  
5 maintain and equip any municipal jail or court complex. The  
6 municipal governing body may also receive gifts, grants, and  
7 property for the use of the jail or court complex and may  
8 contract for services related to the construction, equipment,  
9 and maintenance of the jail or court complex.

10 Section 3. The municipal governing body or  
11 municipal governing bodies may provide for the implementation  
12 of this act with another governmental entity by entering into  
13 a contract pursuant to a resolution or ordinance for the  
14 construction and operation of joint municipal correctional  
15 facilities or court complex and may adopt joint rules and  
16 regulations applicable to the jurisdiction of each entity  
17 relative to the correctional or court facilities.

18 Section 4. The provisions of this act are  
19 severable. If any part of this act is declared invalid or  
20 unconstitutional, that declaration shall not affect the part  
21 which remains.

22 Section 5. All laws or parts of laws which conflict  
23 with this act are repealed.

24 Section 6. This act shall become effective  
25 immediately upon its passage and approval by the Governor, or  
26 upon its otherwise becoming a law.

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*James A. Clark*

Speaker of the House of Representatives

*Ryan D. Brummett, Jr.*

President Pro Tempore and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House March 24, 1994.

Greg Pappas  
Clerk

Senate

APR 25 1994

Passed

APPROVED 5-3- 1994

TIME 3:32 p.m.

*Jim Folsom*  
GOVERNOR

Alabama Secretary Of State

Act Num....: 94-894  
Bill Num....: H-534

ORDINANCE NO. 94-72

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA AS FOLLOWS:

TO AMEND SECTION 1 OF ORDINANCE NO. 94.72 TO READ:

Section 1. In addition to any court costs and fees now or hereafter authorized, an additional court cost, up to but not to exceed the County District Court Costs, will be levied in the Margaret Municipal Court. Additional costs of \$5.00 will be charged on each case.

Section 4. This amendment becomes effective on February 20, 1995.

ADOPTED AND APPROVED THIS THE 20th DAY OF February, 1995.

  
Mayor

ATTEST:

  
Town Clerk

STATE OF ALABAMA

ST. CLAIR COUNTY

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance Amendment was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 20th day of February, 1995, and that the same has been posted in accordance with the law. Posted at the following locations: Town Hall, Skyline Sign & Maintenance, and Johnson Sandblasting.

  
Myrtle Norton, Town Clerk

# OFFICE OF THE ATTORNEY GENERAL



JAN 11 1995

JIMMY EVANS  
ATTORNEY GENERAL  
STATE OF ALABAMA

JAN 9 1995

ALABAMA STATE HOUSE  
11 SOUTH UNION STREET  
MONTGOMERY ALABAMA 36130  
AREA (205) 242-7300

Honorable Billy R. Weathington, Jr.  
Attorney, City of Moody  
819 Parkway Drive SE  
— Leeds, AL 35094

Municipalities - Court Costs  
- Funds

Until further clarification  
by legislative act, the  
additional costs and fees  
that may be imposed by Act  
No. 94-694 is any amount up  
to and not exceeding \$5.00.

Dear Mr. Weathington:

This opinion is issued in response to the City of  
Moody's request for an opinion from the Attorney General.

## QUESTION

Pursuant to Act No. 94-694 additional  
court costs or fees are authorized and  
limited in amount to "the county court  
costs and fees on each case hereafter  
filed in any municipal court . . ." What  
does the phrase "county court costs" mean  
in regard to the amount of limitation  
provided for these additional costs?

## FACTS AND ANALYSIS

Act No. 94-694 authorizes municipalities to levy and  
assess additional court costs to be placed in a "corrections

fund" and used for the construction and maintenance of municipal jails or court complexes. Section 1 of the Act states:

"(a) In addition to any court costs and fees now or hereafter authorized, any municipal governing body, by majority vote of the municipal governing body, may individually or jointly with one or more municipalities in the county levy and assess additional court costs and fees up to an amount not to exceed the county court costs and fees on each case hereafter filed in any municipal court of the municipality or municipalities. . . ."  
(Emphasis added.)

As stated in your request "county courts" were abolished with the Judicial Article Implementation Act, Act No. 1205, 1975 Acts. The county courts were essentially replaced by the district courts. Accordingly, clarification of the meaning of the phrase "county court costs" is necessary.

The total amount of court costs and fees varies from municipal court, district court and circuit court depending upon the court, as well as the type case involved. The fees are distributed to different funds pursuant to numerous statutory provisions and legislative acts. No part of the court costs assessed and collected in municipal court cases is authorized to go to the county. Since no court costs paid in municipal court are distributed to the county and therefore could not in this context be considered "county court costs," we must look to the costs and fees paid in district court.

One interpretation that has been offered is that the current total costs and fees (docket fee) paid in a district court case shall be the limitation of the additional municipal costs that may be assessed pursuant to Act No. 94-694. The problem with this interpretation is that the docket fees range from \$25.00 for a small claims case, \$66.00 for a traffic case, \$99.00 for a violation/misdemeanor case and \$172.00 for a felony guilty plea, and various other fees set for other types of cases. Another interpretation is that the amount of the docket fee from each case that is paid to the county general fund is the limitation on the additional costs and fees. In non-traffic misdemeanor cases in district court this amount is \$5.00.

Honorable Billy R. Weathington, Jr.  
Page 3

Given the various interpretations of the meaning of "county court costs" and the fact that county courts no longer exist, it is our opinion that further clarification by legislative act is needed to definitively answer your question. It would be logical in the interim, however, to allow additional costs to be imposed up to \$5.00, which is the amount of the costs and fees that are distributed to the county general fund upon conviction of non-traffic misdemeanor offenses or violations in district court.

CONCLUSION

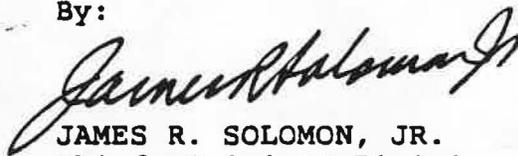
Until further clarification by legislative act, the additional costs and fees that may be imposed by Act No. 94-694 is any amount up to and not exceeding \$5.00.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS  
Attorney General

By:



JAMES R. SOLOMON, JR.  
Chief, Opinions Division

JE/bfs

W/12.94/f

4-17-95  
AMENDED DATE: ~~7-11-94~~  
SEE ORD. NO.: 95-80

ORDINANCE NO. 94-73

AN ORDINANCE ESTABLISHING A LOCAL FINE SCHEDULE FOR USE WITH THE UNIFORM NON-TRAFFIC CITATION AND COMPLAINT

AN ORDINANCE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:

Section 1. Adopting a local fine schedule to be used with the Uniform Non-Traffic Citation and Complaint (UNTCC).

Section 2. The UNTCC is to be used as the instrument for charging a person with a non-traffic municipal ordinance violation, a "minor misdemeanor", or an infraction of a rule or regulation promulgated by a state agency or department, listed in the local fine schedule. The UNTCC gives the accused the option of posting a bond and promising to appear before a magistrate, or mailing the fine, any court costs to the clerk by a specified time.

Section 3. The UNTCC is not to be used with any violation involving use of alcohol or controlled substance, acts of violence, or that require restitution to victims. Also, a repeat offender may be required to appear in court.

Section 4. This ordinance shall become effective on July 1, 1994, following its adoption and publication.

ADOPTED AND APPROVED THIS THE 11th DAY OF JULY, 1994.

Jeffrey L. Wilson  
Mayor

ATTEST:  
Myrtle Norton  
Clerk

STATE OF ALABAMA  
ST. CLAIR COUNTY

I, the undersigned clerk of the Town of Margaret, Alabama, do hereby certify that the above and foregoing Ordinance was properly advertised and duly adopted by the Town Council of the Town of Margaret, Alabama.

Myrtle Norton  
Town Clerk

**TRAFFIC FINES**

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor to Drive w/o License	\$ 35.00	\$ 47.50	\$ 82.50	\$100.00
Driving With Expired License	25.00	47.50	72.50	100.00
Driving While Suspended/Revoked	200.00	47.50	247.50	300.00
Driving on Wrong Side of Road	30.00	47.50	77.50	100.00
Driving w/o First Obtaining License	50.00	47.50	97.50	150.00
D.U.I., 1st Offense	500.00	57.50	557.50	750.00
D.U.I., 2nd Offense	750.00	57.50	807.50	1000.00
D.U.I., 3rd Offense	1000.00	57.50	1057.50	1500.00
Driving With Windshield Wipers on/Lights Off	10.00	47.50	57.50	100.00
Failure to Dim Headlights	10.00	47.50	57.50	100.00
Failure to Yield Right of Way	20.00	47.50	67.50	100.00
Failure to Stop for School Bus	150.00	47.50	197.50	250.00
Failure to Stop at Stop Sign	20.00	47.50	67.50	100.00
Failure to Stop/Railroad Gates	10.00	47.50	57.50	100.00
Failure to Use Child Restraint	10.00	47.50	57.50	100.00
Failure to Wear Seat Belt	10.00	47.50	57.50	100.00
Failure to Yield/Emergency Veh.	50.00	47.50	97.50	150.00
Following Too Closely	20.00	47.50	67.50	100.00
Improper Backing	20.00	47.50	67.50	100.00
Improper Brakes	20.00	47.50	67.50	100.00
Improper Lights	20.00	47.50	67.50	100.00
Improper Mufflers	10.00	47.50	57.50	100.00
Improper Passing	20.00	47.50	67.50	100.00
Improper or No Rear View Mirror	20.00	47.50	67.50	100.00
Improper Signal	10.00	47.50	57.50	100.00
Improper Tag	25.00	47.50	72.50	100.00
Improper Tires	20.00	47.50	67.50	100.00



**MISDEMEANOR FINES**

<b>OFFENSE</b>	<b>FINE</b>	<b>COSTS</b>	<b>TOTAL</b>	<b>BOND</b>
Allow Minor to Play Pool	\$ 100.00	\$ 61.00	\$161.00	\$200.00
Assault, 3rd Degree	200.00	61.00	261.00	300.00
Assault, 3rd Domestic	250.00	61.00	311.00	500.00
Attempting to Elude/Officer	200.00	61.00	261.00	500.00
Bail Jumping, 2nd Degree	200.00	61.00	261.00	500.00
Bond Forfeiture	100.00	61.00	161.00	200.00
Carrying Concealed Weapon	200.00	61.00	261.00	300.00
Contempt of Court	100.00	61.00	161.00	200.00
Contributing Delinquency/Minor	200.00	61.00	261.00	500.00
Criminal Littering	250.00	61.00	311.00	500.00
Criminal Mischief, 2nd Degree	200.00	61.00	261.00	500.00
Criminal Mischief, 3rd Degree	150.00	61.00	211.00	300.00
Criminal Tampering, 3rd Degree	100.00	61.00	161.00	300.00
Criminal Trespassing, 3rd Degree	150.00	61.00	211.00	300.00
Criminal Trespassing, 2nd Degree	200.00	61.00	261.00	300.00
Destroying Public Property	150.00	61.00	211.00	300.00
Discharging Firearms/City Limits	100.00	61.00	161.00	300.00
Disobeying a Lawful Order	100.00	61.00	161.00	300.00
Disorderly Conduct	150.00	61.00	211.00	300.00
Failure to Appear in Court	80.00	61.00	141.00	300.00
Failure to Disperse	100.00	61.00	161.00	200.00
False Reporting to Law Enforcement Authority	75.00	61.00	136.00	300.00
False Reporting An Incident	100.00	61.00	161.00	300.00
Firearms While Fighting on Public Property	200.00	61.00	261.00	300.00
Gambling (Simple)	100.00	61.00	161.00	200.00
Promoting Gambling	200.00	61.00	261.00	300.00
Gaming	50.00	61.00	111.00	200.00
Harrassment	100.00	61.00	161.00	200.00

OFFENSE	FINE	COSTS	TOTAL	BOND
Indecent Exposure	100.00	61.00	161.00	300.00
Inciting to Riot	200.00	61.00	261.00	500.00
Leaving Scene of Accident	200.00	61.00	261.00	500.00
Littering Highway	100.00	61.00	161.00	200.00
Menacing	150.00	61.00	211.00	300.00
Minor in Possession of Alcohol	40.00	61.00	101.00	200.00
Negotiating Non-Negotiable Instrument	150.00	61.00	211.00	300.00
Possession Open Alcoholic Beverage in Public	100.00	61.00	161.00	200.00
Possession Marijuana/1st Offense	200.00	61.00	261.00	300.00
Possession Marinuana/2nd Offense	300.00	61.00	361.00	500.00
Possession Drug Paraphanalia	100.00	61.00	161.00	200.00
Public Intoxication	100.00	61.00	161.00	200.00
Public Lewdness	100.00	61.00	161.00	200.00
Reckless Endangerment	200.00	61.00	161.00	500.00
Resisting Arrest	200.00	61.00	261.00	500.00
Refusing to Aid Police	100.00	61.00	161.00	300.00
Refusing to Aid Fire Control	100.00	61.00	161.00	300.00
Riot	300.00	61.00	361.00	500.00
Selling Alcoholic Beverage to Minors	200.00	61.00	261.00	500.00
Selling Cigarettes to Minors	50.00	61.00	111.00	200.00
Selling Firearms/Bowie Knife to Minors	100.00	61.00	161.00	200.00
Theft of Property	250.00	61.00	311.00	500.00
Theft of Services	250.00	61.00	311.00	500.00
Unauthorized Use of Vehicle	200.00	61.00	261.00	500.00
Unlawful Assembly	200.00	61.00	261.00	500.00
Violation of A.B.C. Law	200.00	61.00	261.00	300.00
Warrant Withdrawn	10.00	61.00	71.00	

TOBACCO TAX ORDINANCE

ORDINANCE NO. 94-74

REPEALED  
3-14-00  
See Ord.  
01-107

AN ORDINANCE TO LEVY A LICENSE TAX ON PERSONS, FIRMS, CORPORATIONS AND OTHERS ENGAGED IN THE BUSINESS OF SELLING, STORING OR DELIVERING CERTAIN TOBACCO PRODUCTS WITHIN THE CORPORATE LIMITS OF THE TOWN OF MARGARET OR ITS POLICE JURISDICTION; TO PROVIDE FOR THE ENFORCEMENT OF SAID ORDINANCE; TO PROVIDE PENALTIES FOR ITS VIOLATION.

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama as follows:

**SECTION 1.** Definitions. Unless the context clearly indicates a different meaning the following words and phrases wherever used in this ordinance shall have the meaning respectively ascribed to them in this section:

"Persons" means a natural person, firm, corporation, association, club, receiver, and trustee or other person acting in a fiduciary capacity.

"Town" means the Town of Margaret.

"Corporate Limits" means the corporation limits of the Town.

"Police Jurisdiction" means the territory outside the corporate limits of the Town lying within one and one-half miles from said corporate limits, and not within the corporate limits of any other municipality.

"Tobacco Products" means cigarettes, cigars, smoking tobacco, and smokeless tobacco, or any of them.

"Container" and "Containers" mean (a) the original boxes from which cigars are customarily sold at retail, and (b) the individual packages or cans in which cigarettes, smoking tobacco and smokeless tobacco are customarily sold at retail.

"Sold" and "Sale" mean any transfer of title or possession, or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever for a consideration or any agreement therefor, including rewards, prizes or premiums of tobacco products given as a result of operation on punch boards, shooting galleries or other activities.

"Retail Price" means the retail selling price of the tobacco products before adding the amount of the tax assessed herein or any other tobacco tax imposed under the laws of the State of Alabama.

"Wholesale Dealer" means a person who sells or delivers within the Town of Margaret, its police jurisdiction, at wholesale only, tobacco products to retail dealers for the purpose of resale only.

"Retail Dealer" means any person, other than a wholesale dealer, who sells or delivers tobacco products within the Town or its police jurisdiction. "Store" and "Stored" refers to the storage or warehousing of tobacco products in any manner, or the withdrawal or use of the same for any purpose other than for resale or reshipment outside the Town or its police jurisdiction.

"Storer" means a person who stores tobacco products in the Town or in its police jurisdiction.

"Dealer" means any wholesale dealer, retail dealer, or storer as herein defined.

"Stamps" means the stamp or stamps by the use of which the taxes levied under this ordinance are paid.

The masculine gender shall include the feminine and neuter genders.

Wherever the context requires, the plural shall include the singular and the singular shall include the plural.

**SECTION 2. Levy of Tax in the Town.** In addition to all taxes now imposed by law, every person who is engaged in the business of selling, storing or delivering tobacco products within the corporate limits of the Town shall pay a license tax to the Town and a license tax is hereby fixed and levied for engaging in such business within the corporate limits of the Town, which license tax shall be in the following amounts (which amounts shall be in addition to all amounts of any license tax levied with respect to such business in any general license code of the Town):

(a) An amount equal to two cents (\$.02) for each twenty (20) cigarettes or fraction of said number contained in each package sold within the corporate limits of the Town;

(b) An amount equal to one fifth of one cent (1/5 of \$.01) for each cigar sold within said corporate limits;

(c) An amount equal to one cent (\$.01) for each ounce, or fraction thereof, contained in each individual package or can of smoking tobacco which is sold within the corporate limits;

(d) An amount equal to one cent (\$.01) for each individual package or can of smokeless tobacco which is sold within said corporate limits.

**SECTION 3. Levy of Tax in Police Jurisdiction.** In addition to all taxes now imposed by law, every person who is engaged in the

business of selling, storing or delivering tobacco products within the police jurisdiction of the Town shall pay a license tax to the Town and a license tax is hereby fixed and levied for engaging in such business within the police jurisdiction of the Town, which license tax shall be in the following amounts (which amounts shall be in addition to all amounts of any license taxes levied with respect to such business in any general license code of the Town):

(a) An amount equal to two cents (\$.02) for each twenty (20) cigarettes or fraction of said number container in each package sold within the police jurisdiction of the Town;

(b) An amount equal to one fifth of one cent (1/5 of \$.01) for each cigar sold within said police jurisdiction;

(c) An amount equal to one cent (\$.01) for each ounce, or fraction thereof, contained in each individual package or can of smoking tobacco sold within said police jurisdiction and;

(d) An amount equal to one cent (\$.01) for each individual package or can of smokeless tobacco which is sold within said police jurisdiction.

**SECTION 4. Payment of Tax.** The license tax imposed by this ordinance shall be paid by affixing stamps in the manner at the times herein set forth.

**SECTION 5. Stamps.** The Town Clerk shall keep on hand for sale an adequate quantity of stamps to be affixed to each container of tobacco products in denominations as required under this ordinance. Each stamp shall have inscribed thereon the words "Town of Margaret Tobacco Tax", but said words need not be arranged in the foregoing order and may be abbreviated. Said stamps may be sold to wholesale dealers only by the Town Clerk at a price equal to ninety per cent of the full amount thereof, the remaining ten per cent of such full amount representing compensation to the wholesale dealer for the labor of affixing such stamps to the containers of the tobacco products. All other persons, except such wholesale dealers, must pay the full amount of the stamps but no persons shall be entitled to purchase any such number of stamps as shall cause the purchase price to include a fraction of a cent.

**SECTION 6. Affixing Stamps.** Before any tobacco products shall be sold, stored or delivered within the corporate limits of the Town or its police jurisdiction by any dealer, such dealer shall affix

to each container of tobacco products a stamp or stamps obtained from the Town Clerk in the amount set out in this ordinance in payment of the license taxes imposed by this ordinance. Every dealer shall, within one hour after receipt of any tobacco products within the Town or its police jurisdiction, unless sooner offered for sale, cause stamps to be requisite amount of the tax to be as affixed as herein provided and shall cause the same to be cancelled by writing or stamping with waterproof ink across the face of each stamp such registered number as shall be furnished to such dealer by the Town Clerk. After such stamping has begun it shall be continued with reasonable diligence by such dealer until all unstamped containers shall have been stamped, and the stamps cancelled as herein provided, but no stamp required to be affixed to any container shall after the same has been affixed as herein provided be again used in payment of any part of the tax levied under this ordinance.

Stamps in denominations equal to the amount of the tax shall be affixed to the container from or in which the tobacco products with respect to which the stamps are affixed are normally sold at retail; and shall be so affixed in such manner that their removal will require continued application of water or steam. In the case of cigars, sales of which are normally made from the original container, the stamps shall be affixed to the container in such a way that the stamps shall be torn in two or mutilated when the container is opened for the sale of cigars. In the case of cigarettes and smoking tobacco, which are normally sold at retail in individual packages, the stamps shall be affixed to each individual package in such a way that such stamps shall be torn in two or mutilated when such package is opened. In the case of smokeless tobacco which is normally sold in individual packages or containers, the stamps shall be affixed to the box or container holding the individual packages in such a way that such stamps shall be torn in two or mutilated when the container is opened for the sale of individual packages or containers.

**SECTION 7. Records.** Every wholesale dealer shall, at the time of selling or delivering tobacco products into the Town or its police jurisdiction, make a true duplicate invoice of the same, which shall show full and complete details of the sale or delivery of such tobacco products and the prices thereof.

Every wholesale dealer and every retail dealer shall keep a record of the purchase, sale, exchange or receipt of tobacco products. All such invoices and cancelled checks and other memoranda pertaining to any such purchase, sale, exchange or receipt shall be retained for a period of three years and shall be subject to inspection of the Town Clerk or his duly authorized deputy, who shall have the power and authority to enter upon the premises of any dealer at all reasonable times for the purpose of examining such invoices,

records, cancelled checks and other memoranda. Any person who purchases or receives in any manner whatsoever tobacco products which do not have stamps affixed in the manner required by this ordinance shall, within three days after receipt of such tobacco products, report the receipt or purchase, as the case may be, of such tobacco products to the Town Clerk, giving the date of purchase or receipt, the name of the person or firm from whom purchased or received and the purchase price thereof. Such report must be made by registered mail or in person.

**SECTION 8. Illegal Acts.** Among others, the following acts and omissions shall be unlawful.

(a) It shall be unlawful for any person who is required by this ordinance to affix stamps to any container of tobacco products to fail to affix such stamps or to fail to cancel such stamps in the manner and within the time required by this ordinance.

(b) It shall be unlawful for any person to sell, offer for sale, store or deliver within the Town or its police jurisdiction any tobacco products where stamps have not been affixed and cancelled as provided in this ordinance.

(c) It shall be unlawful for any person to have in his possession or under his control any tobacco products with respect to which stamps have not been affixed in the manner required by this ordinance for more than six hours after receipt of such tobacco products on the premises of such person. The possession of each container of tobacco products not having proper stamps affixed as required by this ordinance shall be deemed a separate offense.

(d) It shall be unlawful to manufacture, buy, sell, offer for sale, or possess, or attempt so to do, any reproduction or counterfeit of the stamps provided for in this ordinance, or to possess tools, implements, instruments or materials of any kind necessary or appropriate to reproduce or counterfeit such stamps, or to alter or cause to be altered any stamps herein provided for.

(e) It shall be unlawful to remove from a container or otherwise prepare any stamps with intent to use or cause the same to be used, after it has already been used, or to buy, sell, offer for sale or give away any washed, removed, altered or restored stamp to any person, or to have in possession any such washed or removed or restored or altered stamps, or for the purpose of indicating payment of any tax hereunder, to reuse any stamp which has theretofore been used for the payment of any tax provided in this ordinance, or to sell any stamp provided for therein, excepting, however, sales made by the Town Clerk.

(f) It shall be unlawful to reuse or refill with tobacco products any container from which tobacco products have been removed and with respect to which the tax has theretofore been paid.

(g) It shall be unlawful for any person who is in this ordinance required to keep records to fail or omit to keep the same in the manner herein provided, or to refuse to permit the Town Clerk or his duly authorized deputy to inspect the same at any reasonable hour, or to interfere with or obstruct the Town Clerk or his duly authorized deputy in the making of such inspection.

(h) It shall be unlawful for any person who is herein required to file statements with the Town Clerk to fail or omit to make or file any statement herein provided within the time herein specified, or to make any false statement therein, and such offense shall be a continuing offense against the Town and each day during which such person shall sell, store or deliver tobacco products in the Town or its police jurisdiction during such default shall constitute a separate offense.

(i) It shall be unlawful for any person who is required to pay the license tax herein provided for to fail or omit to pay the same within the time herein specified, and such offense shall be a continuing offense against the Town and each day during which said person shall sell, store or deliver tobacco products in the Town or its police jurisdiction during such default shall constitute a separate offense.

**SECTION 9. Construction.** (a) This ordinance shall not be construed to tax interstate commerce or any business of the United States Government or any branch or agency thereof.

(b) This ordinance shall not be construed to apply to tobacco products stored for the purpose of resale or reshipment outside the Town and its police jurisdiction and which are actually so resold or reshipped.

(c) This ordinance shall not be construed to repeal any other provisions of the general license code of the Town but shall be held to be cumulative.

(d) Whenever the requisite amount of stamps has been affixed to the containers of tobacco products, as required herein, this ordinance shall not be construed to require additional stamps to be affixed thereunto in case of subsequent sales, deliveries or storage; provided, that where such tobacco products have been properly stamped for sale, delivery or storage within the police jurisdiction, then before the same can be sold, delivered or stored

in the corporate limits of the Town there must be properly affixed to such tobacco products and properly cancelled an equal amount of stamps to those already affixed.

**SECTION 10.** Time of Payment of Tax. The license tax imposed by this section shall be paid from time to time as stamps are purchased from the Town Clerk and affixed as provided herein.

**SECTION 11.** Penalty. Any person violating any of the provisions of this ordinance shall, upon conviction, be punished by fine of not more than \$100.00 and may be sentenced to hard labor for the Town for a period not to exceed six months; provided, that upon conviction for a second or subsequent offense, the minimum fine imposed shall be \$25.00.

**SECTION 12.** Severability. Each and every provision of this ordinance is hereby declared to be an independent provision, and the holding of any provision hereof to be void or invalid shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provision which might be held invalid.

Adopted and approved this the 17<sup>th</sup> day of October, 1994.  
This ordinance to be effective January 1, 1995.

Jeffrey H. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Clerk

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret do hereby certify that the foregoing Ordinance 94-74, was posted at the following three (3) places in Town on November 4, 1994.

Town Hall  
Skyline Sign  
Johnson Sandblasting

Myrtle Norton  
Clerk

ORDINANCE NO. 94-75

ORDINANCE NO. 94-74 SECTION 1 TO ADOPT A LICENSE SCHEDULE FOR THE TOWN OF MARGARET, ALABAMA, AND ITS POLICE JURISDICTION FOR THE YEAR 1995 AND FOR EACH SUCCEEDING YEAR THEREAFTER UNTIL MODIFIED OR REPEALED; AND TO PROVIDE FOR THE ENFORCEMENT AND COLLECTION THEREOF:

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama that Ordinance No. 94-74, Section 1 be as follows:

SECTION 1

License Schedule, to raise funds for general municipal purpose and to defray costs of exercise of Police powers, the following is hereby declared to be the schedule of license for the calendar year 1995 and each succeeding year thereafter except as modified, amended or repealed, for divers businesses, vocations, occupations, acts, and professionals, engaged in or carried on in the Town of Margaret, Alabama and the Police Jurisdiction thereof, and each and every person, firm, company or corporation engaging in any business vocation, occupation, profession or performing any act enumerated herein shall pay the license fee as provided, plus a five dollar (\$5.00) issuance fee.

A. Services & Selling at Retail/Also Miscellaneous

1.	Antiques.....	\$ 40.00
2.	Auctioneers: per day.....	15.00
	per year.....	50.00
3.	Automobiles, Trucks, or Tractors, (Dealers or agents in new or used).....	80.00
4.	Auto Parts, new and used, retail/wholesale.....	40.00
5.	Bakery Products.....	30.00
6.	Barber Shop, first chair.....	30.00
	Each additional chair.....	10.00
7.	Beauty Shop, first chair.....	30.00
	-Each additional chair.....	10.00
8.	Beer License:	
	Off Premises.....	75.00
	On Premises.....	75.00
9.	Books or Periodicals,	
	Per day.....	10.00
	Per year.....	50.00
10.	Boot or Shoe Shop.....	30.00
11.	Building Material (Delivery & Sales).....	30.00
12.	Cabinet Shops.....	40.00
13.	Carnival or Circus, per week.....	200.00
	Per day.....	50.00
14.	Coffee, Spices, related items.....	25.00
15.	Coin Operated Game Machines(Each).....	10.00
16.	Cleaning Service.....	40.00
	(Cleaning automobiles, houses, office building)	

17.	Cleaning/Laundry.....	40.00
18.	Clothing Sales.....	50.00
19.	Collector of bills and rent (Houses and Trailers - <del>Each unit</del> <sup>1st 10 units</sup> <del>10.00</del> <sup>with letter</sup> <del>etc.</del> <sup>35.00</sup> )	<del>25.00</del> <sup>10.00 extra</sup>
20.	Computer Service..... (Sales, service, software)	50.00
21.	Contractors..... (Plumbers/Gasfitters; Concrete & Foundation; Electricians; Heating/Air; Landscaping, painting Excavating; Paving; Sandblasting; Signs; Roofing, Siding, Gutters, Insulation, Additions, Repairs, Interior, and Exterior.)	50.00
22.	Cosmetics.....	25.00
23.	Crafts..... (Woodworking, materials, notions, ceramics)	35.00
24.	Dance. <del>Flower</del> ..... (where admission is charged, when not not given wholly to religious, charitable or school purposes)	50.00
25.	Exterminator.....	40.00
26.	Fire Works: (after State approval).....	50.00
27.	Florist or Nursery.....	35.00
28.	Frozen Food Products.....	50.00
29.	Fruit or Produce.....	20.00
30.	Funeral Parlors.....	50.00
31.	Furniture, New or Used.....	30.00
32.	Furniture Renovations.....	25.00
33.	Garage or Auto Repair First Mechanic.....	30.00
	Each additional Mechanic.....	10.00
34.	General Merchandise Store..... (Clothing and/or shoes, drugs, damaged or discount merchandise and related items, school supplies, equipment, novelties)	100.00
35.	Grocery Store.....	125.00
36.	Hardware Store..... (plumbing, electrical supplies, auto accessories and related items)	100.00 -
37.	Home Supplies.....	30.00
38.	House Movers.....	40.00
39.	Jewelry, Watch Repair, etc.....	35.00
40.	Manufacturing and/or Processing Plants and concerns, including renovating and/or reconditioning automobiles. With up to 10 employees.....	100.00
	10 to 20 employees.....	150.00
	20 to 50 employees.....	200.00
	Over 50 employees.....	350.00
41.	Mobile Home Delivery/Set-up.....	50.00
42.	Newspapers..... (Sale, delivery where published outside town)	25.00
43.	Nursery or Day Care.....	30.00
44.	Photographers.....	25.00

45.	Picture Framing.....	35.00
46.	Pool Tables	
	First Table.....	75.00
	Each Additional Table.....	25.00
47.	Real Estate Agency.....	40.00
	(Whether operating from office in town or outside town limits.)	
48.	Repair Shop.....	25.00
	(Small motors, electrical equipment)	
49.	Restaurants	
	Full Meals.....	50.00
	Sandwiches/Snacks.....	30.00
50.	Salvage/Junk Yard (See Amendment).....	100.00
51.	Sawmill or Planing Mill.....	25.00
52.	Security Service/Alarms.....	50.00
53.	Service Station	
	a. First pump.....	50.00
	b. Each additional pump.....	5.00
	c. Sales other than gasoline.....	10.00
54.	Sundries.....	25.00
55.	Tobacco and Candy.....	35.00
56.	Trailer Parks - per Space.....	10.00
57.	Upholstery.....	35.00
58.	Video Rental.....	50.00
59.	Warehouse Storage (Mini, etc.).....	50.00
60.	Wine License	
	Off Premises.....	100.00
61.	Wrecker Service.....	50.00
62.	Any Business Not Listed.....	30.00

B. Taking orders for and/or delivery of merchandise to retail stores, persons, or other businesses in Town.

1.	Auto Parts & Accessories.....	25.00
2.	Beer, Wholesale Distributor.....	150.00
3.	Bread, cookies, crackers, cakes, pies, and related items.....	25.00
4.	Candy and Tobacco.....	30.00
5.	Dairy Products.....	30.00
6.	Fertilizer.....	20.00
7.	Flour & Feed Products.....	30.00
8.	Frozen Foods, ice cream, seafood, etc.....	50.00
9.	Gas, Butane & Propane.....	100.00
10.	Groceries, Wholesale.....	50.00
11.	Soft Drinks.....	40.00
12.	Wine, Wholesale Distributor.....	150.00
13.	Water Meters, related items.....	30.00
14.	If not listed.....	30.00

C. Utilities

1. Electric power or energy, 3% of gross income derived from said business done within the Town Limits during the preceding year and 1-1/2% in the Police Jurisdiction.
2. Natural Gas, 3% of gross income derived from business done within the Town Limits during the preceding year and 1-1/2% in the Police Jurisdiction.
3. Telephone..... 100.00  
    Long distance exchange..... 25.00
4. Television cable service 4% gross income derived from business done within the Town Limits during preceding year, and 2% done in the Police Jurisdiction.

D. FINANCIAL:

1. INSURANCE COMPANIES:

- A. License for selling Fire, Marine, Tornado, or Theft insurance within the town limits, 4% gross premiums collected within the preceding year, PLUS \$10.00 flat rate. ISSUANCE FEE, \$5.00.
- B. License for selling Life Insurance or Surety Bonds within the town limits, 1% of gross premiums collected during the preceding year. ISSUANCE FEE, \$5.00
- C. License for selling Health, Accident, or Sickness insurance within city limits of town, 1% of gross premiums collected during preceding year. ISSUANCE FEE, \$5.00
- D. License for selling Automobile insurance of any type within town limits, 4% of gross premium collected during preceding year. ISSUANCE FEE, \$5.00

SECTION II

Anyone doing business in the police jurisdiction shall pay 1/2 regular license.

SECTION III

No license issued under above schedule can be transferred.

#### SECTION IV

This ordinance shall go into effect on January 1, 1995 and shall remain in effect from year to year thereafter until repealed or amended. The above schedule of license shall be for the calendar year except for businesses commencing after July 1, who shall pay 1/2 the fee provided herein.

#### SECTION V

All licenses provided herein shall be due on the first day of January and must be paid on or before midnight January 31. After that date a ten percent (10) penalty will be charged. Upon payment of such license the Town Clerk shall issue a license which shall set forth the name of the person, firm or corporation, the business, occupation, or profession engaged in or carried on and the amount paid therefor, as well as the time for which such license shall run, of the person, corporation or firm securing the license.

#### SECTION VI

Any person, firm, or corporation engaged in any business, trade or occupation, or does any act for which a license is required, who has not obtained said license, shall be guilty of a Misdemeanor and, upon conviction, shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred (\$500.00) and/or may be imprisoned for not more than six months.

#### SECTION VII

Any person, firm, or corporation dealing in two or more of the articles or engaging in two or more of the businesses, vocations, or professions numbered in Section I of this ordinance and for which a license is required, shall pay for and take out a license for each line of business or vocation. Each license shall be posted in a conspicuous place, where such business or occupation is carried on, and the holder of such license shall immediately show such license to the license inspector or collector of the Town upon being so requested by such Inspector, Deputy or Officer of the law to do so.

#### SECTION VIII

No provision of this ordinance shall be so construed as to tax Interstate Commerce of the United States or Government business.

SECTION IX

Any ordinance heretofore adopted by the Town Council of the Town of Margaret, Alabama which is in conflict with this ordinance is hereby repealed to the extent of such conflict.

ADOPTED AND APPROVED THIS THE 14 DAY OF NOVEMBER, 1994.

  
Jeffrey H. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

AMENDMENT TO ORDINANCE 94-75

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA AS FOLLOWS:

1. License Schedule A. Salvage Yard/Junk Yard

Section 1. Person or firm must make application in writing to the council specifying the place where he intends to carry on such business.

Section 2. Applicant must give Fire Department and/or Police Department permission to inspect and search the the premises of said business at all times.

Section 3. Applicant must submit with application a program showing how he will maintain control of rodents and insects.

Section 4. Applicant must submit with application a plan for collecting and disposing of any and all fluids that are hazardous to the environment. They must be collected and disposed of according to standards set by the EPA and ADEM. The following being a list of some substances but may not include all those required by the EPA or ADEM:

Anti-Freeze	Diesel Fuel	Paint
Transmission Fluid	Fuel Oil	Rust Remover
Battery	Kerosene	Polishes
(or acid from)		
Brake Fluid	Gasoline	Waxes
Motor Oils		

Section 5. Applicant must provide a fence at least seven feet in height to secure the area so that no person or persons may freely enter the area or come in contact with potentially dangerous situation or hazardous substances.

Section 6. Applicant must be made aware of possible controls being put on him by the EPA or ADEM which is beyond the control of the council. If applicant is not the land owner, that person must also be aware of same. Certified letter or signed statement will be the sole proof of notification.

Section 7. Applicant holds free from Liability, the Town of Margaret under the possible clean-up of any hazardous waste spills. Liability lying solely on the applicant/land owner.

Section 8. This license may be revoked in the event that the applicant or any of his servants, agents, or employees are or have been convicted of the offenses of buying, receiving, or concealing stolen property.

ADOPTED AND APPROVED THIS THE 14th Day ov November, 1994.

  
Jeffrey A. Wilson  
Mayor

ATTEST:

Meyrtle Norton  
Town Clerk

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret do hereby certify that the foregoing Ordinance 94-75 was posted at the following three (3) places in Town on November 20, 1994.

Town Hall  
Skyline Sign  
Johnson Sandblasting

Myrtle Norton  
Clerk

TO AMEND ORDINANCE NO. 94-75 - BUSINESS LICENSE FEES TO READ:

SECTION 1 (A), LINE 19 -

COLLECTOR OF BILLS AND RENT  
(HOUSES AND TRAILERS - \$35.00 FOR FIRST 10 UNITS, THEN  
AN EXTRA \$10.00 FOR 11 TO 20 UNITS, AND SO ON UNTIL THERE IS A  
CAP OF \$100.00.

ADOPTED AND APPROVED THIS THE 12TH DAY OF DECEMBER, 1994.

  
Jeffrey A. Wilson  
Mayor

ATTEST:

Marilyn Norton  
Town Clerk

AMENDMENT TO ORDINANCE 94-75

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA AS FOLLOWS:

1. License Schedule A. - To add:

26. Entertainment Licenses

a.	Dance Floor.....	55.00
b.	Professional Dancers up to 5.....	150.00
	Over 5 will be additional.....	50.00
c.	Bands.....	150.00
d.	Singers.....	50.00

ADOPTED AND APPROVED THIS THE 19TH DAY OF AUGUST, 1996.

*Jeffrey H. Wilson*  
Mayor

ATTEST:

*Myrtle Norton*  
Town Clerk

I, Myrtle Norton, as clerk for the Town of Margaret do hereby certify that the foregoing Amendment to Ordinance 94-75 was posted at the following three (3) places in Town on September 4, 1996.

Town Hall  
PJ's Lounge  
Willie's Lounge  
Lee's Country Store

ADMEMDMENT# 94-75

UTILITY:

WATER: Each person, firm, or corporation in the business of selling/distributing water in pipes or otherwise an amount equal to three percent (3%) of the gross receipts of the buesiness transacted by such person, firm, or corporation in the Town of Margaret for the preceding calendar year from the sale of water in pipes sold or distributed from any point or points in the Town of Margaret by such person, firm, or corporation for any purpose whatsoever. An amount equal to one and one-half (½%) of the gross receipts of the business transacted by such person, firm , or corporation in the police jurisdiction of the Town of Margaret for the preceding year from the sale of water in pipes sold or distributed shall be paid.

ORDINANCE NO. 94-76

BE IT ORDAINED by the Town Council of the Town of Margaret, Alabama to amend Ordinance No. 27 as follows:

Section 1. It shall be unlawful for any person to discharge any firearm within the corporate limits of the Town of Margaret, Alabama.

Section 2. It shall be unlawful for any person to discharge any pellet rifle or any other air gun of any description which is designed to fire pellets, within the corporate limits of the Town of Margaret, Alabama.

Section 3. It shall further be unlawful for any person to discharge any air rifle or air pistol which is designed to fire B.B's within a 500 foot area of any dwelling or any other inhabited structure which is located within the corporate limits of the Town of Margaret, Alabama.

Section 4. Any person who shall be found guilty of violating this ordinance shall be fined not more than \$500.00 and shall be sentenced to not more than 6 months in the County Jail.

Section 5. That all existing Ordinances and Laws of the Town of Margaret, Alabama, which are inconsistent with the provisions contained herein shall be and are hereby repealed.

ADOPTED AND APPROVED THIS 28<sup>th</sup> day of November, 1994.

Jeffrey A. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Clerk

CLERK'S CERTIFICATION

I, Myrtle Norton, Town Clerk of the Town of Margaret, Alabama, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama on the 28th day of November, 1995, and the same has been advertised in accordance with law by publication of same by posting at the following three places in Town on the 29th day of November, 1995.

Town Hall  
Skyline Sign  
Johnson Sandblasting

ORDINANCE NO. 95-77

AN ORDINANCE TO PROHIBIT THE POSSESSION OF ALCOHOL BEVERAGES IN PUBLIC PLACES WITHIN THE TOWN OF MARGARET AND TO PROVIDE THE PENALTY FOR ANY VIOLATION.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:

SECTION 1: (Definition): As used in this ordinance, the following term has the following meaning:

Alcoholic Beverage: Any spirits, wine, beer, ale or other liquid containing more than one-half of one percent of alcohol by volume, which is fit for beverage purposes or intended for beverage purposes.

SECTION 2: (Consumption): No person shall consume any alcoholic beverage while nor upon public streets, alleys, sidewalks, parking lots, or other public ways or while on any grounds owned by or under the control of any public education authority.

SECTION 3: (Open container): No person shall be in possession of any glass, can or open container containing alcoholic beverage on any thoroughfare, street, sidewalk, alley, parking lots or any other public way or while on any grounds owned by or under the control of any public education authority.

SECTION 4: (License not to permit removal of open container): No person, firm or corporation licensed to sell an alcoholic beverage, or his employees or agents, shall permit any person to remove from such premises, any alcoholic beverage in any open container.

SECTION 5: (Open container in motor vehicles): No person shall have in his or her possession an open container containing an alcoholic beverage within or on a motor vehicle, including motorcycles, while parked or standing on a public street or public parking lot in the town or while parked on any grounds owned by or under the control of any public education authority or while such vehicle is in motion.

SECTION 6: (Penalty): Any person, firm or corporation violating any provision of this ordinance shall be fined not less than Twenty Five and no/100 (\$25.00) Dollars nor more than Two Hundred Fifty and no/100 (\$250.00) Dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 7: (Effective Date): This Ordinance shall take effect immediately upon the approval, adoption and publication as provided by law.

ADOPTED THIS THE 6<sup>th</sup> DAY OF February, 1995, BY THE TOWN COUNCIL OF THE TOWN OF MARGARET.

APPROVED THE 6<sup>th</sup> DAY OF February, 1995.

Jeffrey A. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 6<sup>th</sup> day of February, 1995, and that the same has been posted in accordance with the law. Posted at the following locations: Town Hall, Skyline Sign & Maintenance, and Johnson Sandblasting.

Myrtle Norton  
Town Clerk

ORDINANCE NO. 95-78

AN ORDINANCE TO PROHIBIT EXCESSIVE NOISE WITHIN THE TOWN OF MARGARET AND TO PROVIDE THE PENALTY FOR ANY VIOLATION.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:

SECTION 1: It shall be unlawful for any person to make, continue or cause to be made or continued any loud or excessive noise which unreasonably interferes with the comfort, health, or safety of others within the jurisdiction of the town of margaret.

SECTION 2: In addition to the general prohibition set out above, the following specific acts are declared to be in violation of this ordinance:

(a) It is hereby declared a nuisance and shall be unlawful to operate or play any radio, musical instrument or similar device, whether from a motor vehicle or by a pedestrian, in such a manner as to be plainly audible to any person other than the player or operator of the device at a distance of ten (10) feet in the case of a motor vehicle or five (5) feet in the case of a pedestrian.

(b) It is hereby declared a nuisance and shall be unlawful to operate or play any radio, television, phonograph, musical instrument, or similar device which produces or reproduces sound, whether from a business or a residence, in such a manner as to be plainly audible at a distance of one hundred (100) yards to any person in a commercial, residential, multi-family dwelling or public place.

SECTION 3: Nothing in this ordinance shall be construed to prohibit:

(a) Special performances by a band or orchestra in a hall, building, or in the open air after the proper permits have been obtained from the Town of Margaret.

(b) The ringing of bells or chimes by churches of the Town of Margaret.

(c) Any noise or sounds produced by radios, sirens or other equipment attached to, or being operated by any police, fire, rescue, utility, or other emergency vehicles or personnel.

(d) The conducting of live remote broadcasts by duly licensed radio stations upon business premises, at the request of the owner of the business. Said live remote broadcasts shall be limited to 7:00 a.m. - 10:00 p.m. hours only.

SECTION 4: Any person, firm, corporation or other entity violating any provision of this ordinance shall be fined not less than Twenty Five (\$25.00) Dollars nor more than Two Hundred Fifty (\$250.00) Dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 5: If any section, clause, paragraph, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion hereof which is not in or of itself invalid or unconstitutional.

SECTION 6: This Ordinance shall take effect immediately upon the approval, adoption and publication as provided by law.

ADOPTED THIS THE 6<sup>th</sup> DAY OF February, 1995, BY THE TOWN COUNCIL OF THE TOWN OF MARGARET.

APPROVED THE 6<sup>th</sup> DAY OF February, 1995.

Jeffrey A. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 6<sup>th</sup> day of February, 1995, and that the same has been posted in accordance with the law. Posted at the following locations: Town Hall, Willie's Pit Stop Lounge, and P.J.'s Game Room.

Myrtle Norton  
Town Clerk

AMENDMENT TO ORDINANCE NO. 95-78

TO AMEND SECTION 2 (b) It is hereby declared a nuisance and shall be unlawful to operate or play any radio, television, phonograph, musical instrument, or similar device which produces or reproduces sound, whether from a business or a residence, in such a manner as to be plainly audible at a distance of one hundred (100) feet to any person in a commercial, residential, multi-family dwelling or public place.

ADOPTED THIS THE 31<sup>st</sup> DAY OF August, 1999 BY THE TOWN COUNCIL OF THE TOWN OF MARGARET.

APPROVED THE 31<sup>st</sup> DAY OF August, 1999.

Engene Hardwick  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Amended Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 31<sup>st</sup> Day of August, 1999, and that the same has been posted in accordance with the law. Posted at the following locations: Town Hall, Rumor's Bar, and Lee's Country Store.

Myrtle Norton  
Clerk

ORDINANCE NO. 95-79

AMENDED DATE: 8-21-95  
SEE ORD. NO.: 95-82

AN ORDINANCE DECLARING UNSAFE BUILDINGS WITHIN THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, PUBLIC NUISANCES AND PROVIDING FOR THE REPAIR OR DEMOLITION THEREOF:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA as follows:

SECTION ONE: Be it ordained that any and all buildings or structures within the corporate limits of the Town of Margaret, St. Clair County, Alabama, which are unsafe, unsanitary, or are not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life or which, in relation to existing use, constitute a hazard to the safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, be and the same are hereby declared public nuisances and shall be abated by repair and rehabilitation or demolition.

SECTION TWO: Be it further ordained that whenever the Fire Chief of the Town of Margaret, Alabama shall find within the corporate limits of the Town of Margaret, Alabama any building or structure or portion thereof to constitute a fire hazard and such condition likely to endanger adjoining buildings or property or the citizens of Margaret, Alabama, the Fire Chief shall report in writing to the Town Council a description of same and the owner thereof, if known, and the condition thereof constituting a hazard or unsafe condition. Whereupon after consideration thereof the Town Council shall give the owner, agent or person in control of such building or structure written notice stating the defects thereof, and said notice shall require the owner thereof within thirty days' time thereafter, either to complete the specified repairs or improvements or to demolish and remove the building or structure or portion thereof. Such notice may also require the building, structure or portion thereof to be vacated forthwith and not re-occupied until the specified repairs and improvements are completed, inspected and approved by the Fire Chief. The Fire Chief shall cause to be posted at each entrance to such a building a notice: "This building is unsafe and its use and occupancy has been prohibited by the Town Council of Margaret, Alabama." Such notice shall remain until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation, or their agents or servants to remove such notice without the written permission of Town Council, or for any person of making the required repairs or of demolishing the same.

SECTION THREE: Be it further ordained that upon receipt of the notice as specified in Section Two of this Ordinance the owner, agent or person in control of the condemned building shall have a right to a hearing before the Mayor and Town Council, if said owner, agent or person shall desire such a hearing. Said agent, owner or person shall within five days from receipt of said notice give written notice to the Town Council of his request for a hearing, in which event the Mayor and Town Council shall notify said agent, owner or person to be and appear before the Mayor and Town Council at a date and time to be specified by the Town Council in said notice, and to show cause at said time and place why said owner, agent, person or others requesting said hearing should not comply with such action by the Town Council. Upon conclusion of said hearing, and completion of the investigation by the Town Council, if it is the opinion of the Town Council that said building should be condemned, then the Mayor and Town Council shall adopt resolution, condemn said building and formally order same demolished or repaired and placed in a safe condition.

SECTION FOUR: Be it further ordained that in case the owner, agent or person in control cannot be found within the stated time limit, or if such owner, agent or person in control shall fail, neglect or refuse to comply with said notice to repair, rehabilitate, demolish or remove said building or structure or portion thereof, the Town Council, after having ascertained the costs, shall cause said building or structure or portion thereof to be demolished, secured or required to remain vacant, which action of the Town Council shall be evidenced by resolution spread upon the minutes of the Town Council.

SECTION FIVE: The decision of the Town Council shall be final in cases of emergency, which, in its opinion, involve immediate danger to human life or health. The Town Council shall promptly cause such building, structure or portion thereof to be made safe or removed. For this purpose, the Town Council may direct agents of the town to enter upon the structure or the land upon which it is situated, or abutting land or structures, and at such cost as the Town Council may deem necessary. The Town Council may cause to be vacated structures and protected by appropriate fences, or by such other means as may be necessary and for said purposes may temporarily close public or private ways.

SECTION SIX: The costs incurred under Section Four hereof shall be a lien against the premises involved and shall be collected in the manner provided by existing laws governing the sale or private property for the purpose of satisfying liens against said property held by the Town.

SECTION SEVEN: This Ordinance shall become effective upon passage by the Town Council and advertised by law.

ADOPTED this the 20<sup>th</sup> day of March, 1995.



Jeffrey A. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 20th day of March, 1995, and that the same has been posted in accordance with the law. Posted at the following locations: Town Hall, Skyline Sign & Maintenance, and Johnson Sandblasting.

Myrtle Norton  
Town Clerk

AMENDED DATE: 9-15-97

SEE ORD. NO.: 97-91

ORDINANCE NO. 95-80

AN ORDINANCE ADOPTING A FINE SCHEDULE FOR THE TOWN OF MARGARET,  
ALABAMA.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA, AS FOLLOWS:

1. Fine Schedule: The attached fine schedule is hereby adopted and shall remain in effect until repealed or amended.
2. Repealer: All ordinances heretofore adopted by the Town Council of the Town of Margaret, Alabama which are in conflict with the provisions of the ordinance are hereby repealed to the extent of such conflict.
3. Effective Date: This ordinance shall become effective April 1, 1995 upon publication as required by law.

ADOPTED AND APPROVED THIS THE 17 DAY OF APRIL, 1995.

  
Jeffrey A. Welch  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 9580 was adopted by the Mayor and Council on April 17, 1995. I further certify that a copy of the same was posted at the following three (3) places in Town on April 18, 1995.

Town Hall

Skyline Sign & Maintenance

Johnson Sandblasting

**TRAFFIC FINES**

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor to Drive w/o License	\$ 35.00	\$ 47.50	\$ 82.50	\$100.00
Driving With Expired License	25.00	47.50	72.50	100.00
Driving While Suspended/Revoked	200.00	47.50	247.50	300.00
Driving on Wrong Side of Road	30.00	47.50	77.50	100.00
Driving w/o First Obtaining License	50.00	47.50	97.50	150.00
D.U.I., 1st Offense	500.00	57.50	557.50	750.00
D.U.I., 2nd Offense	750.00	57.50	807.50	1000.00
D.U.I., 3rd Offense	1000.00	57.50	1057.50	1500.00
Driving With Windshield Wipers on/Lights Off	10.00	47.50	57.50	100.00
Failure to Dim Headlights	10.00	47.50	57.50	100.00
Failure to Yield Right of Way	20.00	47.50	67.50	100.00
Failure to Stop for School Bus	150.00	47.50	197.50	250.00
Failure to Stop at Stop Sign	20.00	47.50	67.50	100.00
Failure to Stop/Railroad Gates	10.00	47.50	57.50	100.00
Failure to Use Child Restraint	10.00	47.50	57.50	100.00
Failure to Wear Seat Belt	10.00	47.50	57.50	100.00
Failure to Yield/Emergency Veh.	50.00	47.50	97.50	150.00
Following Too Closely	20.00	47.50	67.50	100.00
Improper Backing	20.00	47.50	67.50	100.00
Improper Brakes	20.00	47.50	67.50	100.00
Improper Lights	20.00	47.50	67.50	100.00
Improper Mufflers	10.00	47.50	57.50	100.00
Improper Passing	20.00	47.50	67.50	100.00
Improper or No Rear View Mirror	20.00	47.50	67.50	100.00
Improper Signal	10.00	47.50	57.50	100.00
Improper Tag	25.00	47.50	72.50	100.00
Improper Tires	20.00	47.50	67.50	100.00





**MISDEMEANOR FINES**

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor to Play Pool	\$ 100.00	\$ 61.00	\$161.00	\$200.00
Assault, 3rd Degree	200.00	61.00	261.00	300.00
Assault, 3rd Domestic	250.00	61.00	311.00	500.00
Attempting to Elude/Officer	200.00	61.00	261.00	500.00
Bail Jumping, 2nd Degree	200.00	61.00	261.00	500.00
Bond Forfeiture	100.00	61.00	161.00	200.00
Carrying Concealed Weapon	200.00	61.00	261.00	300.00
Contempt of Court	100.00	61.00	161.00	200.00
Contributing Delinquency/Minor	200.00	61.00	261.00	500.00
Criminal Littering	250.00	61.00	311.00	500.00
Criminal Mischief, 2nd Degree	200.00	61.00	261.00	500.00
Criminal Mischief, 3rd Degree	150.00	61.00	211.00	300.00
Criminal Tampering, 3rd Degree	100.00	61.00	161.00	300.00
Criminal Trespassing, 3rd Degree	150.00	61.00	211.00	300.00
Criminal Trespassing, 2nd Degree	200.00	61.00	261.00	300.00
Destroying Public Property	150.00	61.00	211.00	300.00
Discharging Firearms/City Limits	100.00	61.00	161.00	300.00
Disobeying a Lawful Order	100.00	61.00	161.00	300.00
Disorderly Conduct	150.00	61.00	211.00	300.00
Failure to Appear in Court	80.00	61.00	141.00	300.00
Failure to Disperse	100.00	61.00	161.00	200.00
False Reporting to Law Enforcement Authority	75.00	61.00	136.00	300.00
False Reporting An Incident	100.00	61.00	161.00	300.00
Firearms While Fighting on Public Property	200.00	61.00	261.00	300.00
Gambling (Simple)	100.00	61.00	161.00	200.00
Promoting Gambling	200.00	61.00	261.00	300.00
Gaming	50.00	61.00	111.00	200.00
Harrassment	100.00	61.00	161.00	200.00

OFFENSE	FINE	COSTS	TOTAL	BOND
Indecent Exposure	100.00	61.00	161.00	300.00
Inciting to Riot	200.00	61.00	261.00	500.00
Leaving Scene of Accident	200.00	61.00	261.00	500.00
Littering Highway	100.00	61.00	161.00	200.00
Menacing	150.00	61.00	211.00	300.00
Minor in Possession of Alcohol	40.00	61.00	101.00	200.00
Negotiating Non-Negotiable Instrument	150.00	61.00	211.00	300.00
Possession Open Alcoholic Beverage in Public	100.00	61.00	161.00	200.00
Possession Marijuana/1st Offense	200.00	61.00	261.00	300.00
Possession Marinuana/2nd Offense	300.00	61.00	361.00	500.00
Possession Drug Paraphanalialia	100.00	61.00	161.00	200.00
Public Intoxication	100.00	61.00	161.00	200.00
Public Lewdness	100.00	61.00	161.00	200.00
Reckless Endangerment	200.00	61.00	161.00	500.00
Resisting Arrest	200.00	61.00	261.00	500.00
Refusing to Aid Police	100.00	61.00	161.00	300.00
Refusing to Aid Fire Control	100.00	61.00	161.00	300.00
Riot	300.00	61.00	361.00	500.00
Selling Alcoholic Beverage to Minors	200.00	61.00	261.00	500.00
Selling Cigarettes to Minors	50.00	61.00	111.00	200.00
Selling Firearms/Bowie Knife to Minors	100.00	61.00	161.00	200.00
Theft of Property	250.00	61.00	311.00	500.00
Theft of Services	250.00	61.00	311.00	500.00
Unauthorized Use of Vehicle	200.00	61.00	261.00	500.00
Unlawful Assembly	200.00	61.00	261.00	500.00
Violation of A.B.C. Law	200.00	61.00	261.00	300.00
Warrant Withdrawn	10.00	61.00	71.00	

ORDINANCE NO. 95-81

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA, AS FOLLOWS:

Section 1. It shall be unlawful for any person under the age of 21 to be in any club or lounge or restaurant that serves alcohol after 10:00 p.m.

Section 2. Before 10:00 p.m. persons from ages 18 to 20 will be allowed on these premises.

Section 3. Any person violating any of the provisions of this ordinance or any section or provision thereof, or any person doing any act or thing declared by this ordinance to be unlawful shall be guilty of an offense against the Town of Margaret, Alabama, and upon conviction, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) or thirty days (30) days imprisonment at hard labor, or both.

Section 4. This ordinance shall be effective upon its passage and publication as provided by law.

Adopted this 5th day of June, 1995.

*Jeffrey L. Wilson*  
Mayor

ATTEST:

*Myrtle Norton*  
Town Clerk

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance 95-81 was adopted by the Mayor and Council on June 5, 1995. I further certify that a copy of the same was posted at the following three (3) places in Town on June 6, 1995.

Town Hall

Willie's Pit Stop

PJ's

Myrtle Norton  
Myrtle Norton

AN ORDINANCE DECLARING UNSAFE BUILDINGS WITHIN THE CORPORATE LIMITS OF THE CITY OF MARGARET, ALABAMA, PUBLIC NUISANCES AND PROVIDING FOR THE REPAIR OR DEMOLITION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARGARET, ALABAMA  
As follows:

SECTION ONE: Be it ordained that any and all buildings or structures within the corporate limits of City of Margaret, St. Clair County, Alabama, which are unsafe, unsanitary, or are not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life or which, in relation to existing use, constitute a hazard to the safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, be and the same are hereby declared public nuisances and shall be abated by repair and rehabilitation or demolition.

SECTION TWO: Be it further ordained that whenever the Fire Chief or Building Inspector of the City of Margaret, Alabama shall find within the corporate limits of the City of Margaret, Alabama any building or condition likely to endanger adjoining buildings or property or the citizens of Margaret, Alabama, the Fire Chief or Building Inspector shall report in writing to the City Council a description of same and the owner thereof, if known, and the condition thereof constituting a hazard or unsafe condition. Whereupon after consideration thereof the City Council shall give the owner, Agent or person in control of such building or structure written notice stating the defects thereof, and said notice shall require the owner thereof within thirty days' time thereafter, either to complete the specified repairs or to demolish and remove the building or structure or portion thereof. Such notice may also require the building, structure or portion thereof to be vacated forthwith and not re-occupied until the specified repairs and improvements are inspected and approved by the Fire Chief and Building Inspector. The Fire Chief or Building Inspector shall cause to be posted at each entrance to such a building

A notice: "This building is unsafe and its use and occupancy has been prohibited by the City Council of Margaret, Alabama." Such notice shall remain until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation, or their agents or servants to remove such notice without the written permission of City Council, or for any person of making the required repairs or of demolishing the same.

SECTION THREE: Be it further ordained that upon receipt of the notice as specified in Section Two of this Ordinance the owner, agent or person in control of the condemned building shall have a right to a hearing before the Mayor and City Council. If said

Owner Agent or person shall desire such a h e a r i n g . Said agent Owner or person shall within five days from receipt of said notice give a written notice to the City Council of his request for a hearing. In which event the Mayor and City Council shall notify said agent owner or person to be and appear before the Mayor and City Council at a date and time to be specified by the City Council in said notice. And to show cause at said time and place why said agent person or others requesting said hearing should not comply with such action by the City Council. Upon conclusion of said hearing. And completion of the investigation by the City Council, if it is the opinion of the City Council that said building should be condemned, then the Mayor and City Council shall adopt a resolution condemning said building and formally order same demolished or repaired and placed in a safe c o n d i t i o n .

SECTION FOUR: Be it further ordained that in case the owner, agent or person in control cannot be found within the stated time limit. Or if such owner Agent or person in control shall fail. Neglect or refuse to comply with said notice to repair. Rehabilitate, Demolish or remove said building or structure or portion thereof. The City Council after having ascertained the costs shall cause said building or structure or portion thereof to be demolished, secured or required to remain vacant. Which action of the City Council shall be evidenced by resolution spread upon the minutes of the City Council?

SECTION FIVE: Be it further ordained that the City Council of the City of Margaret may also decide at the end of the allotted 30 days to charge the owners with a misdemeanor. At which time a warrant for their arrest will be issued. A non-traffic citation will be issued in lieu of a warrant. If this is done each owner will be required to appear before the Margaret Municipal Court at the appointed time. A fine of \$100.00. Plus \$314.50 court cost shall be levied for each owner. In addition a charge of \$10.00 per day for each day the building remains in the same condition will be placed on each owner. This \$10.00 will be charged until the property is cleaned up.

SECTION SIX: The decision of the City Council shall be final. In cases of emergency, which in its opinion involve immediate danger to human life or health the City Council shall promptly Cause such building Structure or portion thereof to be made safe or removed. For this purpose the City Council may direct agents of the City to enter upon the structure or the land upon which is situated or abutting land or structures, and at such cost as the City Council may deem necessary. The City Council may cause to be vacated structures and protected by appropriate fences. Or by such other means as may be necessary and for said purposes may temporarily close public or private ways.

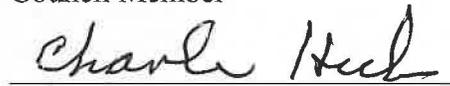
SECTION SEVEN: The costs incurred under Section Four hereof shall be a lien against the premises involved and shall be collected in the manner provided by existing laws governing the sale or private property for the purpose of satisfying liens against said property held by the City.

SECTION EIGHT: This Ordinance shall become effective upon passage by the City Council and advertised by law.

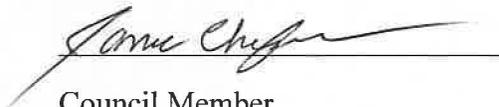
ADOPTED this the 1<sup>st</sup> day of June, 2015

  
Isaac Howard III, Mayor

Council Member

  
\_\_\_\_\_

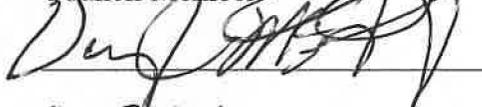
Council Member

  
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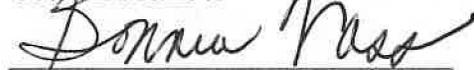
Council Member

  
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Council Member

  
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Council Member

  
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ATTEST.



Teja McIntyre Peeples, City Clerk

I Teja McIntyre Peeples, Clerk for the City of **Margaret**, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Margaret, Alabama at a regular meeting held on the 21st day of August, 1995, and that the same has been posed in accordance with the law. Posted at the following locations:

City Hall  
Post Office  
Margaret Food Mart

So. Bldg. Code  
overrides this  
Ordinance.  
Also see Ordinance  
96-89

ORDINANCE NO. 95-82

AN ORDINANCE DECLARING UNSAFE BUILDINGS WITHIN THE CORPORATE LIMITS OF THE TOWN OF MARGARET, ALABAMA, PUBLIC NUISANCES AND PROVIDING FOR THE REPAIR OR DEMOLITION THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA as follows:

SECTION ONE: Be it ordained that any and all buildings or structures within the corporate limits of the Town of Margaret, St. Clair County, Alabama, which are unsafe, unsanitary, or are not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life or which, in relation to existing use, constitute a hazard to the safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, be and the same are hereby declared public nuisances and shall be abated by repair and rehabilitation or demolition.

SECTION TWO: Be it further ordained that whenever the Fire Chief of the Town of Margaret, Alabama shall find within the corporate limits of the Town of Margaret, Alabama any building or condition likely to endanger adjoining buildings or property or the citizens of Margaret, Alabama, the Fire Chief shall report in writing to the Town Council a description of same and the owner thereof, if known, and the condition thereof constituting a hazard or unsafe condition. Whereupon after consideration thereof the Town Council shall give the owner, agent or person in control of such building or structure written notice stating the defects thereof, and said notice shall require the owner thereof within thirty days' time thereafter, either to complete the specified repairs or improvements or to demolish and remove the building or structure or portion thereof. Such notice may also require the building, structure or portion thereof to be vacated forthwith and not re-occupied until the specified repairs and improvements are completed, inspected and approved by the Fire Chief. The Fire Chief shall cause to be posted at each entrance to such a building a notice: "This building is unsafe and its use and occupancy has been prohibited by the Town Council of Margaret, Alabama." Such notice shall remain until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation, or their agents or servants to remove such notice without the written permission of Town Council, or for any person of making the required repairs or of demolishing the same.

SECTION THREE: Be it further ordained that upon receipt of the notice as specified in Section Two of this Ordinance the owner, agent or person in control of the condemned building shall have a right to a hearing before the Mayor and Town Council, if said

owner, agent or person shall desire such a hearing. Said agent, owner or person shall within five days from receipt of said notice give written notice to the Town Council of his request for a hearing, in which event the Mayor and Town Council shall notify said agent, owner or person to be and appear before the Mayor and Town Council at a date and time to be specified by the Town Council in said notice, and to show cause at said time and place why said owner, agent, person or others requesting said hearing should not comply with such action by the Town Council. Upon conclusion of said hearing, and completion of the investigation by the Town Council, if it is the opinion of the Town Council that said building should be condemned, then the Mayor and Town Council shall adopt resolution, condemn said building and formally order same demolished or repaired and placed in a safe condition.

SECTION FOUR: Be it further ordained that in case the owner, agent or person in control cannot be found within the stated time limit, or if such owner, agent or person in control shall fail, neglect or refuse to comply with said notice to repair, rehabilitate, demolish or remove said building or structure or portion thereof, the Town Council, after having ascertained the costs, shall cause said building or structure or portion thereof to be demolished, secured or required to remain vacant, which action of the Town Council shall be evidenced by resolution spread upon the minutes of the Town Council.

SECTION FIVE: Be it further ordained that the Town Council of the Town of Margaret may also decide, at the end of the allotted 30 days, to charge the owners with a misdemeanor, at which time a warrant for their arrest will be issued. A non-traffic citation will be issued in lieu of a warrant. If this is done each owner will be required to appear before the Margaret Municipal Court at the appointed time. A fine of \$100.00, plus \$61.00 court cost, shall be levied for each owner. In addition a charge of \$10.00 per day for each day the building remains in the same condition will be placed on each owner. This \$10.00 will be charged until the property is cleaned up.

SECTION SIX: The decision of the Town Council shall be final in cases of emergency, which, in its opinion, involve immediate danger to human life or health. The Town Council shall promptly cause such building, structure or portion thereof to be made safe or removed. For this purpose, the Town Council may direct agents of the town to enter upon the structure or the land upon which is situated, or abutting land or structures, and at such cost as the Town Council may deem necessary. The Town Council may cause to be vacated structures and protected by appropriate fences, or by such other means as may be necessary and for said purposes may temporarily close public or private ways.

SECTION SEVEN: The costs incurred under Section Four hereof shall be a lien against the premises involved and shall be collected in the manner provided by existing laws governing the sale or private property for the purpose of satisfying liens against said property held by the Town.

SECTION EIGHT: This Ordinance shall become effective upon passage by the Town Council and advertised by law.

ADOPTED this the 21st day of August, 1995.

  
Jeffrey L. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 21st day of August, 1995, and that the same has been posed in accordance with the law. Posted at the following locations:

Town Hall  
Skyline Sign & Maintenance  
Johnson Sandblasting

Myrtle Norton  
Town Clerk

ORDINANCE NO. 96-83

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA AS FOLLOWS:

Section 1: Any contractor or subcontractor hauling <sup>tree stumps and limbs for</sup> in fill material of any kind,  
is to buy a contractor license.

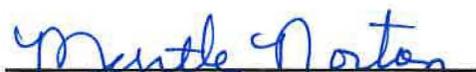
Section 2: There is hereby levied in addition to the contractor license fee, a fee  
or tax of \$1.00 per truck load of any fill material brought into the Town of Margaret.

Section 3: This fee is to be paid weekly to the Town of Margaret by the  
contractor.

ADOPTED this the 12<sup>th</sup> Day of February, 1996.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance  
was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular  
meeting held on the 12 Day of February, 1996 and that the same has been posted in  
accordance with the law. Posted at the following locations:

Town Hall  
Skyline Sign & Maintenance  
Johnson Sandblasting

  
\_\_\_\_\_  
Town Clerk

ORDINANCE NO. 96-84

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA AS FOLLOWS:

Section 1. That the salary of the mayor of the Town of Margaret, Alabama, shall be and the same is hereby fixed at the sum of \$ 100.00 per month.

Section 2. That each councilmember shall be compensated at the sum of \$ 10.00 per meeting.

Section 3. This ordinance shall become effective on the first Monday in October, 1996, and shall continue in force and effect until repealed by action of the council.

ADOPTED AND APPROVED THIS THE 16<sup>th</sup> DAY OF January, 1996.

Jeffrey A. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 17 Day of January, 1996 and that the same has been posted in accordance with the law. Posted at the following locations.

Town Hall  
Skyline Sign & Maintenance  
Post Office

ORDINANCE NO. 96-85

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA, AS FOLLOWS:

**Section 1.** That the Town governing body of the Town of Margaret, Alabama, shall consist of a mayor and five council members who shall be elected by as vote of the voters at large in the Town of Margaret, Alabama.

**Section 2.** That the places on the Town Council be and the same are hereby designated as Place Number 1, Place Number 2, Place Number 3, Place Number 4, and Place Number 5.

**Section 3.** That each candidate for a place on the Town Council shall in the announcement of his or her candidacy designate by number the place for which he or she is a candidate and no person shall be a candidate for more than one place.

**Section 4.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED ON THIS 25<sup>th</sup> DAY OF March, 1996.

  
*Jeffrey A. Wilson*  
Mayor

ATTEST:

*Myrtle Norton*  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 25th day of March, 1996 and that the same has been posted in accordance with the law. Posted at the following locations:

Town Hall  
Skyline Sign & Maintenance  
Johnson Sandblasting

Myrtle Norton  
Town Clerk

ORDINANCE NO. 96-86

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA, AS FOLLOWS:

Section 1. It shall be unlawful for any person under the age of 21 to be in any club or lounge or restaurant that serve alcohol.

Section 2. Any person violating any of the provisions of this ordinance or any section or provision thereof, or any person doing any act or thing declared by this ordinance to be unlawful shall be guilty of an offense against the Town of Margaret, Alabama, and upon conviction, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) or thirty days (30) days imprisonment at hard labor, or both.

Section 3. This ordinance shall be effective upon its passage and publication as provided by law.

Adopted this 6th day of May, 1996.

  
*Jeffrey H. Wilson*  
Mayor

ATTEST:

*Myrtle Norton*  
Town Clerk

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance 96-86 was adopted by the Mayor and Council on May 6, 1996. I further certify that a copy of the same was posted at the following three (3) places in Town on May 6, 1996.

Town Hall  
Willie's Pit Stop Lounge  
PJ's Game Room & Lounge

ORDINANCE NO. 96- 87

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA, AS FOLLOWS:

**Section 1.** A qualification fee in the amount of \$ 35.00 is hereby fixed and imposed upon all candidates seeking election as mayor of the Town of Margaret, Alabama, except as hereinafter provided for.

**Section 2.** A qualification fee in the amount of \$ 25.00 is hereby fixed and imposed upon all candidates seeking election as council member of the Town of Margaret, Alabama, except as hereinafter provided for.

**Section 3.** Such qualification fee shall be paid to the town clerk and deposited to the general fund of the town at or prior to the time of taking out qualification papers by any such candidates.

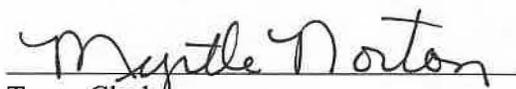
**Section 4.** Any person desiring to qualify who is not financially able to pay the required fee may qualify provided such prospective candidate furnishes the clerk with an affidavit stating that he is financially unable to pay the required fee fixed by this ordinance.

**Section 5.** This ordinance is adopted pursuant to Section 11-46-2 of the Alabama Code of 1975 and shall be effective in all elections, both general and special, for aforesaid offices from and after the date of adoption.

ADOPTED THIS THE 3rd DAY OF June, 1996.

  
Mayer

ATTEST:

  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 1<sup>st</sup> Day of June, 1996 and that the same has been posted in accordance with the law. Posted at the following locations.

Town Hall  
Skyline Sign & Maintenance  
Post Office

ORDINANCE NO. 88

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA AS FOLLOWS:

**Section 1.** Pursuant to Section 11-46-28, Code of Alabama 1975, the Town Council of the Town of Margaret, Alabama, does hereby ordain that the polls during all future municipal elections shall open at 7:00 a.m. and remain open continuously until 7:00 p.m.

**Section 2.** This ordinance shall become effective immediately upon its adoption and publication as required by law.

Adopted this the 24th day of June, 1966.

Jeffrey G. Wilson  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 24th day of June, 1966 and that the same has been posted in accordance with the law. Posted at the following locations.

Town Hall  
Johnson Sandblasting  
Willie's Lounge

ORDINANCE NO. 96-89

**REGULATING GRASS AND WEED NUISANCES, BUILDING NUISANCES, ABANDONED VEHICLES AND OTHER NUISANCES; REVISING AND STREAMLINING THE ENFORCEMENT PROCEDURE FOR NUISANCE ABATEMENT INCLUDING ISSUANCE OF SUMMONS AND COMPLAINT.**

**WHEREAS**, The City of Margaret is empowered to enact ordinances to protect and promote the general public health and welfare and to improve the order, comfort and convenience of inhabitants; and

**WHEREAS**, conditions such as structural deterioration, lack of maintenance or upkeep of essential utilities and facilities, existence of fire hazards, inadequate provisions for light and air, unsanitary conditions and overcrowding constitute a menace to the health, safety, morals, welfare and reasonable comfort of the inhabitants of the City; and

**WHEREAS**, because of lack of maintenance and progressive deterioration, certain properties have the further effect of creating blighting conditions and initiating slums; and

**WHEREAS**, if these conditions are not curtailed and removed, they will grow and spread and necessitate the expenditure of large amounts of public funds to eliminate such conditions; and

**WHEREAS**, by timely regulations and restrictions as contained in this ordinance, the growth of slums and blight may be prevented, neighborhoods and property values may be maintained and the desirability and amenability of residential and nonresidential uses and neighborhoods will be enhanced and the public health, safety and welfare protected and fostered; and

**WHEREAS**, an abundance of abandoned vehicles, overgrown grass and weeds within the City could be injurious to the general public health, safety and general welfare by

- (1) providing breeding grounds and shelter for rats, mice, snakes, mosquitoes and other vermin, insects and pests; and
- (2) attaining such heights and dryness so as to constitute serious fire threat or hazard; and
- (3) bearing wings or downy seeds, when mature, that cause the spread of weeds and irritation to the throat, lungs and eyes of the public; and
- (4) hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; and
- (5) being unsightly and constituting unusual blight; and

**WHEREAS**, the removal and clearance of such abandoned vehicles, overgrown grass and weeds must be accomplished for the overall good and protection of the public as a whole;

**NOW, THEREFORE**, be it ordained by the City Council of Margaret, Alabama, as follows:

**SECTION 1.** Definitions. For the purpose of this ordinance, certain terms as defined as follows:

- (A) Abandoned Vehicle: Any motor vehicle which
- (1) is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition, or
  - (2) does not have affixed thereto an unexpired license plate, and has been parked, stored or left, whether attended or not, upon any public or private property in the town for a period of time in excess of seven (7) business days.

The term includes any boat which is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition . The term does not include any motor vehicle

- (1) enclosed within a building on private property;
  - (2) held in connection with a business enterprise, lawfully licensed by the City on property zoned for a junkyard, vehicle repair facility or vehicle storage yard;
  - (3) inoperable condition specifically adapted or designed for operation on drag strips or raceways; or
  - (4) retained primarily as an antique collector's item and registered under state law as an antique vehicle.
- (B) Building Nuisance : Any nuisance condition involving a residential or nonresidential structure, including remains from demolition, remains from a fire, parts of buildings, parts of uninhabitable structures.

- (C) Enforcing Official: Any official of the City Police Department or any other City employee designated by the Mayor as the person to exercise the authority and perform the duties delegated by this ordinance to the enforcing official. For a grass and weed nuisance the enforcing officials may also be any organization (including its employees) or individual with which the City may contract to provide such service.
- (D) Grass or Weed Nuisance : Any abundance of overgrown grass or weeds within the City which is injurious to the general public health, safety and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes and other vermin, insects and pests; or attaining such heights and dryness so as to constitute serious fire threat or hazard; or bearing wings or downy seeds, when mature, that cause the spread of weeds and, when breathed, irritation to the throat, lungs and eyes of the public; or hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; or being unsightly; or any growth of grass or weeds, other than ornamental plant growth, which exceeds 12 inches in height.
- (E) Improved Subdivision: A division of a tract of land or acreage into tracts or parcels, and the improvement thereof by construction of streets, water lines and, where applicable, sewer lines to serve the subdivided property.
- (F) Natural Condition: Uncultivated and unseeded land, still in a state of nature. But any growth on land, once it has been cleared or plowed, is not a natural condition, even though it has not been planted or cultivated by anyone.
- (G) Nuisance: Anything that unlawfully causes hurt, inconvenience or damage; that class of wrongs that arises from the unreasonable, unwarrantable or unlawful use by a person of such person's own property, either real or personal, or from such person's own improper, indecent, unsightly or unlawful personal conduct, working an obstruction of or injury to the right of another or of the public, and producing material annoyance, inconvenience, discomfort or hurt to another person or to the general public; anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property of another.

- (H) Owner of Property: Includes legal title holder, or lessee, or occupant of property, or agent of legal title holder or lessee, in charge, possession or control of said property . For a building nuisance only, includes any mortgage holder of record.

## **SECTION 2. NUISANCE UNLAWFUL.**

It shall be unlawful for any person to permit or maintain the existence of any nuisance on any property under such person's ownership or control. Property under a person's ownership and control includes those areas referred to in Section 3. A person with a duty to abate any nuisance is liable for separate and distinct offenses for each day the nuisance is allowed to remain after it has become such person's duty by notice of the enforcing official to abate it.

## **SECTION 3. Duties of Owner.**

It shall be the duty of the owner of any real property located within the City to maintain any grass or weeds growing upon said property in such a manner as not to constitute a nuisance . The duties and obligations of the owner extend to and include any real property situated within a dedicated right-of-way or easement burdening the property, except to the extent that it may be impracticable to do so because of public facilities located thereon. Such rights-of-way and easement must be maintained by the owner in a manner consistent with the maintenance of the owner's remaining property and within the requirements in this ordinance, except to the extent it may be impracticable to do because of public facilities located thereon.

## **SECTION 4. Maintenance Practices of City.**

The dedication and existence of a right-of-way for a public road or of an easement for drainage or for public utilities represents the grant of only a limited interest in property and does not change the actual ownership of the property upon which the right-of-way or easement is located. The public authority maintains rights-of-way and easements only to the extent necessary to maintain the public facility and to maintain safety. The owner of the burdened property continues to control the property, except to the extent that such control interferes with the public use. The public authority does not cut grass, weeds, and other growth upon rights-of-way or easements, except to the extent necessary for operations and safety purposes. All other maintenance is the responsibility of the owner of the property upon which the right-of-way or easement is located.

**SECTION 5. Overgrowth.**

It shall be unlawful and a nuisance, in violation of this ordinance, for the owner of any real property situated within the corporate limits of the City to allow such real property to become overgrown with tall grass, or with any weed or plant such as jimson, burdock, ragweed, cocklebur or other weed of like kind, or any weed or plant bearing wings or downy seeds, or any weed or plant that is otherwise noxious, dangerous, harmful or poisonous. Overgrown means a height of twelve (12) inches or more.

**SECTION 6. Debris.**

An accumulation or storage of debris, refuse, rubbish, brush, used building materials, parts of buildings, remains from building demolition, parts of untenable or uninhabitable structures, used machinery, used tires, used vehicles, parts of vehicles, abandoned vehicles, or any other materials which may provide a breeding place for mosquitoes, harmful insects, rodents or snakes, or is so unsightly as to be offensive to the surrounding area is a nuisance in violation of this ordinance.

**SECTION 7. Enforcement.**

(A) Whenever in the opinion of the enforcing official a nuisance exists, the official shall order the owner of the property on which the nuisance is located to abate the condition.

(B) The enforcing official shall give the owner written notice in person or by first class mail. The notice shall require the owner to comply with this ordinance within the time stated in the notice or to request an administrative hearing before the Building Officer or other person designated by the Mayor to determine whether there has been a violation. The notice shall apprise the owner of the facts of the alleged nuisance and shall name the particular date, time and place for such hearing if requested. For a building nuisance the notice shall contain the names of all owners and lienholder of the property, a legal description of the property and the nature of the proceeding.

(C) The notice shall be sent to that person shown by the records of the county tax collector to have been the 1st person assessed for payment of ad valorem tax on the property where the nuisance is situated. It shall be the responsibility of that person to promptly advise the enforcing official of any change of ownership or interest in the property. It shall be unlawful to knowingly fail to notify the enforcing official of any such change of ownership or interest. The enforcing official shall cause a copy of each building nuisance notice to be recorded in the Office of Probate Judge.

(D) The notice shall also be posted in a conspicuous place on the property, preferably within three feet of an entrance to the building or structure. If there is no entrance or no structure, notice may be posted at any location on the property.

(E) The notice shall require the owner to complete abatement of the nuisance within the following periods, provided the enforcing official may stipulate additional time, but in no case more than a total of 150 days.

- (1) Fourteen (14) days from the date of notice if it is a grass and weed nuisance.
- (2) One Hundred Twenty (120) days from the date of notice if it is a building nuisance.
- (3) Thirty (30) days from the date of notice if it is any other type of nuisance including, but not limited to, burned structures and abandoned vehicles.

#### **SECTION 8. Hearing.**

A hearing before the Building Official must be requested within five (5) days of the date of the notice by the enforcing official. The enforcing official shall notify the owner by personal service or by first class mail of the determination of the hearing official. If the hearing official determines that a nuisance exists, the owner must comply with the initial order to abate issued by the enforcing official, with such modifications as may be made by the hearing official.

#### **SECTION 9. Failure to Comply with Notice to Abate.**

(A) If the owner fails, neglects or refuses to comply with the notice to abate the nuisance, the enforcing official may proceed to prosecute said person for a violation of the provisions of this Code. The enforcing official may issue a summons and complaint to the owner of the property, requiring the owner to appear in Municipal Court to answer charges for the violation of this ordinance. The summons and complaint shall name the party charged, the address of the property where the alleged violation is located, and the nature of the offense or violation. It shall also apprise the owner of the date, time and place at which to appear for court. The summons and complaint, returnable to the Municipal Court, shall be served on the owner by any enforcing official, who shall forthwith appear and make oath as to the alleged offense before a judge or magistrate of the Municipal Court. This provision for the issuance of a summons or complaint to Municipal Court shall not prevent any enforcing official from appearing before a Municipal Court Judge or magistrate and making oath as to the facts and applying for a warrant with respect to any alleged offense, in lieu of issuing a summons and complaint.

(B) All violations of the provisions of this chapter shall be punishable by:

- (1) A fine in the minimum sum of Two Hundred Fifty Dollars (\$250.00) up to a maximum of Five Hundred Dollars (\$500.00);
- (2) Imprisonment in the municipal jail for a term not to exceed six (6) months;
- (3) Both such fine and imprisonment; and
- (4) An order to abate the nuisance.

(C) The enforcing official may institute the enforcement procedure set forth in paragraph (a) and those set out below. The institution of one procedure, provided the criminal procedure is not used to collect any outstanding civil assessments against the subject property.

(D) If the owner fails, neglects or refuses to comply with the notice to abate a grass or weeds nuisance, the enforcing official shall cause the cutting of the offending grass or weeds.

(E) If the owner fails, neglects or refuses to comply with the notice to abate any other type of nuisance, there shall be a public hearing before the City Council. Notice of the hearing shall be given to the owner at least five (5) days in advance by personal service or by first class mail.

(F) After the public hearing, the City Council may by resolution order the enforcing official to proceed with the work specified in such notice or may order such nuisance demolished or removed, or may find that no nuisance exists. If the owner appears at the public hearing, no further notice of the order of the City Council shall be required. If the owner fails to appear notice of the order of the City Council shall be mailed to such person's last known address and shall be published once in a newspaper of general circulation in the Town, or posted in three places in town if there is no newspaper.

(G) Upon the expiration of seven (7) days from the date of the resolution, the enforcing official shall proceed to carry out the decision of the Council.

SECTION 10. Assessment of Cost.

(A) Upon completion of the abatement work performed by the City (including work by contractors employed by the City), the enforcing official shall compute the actual expense, including, but not limited to, total wages paid, value of the use of equipment, advertising expenses, postage, materials purchased, which was incurred by the City as a result of such work. An itemized statement of such expenses shall be given by first class mail to the last known address of the owner of the property. This notice shall be sent at least five (5) days in advance of the time fixed by the City Council to consider the assessment of the cost against the property.

(B) At the time fixed for receiving and considering the statement, the Council shall hear the same, together with any objections which may be raised by the owner whose property is liable to be assessed for the work and thereupon make such modifications in the statement as they deem necessary, after which a resolution may assess the cost. The cost stated in the resolution shall constitute a special assessment against the land and shall constitute a lien on said property. After adoption of the resolution, a copy shall be turned over to the City Clerk-Treasurer who is charged with the collection of assessments. The City Clerk-Treasurer shall charge the Assessments against the respective lots and parcels of land for municipal purposes. Thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal assessments are collected, and shall be subject to the same penalties and the same procedure under foreclosure land sale in case of delinquency as provided for ordinary municipal assessments.

(C) The City Clerk-Treasurer shall cause a certified copy of the resolution assessing the cost of abatement to be filed for recording in the Office of the Probate Judge.

(D) If legislation is enacted to allow assessment as taxes and collection by the County Revenue Commissioner, the City Clerk-Treasurer shall forward appropriate documents to obtain collection in that manner .

(E) Satisfaction of Liens. Upon payment of the itemized accounts arising under this ordinance, any liens or assessments filed hereunder may be marked "Satisfied" and "Paid in Full" by the City Clerk-Treasurer or by the City Attorney.

SECTION 11. Construction of Article.

This article shall be construed to contain all power granted to municipalities under Sections 11-40-10, 11-47-117, 11-47-131, 11-47-140, and 11-48-1 through 11-48-106, Code of Alabama, as amended, providing for controlling nuisances, sanitation and good public health and safety conditions, and for assessment of public improvement liens.

SECTION 12. If any part of this ordinance is held invalid by a court of competent jurisdiction, it shall not affect the validity of the remaining parts, which have been adopted separately and independently.

SECTION 13. This ordinance shall be effective in 10 days following publication.

SECTION 14. The adoption of this ordinance shall not invalidate any preexisting nuisance abatement enforcement actions. The assessment procedure adopted herein may be utilized for all ongoing enforcement actions that have reached that point in the proceedings. For initial enforcement actions, the enforcing official may proceed under the prior law or may reinstate proceedings under the provisions of this ordinance. If this ordinance will be followed, notice of the change must be given to the owner.

Passed and adopted this the 1st Day Of June, 2015.

ATTEST:



Clerk



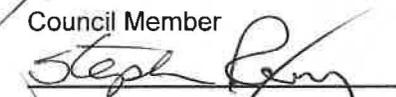
Mayor



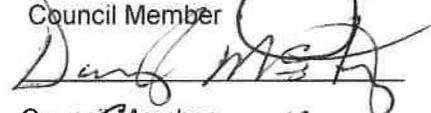
Council Member



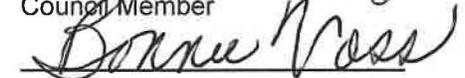
Council Member



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Council Member



Council Member

**ORDINANCE NO. 96-89**

**REGULATING GRASS AND WEED NUISANCES, BUILDING NUISANCES, ABANDONED VEHICLES AND OTHER NUISANCES; REVISING AND STREAMLINING THE ENFORCEMENT PROCEDURE FOR NUISANCE ABATEMENT INCLUDING ISSUANCE OF SUMMONS AND COMPLAINT.**

**WHEREAS**, The Town of Margaret is empowered to enact ordinances to protect and promote the general public health and welfare and to improve the order, comfort and convenience of inhabitants; and

**WHEREAS**, conditions such as structural deterioration, lack of maintenance or upkeep of essential utilities and facilities, existence of fire hazards, inadequate provisions for light and air, unsanitary conditions and overcrowding constitute a menace to the health, safety, morals, welfare and reasonable comfort of the inhabitants of the town; and

**WHEREAS**, because of lack of maintenance and progressive deterioration, certain properties have the further effect of creating blighting conditions and initiating slums; and

**WHEREAS**, if these conditions are not curtailed and removed, they will grow and spread and necessitate the expenditure of large amounts of public funds to eliminate such conditions; and

**WHEREAS**, by timely regulations and restrictions as contained in this ordinance, the growth of slums and blight may be prevented, neighborhoods and property values may be maintained and the desirability and amenability of residential and nonresidential uses and neighborhoods will be enhanced and the public health, safety and welfare protected and fostered; and

**WHEREAS**, an abundance of abandoned vehicles, overgrown grass and weeds within the town could be injurious to the general public health, safety and general welfare by

- (1) providing breeding grounds and shelter for rats, mice, snakes, mosquitoes and other vermin, insects and pests; and
- (2) attaining such heights and dryness so as to constitute serious fire threat or hazard; and
- (3) bearing wings or downy seeds, when mature, that cause the spread of weeds and irritation to the throat, lungs and eyes of the public; and
- (4) hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; and
- (5) being unsightly and constituting unusual blight; and

**WHEREAS**, the removal and clearance of such abandoned vehicles, overgrown grass and weeds must be accomplished for the overall good and protection of the public as a whole;

**NOW, THEREFORE**, be it ordained by the Town Council of Margaret, Alabama, as follows:

**SECTION 1.** Definitions. For the purpose of this ordinance, certain terms as defined as follows:

- (A) **Abandoned Vehicle:** Any motor vehicle which
- (1) is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition, or
  - (2) does not have affixed thereto an unexpired license plate, and has been parked, stored or left, whether attended or not, upon any public or private property in the town for a period of time in excess of seven (7) business days.

The term includes any boat which is in a wrecked, dismantled, partially dismantled, discarded or otherwise inoperable condition. The term does not include any motor vehicle

- (1) enclosed within a building on private property;
  - (2) held in connection with a business enterprise, lawfully licensed by the Town on property zoned for a junkyard, vehicle repair facility or vehicle storage yard;
  - (3) inoperable condition specifically adapted or designed for operation on drag strips or raceways; or
  - (4) retained primarily as an antique collector's item and registered under state law as an antique vehicle.
- (B) **Building Nuisance:** Any nuisance condition involving a residential or nonresidential structure, including remains from demolition, remains from a fire, parts of buildings, parts of uninhabitable structures.

- (C) **Enforcing Official:** Any official of the Town Police Department or any other Town employee designated by the Mayor as the person to exercise the authority and perform the duties delegated by this ordinance to the enforcing official. For a grass and weed nuisance the enforcing officials may also be any organization (including its employees) or individual with which the Town may contract to provide such service.
- (D) **Grass or Weed Nuisance:** Any abundance of overgrown grass or weeds within the town which is injurious to the general public health, safety and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes and other vermin, insects and pests; or attaining such heights and dryness so as to constitute serious fire threat or hazard; or bearing wings or downy seeds, when mature, that cause the spread of weeds and, when breathed, irritation to the throat, lungs and eyes of the public; or hiding debris, such as broken glass or metal, which could inflict injury on any person going upon the property; or being unsightly; or any growth of grass or weeds, other than ornamental plant growth, which exceeds 12 inches in height.
- (E) **Improved Subdivision:** A division of a tract of land or acreage into tracts or parcels, and the improvement thereof by construction of streets, water lines and, where applicable, sewer lines to serve the subdivided property.
- (F) **Natural Condition:** Uncultivated and unseeded land, still in a state of nature. But any growth on land, once it has been cleared or plowed, is not a natural condition, even though it has not been planted or cultivated by anyone.
- (G) **Nuisance:** Anything that unlawfully causes hurt, inconvenience or damage; that class of wrongs that arises from the unreasonable, unwarrantable or unlawful use by a person of such person's own property, either real or personal, or from such person's own improper, indecent, unsightly or unlawful personal conduct, working an obstruction of or injury to the right of another or of the public, and producing material annoyance, inconvenience, discomfort or hurt to another person or to the general public; anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property of another.

- (H) **Owner of Property:** Includes legal title holder, or lessee, or occupant of property, or agent of legal title holder or lessee, in charge, possession or control of said property. For a building nuisance only, includes any mortgage holder of record.

**SECTION 2. NUISANCE UNLAWFUL.**

It shall be unlawful for any person to permit or maintain the existence of any nuisance on any property under such person's ownership or control. Property under a person's ownership and control includes those areas referred to in Section 3. A person with a duty to abate any nuisance is liable for separate and distinct offenses for each day the nuisance is allowed to remain after it has become such person's duty by notice of the enforcing official to abate it.

**SECTION 3. Duties of Owner.**

It shall be the duty of the owner of any real property located within the town to maintain any grass or weeds growing upon said property in such a manner as not to constitute a nuisance. The duties and obligations of the owner extend to and include any real property situated within a dedicated right-of-way or easement burdening the property, except to the extent that it may be impracticable to do so because of public facilities located thereon. Such rights-of-way and easement must be maintained by the owner in a manner consistent with the maintenance of the owner's remaining property and within the requirements in this ordinance, except to the extent I may be impracticable to do because of public facilities located thereon.

**SECTION 4. Maintenance Practices of Town.**

The dedication and existence of a right-of-way for a public road or of an easement for drainage or for public utilities represents the grant of only a limited interest in property and does not change the actual ownership of the property upon which the right-of-way or easement is located. The public authority maintains rights-of-way and easements only to the extent necessary to maintain the public facility and to maintain safety. The owner of the burdened property continues to control the property, except to the extent that such control interferes with the public use. The public authority does not cut grass, weeds, and other growth upon rights-of-way or easements, except to the extent necessary for operations and safety purposes. All other maintenance is the responsibility of the owner of the property upon which the right-of-way or easement is located.

**SECTION 5. Overgrowth.**

It shall be unlawful and a nuisance, in violation of this ordinance, for the owner of any real property situated within the corporate limits of the town to allow such real property to become overgrown with tall grass, or with any weed or plant such as jimson, burdock, ragweed, cockleburr or other weed of like kind, or any weed or plant bearing wings or downy seeds, or any weed or plant that is otherwise noxious, dangerous, harmful or poisonous. Overgrown means a height of twelve (12) inches or more.

**SECTION 6. Debris.**

An accumulation or storage of debris, refuse, rubbish, brush, used building materials, parts of buildings, remains from building demolition, parts of untenable or uninhabitable structures, used machinery, used tires, used vehicles, parts of vehicles, abandoned vehicles, or any other materials which may provide a breeding place for mosquitoes, harmful insects, rodents or snakes, or is so unsightly as to be offensive to the surrounding area is a nuisance in violation of this ordinance.

**SECTION 7. Enforcement.**

(A) Whenever in the opinion of the enforcing official a nuisance exists, the official shall order the owner of the property on which the nuisance is located to abate the condition.

(B) The enforcing official shall give the owner written notice in person or by first class mail. The notice shall require the owner to comply with this ordinance within the time stated in the notice or to request an administrative hearing before the Building Officer or other person designated by the Mayor to determine whether there has been a violation. The notice shall apprise the owner of the facts of the alleged nuisance and shall name the particular date, time and place for such hearing if requested. For a building nuisance the notice shall contain the names of all owners and lienholder of the property, a legal description of the property and the nature of the proceeding.

(C) The notice shall be sent to that person shown by the records of the county tax collector to have been the 1st person assessed for payment of ad valorem tax on the property where the nuisance is situated. It shall be the responsibility of that person to promptly advise the enforcing official of any change of ownership or interest in the property. It shall be unlawful to knowingly fail to notify the enforcing official of any such change of ownership or interest. The enforcing official shall cause a copy of each building nuisance notice to be recorded in the Office of Probate Judge.

(D) The notice shall also be posted in a conspicuous place on the property, preferably within three feet of an entrance to the building or structure. If there is no entrance or no structure, notice may be posted at any location on the property.

(E) The notice shall require the owner to complete abatement of the nuisance within the following periods, provided the enforcing official may stipulate additional time, but in no case more than a total of 150 days.

- (1) Fourteen (14) days from the date of notice if it is a grass and weed nuisance.
- (2) One Hundred Twenty (120) days from the date of notice if it is a building nuisance.
- (3) Thirty (30) days from the date of notice if it is any other type of nuisance including, but not limited to, burned structures and abandoned vehicles.

**SECTION 8. Hearing.**

A hearing before the Building Official must be requested within five (5) days of the date of the notice by the enforcing official. The enforcing official shall notify the owner by personal service or by first class mail of the determination of the hearing official. If the hearing official determines that a nuisance exists, the owner must comply with the initial order to abate issued by the enforcing official, with such modifications as may be made by the hearing official.

**SECTION 9. Failure to Comply with Notice to Abate.**

(A) If the owner fails, neglects or refuses to comply with the notice to abate the nuisance, the enforcing official may proceed to prosecute said person for a violation of the provisions of this Code. The enforcing official may issue a summons and complaint to the owner of the property, requiring the owner to appear in Municipal Court to answer charges for the violation of this ordinance. The summons and complaint shall name the party charged, the address of the property where the alleged violation is located, and the nature of the offense or violation. It shall also apprise the owner of the date, time and place at which to appear for court. The summons and complaint, returnable to the Municipal Court, shall be served on the owner by any enforcing official, who shall forthwith appear and make oath as to the alleged offense before a judge or magistrate of the Municipal Court. This provision for the issuance of a summons or complaint to Municipal Court shall not prevent any enforcing official from appearing before a Municipal Court Judge or magistrate and making oath as to the facts and applying for a warrant with respect to any alleged offense, in lieu of issuing a summons and complaint.

(B) All violations of the provisions of this chapter shall be punishable by:

- (1) A fine in the minimum sum of Two Hundred Fifty Dollars (\$250.00) up to a maximum of Five Hundred Dollars (\$500.00);
- (2) Imprisonment in the municipal jail for a term not to exceed six (6) months;
- (3) Both such fine and imprisonment; and
- (4) An order to abate the nuisance.

(C) The enforcing official may institute the enforcement procedure set forth in paragraph (a) and those set out below. The institution of one procedure, provided the criminal procedure is not used to collect any outstanding civil assessments against the subject property.

(D) If the owner fails, neglects or refuses to comply with the notice to abate a grass or weeds nuisance, the enforcing official shall cause the cutting of the offending grass or weeds.

(E) If the owner fails, neglects or refuses to comply with the notice to abate any other type of nuisance, there shall be a public hearing before the Town Council. Notice of the hearing shall be given to the owner at least five (5) days in advance by personal service or by first class mail.

(F) After the public hearing, the Town Council may by resolution order the enforcing official to proceed with the work specified in such notice or may order such nuisance demolished or removed, or may find that no nuisance exists. If the owner appears at the public hearing, no further notice of the order of the Town Council shall be required. If the owner fails to appear notice of the order of the Town Council shall be mailed to such person's last known address and shall be published once in a newspaper of general circulation in the town, or posted in three places in town if there is no newspaper.

(G) Upon the expiration of seven (7) days from the date of the resolution, the enforcing official shall proceed to carry out the decision of the Council.

**SECTION 10. Assessment of Cost.**

(A) Upon completion of the abatement work performed by the Town (including work by contractors employed by the Town), the enforcing official shall compute the actual expense, including, but not limited to, total wages paid, value of the use of equipment, advertising expenses, postage, materials purchased, which was incurred by the Town as a result of such work. L An itemized statement of such expenses shall be given by first class mail to the last known address of the owner of the property. This notice shall be sent at least five (5) days in advance of the time fixed by the Town Council to consider the assessment of the cost against the property.

(B) At the time fixed for receiving and considering the statement, the Council shall hear the same, together with any objections which may be raised by the owner whose property is liable to be assessed for the work and thereupon make such modifications in the statement as they deem necessary, after which a resolution may assess the cost. The cost stated in the resolution shall constitute a special assessment against the land and shall constitute a lien on said property. After adoption of the resolution, a copy shall be turned over to the Town Clerk-Treasurer who is charged with the collection of assessments. The Town Clerk-Treasurer shall charge the assessments against the respective lots and parcels of land for municipal purposes. Thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal assessments are collected, and shall be subject to the same penalties and the same procedure under foreclosure land sale in case of delinquency as provided for ordinary municipal assessments.

(C) The Town Clerk-Treasurer shall cause a certified copy of the resolution assessing the cost of abatement to be filed for recording in the Office of the Probate Judge.

(D) If legislation is enacted to allow assessment as taxes and collection by the County Revenue Commissioner, the Town Clerk-Treasurer shall forward appropriate documents to obtain collection in that manner.

(E) Satisfaction of Liens. Upon payment of the itemized accounts arising under this ordinance, any liens or assessments filed hereunder may be marked "Satisfied" and "Paid in Full" by the Town Clerk-Treasurer or by the Town Attorney.

**SECTION 11. Construction of Article.**

This article shall be construed to contain all power granted to municipalities under Sections 11-40-10, 11-47-117, 11-47-131, 11-47-140, and 11-48-1 through 11-48-106, Code of Alabama, as amended, providing for controlling nuisances, sanitation and good public health and safety conditions, and for assessment of public improvement liens.

**SECTION 12.** If any part of this ordinance is held invalid by a court of competent jurisdiction, it shall not affect the validity of the remaining parts, which have been adopted separately and independently.

**SECTION 13.** This ordinance shall be effective in 10 days following publication.

**SECTION 14.** The adoption of this ordinance shall not invalidate any preexisting nuisance abatement enforcement actions. The assessment procedure adopted herein may be utilized for all ongoing enforcement actions that have reached that point in the proceedings. For initial enforcement actions, the enforcing official may proceed under the prior law or may reinstate proceedings under the provisions of this ordinance. If this ordinance will be followed, notice of the change must be given to the owner.

Passed and adopted this the 22<sup>nd</sup> Day of July, 1996.

ATTEST:

Myrtle Norton  
Clerk

Jeffrey H. Wilson  
Mayor

Eugene Hardrick  
Council Member

Charles Hicks  
Council Member

Stanley E. Lander  
Council Member

Carol Horsley  
Council Member

Ruth Miller  
Council Member

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 96-89 was adopted by the Mayor and Council on July 23, 1996. I further certify that a copy of the same was posted at the following three (3) places in Town on July 23, 1996.

Town Hall  
Johnson Sandblasting  
Willie's Lounge

**ORDINANCE NO. 97-90**

**AN ORDINANCE TO RESCIND AND REPLACE ORDINANCE NO. 94-72  
TO LEVY AN ADDITIONAL COURT COST  
TO BE PLACED IN A CORRECTIONS FUND AND USED  
FOR THE CONSTRUCTION AND MAINTENANCE OF  
MUNICIPAL JAILS AND/OR COURT COMPLEXES  
AS PURSUANT TO ACT 95-401**

**WHEREAS**, the legislature of the State of Alabama has adopted legislation in Act 95-401 whereby a municipality can establish a special court cost in municipal court to be held in a corrections fund to be used exclusively for the operation and maintenance of municipal jails, other correctional facilities, juvenile detention centers, or court complexes; and

**WHEREAS**, this Council, based on an opinion the Attorney General for the State of Alabama dated January 9, 1995. Increased its court costs by Five and 00/100 Dollars (\$5) in Ordinance 94-72; and

**WHEREAS**, following said opinion of the Attorney General, the Alabama Legislature passed Act No. 95-401 codified at 11-47-7.1 Code of Alabama which specifies that municipal court costs may be assessed and levied in an amount not to exceed the court costs and fees in the district court of the county for a similar case; and

**WHEREAS**, it is in the best interest of the Town of Margaret to establish this court cost as set out in Act 95-401, codified at 11-47-7.1 Code of Alabama, 1975, as amended and to replace or rescind Ordinance 94-72;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Margaret, Alabama as follows:

1. That an additional Municipal court cost of Twenty Three and 50/100 Dollars (\$23.50) shall be added to each municipal court traffic case and Forty-two and 50/100 Dollars (\$42.50) shall be added to each municipal court non-traffic case in Margaret Municipal Court.
2. That an account should be established to be known as the "Corrections Fund", and that all proceeds from this court cost shall be deposited into this fund.
3. That the funds contained in the "Corrections Fund" shall be expended as needed for the operation and maintenance of the Margaret Municipal Court, Municipal Jail, any Juvenile Detention Center or Court complex, or any other city correctional facilities established after this date.

All ordinances, or parts of ordinances, heretofore adopted by the Town Council of the Town of Margaret, Alabama which are inconsistent with the provisions of this Ordinance are hereby expressly repealed, and Ordinance No. 94-72 is rescinded and replaced by this Ordinance.

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

This Ordinance shall become effective upon adoption and publication as provided by law.

ADOPTED and APPROVED this 2<sup>nd</sup> Day of September, 1997.

TOWN OF MARGARET, ALABAMA

By: Ruth Miller  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 97-90 was adopted by the Mayor and Council on September 2, 1997. I further certify that a copy of the same was posted at the following three (3) places in town on September 3, 1997.

Town Hall  
Lee's Country Store  
Willie's Lounge

ORDINANCE NO. 97-91

AN ORDINANCE AMENDING ORDINANCE NO. 95-80, ADOPTING A FINE SCHEDULE FOR THE TOWN OF MARGARET, ALABAMA.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:

1. Fine Schedule: The attached fine schedule is hereby adopted and shall remain in effect until repealed or amended.
2. Repealer: All ordinances heretofore adopted by the Town Council of the Town of Margaret, Alabama which are in conflict with the provisions of the ordinance are hereby repealed to the extent of such conflict.
3. Effective Date: This ordinance shall become effective September 15, 1997 upon publication as required by law.

ADOPTED AND APPROVED THIS THE 15th DAY OF SEPTEMBER, 1997.

Ruth Miller  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, as clerk for the Town of Margaret, Alabama, do hereby certify that the foregoing Ordinance No. 97-91 was adopted by the Mayor and Council on September 15, 1997. I further certify that a copy of the same was posted at the following three (3) places in Town on September 16, 1997.

Town Hall  
Lee's Country Store  
Willie's Lounge  
S. J. Dillard Park

### TRAFFIC FINES

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor to Drive w/o License	\$ 35.00	\$ 66.00	\$ 101.00	\$ 150.00
Driving With Expired License	25.00	66.00	91.00	100.00
Driving While Suspended/Revoked	300.00	66.00	366.00	400.00
Driving on Wrong Side of Road	30.00	66.00	96.00	100.00
Driving w/o First Obtaining License	25.00	66.00	91.00	100.00
Driving Thru/Around Barricade	200.00	66.00	266.00	300.00
D.U.I. - 1st Offense	1000.00	176.00	1176.00	1500.00
D.U.I. - 2nd Offense	2500.00	176.00	2676.00	3000.00
D.U.I. - 3rd Offense	3500.00	176.00	3676.00	4000.00
Eluding	450.00	66.00	516.00	550.00
Failure to Dim Headlights	25.00	66.00	91.00	100.00
Failure to Yield Right of Way	20.00	66.00	86.00	100.00
Failure to Stop for School Bus	200.00	66.00	266.00	300.00
Failure to Stop at Stop Sign	20.00	66.00	86.00	100.00
Failure to Stop/Railroad Gates	10.00	66.00	76.00	100.00
Failure to Use Child Restraint	10.00	66.00	76.00	100.00
Failure to Wear Seat Belt	10.00	66.00	76.00	100.00
Failure to Yield/Emergency Vehicle	100.00	66.00	166.00	200.00
Following Too Closely	20.00	66.00	86.00	100.00
Improper Backing	20.00	66.00	86.00	100.00
Improper Brakes	20.00	66.00	86.00	100.00
Improper Lights	20.00	66.00	86.00	100.00
Improper Mufflers	10.00	66.00	76.00	100.00
Improper Passing	20.00	66.00	86.00	100.00
Improper or No Rear View Mirror	20.00	66.00	86.00	100.00



**MISDEMEANOR FINES**

OFFENSE	FINE	COSTS	TOTAL	BOND
Allow Minor to Play Pool	\$ 100.00	\$ 98.50	\$198.50	\$ 200.00
Assault, 3rd	300.00	98.50	398.50	400.00
Assault, 3rd Domestic	450.00	98.50	548.50	600.00
Bail Jumping, 2nd Degree	200.00	98.50	298.50	350.00
Bond Forfeiture	100.00	98.50	198.50	200.00
Carrying Concealed Weapon 13A-11-53	450.00	98.50	548.50	600.00
Contempt of Court	100.00	98.50	198.50	250.00
Contributing Delinquency/Minor	350.00	98.50	448.50	500.00
Criminal Littering 13A-7-29	250.00	98.50	348.50	400.00
Criminal Mischief 2nd 13A-7-22	300.00	98.50	398.50	450.00
Criminal Mischief 3rd 13A-7-23	250.00	98.50	348.50	450.00
Criminal Tampering 2nd 13A-7-26	250.00	98.50	348.50	450.00
Criminal Trespassing 3rd 13A-7-4	150.00	98.50	248.50	300.00
Cruelty to Animals 13A-11-14	200.00	98.50	298.50	300.00
Destroying Public Property	150.00	98.50	248.50	300.00
Discharging Firearms/City Limits	200.00	98.50	298.50	300.00
Disobeying Lawful Order	150.00	98.50	248.50	300.00
Disorderly Conduct 13A-11-7	200.00	98.50	298.50	350.00
Endangering Welfare of Child 13A-13-6	250.00	98.50	348.50	400.00
Failure to Appear in Court	80.00	98.50	178.50	200.00
Failure to Disperse	250.00	98.50	348.50	400.00
False Reporting to Law Enforcement Authority 13A-10-9	350.00	98.50	448.50	500.00
False Reporting Incident 13A-11-11	300.00	98.50	398.50	450.00
Use of Firearms While Fighting 13A-11-56	250.00	98.50	348.50	400.00
Harassment 13A-11-8(a)(1)	200.00	98.50	298.50	350.00

### MISDEMEANOR FINES

OFFENSE	FINE	COSTS	TOTAL	BOND
Harassing Communications 13A-11-8(b)(1)	\$ 200.00	\$ 98.50	\$298.50	\$ 350.00
Hindering Prosecution 13A-10-44	200.00	98.50	298.50	350.00
Indecent Exposure 13A-6-68	300.00	98.50	398.50	450.00
Inciting to Riot 13A-11-4	400.00	98.50	498.50	550.00
Menacing 13A-6-23	250.00	98.50	348.50	400.00
Minor in Possession Alcohol	75.00	98.50	173.50	200.00
Negotiating Non-Negotiable Instrument 13A-9-13.1	200.00	98.50	298.50	350.00
Open House Party 13A-11-10.1	400.00	98.50	498.50	550.00
Possession Open Alcoholic Beverage	100.00	98.50	198.50	250.00
Possession Marijuana 2nd 13A-12-214	350.00	98.50	448.50	500.00
Possession Drug Paraphernalia 13A-12-260	250.00	98.50	348.50	400.00
Public Intoxication 13A-11-10	200.00	98.50	298.50	350.00
Public Lewdness 13A-12-130	150.00	98.50	248.50	300.00
Reckless Endangerment 13A-6-24	300.00	98.50	398.50	450.00
Receiving Stolen Property 3rd 13A-8-19	300.00	98.50	398.50	450.00
Resisting Arrest 13A-10-41	300.00	98.50	398.50	450.00
Refusing to Aid Police 13A-10-5	200.00	98.50	298.50	350.00
Refusing to Aid Fire Control 13A-10-6	200.00	98.50	298.50	350.00
Riot 13A-11-3	400.00	98.50	498.50	550.00
Selling Alcohol to Minor	200.00	98.50	298.50	350.00
Selling Cigarettes to Minor 13A-12-3	50.00	98.50	138.50	200.00
Theft of Property 3rd 13A-8-5	250.00	98.50	348.50	400.00
Theft of Services 3rd 13A-8-10.3	250.00	98.50	348.50	400.00
Unauthorized Use of Vehicle 13A-8-11	200.00	98.50	298.50	350.00
Unlawful Assembly	200.00	98.50	298.50	350.00



**ORDINANCE NO. 97-92**

AN ORDINANCE MAKING COUNTY ROAD 12, BETWEEN BUSINESSES, A "NO PARKING" ZONE FROM SKYLINE SIGN & MAINTENANCE UP TO LAKE ROAD.

**Section 1.** That section of County Road 12 between the businesses, from Skyline Sign & Maintenance to Lake Road, shall be deemed a "No Parking" zone.

**Section 2.** It shall be unlawful for any person to park a car, truck, or trailer on County Road 12 between businesses from Skyline Sign & Maintenance to Lake Road. Anyone parking a car, truck, or trailer in this section shall be fined not more than \$100.00.

**Section 3.** This ordinance shall become effective immediately upon its adoption and publication as required by law.

Adopted this the 24 Day of November, 1997.

Ruth Miller  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 24<sup>th</sup> Day of November, 1997 and that the same has been posted in accordance with the law. Posted at the following locations.

Town Hall  
Lee's Country Store  
Willie's Lounge

**Section 1.** To amend Section I to include County 12 from Lake Road to .4 of a mile past Lee's Country Store.

**Section 2.** To amend Section 2 and add that section of county 12 from Lake Road to .4 of a mile past Lee's Country Store.

**Section 3.** This amendment shall become effective immediately upon it's adoption and publication as required by law.

Adopted this the 15<sup>th</sup> day of February, 1999.

*Luigia Hendrick*  
Mayor

ATTEST:

*Myrtle Norton*  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above amendment to Ordinance No. 97-92 was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 1st day of February, 1999 and the same as been posted in accordance with the law. Posted at the following locations.

**Town Hall**  
**Lee's Country Store**  
**Willie's Lounge**

ORDINANCE NO. 98-93

BE IT ORDAINED by the Mayor and Council of the Town of Margaret, Alabama, as follows:

1. Technical Codes - Adopted by Reference; Certification.

There are hereby adopted by the Town of Margaret for the purpose of establishing rules and regulations for Mobile and Modular homes, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the Town, including permits, the following codes:

The Standard Building Code, Southern Building Code Congress International, Inc., including all appendices, supplements, amendments and modifications thereto and new editions thereof.

The Standard Plumbing Code, Southern Building Code Congress International, Inc., including all appendices, supplements, amendments and modifications thereto and new editions thereof.

The Standard Mechanical Code, Southern Building Code Congress International, Inc., including all appendices, supplements, amendments and modifications thereto and the new editions thereof.

The Standard Gas Code, Southern Building Code Congress International, Inc., including all appendices, supplements, amendments and modifications thereto and new editions thereof.

The National Electrical Code, National Fire Protection Association including all appendices, supplements, amendments and modifications thereto and new editions thereof.

A copy of the Standard Building Code is on file in the office of the Town Clerk and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Town.

Adopted and approved this the 26 day of May, 1998.

Ruth Miller  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 26<sup>th</sup> Day of May, 1998, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Willie's Lounge

ORDINANCE NO. 98-94

PURSUANT TO THE PROVISIONS OF CODE OF ALABAMA 1975 SECTIONS 11-51-180 THIS ORDINANCE LEVIES A RENTAL OR LEASE TAX ON EACH PERSON ENGAGING OR CONTINUING WITHIN THE TOWN OF MARGARET, ALABAMA IN THE BUSINESS OF LEASING OR RENTING TANGIBLE PERSONAL PROPERTY: PROVIDES FOR THE COLLECTION OF THE SAID TAX, PROVIDES PENALTIES FOR THE VIOLATION OF THIS ORDINANCE: AND REPEALS A PRIOR ORDINANCE LEVYING SIMILAR TAXES.

Pursuant to the provisions of Code of Alabama 1975 Sections 11-51-180, be it ordained by the Town Council of the Town of Margaret, in the State of Alabama, as follows:

**Section 1.** There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax on each person engaging or continuing within the Town of Margaret in the business of leasing or renting tangible personal property at the rate of two percent (2%) of the gross proceeds derived by the lessor from the lease or rental of tangible personal property; provided, that the said privilege or license tax on each person engaging or continuing within the town in the business of leasing or renting any automotive vehicle or truck trailer, semi-trailer or house trailer shall be at the rate of two percent (2%) of the gross proceeds derived by the lessor from the lease or rental of such automotive vehicle or truck trailer, semi-trailer or house trailer; provided further, that the tax levied in this ordinance shall not apply to any leasing or rental, as lessor, by the state, or any municipality or county in the state, or any public corporation organized under the laws of the state, including without limiting the generality of the foregoing, any corporation organized under the provisions of Section 11-54-80 through 11-54-101; Code of Alabama 1975; provided further that the privilege or license tax on each person or firm engaging or continuing within the town in the business of the leasing and rental of linens and garments shall be at the rate of two percent (2%) of the gross proceeds derived by the lessor from the lease or rental of such linens and garments.

**Section 2.** Provisions of State Rental Tax Statutes Applicable to this Ordinance and Taxes herein Levied. The taxes levied by Section 1 of this Ordinance shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, discounts, penalties, fines, punishments, and deductions as are provided by Section 40-2A-7 and 40-12-200 to 40-12-224, inclusive.

**Section 3.** Effective Date. This ordinance shall become effective on the first day of July, 1998, and the first payment of taxes hereunder shall be due and payable on the twentieth day of August, 1998, beginning with the month of July and to each month of each calendar year thereafter from year to year.

Section 4. Adopted and approved this 8<sup>th</sup> day of June, 1998.

Ruth Miller  
Mayor

AUTHENTICATED:

Myrtle Norton  
Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 8 th day of June, 1998 and that the same has been posted in accordance with the law on June 9, 1998. Posted at the following locations.

Town Hall  
Lee's Country Store  
Willie's Lounge

RESOLUTION NO. 98-149

BE IT RESOLVED by the Town Council of the Town of Margaret, in the State of Alabama, as follows:

- (1) The Council hereby requests the Alabama Department of Revenue of the State of Alabama to collect, pursuant to the provisions of Section 11-51-180 through 11-51-185 Code of Alabama 1975, the rental tax authorized by Sections 11-51-200 through 11-51-207. Code of Alabama 1975, as levied by the Town in Ordinance No. 98-94, adopted by the Council on June 8, 1998 and approved by the Mayor of the Town on June 8, 1998.
- (2) The Town Clerk of the Town is hereby authorized and directed to certify, under the seal of the Town, a copy of this resolution and a copy of the said Ordinance No. 98-94 and to forward each of the said copies, so certified by her, to the said Alabama Department of Revenue.

Adopted and Approved this 8<sup>th</sup> day of June, 1998.

Ruth Miller  
Mayor

Attest:

Myrtle Norton  
Town Clerk

AMENDED DATE: 6/05/02

SEE ORD. NO.: repealed

**ORDINANCE NO. 99-95**

**AN ORDINANCE ADOPTING SUBDIVISION ROADS FOR MAINTENANCE AND PAYMENT BY THE TOWN.**

Be it ordained by the Town Council of the Town of Margaret, in the State of Alabama, as follows:

Section I. The developers will be required to submit a preliminary plot showing the location of right-of-ways, the roads, curves, and grades of roads, and length and diameter (or drainage opening) of all drainage structures. Also, a legal description of the subdivision. This information shall be submitted to the St. Clair County Engineering Department prior to beginning construction of the roads. Upon review and approval, the Town of Margaret and County Engineer will issue a letter to the developer.

Section II. Shown below are the Specifications roads must be built to in order to be accepted by the St. Clair County Commission and the Town of Margaret.

1. Right-of-way easement shall be 60' (in Cul de Sac area ROW will be 10' outside of Cul de Sac Perimeter) or as approved by Engineer and/or County Commission . Right-of-way must be clear cut.
2. Roadway width shall be 28' from shoulder to shoulder (see attached sketch).
3. The base shall be minimum of 9" compacted Chert (12" loose layer) or other approved base.
4. Drainage - All pipe sizes and locations for cross drains (including drainage area for each pipe) shall be submitted to the County Engineering prior to installation. Any bridge structure required must meet current standards for width and load capacity and be approved by County Engineering Department before construction.
5. Pavement - There will be a minimum of 20' width pavement. The pavement will consist of tar and gravel surface treatment or as approved by the Engineering Department.
6. All Dead End roads must have an 80' Cul de Sac.

7. The grade of the road shall not exceed 12%, and all degrees of curvature will be applicable for a minimum design speed of 40 mph. Where grades exceed 8%, the ditch lines will have rip-rap or other approved means to prevent wash.
8. The Engineering Department will be notified and must approve the placement of the base course. Also, either certified density reports, coring records, and/or proof rolling will be required.
9. If a water source is available, a minimum 6" water line and fire plugs will be installed to assure that each lot is within the proper fire ISO requirements.
10. Fences shall be located off Right-of-Way line. A clear zone of 10 feet will be maintained from edge of pavement over cross pipes or culverts, including a minimum of 100 feet each side of structure.

ADOPTED AND APPROVED THIS THE 7TH DAY OF JULY, 1999.

Eugene Handrick  
Mayor

ATTEST:

Myrtle Norton  
Clerk

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 6th day of July, 1999, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Willie's Lounge

**ORDINANCE NO. 99-96**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS:

**TOWN OF MARGARET SAFE STREETS ORDINANCE**

**Section 1.** The Town Council of the Town of Margaret finds and declares all of the following:

1. Driving a motor vehicle on the public streets and highways is a privilege, not a right.
2. Of all drivers involved in fatal accidents, a driver with a suspended license is more likely to be involved in a fatal accident than a properly licensed driver.
3. Alabamians who comply with the law are frequently the victims of traffic accidents caused by unlicensed drivers. These innocent victims suffer considerable pain and property loss at the hands of people who flaunt the law.
4. A large number of persons whose driving privilege has been suspended or revoked continue to drive regardless of the law.
5. It is necessary and appropriate to take additional steps to prevent unlicensed drivers from driving. The Town of Margaret has a critical interest in enforcing its traffic laws and in keeping unlicensed drivers from illegally driving. Seizing the vehicles used by unlicensed drivers serves a significant governmental and public interest, namely the health, safety, and welfare of the citizens of Margaret from the harm of unlicensed drivers who are involved in a disproportionate number of traffic incidents, and the avoidance of the associated destruction and damage to lives and property.
6. This ordinance is consistent with the due process requirements of the United States constitution and the holdings of the Supreme Court of the United States in *Calero-Toledo vs. Pearson Yacht Leasing Co.*, (416 U.S. 663).

**Section 2.** For the purposes of this Ordinance, the following words shall have the following meanings:

1. **IMPOUNDING AGENCY:** The Town of Margaret Police Department Police Officers.
2. **LEGAL OWNER:** A leinholder, person with a security interest in a motor vehicle, a lessor of a motor vehicle, assignee of the lessor, or the person who is the registered owner of the motor vehicle.

**Section 3.** (a) Notwithstanding any other provisions of law, and except as otherwise provided in this section, a motor vehicle is subject to impoundment as a nuisance if it is driven on a highway or other public roadway in the Town of Margaret, Alabama and any of the following conditions exist:

1. The motor vehicle is driven by a person whose license or license privilege is suspended or revoked at the time he or she was stopped for having been previously convicted of driving under the influence of alcohol or controlled substance, including but not limited to being adjudicated delinquent or a youthful offender based on a DUI related offense as defined in Section 32-5A-191 of the Alabama Code of Alabama 1975.

- (b)1. If a driver is unable to produce a valid driver license on the demand of the law enforcement officer, the vehicle shall be impounded regardless of ownership, unless the police officer is reasonably able, by other means, to verify that the driver is properly licensed. Prior to impounding the vehicle, a law enforcement officer shall make a reasonable attempt to verify the license status of a driver who claims to be properly licensed, but is unable to produce the license on demand of the law enforcement officer. A notation of the officer's attempt to verify that the driver is properly licensed shall be noted on the arrest report. The driver and occupants of the vehicle will be transported to a place of safety by the impounding officer and a pull in report made with a full inventory of items in the vehicle.

2. A law enforcement officer shall not impound a vehicle pursuant to this Ordinance if the license of the driver expired within the preceding 90 days and the driver would otherwise have been properly licensed.

3. If the owner of the vehicle or another family member of the owner is present in the vehicle and has a valid license, the vehicle shall not be impounded and towed.

4. If there is a medical necessity jeopardizing the life of limb, the law enforcement officer may elect not to impound the vehicle.

(c) A vehicle impounded pursuant to this Ordinance shall be released if:

1. The registered owner or his/her representative appears at the Margaret Police Department with written notarized authorization from the registered owner appears, and presents a valid driver license, a copy of the title, tag receipt, or notarized bill of sale, and a copy of the written authorization, if applicable, to be copied by the Police Department.

2. If the registered owner does not have a valid driver license, he/she may bring someone with them who has a verified valid driver license and the vehicle may be released without written notarized permission.
3. Any owner of a vehicle who suffers any loss due to the impoundment of any Vehicle Pursuant to this Ordinance may recover the amount of the loss from the unlicensed, suspended, or revoked driver.

**Section 4.** The person redeeming the vehicle at the wrecker lot will be responsible for paying the set towing and storage fee as well as an administrative fee to be paid to the Town of Margaret, collected at the Margaret Town Hall, in the amount of \$12.50 per vehicle plus \$2.50 per day for every day the vehicle remains on the wrecker lot. This fee will help the Town defer the administrative cost for enforcement of this Ordinance, and can change from time to time as administrative costs increase. *Section 4 Amended.*  
*Attached*

**Section 5.** Any vehicle impounded that is not redeemable pursuant to this Ordinance within 60 days may be sold by the Wrecker Company for fees owed according to State Law.

**Section 6.** The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the part, which remains.

**Section 7.** This Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED on this 16<sup>th</sup> day of November, 1999

Eugene Hardrick  
Eugene Hardrick, Mayor

Attest:

Myrtle Norton  
Myrtle Norton, Town Clerk

I, Myrtle Norton, Town Clerk of the Town of Margaret do hereby certify that I have posted the above ordinance in the following three places in the Town of Margaret .

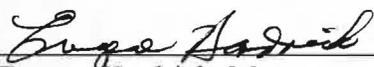
Lee's Country Store  
Rumor's Lounge  
Town Hall

ORDINANCE NO. 99-96

AMENDMENT TO ORDINANCE NO. 99-96 AS FOLLOWS:

Section 4. The person redeeming the vehicle will be responsible for redeeming the vehicle at the wrecker lot will be responsible for paying set towing and storage fee as well as an administration fee to be paid to the Town of Margaret, collected at the Margaret Town Hall, in the amount of \$30.00 per vehicle. This fee will help the Town defer the administrative cost for enforcement of this Ordinance, and can change from time to time as administrative costs increase.

ADOPTED AND APPROVED ON THIS 6th Day of June, 2000.

  
\_\_\_\_\_  
Eugene Hardrick, Mayor

Attest:

  
\_\_\_\_\_  
Myrtle Norton, Town Clerk

I, Myrtle Norton, Town Clerk of the Town of Margaret do hereby certify that I have posted the above amendment to Ordinance 99-96 in the following three places in the Town of Margaret.

Lee's Country Store  
Rumor's Restaurant  
Town Hall

ORDINANCE NO. 99-97

N9905564 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

WHEREAS, on the 25<sup>th</sup> day of September, 1999, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

**Section 1.** The Council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

**Section 2.** The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 28<sup>th</sup> day of September, 1999.

**TOWN OF MARGARET, ALABAMA**

By: Eugene Hardrick  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Myrtle Norton, Town Clerk

N9905564 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate



EXHIBIT "A"

Beginning at the West boundary line of the SW1/4 of NW1/4 of Section 32, Township 15, Range 2, 210 yards South from the Northwest corner of said 1/4; thence South along line of SW1/4 of NW1/4, Section 32, Township 15, Range 2 East, 35 yards; thence East 70 yards; thence North 35 yards; thence West 70 yards to the point of beginning; containing one-half acre, more or less.



N9905564 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 28th day of September, 1999, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

*Myrtle Norton*  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill



N9905564 M DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

PETITION FOR ANNEXATION  
St. Clair County, AL  
Wallace Wyatt Jr., Judge of Probate  
Date 12/08/1999  
Deed Tax = \$0.00  
Mortgage Tax = \$0.00  
Recording = \$19.00  
By: Deputy Clerk *sp*

TO TOWN OF MARGARET, ALABAMA

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the Town Clerk this written petition asking and requesting that our property hereinafter described be annexed to the Town of Margaret, Alabama, under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

Said property is described in Exhibit "A" attached hereto and made a part hereof.

We further certify that said property is contiguous to the Town of Margaret, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama 1975.

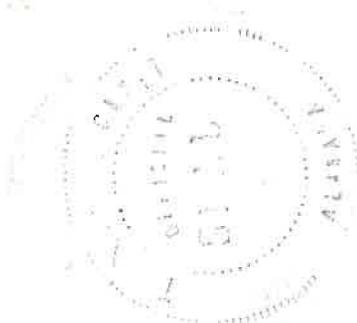
We do hereby request that the Town Council and Town Clerk give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the Town of Margaret, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 25 day of September, 1999.

MT. AVERY BAPTIST CHURCH

By:

A. L. Allen (Pastor)  
Johnny Ragsdale (Chairman)  
Angie H. H. (Co-Chairman)  
Lisa Hallman (Sec.)



N9905564 N DEED  
12/08/1999 09:50A  
Wallace Wyatt Jr., Judge of Probate

ORDINANCE NO. 99-99

N9905566 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

WHEREAS, on the 26<sup>th</sup> day of October, 1999, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 26<sup>th</sup> day of October, 1999.

TOWN OF MARGARET, ALABAMA

By: Eugene Hardrick  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Myrtle Norton, Town Clerk

N9905566 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

EXHIBIT "A"

Commence at the southwest corner of the N.W. 1/4 of the NW 1/4 of section 32, Township 15 south, Range 2 east of Huntsville Meridian and run due North, along the west line thereof, 819.57 feet to an existing 1/2" rebar in Hillcrest Road (40' R/W; Thence run S44'34'32"E, 34.65 feet to a point on the South R/W line of said road. The point of beginning thence continue S44'34'31"E leaving said R/W. 195.50 feet to an existing 1" bolt; thence run S57'50'17"E, 240.24 feet to a point: thence run N25'19'32" W, 380.19 feet to a point on the south R/W of said Hillcrest Road; thence run a cord bearing and distance of S69'08'16"W, along said R/W, 175.31 feet to a point of curve; thence continue along said R/W, S45'06'00"W, 19.95 feet to the point of beginning said property being a portion of the NW 1/4 of the N/W 1/4 of section 32, T-15-S, R-2-E, St. Clair County, Alabama and continue 1.03 acres more or less.

N9905566 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

PETITION FOR ANNEXATION

TO: TOWN OF MARGARET, ALABAMA

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the Town Clerk this written petition asking and requesting that our property hereinafter described be annexed to the Town of Margaret, Alabama, under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

Said property is described in Exhibit "A: attached hereto and made a part hereof.

We further certify that said property is contiguous to the Town of Margaret, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama 1975.

We do hereby request that the Town Council and Town Clerk give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the Town of Margaret, Alabama shall be rearranged so as to include such territory.\

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 20<sup>th</sup> day of October, 1999.

By: Jimmy Jacobs  
Geneva Jacobs

N9905566 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate  
St. Clair County, AL  
Wallace Wyatt Jr, Judge of Probate  
Date 12/08/1999  
Deed Tax = \$0.00  
Mortgage Tax = \$0.00  
Recording = \$16.50  
By: Deputy Clerk

SP

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the October 26, 1999, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill



U.S. Department of Justice MAR 03 2000

Civil Rights Division

JDR:DEBR:AS:nj  
DJ 166-012-3  
2000-0096

Voting Section  
P.O. Box 66128  
Washington, DC 20035-6128

February 28, 2000

Billy R. Weathington, Jr., Esq.  
Weathington & Moore  
819 Parkway Drive, S.E.  
Leeds, Alabama 35094

Dear Mr. Weathington:

This refers to three annexations (Ordinance Nos. 99-98, 99-99 and 99-100) to the Town of Margaret in St. Clair County Alabama, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on January 10, 2000.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

*L. E. B. Rich*  
for Joseph D. Rich  
Acting Chief  
Voting Section

ORDINANCE NO. 99-98

N9905565 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

WHEREAS, on the 26<sup>th</sup> day of October, 1999, all the property owners of the

real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 26<sup>th</sup> day of October, 1999.

**TOWN OF MARGARET, ALABAMA**

By: Eugene Hardrick  
Eugene Hardrick, Mayor

**ATTEST:**

Myrtle Norton  
Myrtle Norton, Town Clerk

N9905565 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate



EXHIBIT "A"

Commence at the SW corner of the NW 1/4 - NW 1/4, of Section 32, Township 15 South, Range 2 East, St. Clair County, Alabama; thence N 00 degrees 00 minutes 00 seconds a distance of 402.07 feet to a found iron pin, which is the point of beginning; thence N 00 degrees 00 minutes 00 seconds E a distance of 417.50 feet to a found iron pin, which is located in the centerline of Hillcrest Road; thence S 44 degrees 36 minutes 40 seconds E 210 feet to a set re-bar; thence S 10 degrees 02 minutes 48 seconds W a distance of 272.18 feet to a set re-bar; thence N 90 degrees 00 minutes 00 seconds W a distance of 100 feet to the point of beginning. Containing 1.01 acres more or less.

N9905565 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the October 26, 1999, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

*Myrtle Norton*  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

N9905565 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate  
St. Clair County, AL  
Wallace Wyatt Jr, Judge of Probate  
Date 12/08/1999  
Deed Tax = \$0.00  
Mortgage Tax = \$0.00  
Recording = \$19.00  
By: Deputy Clerk *SP*

PETITION FOR ANNEXATION

TO: TOWN OF MARGARET, ALABAMA

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the Town Clerk this written petition asking and requesting that our property hereinafter described be annexed to the Town of Margaret, Alabama, under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

Said property is described in Exhibit "A: attached hereto and made a part hereof.

We further certify that said property is contiguous to the Town of Margaret, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama 1975.

We do hereby request that the Town Council and Town Clerk give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the Town of Margaret, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 26 day of OCTOBER, 1999.

By:

Kevin Thraet  
Dana Thraet  
\_\_\_\_\_

N9905565 N DEED  
12/08/1999 09:58A  
Wallace Wyatt Jr, Judge of Probate



MAR 03 2000

Civil Rights Division

JDR:DEBR:AS:nj  
DJ 166-012-3  
2000-0096

Voting Section  
P.O. Box 66128  
Washington, DC 20035-6128

February 28, 2000

Billy R. Weathington, Jr., Esq.  
Weathington & Moore  
819 Parkway Drive, S.E.  
Leeds, Alabama 35094

Dear Mr. Weathington:

This refers to three annexations (Ordinance Nos. 99-98, 99-99 and 99-100) to the Town of Margaret in St. Clair County Alabama, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on January 10, 2000.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

*L. E. Rich*  
Joseph D. Rich  
Acting Chief  
Voting Section

ORDINANCE NO. 99-100

N9905567 N DEED  
12/08/1999 09:59A  
Wallace Wyatt Jr., Judge of Probate

WHEREAS, on the 7<sup>th</sup> day of December, 1999, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 7<sup>th</sup> day of December, 1999.

TOWN OF MARGARET, ALABAMA

By: Eugene Hardrick  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Myrtle Norton, Town Clerk

N9905567 N DEED  
12/08/1999 09:59A  
Wallace Wyatt Jr, Judge of Probate

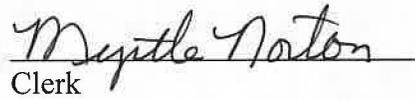


EXHIBIT "A"

Commence at the Southwest corner of the NW 1/4 of the NW 1/4 of section 32, township 15 South range 2 East of Huntsville Meridian and run due North, along the West line thereof, 819.57 feet to an existing 1/2" rebar in Hillcrest Road (40'R/W): thence run S44 degrees 34'43"E leaving said road, 234.15 feet to an existing 1" bolt; thence run S57 degrees 50'17"E, 240.24 feet to the point of beginning; thence continue S57 degrees 50'17"E, 127.66 feet to an existing 1/2" rebar; thence run N18 degrees 20'00"W, 481.43 feet to a point on the South R/W; line of said Hillcrest Road; thence a chord bearing and distance of S69degrees 09'59"W, along said R/W 127.61 feet to a point; thence leaving said R/W S25 degrees 19'32"E, 380.19 feet to the point of beginning. Said property being a portion of the NW 1/4 of the NW 1/4 of section 32, Township 15S, Range 2 East, St. Clair County, Alabama and contains 1.00 acres, more or less, according to survey of Dowdy Land Surveying Services dated May 27, 1997.

N9905567 N DEED  
12/08/1999 09:59A  
Wallace Wyatt Jr, Judge of Probate

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 7th Day of December, 1999, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

PETITION FOR ANNEXATION

TO: TOWN OF MARGARET, ALABAMA

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the Town Clerk this written petition asking and requesting that our property hereinafter described be annexed to the Town of Margaret, Alabama, under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

Said property is described in Exhibit "A: attached hereto and made a part hereof.

We further certify that said property is contiguous to the Town of Margaret, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama 1975.

We do hereby request that the Town Council and Town Clerk give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the Town of Margaret, Alabama shall be rearranged so as to include such territory.\

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 17 day of December, 1999.

By:

*Valerie B. Swann*  
*Malcolm D. Swann*

N9905567 N DEED  
12/08/1999 09:59A  
Wallace Wyatt Jr., Judge of Probate  
St. Clair County, AL  
Wallace Wyatt Jr., Judge of Probate  
Date 12/08/1999  
Deed Tax = \$0.00  
Mortgage Tax = \$0.00  
Recording = \$19.00  
By: Deputy Clerk

*[Signature]*



MAR 03 2000

## Civil Rights Division

JDR:DEBR:AS:nj  
DJ 166-012-3  
2000-0096

Voting Section  
P.O. Box 66128  
Washington, DC 20035-6128

February 28, 2000

Billy R. Weathington, Jr., Esq.  
Weathington & Moore  
819 Parkway Drive, S.E.  
Leeds, Alabama 35094

Dear Mr. Weathington:

This refers to three annexations (Ordinance Nos. 99-98, 99-99 and 99-100) to the Town of Margaret in St. Clair County Alabama, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on January 10, 2000.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

*L. E. Rich*  
Joseph D. Rich  
Acting Chief  
Voting Section

ORDINANCE 2000-101

**AN ORDINANCE TO ADOPT AND APPROVE THE DRAGER ALCOTEST 7110 AS THE METHOD TO BE USED IN REVEALING CHEMICAL CONTENT IN CASES INVOLVING THE CONSUMPTION OF ALCOHOLIC BEVERAGES.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:**

**SECTION 1.** That the Town of Margaret does hereby acknowledge the Drager Alcotest 7110 as the method to be used in revealing chemical content in cases involving the consumption of alcoholic beverages.

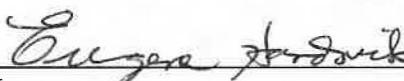
**SECTION 2.** That the law enforcement agency of the Town of Margaret has officially adopted and approved this test method for use in the department, and for purposes of prosecution.

**SECTION 3.** Separability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** The provisions of this ordinance are cumulative to any other procedure now authorized by law for the accomplishment of the objective hereinbefore stated.

**SECTION 5.** This ordinance shall take effect upon its adoption and publication as required by law.

Read, adopted and approved this 18<sup>th</sup> day of January, 2000.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

I, Myrtle Norton, Town Clerk, certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 18th day of January, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

2000 1071  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:52:43 AM  
Wallace Wyatt Jr - Probate Judge  
St. Clair County, Alabama

WHEREAS, on the 18<sup>th</sup> day of January, 2000, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 18<sup>th</sup> day of January, 2000.

TOWN OF MARGARET, ALABAMA

By: Eugene Hardrick  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Myrtle Norton, Town Clerk

2000 1072  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:52:43 AM

EXHIBIT "A"

Commence at the southeast corner of the NW 1/4 of the NW 1/4 of section 32, township 15 South range 2 East of Huntsville Meridian and run due North 09'48"E, along the East line of said 1/4 1/4 section, 798.43 feet to a point; thence run N58'25'00"W, 397.96 feet to a point; thence run N87'22'25"W, 125.54 feet to a point; thence run S01'42'13"E, 184.82 feet to an existing capped rebar "9124" and the point of beginning of the property herein described; thence run S19'43'57"E, 208.72 feet to a point; thence run N70'16'14"E, 208.72 feet to a point; thence run N19'43'50"W, 208.72 feet to the point of beginning said property being a portion of the N.W. 1/4 of the N.W. 1/4 section 32, T15-S, R-2-E St. Clair County, Alabama and contains 1.00 acre (more or less). Also a 10.00 foot easement described as follows: begin at a point which is S70'16'10"W 91.39 feet from the northeastern corner of the previous described tract of land from thence run N23'51'42"W 129.09 feet to a point; thence run N79'24'24"W, 65.00 feet to a point; thence run S80'33'06"W, 124.58 feet to a point on a curve to the right having a central angle of 60'21'05" a radius of 36.39 feet; thence 97'20'52" to the right (angle measured to tangent of said curve) along the arc of said curve, 38.33 feet to the point of tangent; thence N39'07'35"W along said tangent 50.00 feet to a point on a curve to the left having a central angle of 30'46'11" a radius of 123.56 feet; thence along the arc of said curve, 66.36 feet to the point of tangent; thence N69'53'45"W, along said tangent, 121.85 feet to the centerline of a county road and end of said easement. Said easement being described by the centerline and being 5.00 feet on each side of said centerline, the address being 120 Jacks Lane, Margaret, Alabama.



I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 18<sup>th</sup> Day of January, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

2000 1073  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:52:43 AM

PETITION FOR ANNEXATION

TO: TOWN OF MARGARET, ALABAMA

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the Town Clerk this written petition asking and requesting that our property hereinafter described be annexed to the Town of Margaret, Alabama, under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

Said property is described in Exhibit "A: attached hereto and made a part hereof.

We further certify that said property is contiguous to the Town of Margaret, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama 1975.

We do hereby request that the Town Council and Town Clerk give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the Town of Margaret, Alabama shall be rearranged so as to include such territory.\

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 18<sup>th</sup> day of

January, 2000.



By:

*James Jacks*  
*Geneva Jacks*

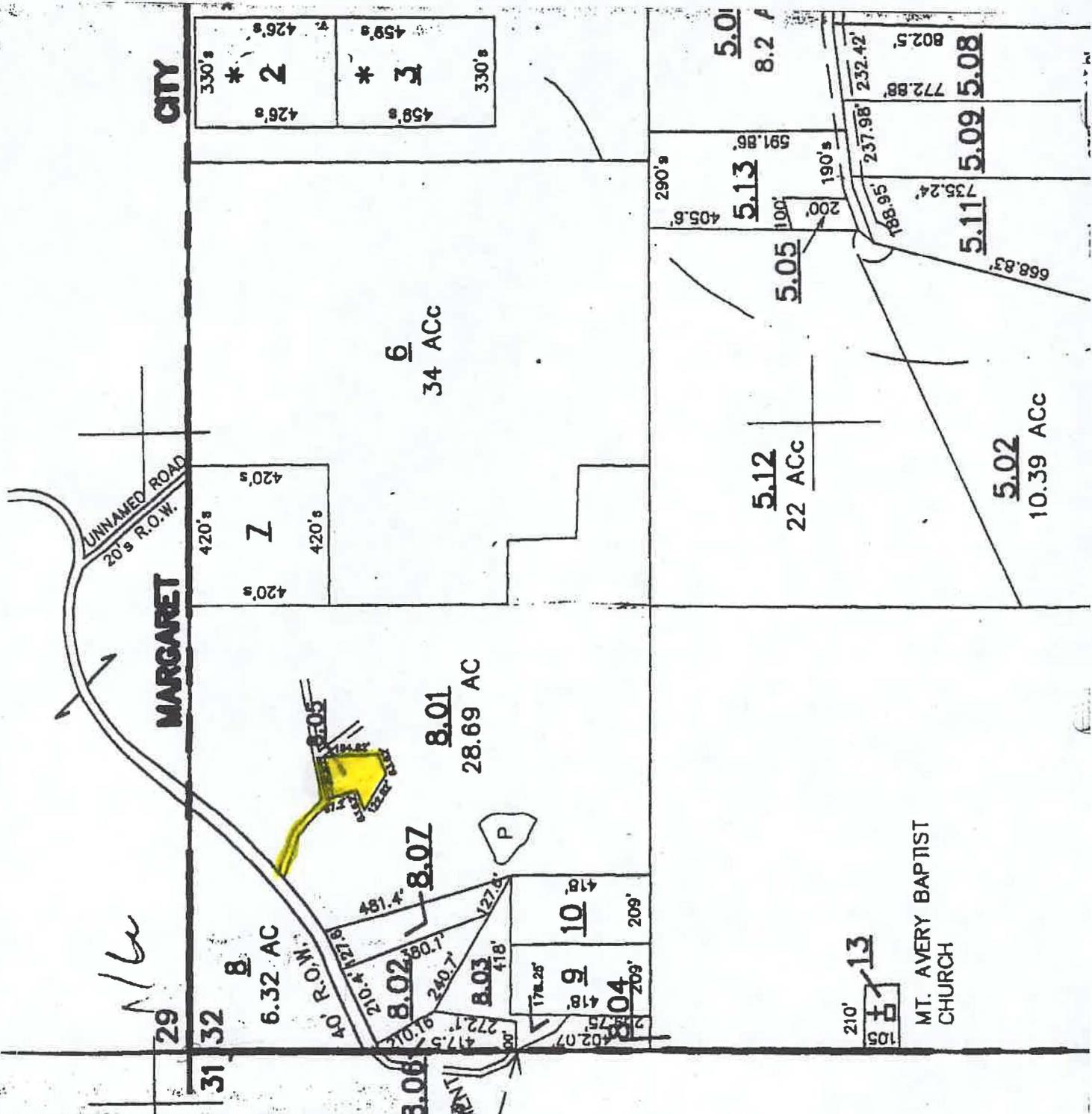
2000 1074

Recorded in the Above  
DEED Book & Page  
03-13-2000 09:52:43 AM  
Wallace Wyatt Jr - Probate Judge  
St. Clair County, Alabama  
Book/Pg: 2000/1071  
Term/Cashier: N RECORD2 / SueP  
Tran: 72.1048.1630  
Recorded: 03-13-2000 09:53:57  
CER Certification Fee 1.00  
PJF Special Index Fee 5.50  
REC Recording Fee 10.00  
Total Fees: \$ 16.50

2002 2294  
Recorded in the Above  
DEED Book & Page  
03-27-2002 01:35:18 PM

CTR LN 30 EASEMENT

N/b



MT. AVERY BAPTIST  
CHURCH

ORDINANCE NO. 2000-103

2000 1065  
Recorded in the Above  
03-13-2000 09:49:55 AM  
Wallace Wyatt Jr - Probate Judge  
St. Clair County, Alabama

WHEREAS, on the 18<sup>th</sup> day of January, 2000, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 18<sup>th</sup> day of January, 2000.

TOWN OF MARGARET, ALABAMA

By: Eugene Hardrick  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Myrtle Norton, Town Clerk

2000 1066  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:49:55 AM

EXHIBIT "A"

Commence at the SE Corner of the NW 1/4 of NW 1/4 of Section 32, Township 15, South Range 2, East; Thence N 0 degrees 09'48"E along the East line of said 1/4 1/4 Section 798.43 feet; Thence N 58 degrees 25'W 379.96 feet; Thence N 87 degrees 22'25"W 125.54 feet; Thence S 78 degrees 33'32"W 128.67 feet; Thence S 16 degrees 49'32"E 10.50 feet to the point of beginning of the center line of said 10.00 feet easement, (5.0 feet each side of the following described courses) said point being on a curve to the right having a central angle of 60 degrees 21'05" a radius of 36.39 feet; Thence 97 degrees 20'52" to the right (angle measured to tangent of said curve) along the arc of said curve and center line of said easement 38.33 feet to the point of tangent; Thence N 39 degrees 07'35"W along said tangent and said center line 50.00 feet to the point of a curve to the left having a central angle of 30 degrees 46'11" a radius of 123.56 feet; Thence along the arc of said curve and said center line 66.36 feet to the point of tangent; Thence N 69 degrees 53'45" W along said tangent and said center line 121.85 feet to the center line of a County Road and end of said easement.



I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 18<sup>th</sup> Day of January, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

*Myrtle Norton*  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

2000 1067  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:49:55 AM

PETITION FOR ANNEXATION

TO: TOWN OF MARGARET, ALABAMA

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the Town Clerk this written petition asking and requesting that our property hereinafter described be annexed to the Town of Margaret, Alabama, under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

Said property is described in Exhibit "A: attached hereto and made a part hereof.

We further certify that said property is contiguous to the Town of Margaret, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama 1975.

We do hereby request that the Town Council and Town Clerk give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the Town of Margaret, Alabama shall be rearranged so as to include such territory.\

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 18<sup>th</sup> day of

January, 2000.

By:

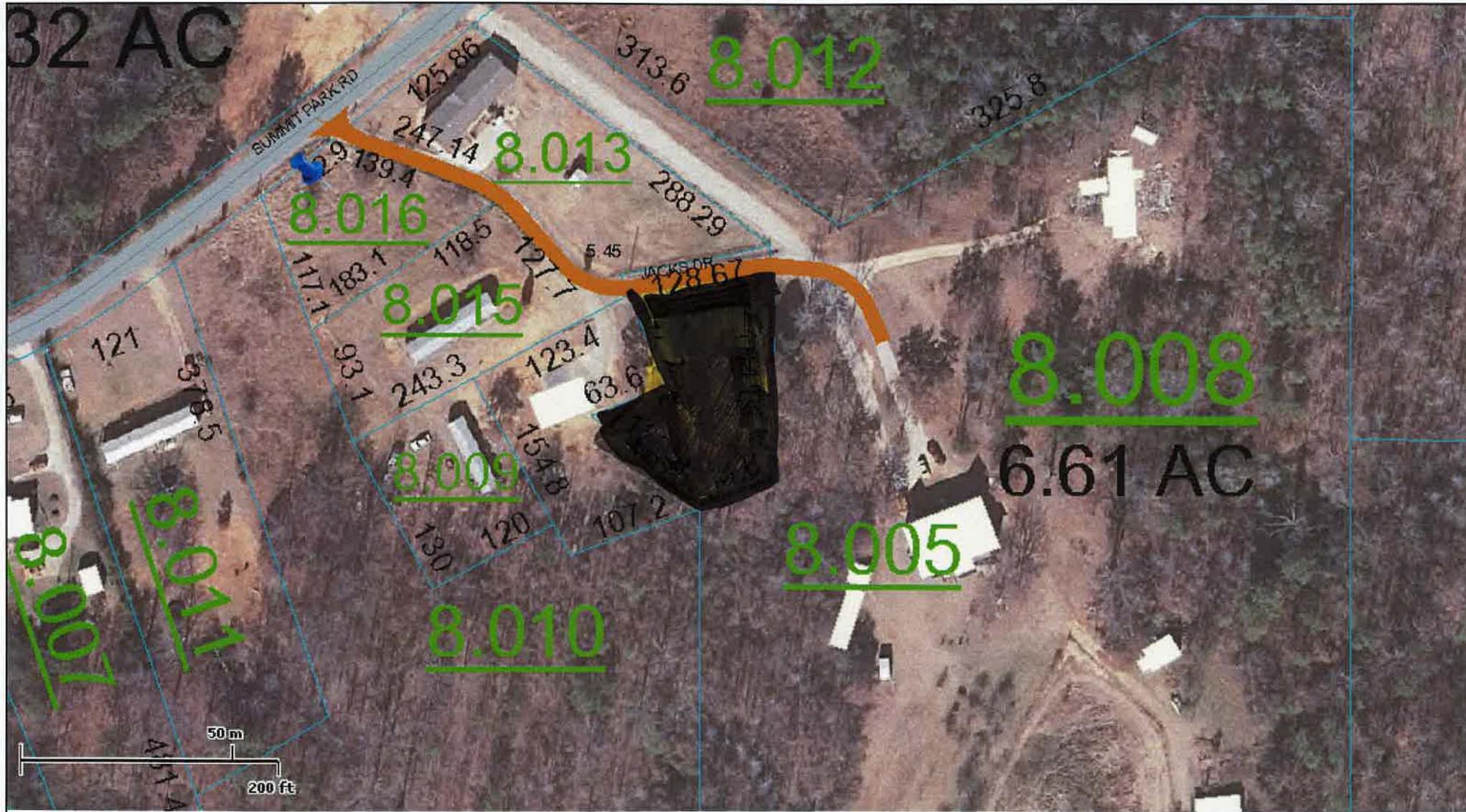
*George W. Johnson*  
*David J. Johnson*



Book/Pg: 2000/1065  
Term/Cashier: N RECORD2 / SueP  
Tran: 72.1048.1628  
Recorded: 03-13-2000 09:50:33  
DEN Certification Fee 1.00  
PDF Special Index Fee 5.50  
REC Recording Fee 10.00  
Total Fees: \$ 16.50

2000 1065  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:49:55 AM  
Wallace Wyatt Jr - Probate Judge  
St. Clair County, Alabama  
Book/Pg: 2000/1065  
Term/Cashier: N RECORD2 / SueP  
Tran: 72.1048.1628  
Recorded: 03-13-2000 09:50:21  
DEN Certification Fee 1.00

32 AC



Provided by the St. Clair County Revenue Commissioner  
Mrs. Elizabeth Mealer

Tax Maps are for tax purposes ONLY. Tax Maps are NOT to be used for conveyances, legal or otherwise. Tax Maps are NOT to be used for determining exact boundary location or size. St. Clair County Mappers strive to provide up-to-date and accurate information to the public. St. Clair County Mappers are not responsible for solving property disputes nor will we give any legal advice. If you are having a property dispute you will need to contact a real estate lawyer or licensed surveyor.



2000 1061  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:47:44 AM  
Wallace Wyatt, Jr. - Probate Judge  
St. Clair County, Alabama

WHEREAS, on the 18 day of January, 2000, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 18<sup>th</sup> day of January, 2000.

TOWN OF MARGARET, ALABAMA

By: Eugene Hardrick  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Myrtle Norton, Town Clerk

2000 1062  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:47:44 AM

EXHIBIT "A"

Commence at the Southeast Corner of the NW 1/4 of the NW 1/4, Section 32. T-15-S, R-2-East of Huntsville Meridian and run N 89°50'00" W. Along the South line of said 1/4. 792.57 feet to a point; thence run due North, leaving said South line, 418.00 feet to a point; thence run N 89°50'00" W. 50.00 feet to an existing 1/2" pipe; thence run N 18°20'00" W, 102.91 feet to the point of beginning of the property described herein: thence continue N18°20'00" W 378.52 feet to an existing 1" pipe on the Southeast R/W line of Hillcrest Road (40' R/W): Thence run N 52°36'29" E along said R/W 121.00 feet to a point: then run S 18°20'00" E leaving said R/W 378.52 feet to a point: thence run S 53°36'29" feet to a point of beginning. Said property being a portion of the NW 1/4 of the NW 1/4, Section 32. T-15-S, R-2-E. St. Clair County Alabama and contains 1.00 acre (more or less).



I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 18<sup>th</sup> Day of January, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

*Myrtle Norton*  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

2000 1063  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:47:44 AM

PETITION FOR ANNEXATION

TO: TOWN OF MARGARET, ALABAMA

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the Town Clerk this written petition asking and requesting that our property hereinafter described be annexed to the Town of Margaret, Alabama, under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

Said property is described in Exhibit "A: attached hereto and made a part hereof.

We further certify that said property is contiguous to the Town of Margaret, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama 1975.

We do hereby request that the Town Council and Town Clerk give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the Town of Margaret, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 18 day of

January, 2000.

By:





2000 1064  
Recorded in the Above  
DEED Book & Page  
03-13-2000 09:47:44 AM  
Wallace Wyatt Jr - Probate Judge  
St. Clair County, Alabama  
Book/Ps: 2000/1061  
Term/Cashier: N RECORD2 / SueP  
Tran: 72.1048.1627  
Recorded: 03-13-2000 09:48:18  
CER Certification Fee 1.00  
PJF Special Index Fee 5.50  
REC Recording Fee 10.00  
Total Fees: \$ 16.50

ORDINANCE NO. 2000-105

WHEREAS, on the 18<sup>th</sup> day of January, 2000, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

ORDINANCE NO. 2000-105

WHEREAS, on the 18<sup>th</sup> day of January, 2000, all the property owners of the real property hereinafter described in Exhibit "A", which is attached hereto and incorporated herein by reference, did file with the Town Clerk, a petition or petitions asking that the said tracts or parcels of land be annexed to and become a part of the Town of Margaret; and

WHEREAS, said petition or petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Margaret; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Margaret and it did further determine that all legal requirements for annexing said real property have been met, pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET, ALABAMA AS FOLLOWS:**

Section 1. The council of the Town of Margaret, Alabama finds and declares as the legislative body of the Town that it is in the best interest of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the Town of Margaret.

Section 2. The boundary lines of the Town of Margaret, Alabama, be, and the same are, hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Margaret, and in addition thereto the following described territory, to-wit: See Exhibit "A" attached hereto and made a part hereof.

**Section 3.** That the property owners shall be responsible for the payment of all fire dues, assessments or other charges, if any, whether previously incurred, currently owed, or that may become due in the future.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of the petition of the property owners shall be filed with the Probate Judge of the County where located.

**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the Town of Margaret, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

ADOPTED this 18<sup>th</sup> day of January, 2000.

TOWN OF MARGARET, ALABAMA

By: \_\_\_\_\_  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Myrtle Norton, Town Clerk

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 18<sup>th</sup> day of January 2,000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

SA 133E

STATE OF ALABAMA  
ST. CLAIR COUNTY

I, F.W. Meade a Registered Land Surveyor of the State of Ala. hereby certify that the foregoing is a true and correct Map or Plat of a part of the N.E. 1/4 of N.E. 1/4 of Section 7, Township 16, South Range 2, East, and described as follows; Commence at the N.E. Corner of said 1/4 1/4 Section, thence S 1° 42' E along the East line of same 395.61 ft. thence S 57° 33' 36" W 622.94 ft. to the point of beginning, thence N 27° 31' 10" W 407.43 ft. thence N 56° 22' 20" W 407.44 ft. thence S 56° 04' 30" W 327.48 ft. thence S 1° 59' 30" E 327.47 ft. thence N 88° 00' 30" E 210.00 ft. thence S 1° 59' 30" E 266.67 ft. to the Northerly Right of Way line of a Public Road, thence S 76° 18' 30" E along said Right of Way 236.56 ft. to the point of a Curve to the left having a central angle of 31° 45' 30" a Radius of 434.26 ft. thence along the Arc of said Curve 240.70 ft. to the point of tangent, thence S 44° 33' E along said tangent 50.15 ft. thence N 13° 56' E 402.96 ft. to the point of beginning.

✓ ALSO A 20.00FT. Easement for Ingress and Ingress and utilities and the Center line of said Easement described as follows; Commence at the N.E. Corner of the N.E. 1/4 of N.E. 1/4 of Section 7, Township 16, South Range 2, East, thence S 1° 42' E along the East line of same 395.61 ft. thence S 57° 33' 36" W 622.94 ft. thence N 27° 31' 10" W 203.06 ft. to the point of beginning of the Center line of Easement, thence S 69° 57' W 36.32 ft. thence S 40° 56' W 23 90 ft. thence S 44° 14' W 23.34 ft. thence S 50° 26' W 130.25 ft. thence S 48° 37' W 97.69 ft. thence S 51° 17' W 77.32 ft. thence S 46° 10' W 66.59 ft. thence S 40° 28' W 42.58 ft. thence S 12° 53' W 92.10ft. to Center line of Margaret - Sanie Road.

According to my survey this 14 th. day of July 1988.

*F.W. Meade*

F.W. MEADE SURVEYOR REG. # 9124 .  
2833 MOODY PARKWAY MOODY ALA.  
TELE. # 640-5231 35004-3102

EXHIBIT "A"

2/18/88

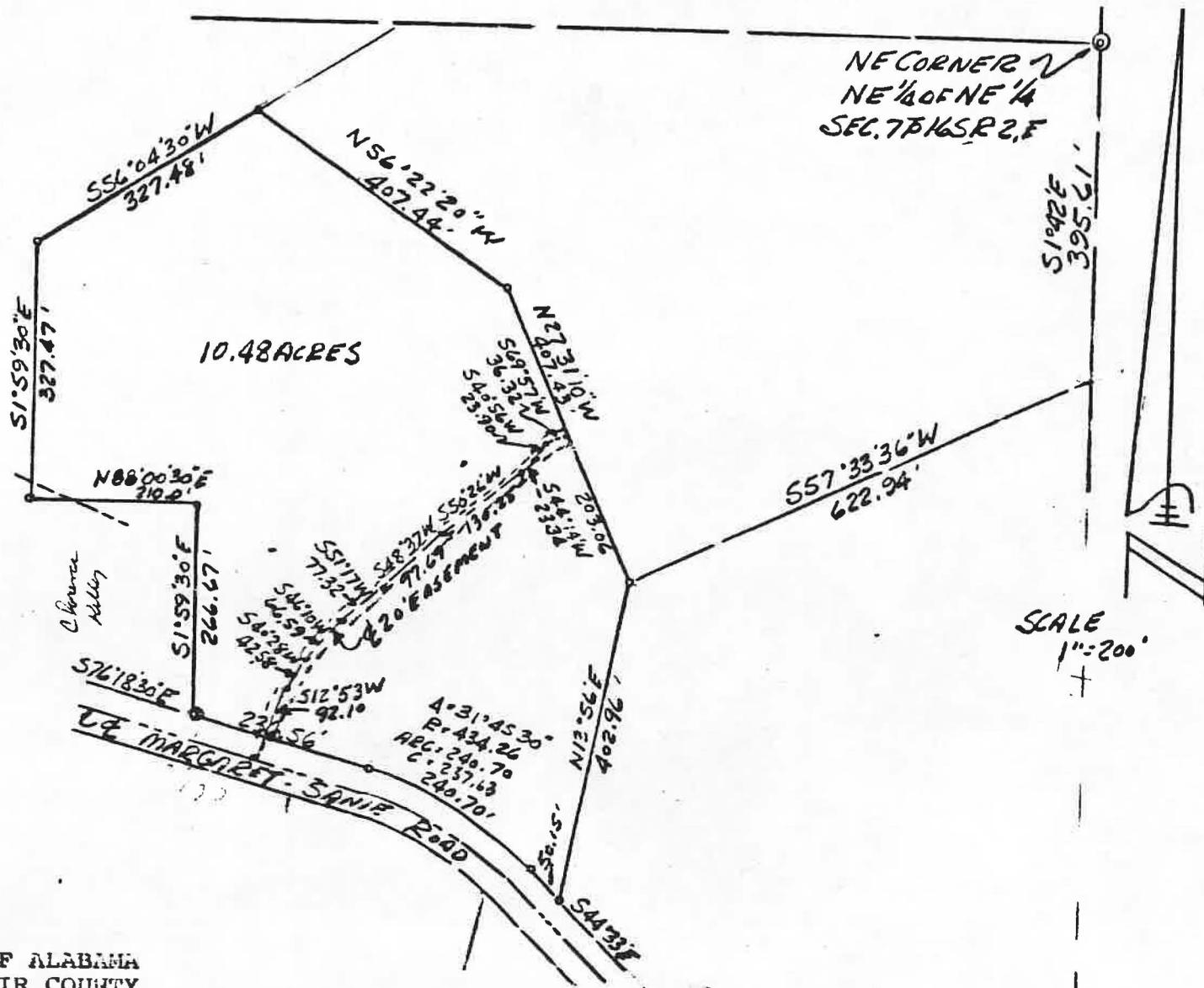


EXHIBIT "A" (Page 2)

SCALE  
1" = 200'

STATE OF ALABAMA  
ST. CLAIR COUNTY

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STATE OF ALABAMA  
ST. CLAIR COUNTY

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*F.W. Meade*

F.W. MEADE SURVEYOR REG. # 9124  
2833 MOODY PARKWAY MOODY ALA.  
TELE. # 640-5231 35004-3102

**TOWN OF MARGARET**  
**125 SCHOOL STREET**  
**P. O. BOX 309**  
**MARGARET, ALABAMA 35112**  
Phone: (205) 629-5742

Eugene Hardrick, Mayor

January 27, 2000

Honorable Dave Thomas  
House of Representatives  
District 49  
49 Forman Street  
Springville, Al. 35146

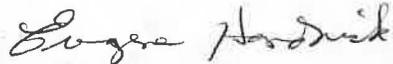
2002 2296  
Recorded in the Above  
DEED Book & Page  
03-27-2002 01:38:56 PM  
Wallace Wyatt Jr - Probate Judge  
St. Clair County, Alabama

Dear Mr. Thomas:

Attached please find a Notice of request for annexation by legislative act into the Town of Margaret, along with a Petition for annexation. This is the property of Mr. Floyd Adams, Jr.

If I can be of further help with this, please advise.

Yours very truly,

  
Eugene Hardrick  
Mayor

mn/

**TOWN OF MARGARET**  
125 SCHOOL STREET  
P. O. BOX 309  
MARGARET, ALABAMA 35112  
Phone: (205) 629-5742

Eugene Hardrick, Mayor

January 27, 2000

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District 49  
49 Forman Street  
Springville, Al. 35146

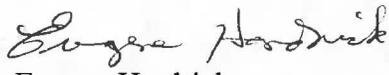
2002 2296  
Recorded in the Above  
DEED Book & Page  
03-27-2002 01:38:56 PM  
Wallace Wyatt Jr - Probate Judge  
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Dear Mr. Thomas:

Attached please find a Notice of request for annexation by legislative act into the Town of Margaret, along with a Petition for annexation. This is the property of Mr. Floyd Adams, Jr.

If I can be of further help with this, please advise.

Yours very truly,

  
Eugene Hardrick  
Mayor

mn/

Date: 11-22-99

Honorable Dave Thomas  
State Representative  
Springville, Alabama 35146

**NOTICE OF REQUEST FOR ANNEXATION INTO THE TOWN OF MARGARET**

I respectfully request that my property be considered for annexation into the corporate limits of Margaret. A copy of my deed and a survey of the described property are enclosed. If anything further needs to be done, please do not hesitate to contact me.

I have written a letter to the Mayor and Town Council of Margaret requesting that my property be annexed into the corporate limits.

Thank you for your courtesy and consideration in this matter.

Sincerely,

Floyd Adams  
Your Name

Louella Adams  
Name of Spouse if applicable

1900 SANJE RD  
Physical Address of Property to be annexed

SAME  
Mailing Address

640-7298  
Home Telephone Number

Retired  
Work Telephone Number

Enclosures (2)

2002 2297  
Recorded in the Above  
DEED Book & Page  
03-27-2002 01:38:56 PM

**TOWN OF MARGARET  
PETITION FOR ANNEXATION BY ACT OF LEGISLATION**

We, the undersigned, being all the owners of that certain real property more particularly described attached hereto and incorporated herein, hereby petition the Mayor and Town Council of the Town of Margaret, Alabama, to annex said property into the corporate limits of the Town of Margaret, Alabama

Name (Please Print)	Signature	Address	Registered Voter	No. In Household	No. Houses on parcel
Floyd Adams Jr	<i>Floyd Adams Jr</i>	1900 S Annie Rd.	yes	2	1

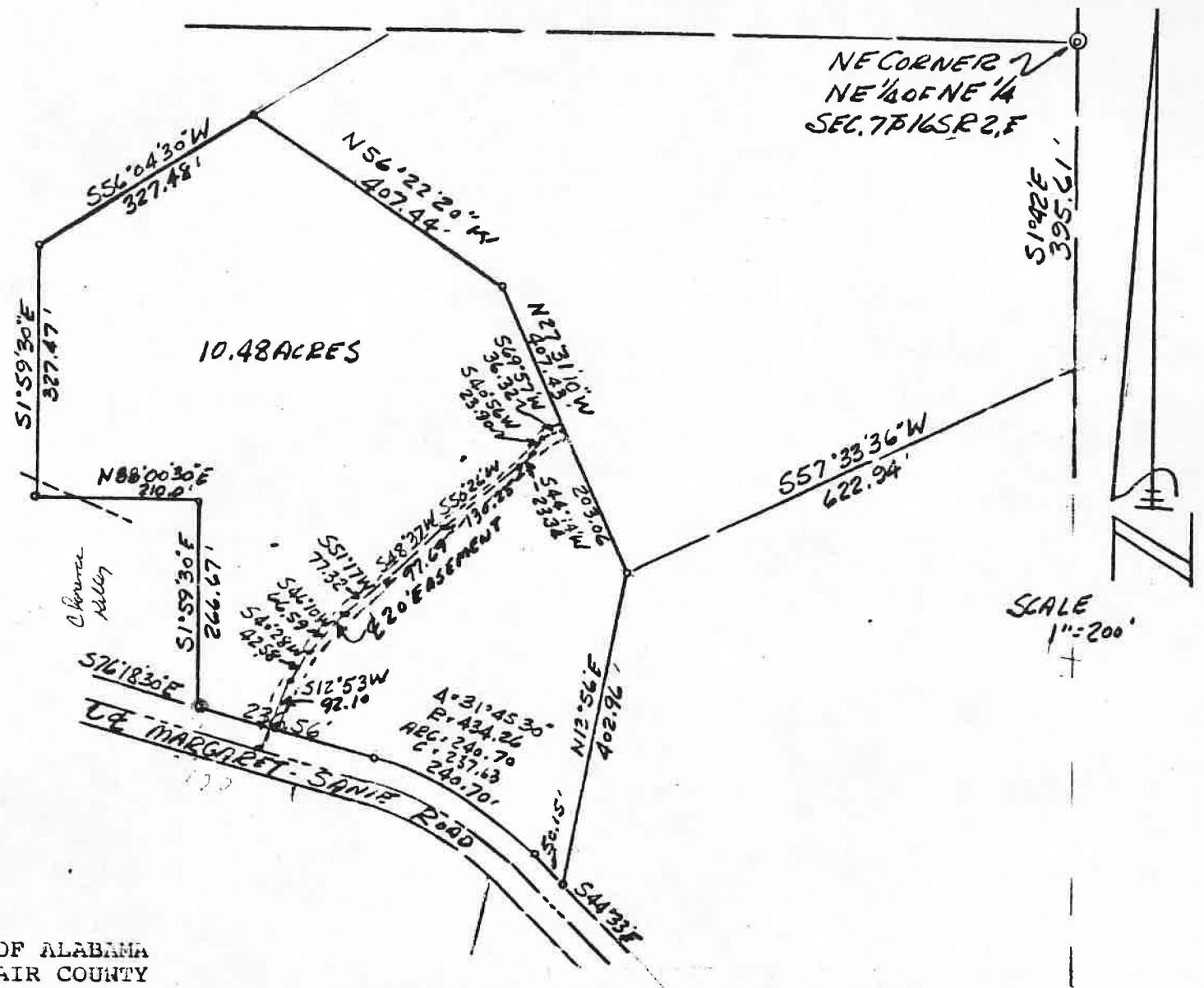
PROPOSED ZONING \_\_\_\_\_

Upon approval for annexation, your property will be zoned in harmony with the surrounding property. You will be notified of the Zoning and Planning Commission meeting at which your zoning will be decided.

**PERMITTED USES**

- AG - agricultural
- R-E - residential estate
- R-1 - residential
- R-1MH - residential mobile homes

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DEED Book & Page  
03-27-2002 01:38:56 PM



2002 2299  
 Recorded in the Above  
 DEED Book & Page  
 05-27-2002 01:38:56 PM

STATE OF ALABAMA  
 ST. CLAIR COUNTY

I, F.W. Meade a Registered Land Surveyor of the State of Ala. hereby certify that the foregoing is a true and correct Map or Plat of a part of the N.E. 1/4 of N.E. 1/4 of Section 7, Township 16, South Range 2, East, and described as follows; Commence at the N.E. Corner of said 1/4 1/4 Section, thence S 1°42' E along the East line of

STATE OF ALABAMA  
ST. CLAIR COUNTY

SA 432E

I, F.W. Meade a Registered Land Surveyor of the State of Ala. hereby certify that the foregoing is a true and correct Map or Plat of a part of the N.E. ¼ of N.E. ¼ of Section 7, Township 16, South Range 2, East, and described as follows; Commence at the N.E. Corner of said ¼ ¼ Section, thence S 1° 42' E along the East line of same 395.61 ft. thence S 57° 33' 36" W 622.94 ft. to the point of beginning, thence N 27° 31' 10" W 407.43 ft. thence N 56° 22' 20" W 407.44 ft. thence S 56° 04' 30" W 327.48 ft. thence S 1° 59' 30" E 327.47 ft. thence N 88° 00' 30" E 210.00 ft. thence S 1° 59' 30" E 266.67 ft. to the Northerly Right of Way line of a Public Road, thence S 76° 18' 30" E along said Right of Way 236.56 ft. to the point of a Curve to the left having a central angle of 31° 45' 30" a Radius of 434.26 ft. thence along the Arc of said Curve 240.70 ft. to the point of tangent, thence S 44° 33' E along said tangent 50.15 ft. thence N 13° 56' E 402.96 ft. to the point of beginning.

✓ ALSO A 20.00FT. Easement for Ingress and Ingress and utilities and the Center line of said Easement described as follows; Commence at the N.E. Corner of the N.E. ¼ of N.E. ¼ of Section 7, Township 16, South Range 2, East, thence S 1° 42' E along the East line of same 395.61 ft. thence S 57° 33' 36" W 622.94 ft. thence N 27° 31' 10" W 203.06 ft. to the point of beginning of the Center line of Easement, thence S 69° 57' W 36.32 ft. thence S 40° 56' W 23 90 ft. thence S 44° 14' W 23.34 ft. thence S 50° 26' W 130.25 ft. thence S 48° 37' W 97.69 ft. thence S 51° 17' W 77.32 ft. thence S 46° 10' W 66.59 ft. thence S 40° 28' W 42.58 ft. thence S 12° 53' W 92.10ft. to Center line of Margaret - Sanie Road.  
According to my survey this 14 th. day of July 1988.

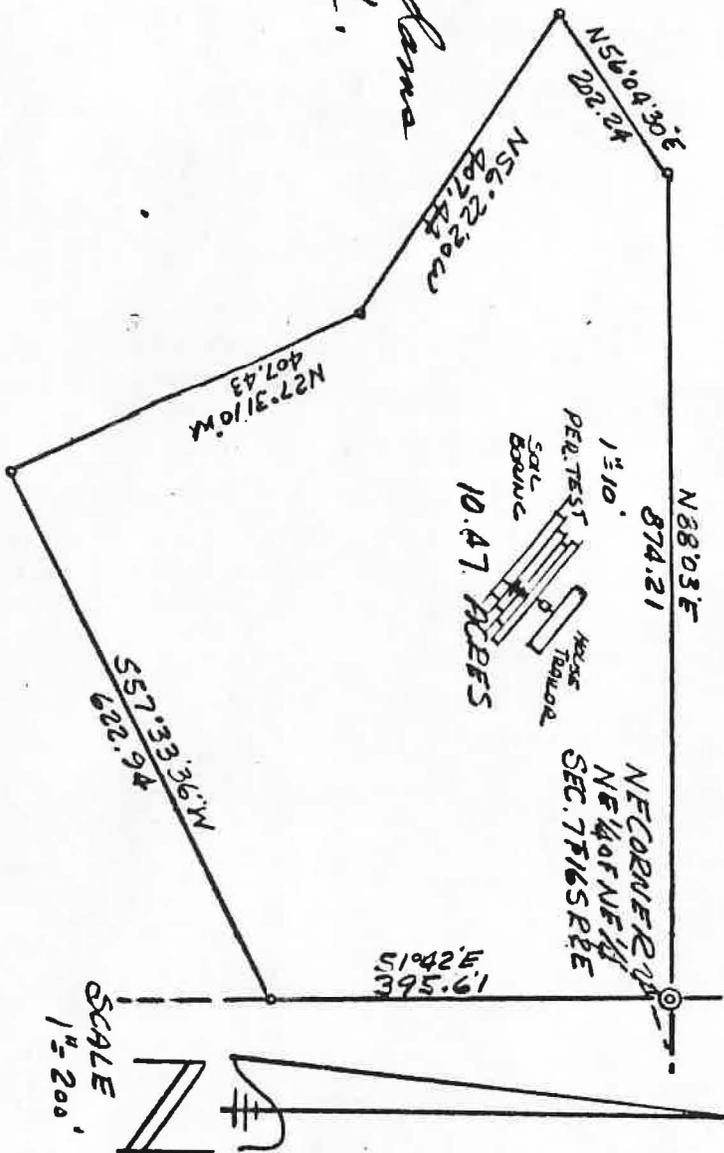
*F.W. Meade*

F.W. MEADE SURVEYOR REG. # 9124  
2833 MOODY PARKWAY MOODY ALA.  
TELE. # 640-5231 35004-3102

2002 2300  
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DEED Book & Page  
03-27-2002 01:38:56 PM

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Hoyd & Sonelle Adams  
1900 - Savie Rd.



24-03-07-0-000-P/001

594-7944

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DEED Book & Page  
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STATE OF ALABAMA  
ST. CLAIR COUNTY

I, F.W. Meade a Registered Land Surveyor of the State of Ala. hereby certify that the foregoing is a true and correct Map or Plat of a part of the N.E.  $\frac{1}{4}$  of N.E.  $\frac{1}{4}$  of Section 7, Township 16, South Range 2, East, and described as follows; Begin at the N.E. Corner of said  $\frac{1}{4}$   $\frac{1}{4}$  Section, thence S  $1^{\circ} 42'$  E along the East line of same 395.61 ft. thence S  $57^{\circ} 33' 36''$  W 622.94 ft. thence N  $27^{\circ} 31' 10''$  W 407.43 ft. thence N  $56^{\circ} 22' 20''$  W 407.44 ft. thence N  $56^{\circ} 04' 30''$  E 202.24 ft. to the North line of said  $\frac{1}{4}$   $\frac{1}{4}$  Section, thence N  $88^{\circ} 03'$  E along said North line 874.21 ft. to the point of beginning.

*F.W. Meade*

F.W. MEADE SURVEYOR REG. # 9124  
2833 MOODY PARKWAY MOODY ALA.  
TELE. # 640-5231 35004-3102

2002 2502  
Recorded in the Above  
DEED Book & Page  
03-27-2002 01:34:56 PM

## HB798

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2 Enrolled, An Act,

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To alter, rearrange, and extend the boundary lines  
and corporate limits of the municipality of Margaret in St.  
Clair County.

6

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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Section 1. The boundary lines and corporate limits  
of the municipality of Margaret in St. Clair County are  
altered, rearranged, and extended to include within the  
corporate limits of the municipality, in addition to the lands  
now included, all of the following territory:

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That part of the N.E. 1/4 of the N.E. 1/4 of Section  
7, Township 16, South Range 2, East, and described as follows:  
Commence at the N.E. Corner of said 1/4 1/4 Section, thence S  
1 degree 42' E along the East line of same 395.61 ft. thence S  
57 degrees 33' 36" W 622.94 ft. to the point of beginning,  
thence N 27 degrees 31' 10" W 407.43 ft. thence N 56 degrees  
22' 20" W 407.44 ft. thence S 56 degrees 04' 30" W 327.48 ft.  
thence S 1 degree 59' 30" E 327.47 ft. thence N 88 degrees 00'  
30" E 210.00 ft. thence S 1 degree 59' 30" E 266.67 ft. to the  
Northerly Right of Way line of a Public Road, thence S 76  
degrees 18' 30" E along said Right of Way 236.56 ft. to the  
point of a Curve to the left having a central angle of 31  
degrees 45' 30" a Radius of 434.26 ft. thence along the Arc of  
said Curve 240.70 ft. to the point of tangent, thence S 44

## HB798

1 degrees 33' E along said tangent 50.15 ft. thence N 13 degrees  
2 56' E 402.96 ft. to the point of beginning.

3 Section 2. In accordance with Section 11-42-6(b) of  
4 the Code of Alabama 1975, a map showing what territory is  
5 proposed to be annexed to the municipality of Margaret is on  
6 file in the office of the Judge of Probate in St. Clair  
7 County, Alabama, and the map is open to the inspection of the  
8 public.

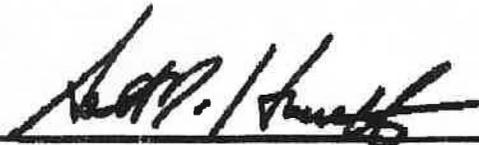
9 Section 3. This act shall become effective on the  
10 first day of the third month following its passage and  
11 approval by the Governor, or its otherwise becoming law.

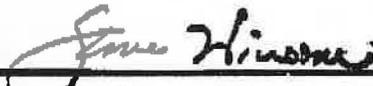
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HB798

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\_\_\_\_\_  
Speaker of the House of Representatives

  
\_\_\_\_\_  
President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 19-APR-2001.

Greg Pappas  
Clerk

Senate

\_\_\_\_\_  
10-MAY-2001  
\_\_\_\_\_

Passed

APPROVED \_\_\_\_\_  
TIME \_\_\_\_\_  
\_\_\_\_\_  
GOVERNOR

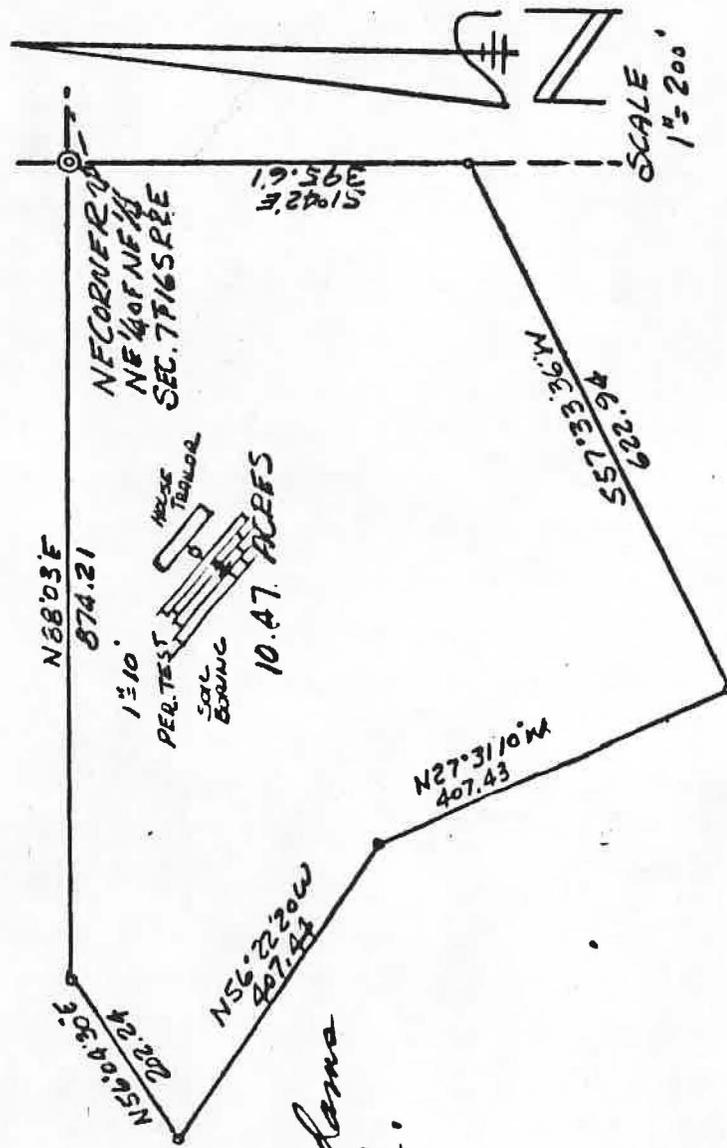
1 HB798  
 2 26228-2  
 3 By Representative Thomas (D) (N & P)  
 4 RFD: Local Legislation  
 5 First Read: 10-APR-2001

ACT No. 2001 -548

W0



2002 2306  
 Recorded in the Above  
 DEED Book & Page  
 03-27-2002 01:39:56 PM  
 Wallace Wyatt Jr - Probate Judge  
 St. Clair County, Alabama  
 Book/Pg: 2002/2296  
 Term/Cashier: N RECORD / SueP  
 Tran: 1564.27563.40413  
 Recorded: 03-27-2002 13:40:12  
 CER Certification Fee 1.00  
 PJF Special Index Fee 5.50  
 REC Recording Fee 33.00  
 Total Fees: \$ 39.50



24-03-07-0-000-1001

594-7944

16770  
4

Floyd & Louella Adams  
1900 - Janie Rd.



I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 15<sup>th</sup> day of February, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

ORDINANCE NO. 2000-107

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA, AS FOLLOWS:

- Section 1.** A qualification fee in the amount of \$ 50.00 is hereby fixed and imposed upon all candidates seeking election as mayor of the Town of Margaret, Alabama, except as hereinafter provided for.
- Section 2.** A qualification fee in the amount of \$ 40.00 is hereby fixed and imposed upon all candidates seeking election as council members of the Town of Margaret, Alabama, except as hereinafter provided for.
- Section 3.** Such qualification fee shall be paid to the city clerk and deposited to the general fund of the city at or prior to the time of taking out qualification papers by any such candidates.
- Section 4.** Any person desiring to qualify who is not financially able to pay the required fee may qualify provided such prospective candidate furnishes the clerk with an affidavit stating that he is financially unable to pay the required fee fixed by this ordinance.
- Section 5.** This ordinance is adopted pursuant to Section 11-46-2 of the Alabama Code of 1975 and shall be effective in all elections, both general and special, for aforesaid offices from and after the date of adoption.

ADOPTED THIS THE 29<sup>th</sup> DAY OF February, 2000.

Eugene Hansford  
Mayor

ATTEST:

Meyrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 29th day of February, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton

Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

**ORDINANCE NO. 00-105**

**AN ORDINANCE TO PROVIDE FOR A LICENSE TAX FOR THE SALE, STORAGE OR DELIVERY OF CERTAIN TOBACCO PRODUCTS WITHIN THE TOWN OF MARGARET AND THE POLICE JURISDICTION THEREOF TO BE PAID MONTHLY TO THE TOWN CLERK OF MARGARET ON THE BASIS OF A SWORN STATEMENT OF THE PRECEDING CALENDAR MONTH'S SALES OR DELIVERY OF TOBACCO PRODUCTS WITHIN THE TOWN OF MARGARET AND THE POLICE JURISDICTION THEREOF.**

BE IT ORDAINED BY THE TOWN OF MARGARET, ALABAMA, AS FOLLOWS:

SECTION 1: REPEAL OF PRIOR TOBACCO TAX ORDINANCES.

Ordinance No. 94-74 and all other Ordinances, or parts of Ordinances, (except as next stated) which are in conflict with this Ordinance are hereby repealed.

This Ordinance shall not be construed to repeal any of the provisions of the general business license Ordinance or privilege license Ordinance of the Town, but shall be held to be cumulative.

SECTION 2: DEFINITIONS.

Unless the context clearly indicates a different meaning, the following words and phrases wherever used in this Ordinance shall have the meanings respectively ascribed to them:

Containers: (1) The original boxes from which cigars are customarily sold at retail, and (2) the individual packages or cans in which cigarettes and tobacco products are customarily sold at retail.

Dealer: Any wholesale dealer, retail dealer or storer as herein defined.

Retail Dealer: Any person, other than a wholesale dealer, who sells or delivers tobacco products within the municipality or its police jurisdiction.

Retail Price: The retail selling price of the tobacco products before adding the amount of the tax assessed herein or any other tobacco tax imposed under the laws of the state

Sold and Sale: Any transfer of title or possession, or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever for a consideration or any agreement therefor, including rewards, prizes or premiums of tobacco products given as a result of operation on punch boards, shooting galleries or other activities.

Store and Stored: Refer to the storage or warehousing of tobacco products in any manner, or the withdrawal or use of the same for any purpose other than the resale or reshipment outside the municipality or its police jurisdiction.

Storer: A person who stores tobacco products in the municipality or in its police jurisdiction.

Tobacco Products: Cigarettes, cigars, and smoking tobacco, smokeless tobacco, any form of tobacco product, or any of them.

### SECTION 3: TAX IMPOSED IN CORPORATE LIMITS; AMOUNT.

In addition to all other taxes now imposed by law, every wholesale, jobber, dealer or distributor who sells, stores or delivers any tobacco products for sale within the Town of Margaret shall pay a license tax to the Town of Margaret and every retailer who sells, stores or delivers any tobacco products for sale within the Town of Margaret that were not purchased through a wholesaler, jobber, dealer, or distributor who sells, stores or delivers tobacco products for sale within the Town of Margaret shall pay a license tax to the Town of Margaret and a license tax is hereby fixed and levied, which license tax shall be in the following amounts for the sale, storage and/or delivery of the following named tobacco products in the corporate limits of the Town of Margaret.

- A. CIGARETTES:  
All cigarettes made of tobacco or any substitute thereof - four cents (\$.04) for each 20 cigarettes or fraction thereof.
- B. CIGARS:  
All cigars made of tobacco or any substitute thereof - two cents (\$.02) for each.
- C. Each package of smoking tobacco - an amount equal to four cents (\$.04) per package.
- D. Each package of snuff - an amount equal to four cents (\$.04) per package.
- E. Each package of chewing tobacco - an amount equal to four cents (\$.04) per package.

All other forms of tobacco including granulated, plug, cut, crimp, ready rubbed and other kinds and forms of tobacco prepared in such a manner as to be suitable for smoking, chewing, dipping and/or sniffing one-half (\$.005 cent for each ten (\$.10) cents or fraction thereof of the selling price.

### SECTION 4: TAX IMPOSED IN POLICE JURISDICTION; AMOUNT.

In addition to all other taxes now imposed by law, every wholesaler, jobber, dealer or distributor who sells, stores or delivers any tobacco products for sale within the police jurisdiction of the Town of Margaret shall pay a license tax to the Town of Margaret and every retailer who sells, stores or delivers any tobacco product for sale within the police jurisdiction of the Town of Margaret that were not purchased through a wholesale, jobber, dealer, or distributor who sells, stores or delivers tobacco products for sale in within the Town of Margaret, or its police jurisdiction, shall pay a license tax to the Town of Margaret, and a license tax is hereby fixed and levied, which license tax shall be in an amount equal to one-half of the amount levied for such sale, storage or delivery of tobacco products within the corporate limits of the Town of Margaret.

## SECTION 5: REQUIRED RECORDS AND REPORTS.

Every wholesaler, jobber, dealer or distributor shall, at the time of selling or delivering any tobacco products within the Town limits of the Town of Margaret, and the police jurisdiction of the Town of Margaret, have an invoice and duplicate thereof, which shall show full and complete details of the sale or delivery of such tobacco products and shall give said duplicate invoice to the retail dealer. Every such wholesaler, jobber, dealer, distributor, and retail dealer shall retain these invoices and all other records of the purchase, sale, exchange or receipt of tobacco products for a period of two years after each transaction. All such invoices, all canceled checks and other records pertaining to any such purchase, sale, exchange or receipt of tobacco products shall be subject to inspection by an agent of the Town on request. Said agent shall have power and authority to enter upon the premises of any wholesaler, jobber, dealer or distribute at all reasonable times for the purpose of examining such invoices, canceled checks or other records.

## SECTION 6: MONTHLY STATEMENT AND PAYMENT.

The tax levied hereunder on all tobacco products shall be due and payable in monthly installments or before the 20th day of the month next succeeding the month in which the tax accrued. If said tax is not paid by said due date, then an additional sum (a late charge) equal to 10% of said tax shall also be due. On or before the 20th day of each month, every wholesaler, jobber, dealer or distributor who sells, stores or delivers any tobacco products for sale within the Town of Margaret and every retailer who sells, stores or delivers any tobacco products for sale within the Town of Margaret that were not purchased through a wholesaler, jobber, dealer, or distributor who sells, stores or delivers tobacco products for sale within the Town of Margaret:

- A. Shall file with the Town Clerk a true and correct monthly statement in writing (on a form approved by the Town Clerk) of all tobacco products sold or delivered during the preceding month, for which he is or shall be liable for the payment of the license tax; and
- B. Shall in each and every instance, upon the filing of said statement, furnish the Town Clerk such additional information, in writing, as the Clerk may require as to the sale or delivery of any tobacco products covered by such statement; and
- C. Shall at the time of making such statement, pay to the Town Clerk the amount of the tobacco license tax for the preceding month.

## SECTION 7: VIOLATION OF ORDINANCE; PUNISHMENT.

Any of the following shall constitute a violation of this Ordinance:

- A. The omission or failure to timely file any monthly statement required by Section 5A of this Ordinance.

- B. The omission or failure to timely provide any information requested pursuant to Section Five B of this Ordinance.
- C. Any false information included in the monthly statement required by Section Five A or with the other information requested pursuant to Section Five B of this Ordinance.
- D. The failure to pay the amount of tax due under this Ordinance on the date the same is due.

Any act or omission declared above to be a violation of this Ordinance shall be a continuing offense or violation of this Ordinance and each day during which such act or omission continues shall constitute a separate offense.

Any person who commits an act or omission declared above to be a violation of this Ordinance shall, upon conviction, be punished by a fine of not less than \$50.00 nor more than \$500.00 and/or may be sentenced to jail for a period not exceeding six (6) months, at the discretion of the Court.

SECTION 8: CONSTRUCTION OF ORDINANCE.

- A. This Ordinance shall not be construed to tax interstate commerce or any business of the United States government or any branch or agency thereof.
- B. This Ordinance shall not be construed to apply to tobacco products stored for the purpose of resale or reshipment outside the municipality and its police jurisdiction and which are actually so resold or reshipped.
- C. This Ordinance shall not be construed to repeal any of the provisions of the general license code of the municipality, but shall be held to be cumulative.

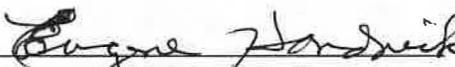
SECTION 9: SEVERABILITY.

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

SECTION 10: EFFECTIVE DATE:

This Ordinance shall become effective upon its publication.

Adopted and approved this 14th Day of March, 2000.

  
Eugene Hardrick, Mayor

ATTEST:

Myrtle Norton  
Town Clerk

CLERK'S CERTIFICATE

I, Myrtle Norton, as clerk for the Town of Margaret do hereby certify that the foregoing Ordinance No. 00-107 was posted at the following three (3) places in Town on 3-17 -, 2000.

Town Hall  
Lee's Country Store  
Rumors Bar & Grill

**ORDINANCE NO. 00-109**

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA, AS FOLLOWS:

**Section 1.** That the Town governing body of the Town of Margaret, Alabama, shall consist of a mayor and five council members, three council members from District 1, and two from District 2, who shall be elected by a vote of the voters at large in each district, in the Town of Margaret, Alabama.

**Section 2.** That the places on the Town Council be and the same are hereby designated as Place Number 1, Place Number 2, and Place No. 3 in District 1. Place Number 4, and Place Number 5, in District 2.

**Section 3.** That each candidate for a place on the Town Council shall in the announcement of his or her candidacy designate by number the place for which he or she is a candidate and no person shall be a candidate for more than one place.

**Section 4.** That all ordinance or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED ON THIS 29 DAY OF March, 2000.

  
Eugene Horvick  
Mayor

ATTEST:

Marilyn Norton  
Town Clerk

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on the 29<sup>th</sup> day of March, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

ORDINANCE NO. 00-110

AN ORDINANCE MAKING IT MANDATORY FOR EACH HOUSEHOLD TO POST THE CORRECT 911 ADDRESS ON THEIR HOUSE.

BE IT ORDAINED BY THE TOWN COUNCIL OF MARGARET, ALABAMA, AS FOLLOWS:

- Section 1.** That it is mandatory that each household post their 911 addresses on their house.
- Section 2.** All 911 addresses should be posted on or before June 1, 2000.
- Section 3.** The 911 numbers should be in accordance with 911 instructions.
- Section 4.** Violation of this ordinance will be a misdemeanor and each violation will have a fine of \$50.00 and not more than \$100.00.

ADOPTED AND APPROVED ON THE 11 DAY OF April, 2000.

Eugene Handwick  
Mayor

ATTEST:

Myrtle Norton  
Clerk

I, Myrtle Norton, Clerk of the Town of Margaret, hereby certify that the above ordinance was duly adopted by the Town Council of the Town of Margaret, at a regular meeting held on 11 Day of April, 2000, and that same has been published in accordance with the law, posted in three (3) public places in the Town of Margaret.

Myrtle Norton  
Clerk

1. Town Hall
2. Lee's Country Store
3. Rumor's Bar & Grill

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MARGARET,  
ALABAMA AS FOLLOWS:**

**Section 1.** Pursuant to Section 11-46-28, Code of Alabama 1975, the Town Council of the Town of Margaret, Alabama, does hereby ordain that the polls during all future municipal elections shall open at 7 a.m. and remain open continuously until 7 p.m.

**Section 2.** This ordinance shall become effective immediately upon its adoption and publication as required by law.

Adopted this the 5<sup>th</sup> Day of June, 2000.

Eugene Hardman  
Mayor

ATTEST:

Myrtle Norton  
Town Clerk

I, Myrtle Norton, Clerk for the Town of Margaret, hereby certify that the above Ordinance was duly adopted by the Town Council of the Town of Margaret, Alabama at a regular meeting held on the 5<sup>th</sup> Day of June, 2000, and that same has been posted in accordance with the law. Posted at the following locations.

Town Hall  
Lee's Country Store  
Rumor's