

FIRST READING OF ORDINANCE NO. 270-R3

A MOTION WAS MADE BY DEAR, SECONDED BY JOHNSON, TO INTRODUCE ORDINANCE 270-R3 ON FIRST READING BY TITLE AND TO ORDER THE SAME TO BE POSTED IN THE CUSTOMARY AND USUAL NOTICE LOCATIONS TOGETHER WITH NOTICE OF ITS INTRODUCTION AND PASSAGE ON FIRST READING BY TITLE, AND THAT IT SHALL BE FURTHER CONSIDERED FOR FINAL PASSAGE AT THE REGULAR MEETING OF THE GURLEY TOWN COUNCIL TO BE HELD ON JULY 7, 2020 AT 7:00 PM, PREVAILING TIME, IN THE GURLEY TOWN HALL.

Affidavit of Posting:

Ordinance No. 270-R3

The Town of Gurley posted the attached Ordinance May 21, 2020 in its customary and usual notice locations:

These Locations being: Gurley Town Hall

(List) Gurley Public Library

Gurley US Post Office

ATTEST:

Mrs. Ginger M. Patterson, Town Clerk

May 21, 2020

ORDINANCE 270-R3

AN ORDINANCE OF THE TOWN OF GURLEY, ALABAMA, TO AMEND ORDINANCE 270-R2, TO ADOPT A NEW FINE SCHEDULE FOR THE TOWN OF GURLEY ANTI-LITTER OFFENSE.

WHEREAS, the Town of Gurley finds that it is in the interest of the public health, safety, and welfare to ensure the fines for the violation of the "Anti-Litter Ordinance" is compatible with the State of Alabama Code 1975-13A-7-29.

WHEREAS, the Town finds that a person who commits the crime of criminal littering on any public or private property within the town limits of Gurley, Alabama, can be charged with a Class B misdemeanor, per the State of Alabama Code, 1975-13A-7-29, section (d).

WHEREAS, the Town of Gurley desires to change the Anti-Litter Fine Schedule to discourage the littering of our street, roads and byways of garbage, trash and other discarded materials.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GURLEY, ALABAMA, AS FOLLOWS:

Section 1. **Purpose.** The purpose of this Ordinance is to discourage the deposit of litter of any kind on our streets, roads and public right of ways, etc.

Section 2. **Amendment of Ordinance 270-R2.** Ordinance 270-R2, adopted on April 1, 2005, which provides for the adoption of Gurley's Anti-Litter Ordinance applicable codes for the Town of Gurley, is hereby amended as follows:

The following fines for the violation of littering within the town limits of Gurley, Alabama are amended and adopted by reference and incorporated as if set out in length, and are declared to be law in Gurley:

- A. Fine for the First Offense: Existing Fine 50.00-Changed to 500.00.
- B. Fine for the Second Offence: Existing Fine 100.00-Changed to 1000.00.
- C. Fine for the Third Offense: Existing Fine 250.00-Changed to 2000.00.

Section 3. Enforcement and Penalties. All enforcement powers granted by the codes adopted herein are declared expressly to apply in the Town of Gurley. It is further declared that violations of this Ordinance, including violations of any provision of ordinances adopted herein shall be punishable by a fine of up to \$500.00 for the first offense, \$1000.00 for the second offense and \$2000.00 for the third offense.

Section 4. Severability. If any provision of this Ordinance adopted herein is invalidated by the judgment of a court of competent jurisdiction, it is the express legislative intent of the Council that such invalidation shall not be construed to invalidate any other provision, clause, sentence, or paragraph thereof.

Section 5. Effective Date. This Ordinance shall become effective upon its posting in three (3) public places in the Town of Gurley.

READ, APPROVED, and ADOPTED this 7th day of July, 2020.

Robert Sentell
Mayor and Presiding Officer
of the Town Council of the
Town of Gurley, Alabama

ATTEST:

Ginger M. Patterson, Town Clerk
Town of Gurley, Alabama