

ORDINANCE NO. 98-159

ORDINANCE ADOPTING ALL STATE TRAFFIC OFFENSES BY REFERENCE

WHEREAS, the Town of Brookwood desires to insure the safety of its citizens while travelling upon the roadways in the corporate limits of the Town of Brookwood and its police jurisdiction; and

WHEREAS, the Town of Brookwood finds it most expedient and economical to adopt the State Traffic Code by reference; and

WHEREAS, the Town of Brookwood desires to give appropriate public notice of the enactment of such a traffic ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Brookwood, Alabama:

1. Pursuant to §11-48-8(c) of the Code of Alabama (1975), the Town of Brookwood hereby adopts by reference the following sections of the Code of Alabama as if fully set forth herein:

- a. Section 32-5-1, et seq.
- b. Section 32-5A-1, et seq.

2. Any person found to be in violation of this ordinance shall, upon conviction, be punished by a fine of not less than \$1.00 nor more than \$500.00 and/or may be imprisoned or sentenced to hard labor for the Town of Brookwood for a period not exceeding six (6) months, at the discretion of the court trying the case. Any corporation found to be in violation of this ordinance shall, upon conviction, be punished by a fine not less than \$1.00 nor more than \$500.00, at the discretion of the court trying the case.

3. Any person found in violation of this ordinance for the commission of an offense as defined in §32-5A-191, Code of Alabama (1975), as amended shall upon conviction be punished in accordance with the provisions of §32-5A-191, provided however that no fine shall exceed \$5,000.00 and/or may be imprisoned or sentenced to hard labor for not more than one (1) year.

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adopted by the Town Council of the Town of Brookwood, Alabama, which is in conflict with this ordinance is hereby repealed to the extent of such conflict.

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

6. This ordinance shall become effective upon the approval and passage of the same by the Town Council of the Town of Brookwood, and the subsequent public posting of this ordinance.

ADOPTED AND APPROVED this 3 day of February, 1998.

BROOKWOOD TOWN COUNCIL

BY: Alton C. Hysche
Mayor

ATTEST:

Linda Barger
Town Clerk

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: July 6, 1998.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

I hereby certify that the above and foregoing Ordinance was posted on the 5 day of February, 1998 at the following locations:

1. Town Hall
2. Jerry's
3. Huber
4. Jerry's

Linda Barger
Town Clerk

NOTICE OF HEARING REGARDING ADOPTION OF
MUNICIPAL TRAFFIC ORDINANCE BY ADOPTING THE
TRAFFIC CODE OF THE STATE OF ALABAMA BY REFERENCE

Public notice is hereby given that the Town Council of the Town of Brookwood will hold a public hearing on February 17th at 7:00 p.m., at the Town Hall of the Town of Brookwood to consider the adoption of an ordinance to adopt all traffic offense as defined by the Code of Alabama §32-5-1, et seq. and §32-5A-1, et seq. by reference.

All those interested in the adoption of said ordinance and traffic code should be present at this public hearing. The Council shall act on the adoption of such an ordinance at that date and time.

Copies of all State Statutes which will be incorporated and adopted by municipal ordinance are available for your inspection and review at the office of the Town Clerk of the Town of Brookwood.

I hereby certify that the above and foregoing Notice was posted on the 11 day of February, 1998, at the following locations:

1. Nenny's
2. Nenny's
3. Town Hall
4. Hudson

Linda Barger
Town Clerk