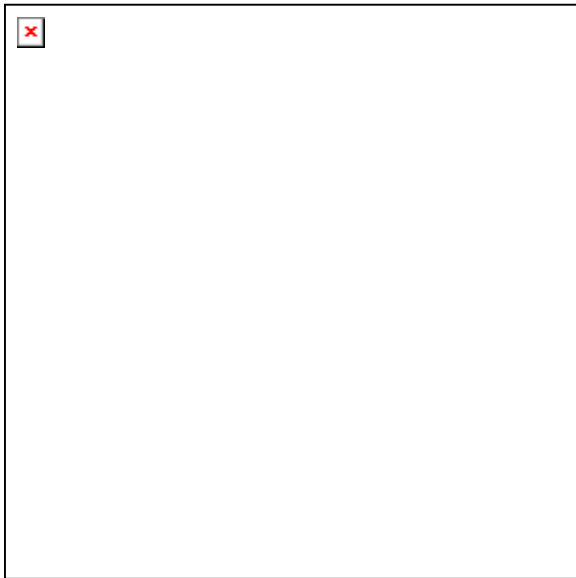


**CODE OF ORDINANCES
CITY OF
FAYETTE, ALABAMA**

Supplement Service commencing with Supplement Number 6, by:



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CITY OF FAYETTE, ALABAMA**

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Mayor

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CODE OF ORDINANCES CITY OF FAYETTE, ALABAMA

James H. Gullet

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Councilmen

Patricia Durr

City Clerk

Louis Moore

City Attorney

PREFACE

This volume contains the Code of Ordinances for the City of Fayette, Alabama, and represents a complete revision and codification of the ordinances and resolutions of a general and permanent nature which were deemed advisable to be included herein.

This Code of Ordinances supersedes all ordinances and resolutions not included herein or which have been expressly saved from repeal by the adopting ordinance. Only ordinances and resolutions of a general and permanent nature which affect the citizens of Fayette as a whole have been codified in this volume. Special ordinances which relate to specific matters such as providing for bond issues, ordinances levying special assessments and generally those laws and ordinances which affect only a particular segment of the population of the city are not included herein.

Organization and Format

The chapters of the Code are arranged in alphabetical order and the sections within each chapter are catchlined to facilitate usage. Footnotes which tie related sections of the Code together have been included. The reader's attention is directed to the history and footnotes of the sections, appearing at the end of each section in parentheses which denote the source of the specific section and pertinent references to the Code of Alabama. By use of the Code Comparative Table appearing in the back of the volume, ordinances commencing with Ord. No. 1985-01 of Supplement No. 6 can be readily found in the Code.

The numbering system used in this Code is the same system used in many state and municipal codes. Each section number consists of two component parts separated by a dash, the figure before the dash representing the chapter number and the figure after the dash indicating the position of the section within the chapter. Thus, the first section of [Chapter 1](#) is numbered [1-1](#) and the fourth section of [Chapter 13](#) is 13-4. Under this system each section is identified with its chapter and, at the same time, new sections or even whole chapters can be inserted in their proper places, simply by using the decimal system for amendments. By way of illustration: If new material consisting of three sections that would logically come between Sections [4-4](#) and [4-5](#) is desired to be added, such new sections would be

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numbered 4-4.1, 4-4.2 and 4-4.3 respectively. New chapters may be included in the same manner. If the new material is to be included between Chapters [12](#) and [13](#) it will be designated as Chapter 12.5. Care should be taken that the alphabetical arrangement of chapters is maintained when including new chapters. New articles and new divisions may be included in the same way or, in the case of articles, may be placed at the end of the chapter embracing the subject, and, in the case of divisions, may be placed at the end of the article embracing the subject, the next successive number being assigned to the article or division.

An index of the Code appears at the end of this volume. Many items may appear more than once in the index, thus providing the user with a convenient cross-referencing system.

Supplements

The format of this Code is designed to maintain a current set of laws for the city. In order to facilitate the periodic updating of this document, two features have been provided. First, the Code is bound in a loose-leaf binder to permit the easy removal of amended portions and the addition and replacement of new provisions. Second, the page numbering system provides for a twenty-page spread between the chapters to make the addition of new pages relatively simple.

ADOPTING ORDINANCE

Ordinance Number _____

An Ordinance Adopting and Enacting a New Code of Ordinances of the City of Fayette, Alabama; Establishing the Same; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing for the Effective Date of Such Code and a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When This Ordinance Shall Become Effective.

Be it ordained by the city council of the City of Fayette, Alabama:

Section 1. That the Code of Ordinances, consisting of Chapters 1 to [16](#), each inclusive, is hereby adopted and enacted as the "Code of Ordinances for the City of Fayette, Alabama," and shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed by the city council on or before March 31, 1977, to the extent provided in section 2 hereof.

Section 2. That all provisions of such Code shall be in full force and effect from and after the ____ day of _____, _____, and all ordinances of a general and permanent nature enacted on final passage on or before the 31st day of March, 1977, and not included in such Code or recognized and continued in force by reference thereto are hereby repealed from and after the ____ day of _____, _____.

Section 3. The repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before _____, _____; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the city or authorizing the issue of any bonds, including revenue certificates, of said city or any evidence of the city's indebtedness or any contract or obligation assumed by the city; nor shall such repeal affect the administrative ordinances or resolutions of the city not in conflict or inconsistent with the provisions of such Code; nor shall it affect any right or franchise conferred by any ordinance or resolution of the city on any person or corporation; nor shall it affect any prosecution, suit or other proceeding pending or any judgment rendered on or prior to _____, _____. Such repeal shall not be construed to revive any ordinance or part of an ordinance which has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. That whenever in such Code an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code the doing of any act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided therefor, the violation of any such provision of such Code shall be punished by a fine of not more than five hundred (\$500.00) dollars, or confinement in the city jail or to hard labor for the city for a period not exceeding six (6) months or by both the fine and imprisonment, as provided in [section 1-8](#) of such Code.

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Section 5. That any and all additions and amendments to such Code, when passed in such form as to indicate the intention of the city council to make the same a part thereof shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances for the City of Fayette, Alabama," shall be understood and intended to include such additions and amendments.

Section 6. In case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in section 4 of this ordinance and [section 1-8](#) of such Code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty is provided in another section of the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended unless such penalty is specifically repealed therein.

Section 7. That a copy of such Code shall be kept on file in the office of the city clerk preserved in loose-leaf form, or in such other form as the city clerk may consider most expedient. It shall be the express duty of the city clerk, or someone authorized by the city clerk, to insert in their designated places all amendments or ordinances which indicate the intention of the city council to make the same a part of such Code when the same have been printed or reprinted in page form and to extract from such Code all provisions which may be, from time to time, repealed by the city council. This copy of such Code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or amend, by additions or deletions, any part or portion of such Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Fayette, Alabama, to be misrepresented thereby. Any person violating this section shall be punished as provided in section 4 of this ordinance.

Section 9. All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

Section 10. This ordinance shall become effective on the _____ day of _____, _____.

PASSED AND APPROVED THIS ____ day of _____, _____. (SEAL)

Guthrie
Mayor

J.

Smith

ATTEST:

Gary
City Clerk

D.

Bowling