

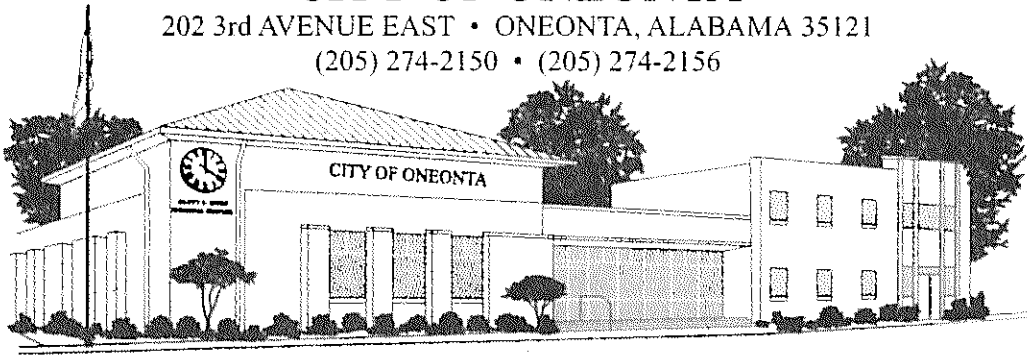
CITY OF ONEONTA

202 3rd AVENUE EAST • ONEONTA, ALABAMA 35121
(205) 274-2150 • (205) 274-2156

ROSS L. NORRIS
MAYOR

ED LOWE
CITY MANAGER

TAMMIE NOLAND
CITY CLERK



COUNCIL

HAL BLACKWOOD
MARK GARGUS
TIM McNAIR
DANNY ROBINSON
TONYA H. ROGERS

RESOLUTION # 2015-1-27A-HB175

RESOLUTION TO REQUEST AMENDMENT OF SECTION 28-2A-1 OF THE CODE OF ALABAMA "ELECTIONS AS TO SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES WITHIN MUNICIPALITIES"

WHEREAS, the State of Alabama is divided into 67 counties, each of which is a separate political subdivision; and

WHEREAS, the aforesaid 67 counties are divided into those counties which allow the sale and distribution of alcoholic beverages (wet counties) and those counties which do not allow the sale and distribution of the alcoholic beverages (dry counties); and

WHEREAS, Blount County, Alabama is a political subdivision of the State of Alabama in which the sale and distribution of alcoholic beverages is prohibited (a dry county), except within certain specified exceptions; and

WHEREAS, Section 28-2A-1 of the Code of Alabama was originally adopted to allow any municipality having a population of 7,000 or more to change its classification from dry to wet (if located in a dry county) or wet to dry (if located in a wet county) by a municipal option election; and

WHEREAS, Section 28-2A-1 was amended by House Bill 175 in 2009 to provide that any municipality having a population of 1,000 or more to change its classification as set forth above by a municipal option election, excluding those municipalities in Clay, Randolph and Blount Counties; and

WHEREAS, the City of Oneonta, Alabama is a municipal corporation located in Blount County, Alabama (a dry county) and has a population in excess of 1,000; and

WHEREAS, the electors voting within the City of Oneonta, Alabama, in the most recent countywide vote on whether Blount County should remain "dry", voted overwhelmingly to allow the sale and distribution of alcoholic beverages within its municipal limits; and

WHEREAS, the 2009 amendment to Section 28-2A-1 of the Code of Alabama, 1975, as amended, prohibits the electors in the City of Oneonta, Alabama, from having the right to vote on whether their municipality should be "wet" or "dry"; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Oneonta, Alabama, as follows:

The City of Oneonta, Alabama, through its Mayor and City Council, hereby request and authorize the duly elected State Senators and State Representatives whose districts involve any portion of Blount County, Alabama (specifically the district including the corporate limits of the City of Oneonta, Alabama) to take any and all steps necessary to amend Section 28-2A-1 of the Code of Alabama, 1975, to delete therefrom the reference to "Blount County" which prevents any municipality in Blount County (and the electors therein) from conducting a municipal option election as defined in said section.

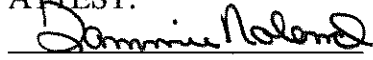
Adopted and approved this the 27th day of January 2015.

CITY OF ONEONTA

BY: 

Ross Norris, Mayor

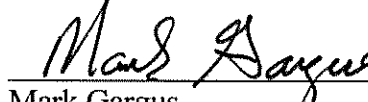
ATTEST:

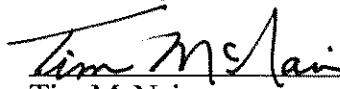

Tammie Noland, City Clerk


APPROVED:

COUNCIL:


Hal Blackwood


Mark Gargus


Tim McNair


Danny Robinson


Tonya Rogers