

**ORDINANCE NO.    O-514-10**

**AMENDING SECTION 16-1 OF THE CODE OF ORDINANCES REGARDING  
ADOPTION OF STATE OFFENSES**

**BE IT NOW ORDAINED** by the City Council of the City of Jacksonville, Alabama,  
as follows:

**SECTION I.        AMENDMENT OF SECTION 16-1 OF THE CODE OF ORDINANCES.**

Section 16-1 of the Code of Ordinances of the City of Jacksonville is hereby  
amended to read as follows:

“Sec. 16-1. Adoption of state misdemeanors, violations and offenses.

- (a) Any person committing an offense within the corporate limits of the city, or within its police jurisdiction, that is declared by a law of the state to be a misdemeanor shall be guilty of an offense against the city.
- (b) Any person committing an offense within the corporate limits of the city, or within its police jurisdiction, that is declared by a law of the state to be a violation shall be guilty of an offense against the city.
- (c) Any person committing within the corporate limits of the city, or within its police jurisdiction, an offense as defined by section 13A-1-2 of the Alabama Criminal Code, which offense is not declared by a law of the state to be a felony, misdemeanor or violation shall be guilty of an offense against the city.
- (d) A person convicted of a violation of this section shall be punished by a fine not exceeding \$500.00 or by imprisonment in the city jail or hard labor for a period not exceeding six months, or by any combination, except when in the enforcement of penalties prescribed in Code of Ala. 1975, § 32-5A-191 or 32-5A-191.3, such penalty shall not exceed the fines and sentences of imprisonment or hard labor as provided by state law; when a provision of this Code provides a particular penalty expressly applicable to certain violations, the express penalty shall be the penalty imposed upon the conviction for those certain violations. The penalty

imposed upon a corporation shall consist of the fine only, plus costs of court. Except as otherwise provided by law or ordinance, with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense.”

## **SECTION II. SEVERABILITY.**

The provisions of this ordinance are severable. If any provision, section, paragraph, sentence, or part thereof, or the application thereof to any person or thing shall be held unconstitutional or invalid, such holding shall not affect or impair the remainder of this ordinance of the remaining persons or things to which it applies, it being the legislative intent to enact each provision, section, sentence, paragraph, and part thereof, and the application thereof, separately and verbally from each other.

## **SECTION III. EFFECTIVE DATE.**

This ordinance shall become effective upon its publication as required by law.

**PASSED AND ADOPTED**, this the 14<sup>th</sup> day of June, 2010.

CITY COUNCIL OF THE CITY  
OF JACKSONVILLE, ALABAMA

/s/ Johnny L. Smith  
Mayor

ATTEST:

/s/ Dorothy P. Wilson, CMC  
City Clerk

/s/ Mark Jones  
Council Member

/s/ George L. Arenó  
Council Member

/s/ Sandra Fox Sudduth  
Council Member

/s/ Truman Norred  
Council Member

/s/ Derek C. Raulerson  
Council Member