

## **ORDINANCE NO. 2022-0018**

ADOPTION OF STATE OFFENSES BY REFERENCE

### **BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CHEROKEE RIDGE, ALABAMA, AS FOLLOWS:**

SECTION 1. Any person or corporation committing an offense within the corporate limits of the Town of Cherokee Ridge, Alabama, or within the police jurisdiction thereof, which is declared by a law or laws of the state of Alabama now existing or hereafter enacted to be a misdemeanor, shall be guilty of an offense against the Town of Cherokee Ridge, Alabama.

SECTION 2. Any person or corporation committing an offense within the corporate limits of the Town of Cherokee Ridge, Alabama, or within the police jurisdiction thereof, which is declared by a law or laws of the state of Alabama now existing or hereafter enacted to be a violation, shall be guilty of an offense against the Town of Cherokee Ridge, Alabama.

SECTION 3. Any person or corporation committing within the corporate limits of the Town of Cherokee Ridge, Alabama, or within the police jurisdiction thereof, an offense as defined by Section 13A-1-2 of the Alabama Criminal Code, which offense is not declared by a law or laws of the state of Alabama now existing or hereafter enacted to be a felony, misdemeanor or violation, shall be guilty of an offense against the Town of Cherokee Ridge, Alabama.

SECTION 4. Any person found to be in violation of Section one, two or three of this ordinance shall, upon conviction, be punished by a fine of more than \$500, except where otherwise provided by state law for the violation of municipal offenses, and/or may be imprisoned or sentenced to hard labor for the Town for a period not exceeding six months, at the discretion of the court trying the case. Any corporation found to be in violation of Sections one, two or three of the ordinance shall, upon conviction, be punished by a fine of not more than \$500, except where otherwise provided by state law for the violation of municipal offenses, at the discretion of the court trying the case.

SECTION 5. Any person found to be in violation of Section one, two or three of this ordinance, where the offense is misdemeanor listed in subsection (d) of

Section 11-45-9 of the Code of Alabama, shall be punished by a fine of not more than \$1000, except where otherwise provided by state law for the violation of municipal offenses, and/or may be imprisoned or sentenced to hard labor for the Town for a period not exceeding six months, at the discretion of the court trying the case. Any corporation found to be in violation of Sections one, two or three of the ordinance shall, where the offense is a misdemeanor listed in subsection (d) of Section 11-45-9 of the Code of Alabama, upon conviction, be punished by a fine of not more than \$1000, except where otherwise provided by state law for the violation of municipal offenses, at the discretion of the court trying the case.

SECTION 6. Any person found to be in violation of this ordinance for the commission of an offense that would also constitute an offense as defined in Section 32-5A-191, Code of Alabama 1975, as amended, shall, upon conviction, be punished by a fine of not more than \$5,000, and/or may be imprisoned or sentenced to hard labor for the Town for a period not exceeding one year.

SECTION 7. Any ordinance heretofore adopted by the Town Council of the Town of Cherokee Ridge, Alabama, which is in conflict with this ordinance is hereby repealed to the extent of such conflict.

SECTION 8. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 9. This ordinance shall become effective on April .

**ADOPTED AND APPROVED THIS THE 21<sup>st</sup> DAY OF MARCH, 2022.**

/s/ Natalie Burke  
Natalie Burke, Mayor

ATTEST:

/s/ Gail Busbey  
Gail Busbey, Town Clerk