

CITY OF HANCEVILLE, ALABAMA

AN ORDINANCE AMENDING ORDINANCE NO. 580 AND NO. 586 MODIFYING THE PENALTIES OF THE ALCOHOL BEVERAGES ORDINANCE.

BE IT ORDAINED by the City Council of the City of Hanceville, Alabama as follows:

Ordinance No. 586 is repealed and Ordinance No. 580 is amended to delete ARTICLE II SECTION 8.2 (3) and ARTICLE II SECTION 8.2 (4) and replace with the following which will be a part of SECTION 8.2:

“(3) The stated annual license fee levied by the schedule under the foregoing provisions shall be due January first of each year and shall be delinquent after January thirty- first of the year for which such license is due, and a penalty of ten (10) percent of the license amount shall be collected during February- March; twenty (20) percent during April- June; thirty (30) percent during July-September; and forty (40) percent October- December. In addition, such person must pay a two hundred dollar (\$200.00) citation fee. There shall be no prorating of any license fee because of having operated only a part of a calendar year, except as required under state law, nor shall any rebate be allowed upon revocation, suspension, abandonment or surrender of such license before the expiration thereof. All additional taxes levied by said schedule shall be due the twentieth day of the calendar month specified in each levy and shall be delinquent if not reported and paid by such date.

(4) All taxes are to be reported and paid by the twentieth day of the calendar month (beginning with the November 2012 tax cycle). If reports are not filed within the time herein provided and the taxes not paid on the dates herein provided for, such person shall pay to the City the full amount of tax together with interest at the rate of three (3) percent per month, or fraction thereof, from the date the payment of such tax became delinquent; a penalty of fifteen (15) percent of the amount of the tax shall be paid for any late payment thereof and a penalty of thirty (30) percent of the amount of the tax for the second late payment. If there is a third late payment, the Council may revoke the license or impose a penalty of thirty (30) percent of the amount of the tax. In addition, a citation fee of one dollar and fifty cents (\$1.50) shall be added; which interest, penalty, and citation fee must be paid by such person.”

SEVERABILITY: The provisions of this Ordinance are severable so that if any provision hereof is declared unconstitutional, void, or invalid by a court of competent

jurisdiction, all other provisions hereof shall not be affected by such declaration and shall remain in full force and effect as though the unconstitutional, void or invalid provision had not been included in the Ordinance as originally adopted.

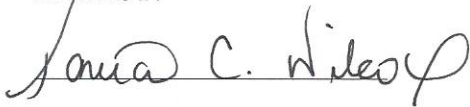
CONFLICTS WITH STATE STATUTES: This Ordinance shall be deemed cumulative with and supplemental to any and all statutes of the State of Alabama regarding the subject matter hereof and to be subordinate to same and in no manner intended to supersede any such statutes of the State of Alabama. Any provision hereof in conflict with any provision of any State statute shall be construed so as to be in harmony with the same where possible and otherwise to be subordinate to and superseded by the provisions of such State statute.

EFFECTIVE DATE: This Ordinance shall be effective immediately upon certification by the City Clerk that the legalized sale of alcoholic beverages in the City has been authorized pursuant to provisions of the laws of the State of Alabama.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HANCEVILLE, ALABAMA THIS 15th DAY OF November, 2012.


KENNETH NAIL, Mayor

ATTEST:



I certify this Ordinance has been posted in the following public places: Hanceville City Hall, Hanceville Public Library, Hanceville Post Office on 11/16/12.
Tania Wilcox
City Clerk