

Councilman D. P. Bolton introduced the following Ordinance:

ORDINANCE NO. 21

AN ORDINANCE TO REQUIRE EVERY OPERATOR AND/OR PASSENGER UPON A MOTOR DRIVEN CYCLE TO WEAR A CRASH HELMET OR SIMILAR PROTECTIVE HEAD GEAR; TO PREVENT THE OPERATION OF SUCH MOTOR-DRIVEN CYCLE UPON THE STREETS OF THE TOWN OF WILSONVILLE, ALABAMA, WITHOUT AN OPERATOR'S LICENSE; TO PROVIDE FOR PARENTAL RESPONSIBILITY FOR VIOLATION OF THIS ORDINANCE; AND TO PROVIDE PENALTIES FOR VIOLATION HEREOF:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA, AS FOLLOWS:

SECTION ONE: "A motor-driven cycle" for the purposes of this ordinance shall include every motorcycle weighing, when fully equipped, less than two hundred (200) pounds, and every bicycle with motor attached, and every motor scooter;

SECTION TWO: Every driver, operator and passenger riding upon any motor-driven cycle shall, at all times while riding upon the same, wear upon his head a crash helmet, or similar protective head gear;

SECTION THREE: It shall be unlawful for any person to operate upon the streets and highways in the town of Wilsonville, Alabama, any motor-driven cycle without having first obtained a driver's license issued under authority of Chapter 2 of Title 36 of the Code of Alabama of 1940, or an operator's license as provided by Title 36, Section 131, of the Code of Alabama of 1940;

SECTION FOUR: It shall be unlawful for any person under fourteen (14) years of age to drive or operate a motor-driven cycle upon the streets or highways of the Town of Wilsonville, Alabama;

SECTION FIVE: No person shall drive or operate a motor-driven cycle upon the streets or highways of the Town of Wilsonville, Alabama, in any manner which violates the provisions of Title 36, Sections 132-136, inclusive, of the Code of Alabama of 1940;

SECTION SIX: It is unlawful for any person to do any act forbidden or fail to perform any act required by this ordinance. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this ordinance;

SECTION SEVEN: Any persons violating any of the provisions of this ordinance shall, upon conviction, be fined not less than One Dollar (\$1.00) and not more than One Hundred Dollars (\$100.00) or sentenced to hard labor for the Town of Wilsonville, Alabama, not exceeding six (6) months, one or both, at the discretion of the Recorder trying the case;

SECTION EIGHT: All sections of this ordinance are hereby declared to be separable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

SECTION NINE: This ordinance shall take effect immediately upon its approval and proper notice being given, as required by law.

Read, adopted and approved this 6 day of June, 1966.

s/ James E. Morris, Mayor

ATTEST:

s/ J. I. Vardaman, Town Clerk

Said ordinance was read at length, and thereupon Councilman W. E. Nevis moved that unanimous consent of the Mayor and Council be given for the immediate consideration of and action upon said ordinance which motion was seconded by Councilman W. W. Foster. Said motion for unanimous consent was submitted to a vote of the Mayor and Council and said vote resulted as follows:

AYES: All

NAYS: None

Thereupon, the Mayor in open council declared said motion carried and unanimous consent given for the immediate consideration of and action upon said ordinance.

Councilman Reed Smith moved that said ordinance be adopted, which motion was seconded by Councilman D. F. Bolton. Said motion for the adoption of said ordinance was submitted to a vote of the Mayor and Council and said vote resulted as follows:

AYES: All

NAYS: None

Thereupon, the Mayor in open council declared said motion carried and said Ordinance adopted.

Councilman Reed Smith introduced the following ordinance:

ORDINANCE NO. 22

AN ORDINANCE LEVYING A PRIVILEGE OR LICENSE TAX AGAINST PERSONS, FIRMS, OR CORPORATIONS ENGAGED IN THE BUSINESSES OF SELLING TANGIBLE PERSONAL PROPERTY AT RETAIL OR CONDUCTING PLACES OF AMUSEMENT IN THE TOWN OF WILSONVILLE, ALABAMA, OR WITHIN THE POLICE JURISDICTION THEREOF; PROVIDING FOR THE COLLECTION OF THE SAID TAXES; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WILSONVILLE IN THE STATE OF ALABAMA, AS FOLLOWS:

Section 1. Levy of Tax in the Town. For the privilege of engaging or continuing within the town in the business activities hereinafter referred to, there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amounts to be determined by the application of rates against gross proceeds of sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing within the town in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one per cent (1%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax measured by the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay as a retailer the tax measured by the gross sales of the business; and provided, further, that where all sales of a business are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢)