

motion which passed unanimously. The following Ordinance 2006-6 was then presented:

AN ORDINANCE TO LEVY AN ADDITIONAL COURT COST TO BE PLACED IN A CORRECTIONS FUND AND USED FOR THE OPERATION AND MAINTENANCE OF MUNICIPAL JAILS OR COURT COMPLEXES PURSUANT TO SECTION 11-47-7.1, CODE OF ALABAMA, 1975

WITNESSETH THESE RECITALS

WHEREAS, the Legislature of the State of Alabama has adopted legislation whereby a municipality can establish special court costs in Municipal Court to be held in a corrections fund to be used exclusively for the operation and maintenance of municipal jails, other correctional facilities, juvenile detention centers or court complexes; and

WHEREAS, it is in the best interest of the City of Hamilton, Alabama, to establish these court costs and fees as set out in Section 11-47-7.1, Code of Alabama, 1975, as amended; and

WHEREAS, the Attorney General of the State of Alabama in an opinion dated June 17, 1996, to the Town of Red Level, Alabama opined that the Town of Red Level may increase its court costs to amounts which equal the court costs which are allowed to be charged by the District Court in like cases, all in accordance with Title 11-47-7.1, Code of Alabama 1975; and

WHEREAS, the Attorney General of the State of Alabama, in an opinion, dated June 13, 1996, to the town of Branchville, Alabama, opined that the term "operation and maintenance of the municipal jail...or any court complex" as used in Title 11-47-7.1, Code of Alabama 1975, includes such expenses as salaries, office machines and repairs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMILTON, ALABAMA, AS FOLLOWS:

SECTION I: That an additional Municipal Court cost equal to the difference between the court costs established in the District Court of Marion County, as set from time to time and the present court established and currently levied by the City of Hamilton, shall be added to each Municipal Court traffic infraction case, including Driving Under the Influence or Driving While Intoxicated, in Hamilton Municipal Court.

SECTION II: That an additional Municipal Court cost equal to the difference between the court costs established in the District Court of Marion County, as set from time to time and the present court costs established and currently levied by the City of Hamilton shall be added to each Municipal Court misdemeanor case other than those described in Section I thereof.

SECTION III: That an account be established to be known as the City of Hamilton Corrections Fund and that all proceeds from this court cost shall be deposited into this fund.

SECTION IV: That the funds contained in the Corrections Fund shall be expended as needed for the operation and maintenance of the municipal jail or jails, correctional facilities, juvenile detention center, or court complex now existing or established after this date.

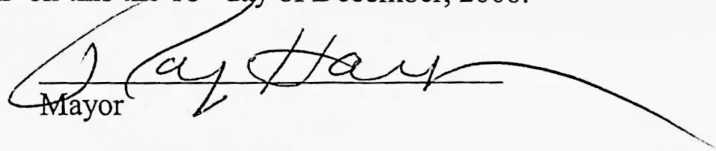
SECTION V: All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Hamilton, Alabama, which are inconsistent with the provisions of this ordinance are hereby expressly repealed.

SECTION VI: 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 notwithstanding such holding.

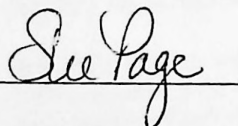
SECTION VII: This Ordinance Number is approved and adopted all in accordance with the authority of Title 11-47-7.1, CODE OF ALABAMA 1975.

SECTION VIII: The provision of the ordinance shall become effective on the 1st day of January 2007, following the passage and approval thereof by the City Council of the City of Hamilton, Alabama, and the publication and/or posting thereof as required by Alabama law.

DONE, ORDERED, APPROVED and ADOPTED on this the 18th day of December, 2006.


Mayor

Attest:


City Clerk

Annette Sherrill then motioned that the foregoing Ordinance 2006-6 be approved. Scotty Sanderson seconded the motion which passed without opposition.

Annette Sherrill then motioned for immediate consideration of Ordinance 2006-7 for authorization of the 1997 refunding and authorization of the 2006 warrants. Richard Gann seconded the motion which passed unanimously. The following Ordinance was then presented in its entirety: