

CITY COUNCIL OF THE CITY OF CORDOVA, ALABAMA

ORDINANCE NO. 06-2022

AN ORDINANCE TO AMEND THE BUSINESS LICENSE CODE FOR THE CITY OF CORDOVA.

WHEREAS, the City of Cordova, Alabama (the “City”) adopted a Business License Code as Ordinance No. 2007-003, which was subsequently amended by the adoption of Ordinance No. 2011-004 (altogether as amended the “Business License Code”);

BE IT ORDAINED by the City Council of the City of Cordova, Alabama, while in regular session on Tuesday, December 13, 2022 at 6:30 p.m. as follows:

Section 1. Section 19 of the Business License Code is hereby amended as follows:

Procedure for revocation or suspension of license.

(a) Any lawful license issued to any person to conduct any business shall be subject to revocation by the municipal governing body:

(i) _____ for the violation by the licensee, his agent, servant, or employee of any provision of this ordinance or of any ordinance of the municipality, or any statute of the State of Alabama relating to the business for which such license is issued, including, but not limited to, those violations occurring under color of such license or those violations occurring, in whole or in part, at any place where the licensed business is carried on;

~~(ii) _____ and shall also be subject to revocation by the municipal governing body~~ if the licensee, his agent, servant, or employee under color of such license ~~violates or~~ aids or abets in violating or knowingly permits or suffers to be violated any penal ordinance of the municipality or any criminal law of the State of Alabama, either under color of such license or at any place, whether in whole or part, where the licensed business is carried on;

~~(iii) _____ and shall also be subject to revocation by the municipal governing body~~ if, in connection with the issuance or renewal of any license, the licensee or his agent filed or caused to be filed any application, affidavit, statement, certificate, book, or any other data containing

any false, deceptive or other misleading information or omission of material fact; or

(iv) if the licensee, his agent, servant, or employee operates the business for which such license is issued in such a manner as to be detrimental to the public health, safety or welfare or so as to constitute a nuisance, or has done so within the twelve months preceding the issuance of notice for the revocation hearing provided in Subparagraph (c) below.

(b) The conditions hereinabove set forth as grounds for the revocation of a license shall also constitute grounds for refusing to renew a license.

(c) The municipal governing body shall set a time for hearing on the matter of revoking or refusing to renew a license; and a notice of such hearing shall be given to the licensee, or the applicant for renewal, as the case may be, at least ten (10) days before the day set for said hearing. At the hearing, the municipal governing body shall hear all evidence offered by any party and all evidence that may be presented bearing upon the question of revocation or the refusal of renewal, as the case may be.

Section 2. This Ordinance shall become effective upon its adoption as provided by law.

Section 3. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph and/or section of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other section, paragraph, sentence, clause and/or phrase, since the same would have been enacted by the City Council of the City of Cordova, Alabama without the incorporation of such section, paragraph, sentence, clause and/or phrase.

ADOPTED AND APPROVED THIS THE 13TH DAY OF DECEMBER, 2022.



JEREMY PATE, MAYOR

ATTEST:

DeLaina Gilbert
DeLaina Gilbert, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
WALKER COUNTY)

I, DeLaina Gilbert, City Clerk of the City of Cordova, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Cordova, Alabama, on the 13th day of December, 2022.

The above and foregoing Ordinance was published on the 13th day of December, 2022, by posting copies thereof in three public places within the City of Cordova, one of which was the Mayor's office in the City of Cordova.

Witness my hand and seal of office this 13th day of December, 2022.

DeLaina Gilbert
DeLaina Gilbert, City Clerk