

AN ORDINANCE AMENDING ORDINANCE NO. 669, THE LICENSE ORDINANCE OF THE CITY OF PRICHARD, ALABAMA, PROVIDING FOR THE LICENSE SUSPENSION OR REVOCATION SUBSEQUENT TO PENAL LAW VIOLATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

CITY OF PRICHARD ORDINANCE 669 ENTITLED "TO FIX ANNUAL LICENSE IN THE CITY OF PRICHARD, AND IN THE POLICE JURISDICTION THEREOF, ADOPTED ON DECEMBER 3, 1956, AND AS SUBSEQUENTLY AMENDED, IS HEREBY FURTHER AMENDED BY ADDING THERETO FOLLOWING SECTION 20 THEREOF THE FOLLOWING:

SECTION 21. The City Council of the City of Prichard may in its discretion revoke or suspend any license issued hereunder, for a period not to go beyond the term of said license, when said City Council shall find that the licensee thereunder is doing business in violation of any State of Alabama or City of Prichard penal law.

SECTION 22. COUNCIL REVOCATION OR SUSPENSION OF LICENSE PROCEDURE. The City Council of the City of Prichard shall decide whether the license issued hereunder shall be suspended or revoked under the provisions of Section 21 hereof, and if said Council so finds, it shall adopt a resolution of revocation or suspension, a portion of which resolution shall revoke conditionally or suspend conditionally said license, as the case may be. Written notice shall thereupon be given by the Clerk of the City of Prichard to the said licensee informing said licensee of the action of the Council, and a copy of such resolution shall be attached to such notice. Such notice to the licensee shall advise such licensee that the suspension or revocation shall become final at the third regular meeting of the City Council subsequent to the passage of such resolution conditionally revoking or suspending such license, unless such licensee shall appear before the City Council at the time and place stipulated in the said notice and then and there show cause why the City Council should not revoke or suspend such license as the case may be. The place, time and date of hearing

before the City Council shall be contained in said notice, and said licensee shall have the opportunity then and there to be heard, and may have the benefit of counsel and may appear personally. The revocation or suspension shall be made final by the City Council if said licensee fails to appear through his attorney or in person. If such licensee appears himself or through his counsel or both, the City Council shall hear evidence which may be presented for and against such suspension or revocation. The City Council shall have discretion to continue the hearing for good cause or may make the revocation or suspension final, or may allow the licensee to retain his license so long as he does not violate any penal law of the State of Alabama or the City of Prichard. If the City Council revokes or suspends a license and such revocation or suspension is made final, the Clerk of the City of Prichard shall give written notice of such action to said licensee. All notices to be given by the City Clerk as provided in this section shall be deemed sufficient when deposited in the United States mail addressed to the licensee to the address on file in the office of the City Clerk, postage prepaid.

SECTION 23. It shall be unlawful for any person, firm or corporation to do business within the City of Prichard or its Police Jurisdiction without first having obtained from the City Clerk a license under this Ordinance, and it shall be unlawful similarly for any person firm or corporation whose license has been revoked or suspended under Section 21 or 22 hereof to do business within the City of Prichard or within its Police Jurisdiction for any period during which time said revocation or suspension remains in effect. Each day any violation of the provisions of this section shall continue shall constitute a separate and distinct offense.

SECTION 24. The provisions of this Ordinance shall be and remain in full force and effect until specifically repealed or amended.

SECTION 25. That if any part, clause, phrase or provision hereof is declared invalid, the rest shall stand, and that this Ordinance shall be and become effective on and after its adoption as provided by law.

Adopted this 12th day of December, 1961.

Approved: V.O. Capps
Mayor

Attested

Berniece H. Centanne
City Clerk