

ORDINANCE NO. 1810

AN ORDINANCE TO AMEND ARTICLE VII OF CHAPTER 26 OF
THE CITY OF MOUNTAIN BROOK, ALABAMA

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

1. **Amendatory provision.** Chapter 26, Article VII, Section 26-227(ac) of the City Code, "Schedule AC" shall be amended as follows:

Paragraph (3) shall be repealed and replaced with the following:

"(3) Verification: Before issuing a license to an invited transient or itinerant vendor or peddler, as defined in this article, to go in or upon a private residence to solicit or sell goods or services, the Finance Director or his representative shall have a right to make inquiry as to whom such person intends to solicit or what private home such person intends to sell goods, services, wares or merchandise, or dispose of or peddle or hawk same, and shall have the right to make inquiry of such owner(s) or occupant(s) of such private residence to determine whether such person has been requested or invited for such purpose. If it is determined that no request or invitation has been issued by the owner(s) or occupant(s) of the private residence, then the Finance Director or his representative authorized to issue business licenses may refuse to issue the business license."

2. **Amendatory provision.** Section 26-227(ac) of the City Code, "Schedule AC", shall be and hereby is amended by adding the following provision, and re-numbering the enumerated provisions that follow it in sequential order:

"(5) Display: All transient or itinerant dealers, merchants, vendors, door-to-door salespersons, etc., having a license to do business in the City shall display same on himself or herself while conducting such business in the City, and failure to do so shall be deemed a violation.

3. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

4. **Severability.** 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 effect notwithstanding such holding.

5. **Effective Date.** This ordinance shall become effective immediately upon adoption and publication as provided by law.

ADOPTED: The 22 day of March, 2010.


Virginia C. Smith, Council President

APPROVED: The 22 day of March, 2010.


Lawrence T. Oden, Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on March 22, 2010, as same appears in the minutes of record of said meeting, and published by posting copies thereof on March 22, 2010, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road
The Invitation Place, 3150 Overton Road

Piggly Wiggly Foodstore No. 4, 93 Euclid Ave.
Joe Muggs Newsstand, 2037 Cahaba Road


Steven Boone, City Clerk