SPECIAL MEETING AGENDA OF THE
MOUNTAIN BROOK CITY COUNCIL

CITY HALL PRE-COUNCIL ROOM (A106)
56 CHURCH STREET, MOUNTAIN BROOK, AL 35213

MAY 24, 2019, 7:30 A.M.

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1. Consideration: Resolution approving an off-site parking agreement/lease for the exclusive use of employees of the upstairs restaurant located at 2721 Cahaba Road.

2. Consideration: Ordinance repealing Ordinance No. 2045 adopted May 13, 2019, that amended Chapter 30 of the City relating to the municipal court.

3. Announcement: The next regular meeting of the City Council will be Tuesday, May 28, 2019, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

4. Comments from residents.

5. Adjourn.

6. City Council budget work session.

1. Off-site parking agreement/lease for the exclusive use of employees of the upstairs restaurant located at 2721 Cahaba Road: This matter may be continued if the proposed parking agreement/lease is not received timely enough for staff review.

ORDINANCE NO. 2047

AN ORDINANCE REPEALING ORDINANCE NO. 2045AMENDING CHAPTER 30 OF THE CITY CODE RELATING TO THE MUNICIPAL COURT

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

Section 1. Ordinance No. 2045 adopted on May 13, 2019, that amended Chapter 30 of the City Code is hereby repealed.

Section 2. **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the City of Mountain Brook, Alabama, that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

Section 3. **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.

Section 4. **Effective Date.** This section shall become effective immediately upon adoption and publication as provided by law.

ADOPTED: This 24th day of May, 2019.

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Council President

APPROVED: This 24th day of May, 2019.

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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 at its meeting held on May 24, 2019, as same appears in the minutes of record of said meeting, and published by posting copies thereof on May 24, 2019, at the following public places, which copies remained posted for five (5) days as required by law.

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City Clerk

2047

ORDINANCE NO. 2045

AN ORDINANCE AMENDING CHAPTER 30 OF THE CITY CODE RELATING TO THE MUNICIPAL COURT

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama that Chapter 30 of the City Code shall be amended to add the following provisions:

Section 1. Section 30 of the City Code shall be amended by inserting two additional provisions as Section 30-7 and Section 30-8, as follows:

Sec. 30-7. Failure to appear in court.

(a) It shall be unlawful for a defendant in the municipal court of the City of Mountain Brook, whether at liberty under bond or on his or her own recognizance, to fail to appear in court on the day set for the hearing of his or her case.

(b) Penalty. Any person who violates this section by failing to appear in court on the day set for the hearing of the case shall be punished by a fine not to exceed $500.00 and/or a sentence of imprisonment or hard labor for the city for a period not to exceed six months at the discretion of the court.

Sec. 30-8. Failure to comply with the orders of the court.

(a) It shall be unlawful for a defendant in the municipal court of the City of Mountain Brook to fail to comply with the orders of the court to include (i) the payment of any installment when the court permits the payment of fines or other imposed costs in installments; (ii) the payment of any fine or other imposed costs by the court ordered date when the court has continued the case to a date certain for the defendant to make such payment(s); (iii) participation in the court referral program, counseling, or the performance of community service; or (iv) any other order of the court.

(b) Arrest warrant. A warrant shall be issued for the arrest of any defendant who fails to pay his or her fine or any installment thereof, to the extent the court permits payment upon installments, on the date ordered by the municipal court, or who otherwise fails to comply with any order of the court to which the defendant is subject.

(c) Penalty. Any person who violates this section by failing to comply with an order to which he or she is subject shall be punished in accordance with the court's discretion and statutory authority to enforce the orders of the municipal court.

Section 2. 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.

Section 3. 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.

Section 4. Effective Date. This section shall become effective immediately upon adoption and publication as provided by law.

ADOPTED: This 13th day of May, 2019.

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Council President

APPROVED: This 13th day of May, 2019.

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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 at its meeting held on May 13, 2019, as same appears in the minutes of record of said meeting, and published by posting copies thereof on May 14, 2019, at the following public places, which copies remained posted for five (5) days as required by law.

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City Clerk