ORDINANCE NO. 25-76

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama as follows: Article IV, Division 1, Section 2-151 of the Code of Ordinances of the City of Huntsville, Alabama, is hereby amended to read as follows:

Sec. 2-151. Investment policy.

(a) *Generally.* It is the policy of the city to invest city funds in a manner which will ensure maximum security with sufficient liquidity to meet daily cash flow demands while providing the highest investment return on municipal funds. The investment of all city funds is the responsibility of the finance department. The director of finance and employees whom he may designate are authorized to invest city funds consistent with this policy.

(b) *Scope.*

(1) Pursuant to Code of Ala. 1975, Sec. 11-81-19—11-81-21, this section applies to all municipal funds of the city.

(2) This section applies to all transactions involving the financial assets and related activities of all municipal funds of the city.

(c) *Objectives.*

(1) Safety of principal is the foremost objective of the investment policy of the city. Investment transactions shall seek to avoid capital losses, whether they be from security defaults or erosion of market value. Investments of the city shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, the city shall diversify its portfolio to avoid incurring unreasonable risks inherent in overinvesting in specific instruments, individual financial institutions or investments with similar maturities.

(2) Another objective is that the city's investment portfolio will remain sufficiently liquid to enable the city to meet all operating requirements which might be reasonably anticipated. An additional objective is to attain a maximum investment yield on available funds taking into account the city's investment risk constraints and the cash flow characteristics of the portfolio.

(d) *Authority, prudence and ethics.*

(1) Management responsibility for the investment program is delegated to the director of finance, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to the persons responsible for transactions. No person shall engage in an investment transaction except as provided under the terms of this section and the procedures established under this section. The director of finance shall be responsible for all transactions undertaken and shall establish a system of controls to regulate investment activities of officials with responsibilities under this section.

(2) Investments shall be made with judgment and care, under circumstances then prevailing, which the persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for any change in an individual security's credit risk or market price, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

(3) Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Full disclosure shall be made by officers and employees who may have material financial interests in financial institutions that conduct business with the city, and they shall further disclose any large personal investments or financial activities that could be related to the performance of the city's portfolio.

(e) *Internal controls and reporting requirements.* The director of finance shall establish a system of internal control designated to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the city. Annually, the director of finance shall report on the investment program and investment activity. The report shall include a comparison of investment returns and may recommend policies and improvements that might be made in the investment program.

(f) *Instruments, maturities and risks.*

(1) The city may invest municipal funds in accordance with Code of Ala. 1975, Title 11.

(2) It is the policy of the city to diversify its investment portfolio to minimize the risk of loss resulting from over-investing funds in a specific maturity, a specific financial institution or a specific class of security instruments. With the exception of U.S. Treasury securities, no more than 50 percent of the city's investment portfolio will be invested in a single security type or with a single financial institution. Investments of the city shall be made in instruments whose maturities do not exceed five years. In order to ensure adequate liquidity without market risk, investments shall have maturity dates at or prior to the time cash is prudently projected to be required to meet disbursement needs.

(g) *Collateralization, safekeeping and custody.*

(1) It is the city's policy that any bank or financial institution in the State of Alabama that invest city municipal funds shall be a Qualified Public Depository certified by the Alabama State Treasurer according to the Security for Alabama Funds Enhancement Act (SAFE Act), Section 41-14A-1, et seq., Code of Alabama 1975, as amended from time to time.

(2) All amounts of deposit made, and certificate of deposits (CDs) issued in excess of amounts insured by the FDIC and FSLIC shall be collateralized with securities of the United States government, federal agencies which represent the full faith and credit of the United States, or otherwise authorized by state law. The collateral for each deposit or certificate of deposit shall have a market value equal to at least 100 percent of the excess amounts insured by the FDIC and FSLIC.

(3) It is the policy of the city to require from each authorized financial institution holding city funds a listing of securities pledged as collateral to protect the city's investment. This listing of collateral shall be provided to the city by each institution for deposits held on June 30 and December 31 of each year. All investment securities purchased by the city and all collateral on deposits of the city shall be held in a custodian account maintained by a trust department of a bank insured by the FDIC, in the Federal Reserve Bank or by the city. The trust department shall issue a safekeeping receipt to the city listing the specific instrument, rate of return, maturity date and other pertinent information.

(h) *Authorized financial institutions.*

(1) The city finance director shall maintain the list of approved banks or financial institutions for investment purposes that have offices located in the city.

(2) Before accepting funds or engaging in investment transactions with the city, the supervising officer at each institution shall submit a certification that the officer has reviewed this section and agrees to disclose potential conflicts or risks to public funds that might arise out of business transactions between the institution and the city. All financial institutions shall agree to undertake reasonable efforts to preclude imprudent transactions involving city funds.

Section 2. With the exception of the amendments made herein, all other portions of Article IV, Division 1, Section 2 of the Code of Ordinances, City of Huntsville, Alabama shall remain unchanged and in full force and effect.

Section 3. This ordinance shall become effective upon its adoption and approval.

ADOPTED this the 13th day of February, 2025.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 13th day of February, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

ORDINANCE NO. 25-77

WHEREAS, the City of Huntsville has a continued interest in protecting the safety and welfare of citizens, and preserving the peaceful existence afforded all citizens; and

WHEREAS, motor vehicles with amplified and unreasonable sound created by altered and modified mufflers create an unnecessary and dangerous distraction for the traveling public, and unnecessarily disturb citizens at home and at work; and

WHEREAS, existing law prohibits a person from operating a motor vehicle that creates excessive noise but does not address repeat offenders or those that purposefully remodify their mufflers to continue making excessive and disturbing noise.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama that Division 3 *Noise and Sound Associated With Vehicles* of Article V *Noise* of Chapter 12 *Environmental Management* of the Code of Ordinances, City of Huntsville, Alabama is hereby amended as follows:

Section 1. Sec. 12-294 *Standing Motor Vehicles* is hereby renumbered to Sec. 12-295 *Standing Motor Vehicles*.

Section 2. Section 12-295 *Licensed Refuse Collection Vehicles* is hereby renumbered to Section 12-296 *Licensed Refuse Collection Vehicles*.

Section 3. Section 12-296 *Horns and Signaling Devices* is hereby renumbered Section 12-297 *Horns and Signaling Devices*.

Section 4. Section 12-297 *Vehicle Sound Amplification Systems* is hereby renumbered Section 12 -298 *Vehicle Sound Amplification Systems*.

Section 5. Section 12-294 is hereby named *Penalty* and shall read as follows:

Sec. 12-294. - Penalty.

Any person who violates Sec. 12-293 shall upon conviction be punished, in addition to such other punishment as may be provided by the court, by fines and penalties as follows:

(a) For a first citation within a 12-month period of time, by a fine of $50.00, except as provided in Sec. 12-294 (d) below.

(b) For a second citation, within a 12-month period of time, by a fine of $250.00.

(c) For a third or subsequent citation, within a 12-month period of time, by a fine of $500.00 or by imprisonment for not more than 10 days or by both such fine and imprisonment.

(d) For a first citation, as determined by the court, an offender may be eligible to produce proof of repair to avoid the additional fine.

Section 6. The severability of the provisions of section 1-8 of the Code of Ordinances, City of Huntsville, Alabama shall apply to this ordinance.

Section 7. After its adoption and approval, this ordinance shall become effective on the 1st day of the following month.

ADOPTED this the 13th day of February, 2025.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 13th day of February, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

INTRODUCED 10/13/2022

ADOPTED 11/17/2022

ORDINANCE NO. 22-807

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, as follows:

1. That the following area, land lying on the north and west of Wade Rd. and east of US Hwy 431, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 2-A District, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Highway Business C-4 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 25, Township 4 South, Range 1 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama. Being more particularly described as beginning at a point located at the Southwest corner of Section 25; thence North 55 Degrees 59 Minutes 52 Seconds East 1,476.31 feet to a point; said point is further described as the Point of True Beginning; thence North 23 Degrees 00 Minutes 16 Seconds West 170.68 feet to a point; thence North 90 Degrees 00 Minutes 00 Seconds East 203.29 feet to a point; thence South 01 Degrees 08 Minutes 51 Seconds West 157.14 feet to a point; thence South 90 Degrees 00 Minutes 00 Seconds West 133.44 feet to the Point of True Beginning and containing 0.61 acres more or less.

2. The boundaries of the above district as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.

3. This ordinance shall take effect from and after the date of publication.

ADOPTED this the 17th day of November, 2022.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the 17th day of November, 2022.

Mayor of the City of Huntsville, Alabama

INTRODUCED 11/10/2022

APPROVED 12/15/2022

ORDINANCE NO. 22-890

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, as follows:

1. That the following area, land lying on the west of Wade Rd. and east of US Hwy 431 S, which area is a newly annexed area of the City of Huntsville, Madison County, Alabama, and which has not been zoned previously, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Highway Business C-4 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 25, Township 04 South, Range 01 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama, more particularly described as beginning at a point located at the Southwest Corner of said Section 25; thence North 31 Degrees 21 Minutes 30 Seconds East 1,410.05 feet to a point; said point being the Point of True Beginning; thence North 24 Degrees 9 Minutes 7 Seconds West 359.6 feet to a point; thence North 85 Degrees 54 Minutes 14 Seconds East 306.91 feet to a point; thence North 86 Degrees 35 Minutes 18 Seconds East 10.02 feet to a point; thence North 86 Degrees 34 Minutes 58 Seconds East 10.02 feet to a point; thence North 86 Degrees 35 Minutes 7 Seconds East 268.05 feet to a point; thence North 86 Degrees 35 Minutes 5 Seconds East 183.29 feet to a point; thence North 86 Degrees 22 Minutes 55 Seconds East 26.13 feet to a point; thence South 1 Degrees 36 Minutes 22 Seconds West 278.76 feet to a point; thence South 89 Degrees 52 Minutes 56 Seconds West 178.61 feet to a point; thence South 1 Degrees 30 Minutes 2 Seconds West 88.98 feet to a point; thence South 88 Degrees 30 Minutes 1 Seconds West 52.93 feet to a point; thence South 88 Degrees 30 Minutes 0 Seconds West 207.54 feet to a point; thence South 88 Degrees 36 Minutes 54 Seconds West 206.53 feet back to the Point of True Beginning and containing 5.47 acres, more or less.

2. The boundaries of the above district as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.

ORDINANCE NO. 22-890

ADOPTED this the 15th day of December, 2022.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 15th day of December, 2022.

Mayor of the City of Huntsville,
Alabama

ADOPTED 2/13/25

ORDINANCE NO. 25-91

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

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting the vacation of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Forestar (USA) Real Estate Group, Inc.,** is the owner of the property across which said easement lies; that said easement, or the portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
COUNTY OF MADISON)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars ($10.00) in hand paid by **FORESTAR (USA) REAL ESTATE GROUP INC.,** a Delaware corporation, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

SEE EXHIBITS A and B ATTACHED HERETO.

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its City Clerk, this the 13th day of February, 2025.

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: Tommy Battle
Tommy Battle, Mayor

ATTEST:

By: S. Edwards
Shaundrika Edwards
City Clerk

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 13th day of February, 2025.

Notary Public

THIS INSTRUMENT PREPARED BY:
2 The Point, Inc.
8624 Memorial Parkway SW
Huntsville, AL 35802
256.539.9426

ANITA GWINN CHARGUALAF NOTARY PUBLIC ALABAMA STATE AT LARGE

EXHIBIT A

STATE OF ALABAMA)
MADISON COUNTY)

PUBLIC UTILITY AND DRAINAGE EASEMENT VACATION (PUDE, VARYING WIDTH)

A PARCEL OF LAND BEING LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 2 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF COMMON AREA G OF "RETREAT AT GOOSE CREEK PHASE 3" AS RECORDED IN PLAT BOOK 2025 PAGE _____, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, ALSO BEING THE NORTHWEST CORNER OF COMMON AREA "1" OF SAID "THE MEADOWS AT HAMPTON COVE PHASE 1" (DOC# 2014-210710) AND ALSO LYING ON THE EAST RIGHT-OF-WAY MARGIN OF OLD HIGHWAY 431 (PUBLIC RIGHT-OF-WAY); THENCE, LEAVING SAID MARGIN, SOUTH 70 DEGREES 43 MINUTES 18 SECONDS EAST, 63.75 FEET TO A POINT; THENCE SOUTH 14 DEGREES 01 MINUTE 37 SECONDS WEST, 69.80 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF SAID COMMON AREA "1" (DOC# 2014-210710) AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF THE MEADOWS BOULEVARD (VARYING PUBLIC RIGHT-OF-WAY); THENCE, ALONG SAID MARGIN, SOUTH 75 DEGREES 58 MINUTES 23 SECONDS EAST, 130.27 FEET TO A POINT; THENCE, ALONG SAID MARGIN, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 218.00 FEET, AN ARC LENGTH OF 248.34 FEET, A CHORD BEARING AND DISTANCE OF NORTH 71 DEGREES 23 MINUTES 31 SECONDS EAST, 235.13 FEET TO A POINT; THENCE, ALONG SAID MARGIN, NORTH 38 DEGREES 45 MINUTES 24 SECONDS EAST, 163.49 FEET TO A POINT BEING THE NORTHEAST CORNER OF SAID LOT 1A (DOC# 2014-210710); THENCE, ALONG SAID MARGIN, NORTH 38 DEGREES 45 MINUTES 24 SECONDS EAST, 74.09 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 128.49 FEET, A CHORD BEARING AND DISTANCE OF NORTH 49 DEGREES 54 MINUTES 41 SECONDS EAST, 127.68 FEET TO A POINT; THENCE NORTH 61 DEGREES 03 MINUTES 58 SECONDS EAST, 351.94 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL); THENCE, LEAVING SAID MARGIN, NORTH 27 DEGREES 18 MINUTES 07 SECONDS WEST, 152.39 FEET TO A 1/2 INCH IRON PIN LYING ON THE SOUTH RIGHT-OF-WAY MARGIN OF MEADOW WAY LANE (50 FOOT PUBLIC RIGHT-OF-WAY); THENCE, ALONG SAID MARGIN, SOUTH 62 DEGREES 32 MINUTES 33 SECONDS WEST, 20.00 FEET TO A POINT; THENCE, LEAVING SAID SOUTH MARGIN AND ALONG THE WEST RIGHT-OF-WAY MARGIN OF SAID MEADOW WAY LANE, NORTH 29 DEGREES 23 MINUTES 40 SECONDS WEST, 50.03 FEET TO A POINT; THENCE, LEAVING SAID WEST MARGIN AND ALONG THE NORTH RIGHT-OF-WAY MARGIN OF SAID MEADOW WAY LANE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 24.81 FEET, AN ARC LENGTH OF 39.00 FEET, A CHORD BEARING AND DISTANCE OF NORTH 17 DEGREES 29 MINUTES 29 SECONDS EAST, 35.11 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL) LYING ON THE WEST RIGHT-OF-WAY MARGIN OF DEER CROSSING CIRCLE (50 FOOT PUBLIC RIGHT-OF-WAY); THENCE, LEAVING SAID MEADOW WAY LANE MARGIN AND ALONG SAID WEST MARGIN OF SAID DEER CROSSING CIRCLE, NORTH 27 DEGREES 22 MINUTES 37 SECONDS WEST, 191.80 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL); THENCE, ALONG SAID MARGIN, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 149.00 FEET, AN ARC LENGTH OF 83.03 FEET, A CHORD BEARING AND DISTANCE OF NORTH 43 DEGREES 15 MINUTES 27 SECONDS WEST, 81.96 FEET TO A POINT; THENCE, ALONG SAID MARGIN, NORTH 30 DEGREES 59 MINUTES 11 SECONDS EAST, 85.25 FEET TO A POINT; THENCE, LEAVING SAID MARGIN, NORTH 43 DEGREES 59 MINUTES 25 SECONDS EAST, 126.70 FEET TO A 1/2 INCH CAPPED IRON PIN (CAMPBELL); THENCE NORTH 00 DEGREES 44 MINUTES 51 SECONDS WEST, 15.98 FEET TO A POINT; THENCE SOUTH 89 DEGREES 59 MINUTES 26 SECONDS WEST, 10.00 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,502,033.39', EAST: 470,114.80'.

THENCE, FROM THE POINT OF BEGINNING, SOUTH 89 DEGREES 59 MINUTES 26 SECONDS WEST, 346.32 FEET TO A POINT; THENCE NORTH 00 DEGREES 46 MINUTES 48 SECONDS WEST, 10.49 FEET TO A POINT; THENCE NORTH 82 DEGREES 14 MINUTES 05 SECONDS EAST, 55.64 FEET TO A POINT; THENCE NORTH 89 DEGREES 59 MINUTES 26 SECONDS EAST, 291.09 FEET TO A POINT; THENCE SOUTH 00 DEGREES 44 MINUTES 51 SECONDS EAST, 18.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.14 ACRES (6,026 SQUARE FEET), MORE OR LESS.

ORDINANCE NO. 25-91 (Cont'd)

ADOPTED this the 13th day of February, 2025.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 13th day of February, 2025.

Mayor of the City of Huntsville,
Alabama

