

## ORDINANCE NO. 25-310

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama, that Division 2, *Vehicle Towing and Impoundment*, of Article II, *Administration and Enforcement*, of Chapter 25, *Traffic and Vehicles*, of the Code of Ordinances, City of Huntsville, Alabama, is hereby amended as follows:

**Section 1.** Subsections (1) (a) and (n) of Section 25-75 *Vehicle Inspection* are hereby amended to read as follows and subsections (r) and (s) of Section 25 – 75 *Vehicle Inspection* are hereby enacted to read as follows:

- (1) *Equipment necessary for all wreckers.*
  - a. All equipment necessary for the towing vehicle or combination of towing vehicle and towed vehicle, i.e. required lighting, including rear tow lamps or tow bar, must be fully operational, functional and in safe operating condition, and must comply with the applicable requirements of 49 C.F.R. §§ 390—399, of the Federal Motor Carrier Rules and Regulations, as the same currently exist or as they may be amended in the future. Any future amendments of the Federal Motor Carrier Rules and Regulations which result in a conflict with the additional requirements contained in this section shall be resolved in favor of compliance with the Federal Motor Carrier Rules and Regulations.
  - n. Each wrecker shall be equipped with disposable bags or other containers to safely contain and properly dispose of any broken glass, injurious substances, oil spills, and other debris, as required by section 25-90 (14) and section 22-81 of this Code.
  - r. The minimum equipment standards referred to throughout this chapter shall be determined solely by the manufacturer's specifications for the capabilities and capacities of the wreckers and all towing equipment.
  - s. Each wrecker shall be equipped with only those winches and cranes that have been produced and constructed by a manufacturer of such equipment which carries product liability and which regularly produces winches and cranes. A winch or crane will not be prohibited by this section if the wrecker operator submits to the chief a certification from a reputable testing laboratory, regularly engaged in the testing of such equipment or similar equipment, indicating

that the capacity of the winch or crane is not less than what is required in this division of this chapter.

**Section 2.** Paragraph (d) of Section 25-80 *Impoundments* is hereby amended to read as follows:

- (d) A motor vehicle impounded pursuant to this section shall be released if the person redeeming the motor vehicle satisfies in full the cost of removing and impounding the vehicle, plus such reasonable amount as may be charged by the depository for storing the vehicle, and:
  - (1) The registered owner appears at the contract wrecker company, and presents a valid driver's license and either the original vehicle title or a copy of both the front and back of the title or a copy of the current vehicle tag receipt in the registered owner's name; or
  - (2) If the registered owner does not have a valid driver's license, the registered owner must present some form of picture identification along with either the original vehicle title or a copy of both the front and back of the title or a copy of a current vehicle tag receipt in the registered owner's name, and must be accompanied by an individual who has a verified valid driver's license; or
  - (3) A representative of the owner appears at the contract wrecker company with a valid driver's license along with a written notarized authorization from the registered owner and either the original vehicle title or a copy of both the front and back of the title or a copy of a current vehicle tag receipt in the registered owner's name; or
  - (4) Upon order of a court of competent jurisdiction.

**Section 3.** Paragraph (e) of Section 25-80 *Impoundments* is hereby amended to read as follows:

- (e) The contract wrecker company may have a lien upon each impounded vehicle for the amount of the cost of removing and impounding the vehicle, plus such reasonable amount as may be charged by the depository for storing the vehicle.

**Section 4.** Paragraph (f) of Section 25-80 *Impoundments* is hereby amended to read as follows:

- (f) The chief of police, or his designee, which may include the company contracted by the city to store all impounded vehicles, may advertise and

sell all vehicles which have been impounded, taken or seized by the city, and which have not been claimed by the owner after such articles have been held by the chief of police or his designee for a period of 45 days or more in accordance with Ala. Code § 32-13-1 et seq.

**Section 5.** Paragraph (a) of Section 25 – 82 *Reports of Repossession Required* is hereby amended to read as follows:

- (a) Every wrecker company or reposessor who repossesses a motor vehicle within the city limits shall notify the Huntsville Police Department Records Division by providing the information indicated in section 25-88 within one hour after the repossession is completed, and shall also file a written report of repossession or towing, as indicated in section 25-88, with the Huntsville Police Department Records Division within five days after the repossession is completed.

**Section 6.** Section 25-83 *Reports of towing from private property required* is hereby amended to read as follows:

Sec. 25 – 83. Reports of towing from private property required.

Every towing service which tows a motor vehicle from private property within the city limits at the request of any person other than the owner of the vehicle, a person designated by the owner, or the city police department, shall notify the city police department records division by providing the information indicated in section 25-88 within one hour after completion of the towing service, and shall also file a written report of repossession or towing, as indicated in section 25-88, with the city police department records division within five days after completion of the towing service.

**Section 7.** Paragraph (h) of Section 25-85 *Applications and Conditions for Participation in City Wrecker Rotation System* is hereby amended to read as follows:

- (h) *Certificate of insurance.* Each wrecker company participating on the rotation roster, from the time he/she moves or otherwise makes contact with any vehicle to be towed, assumes liability for injury to persons, damage to property, fires, or theft resulting from the operator's negligent acts or omissions. Therefore, prior to being placed on the rotation roster, the applicant shall furnish the chief with a certificate of insurance that indicates compliance with the following insurance guidelines:

- (1) The certificate of insurance should state that the city is an additional insured. The city, its officers, employees, elected officials, agents,

contractors, and specified volunteers shall be named as additional insureds on all general liability, garage keepers liability, garage liability and on-hook liability insurance. Failure of the city to procure the certificate of insurance does not waive any insurance provisions required in this chapter.

- (2) The certificate of insurance should contain no special limitations on the scope of protection afforded to the city, its officers, employees, elected officials, agents, contractors, or specified volunteers.
- (3) The certificate of insurance should indicate that coverage under the wrecker company's policy shall be written or endorsed to provide primary coverage to any other valid or collectible insurance. Any city coverage is noncontributory.
- (4) The certificate of insurance should indicate that the city will be provided with a 30-day notice of any material change, cancellation or non-renewal, with the exception of a 10-day notice for non-payment of premium.
- (5) The certificate of insurance should state that the coverages below are in force:
  - (i) *General liability.* Commercial general liability insurance, including coverage for bodily injury, property damage, personal injury, death, and products/completed operations, in an amount not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) in the aggregate.
  - (ii) *Garage Liability.* Garage liability coverage of at least one million dollars (\$1,000,000.00) per occurrence combined single limit for bodily injury and property damage covering owned, non-owned and hired automobiles used in conjunction with its operations under the chapter.
  - (iii) *On-Hook liability.* On-Hook liability coverage of at least \$50,000 per occurrence.
  - (iv) *Garage Keepers liability.* Comprehensive garage keepers' liability insurance with coverage of \$50,000 per occurrence.

- (v) *Workers' compensation.* Workers' compensation coverage as prescribed by the State of Alabama Department of Labor.

**Section 8.** Subsections (i) – (m) of Section 25-85 *Applications and Conditions for Participation in City Wrecker Rotation System* are hereby deleted in their entirety and replaced with new subsections (i) – (p) which shall read as follows:

- (i) *Waiver of subrogation.* Each wrecker company/operator performing any service pursuant to this chapter waives any and all claims it may have against the city for injury, loss or damage covered under any insurance policy and each such wrecker company/operator shall cause its insurance carriers to waive any right of subrogation with respect thereto and to so notify the city.
- (j) *Indemnification; non-liability.* Each wrecker company/ operator performing any service pursuant to this chapter shall indemnify and hold harmless and does hereby agree to indemnify and hold harmless the city, its officials, officers, elected officials, employees, agents, contractors and volunteers performing an authorized city function, (hereinafter referred to as “indemnitees”) from and against any and all claims, liability, loss, judgments, suits, penalties, costs, expenses and damages aforesaid (including but not limited to reasonable attorneys’ fees and expenses and court costs and fees. Each wrecker company/operator’s duties hereunder shall survive the termination of the wrecker company’s participation in the rotation roster.
- (k) *No waiver of statutory immunity.* Nothing contained in this chapter shall be construed as a waiver of any immunity of statutory protection of the city, and no third party may expand any recovery against the city due to each wrecker company/operator’s duty of indemnification, set forth in subsection (j).
- (l) *Decal required.* A department decal will be placed on each participating wrecker in the lower left corner of the windshield to indicate current inspection and eligibility to participate in the rotation system. Each decal shall indicate the rotation roster permit number and the current calendar year. The fee for each wrecker inspection and issuance of each decal shall be \$15.00. In the event a wrecker fails the inspection, the fee for any subsequent re-inspection shall be \$15.00.

- (m) *Valid license plates required.* Each wrecker company shall be required to maintain a current, valid license plate on each wrecker used in responding to rotation roster calls.
- (n) *Wrecker company listed only once.* Each wrecker company shall be listed on the rotation roster only once. This listing will use the name the wrecker company submitted during the application process and under which he/she is qualified under this chapter. It is prohibited for a wrecker company conducting business at one location to receive multiple listings by utilizing a different or fictitious name for wreckers operating from the same location or by utilizing wreckers with the same name out of different locations within the city. When two or more businesses or companies are owned by the same individual, partnership or parent corporation, each business or company may have a separate listing only when each business maintains completely separate offices, required documentation, logs, and wreckers labeled with the appropriate business name in accordance with section 25-75(1)h. at the approved locations. A wrecker business will be regarded as having separate locations only when each business or company continuously and regularly occupies separate, different, permanent, nonresidential, non-overlapping structures: each with its own phone number and service; each with its own dispatch number and dispatch operator; each keeping its own towing and recovery books, logs, tax records, and other required records; each prominently displaying its city and state licenses; and each business open to customers with an employee present and available to assist customers continuously between the hours of 8:00 a.m. until 5:00 p.m., Monday through Friday.
- (o) *Authorization, placement on roster.* When the chief is satisfied that the applicant is qualified, he/she will place the applicant on the rotation roster and so notify applicant.
- (p) Attempts to circumvent the intent of the rotation system will result in the removal of all wrecker companies and operators associated in any way to the offending wrecker company.

**Section 9.** The first sentence of Section 25-86 *Operation* is hereby amended to read as follows:

The following conditions shall govern the conduct of wrecker companies and operators on the rotation roster:

**Section 10.** Subsection (11) of Section 25- 86 *Operation* is hereby amended to read as follows:

- (11) *Uniform clothing.* Operators shall wear clothing consistent with his/her employing wrecker company, i.e. uniform, company logo, etc.

**Section 11.** Subsections (12) and (13) of Section 25-86 *Operation* are hereby deleted in their entirety.

**Section 12.** Subsection (14) *Removal of Glass, Debris, etc.* of Section 25-86 *Operation* is hereby renumbered to subsection (12) *Removal of Glass, Debris, etc.*

**Section 13.** Subsection (15) *Notice of Acquisition of Srecker* of 25-86 *Operation* is hereby renumbered to subsection (13) *Notice of Acquisition of Wrecker* and amended to read as follows:

- (13) *Notice of acquisition of wrecker.* Each wrecker company on the rotation roster shall give notice to the chief of any wrecker acquired subsequent to placement on the rotation roster. The police department will inspect the wrecker to determine if it meets all the criteria required by this chapter. No wrecker shall be allowed to perform any rotation roster activity unless properly inspected and decaled in accordance with section 25-89.

**Section 14.** Subsection (16) *Compliance with Laws* of Section 25-86 *Operation* is hereby renumbered to subsection (14) *Compliance with Laws*.

**Section 15.** Sec. 25 – 87 *Towing and equipment specifications* is hereby deleted in its entirety.

**Section 16.** Paragraph (b) of Section 25 - 90 *Rotation Roster* is hereby amended to read as follows:

- (b) A wrecker operator shall promptly respond to a dispatch and arrive on-scene with a fully functional wrecker within 40 minutes under normal driving conditions. If a wrecker operator is not capable at the time of dispatch to so respond, he/she shall immediately notify the department's communication center of this fact. If the wrecker operator provides immediate notice of the delay and provides a reasonable time of arrival on-scene, the wrecker operator may take up to a total of 50 minutes from the time of dispatch to arrive. If this is not feasible, however, the wrecker operator shall make the same known to the department's communication center and the wrecker company will be passed over for that rotation and the dispatch will go to the next wrecker company on the rotation roster. When determining whether a violation of this provision has occurred, the police department shall consider the time of day, the weather conditions and traffic conditions. Any wrecker company that refuses or fails to respond when contacted by the department's communication center for three consecutive times shall receive a 15-day suspension from the rotation roster.

**Section 17.** Subsection (i) of Section 25 - 90 *Rotation Roster* is hereby deleted in its entirety.

**Section 18.** Section 25-91 *Rates and Charges* is hereby amended to read as follows:

- (a) The maximum fees for wrecker services, including any overhead fees, charged by any wrecker service company on the rotation roster in regard to services provided as a result of rotation system dispatch shall not exceed, but may be less than, the following amounts per wrecker, unless otherwise indicated:
- (1) Towing of wrecked or disabled vehicle: Two-axle vehicle weighing 10,000 lbs. or less—\$175.00.
  - (2) Towing of wrecked or disabled vehicle: Two-axle vehicle weighing 10,001 lbs. through 26,000 lbs.—\$225.00.
  - (3) Towing of wrecked or disabled vehicle: Two-axle vehicle weighing 26,001 lbs. or more, or any vehicle with more than two axles—\$375.00.
  - (4) Towing of wrecked or disabled vehicle with a trailer or other vehicle attached in tandem: \$75.00 per trailer or vehicle attached in tandem.
  - (5) Towing of wrecked or disabled vehicle with a trailer or other vehicle attached in tandem, when the tandem trailer or other vehicle exceeds 40 feet in length: \$75.00 per trailer or vehicle attached in tandem.

(Note: Towing services provided hereunder include cleaning of debris from roadway, pickup and towing of vehicle to any destination within the city limits.)

- (6) Oil dry: Included in towing services.
- (7) Righting: Two-axle vehicle weighing 26,000 lbs. or less—\$200.00 for the first hour and prorated in ten minute increments thereafter based on \$200.00 per hour. (For example, if righting a vehicle takes one hour and 38 minutes, the total charge would be  $\$200.00 + 133.33 = \$333.33$ ) If a second wrecker is required to attach to the vehicle simultaneously with the first wrecker in order to right the vehicle, the second wrecker may charge \$100.00 for the first hour and prorated in ten minute increments thereafter based on \$100.00 per hour<sup>13</sup>
- (8) Righting: Two-axle vehicle weighing 26,001 lbs. or more, or any vehicle with more than two axles—\$450.00 for the first hour and

prorated in ten minute increments thereafter based on \$450.00 per hour. If a second wrecker is required to attach to the vehicle simultaneously with the first wrecker in order to right the vehicle, the second wrecker may also charge \$225.00 for the first hour and prorated in ten minute increments thereafter based on \$225.00 per hour.

- (9) Winching: Two-axle vehicle weighing 10,000 lbs. or less—\$75.00 for the first hour and prorated in ten minute increments thereafter based on \$75.00 per hour. If a second wrecker is required to attach to the vehicle simultaneously with the first wrecker in order to wench the vehicle, the second wrecker may also charge \$75.00 for the first hour and prorated in ten minute increments thereafter based on \$75.00 per hour.
- (10) Winching: Two-axle vehicle weighing 10,001 lbs. through 26,000 lbs. —\$200.00 for the first hour and prorated in ten minute increments thereafter based on \$200.00 per hour. If a second wrecker is required to attach to the vehicle simultaneously with the first wrecker in order to wench the vehicle, the second wrecker may also charge \$200.00 for the first hour and prorated in ten minute increments thereafter based on \$200.00 per hour.
- (11) Winching: Two-axle vehicle weighing 26,001 lbs. or more, or any vehicle with more than two axles—\$350.00 for the first hour and prorated in ten minute increments thereafter based on \$350.00 per hour. If a second wrecker is required to attach to the vehicle simultaneously with the first wrecker in order to wench the vehicle, the second wrecker may also charge \$350.00 for the first hour and prorated in ten minute increments thereafter based on \$350.00 per hour.

(Note: For the purposes of this section, winching shall be defined as the removal of a vehicle, trailer or other piece of equipment from a location inaccessible to a wrecker to a location where the object of removal may be safely secured and towed by a wrecker. Winching shall not include any incidental or routine winching necessary to load any vehicle onto the wrecker. Second wrecker fees may only be charged when it is necessary that both wreckers are hooked to the vehicle, and pulled in tandem, to right or winch the vehicle safely.)

- (12) Righting or lifting vehicle by airbag, per pound lifted: \$0.035.

- (13) Forklift, backhoe, trackhoe, and any other necessary recovery equipment services shall be at commercial rental rates plus ten percent per hour (not including operator).
- (14) No keys to vehicle: Included in towing services.
- (15) Passenger vehicle storage rates:
  - a. First day: \$40.00. (The first day ends at midnight on the day that the vehicle was towed.)
  - b. Each day thereafter: \$40.00. (Beginning at midnight on the day after the vehicle was towed.)
- (16) Large haul storage rates:
  - a. \$100.00 per day, per piece.
- (17) Tows to locations outside the city limits only:
  - a. Regular haul: The per mile rate shall be \$ 5.00.
  - b. Large haul: The per mile rate shall be \$ 8.00.
- (18) Gate fee, including any fee to bring a vehicle from the storage lot to a vehicle owner, or allowing a vehicle owner to retrieve personal belongings or other items from a vehicle, as set forth in section 25-90(4) of this Code during regular business hours: No charge. After-hours i.e., times other than Monday through Friday, 8:00 a.m. to 5:00 p.m.: \$ 50.00.
- (19) No fees incurred by the wrecker company to report or enter vehicle information on the ALDOR Unclaimed/Abandoned vehicle portal may be charged if the vehicle is redeemed or returned to the owner or his designee within two calendar days. After two calendar days, no more than \$75.00 may be charged for fees associated with reporting or entering vehicle information on the ALDOR Unclaimed/Abandoned vehicle portal.
- (20) Credit card payments allowed. Each wrecker company shall be required to allow cash, credit and/or debit card payments for services rendered pursuant to the rotation roster.
- (21) No fee may be charged for debit card payments. No more than a 3% transaction fee may be charged for credit card payments.

- (b) The rates and charges as established herein do not relate to or regulate consensual wrecker services in which the vehicle's owner or operator expressly requests towing or wrecker services from a specific wrecker operator and chooses not to utilize the rotation roster system.

**Section 19.** Section 25-92 *Temporary Removal From the Rotation Roster* is hereby amended to read as follows:

Sec. 25 – 92. Temporary removal from the rotation roster.

Wrecker companies shall be immediately removed from the roster for the following reasons:

- (1) Failure of a wrecker to continue to meet the requirements established in section 25-75;
- (2) Failure of a wrecker to continue to meet the requirements established in section 25-89; and/or
- (3) Failure to accept a motorcycle tow shall not constitute a refusal, but will be that company's call for that rotation of the roster.

After a wrecker company has corrected the violation for which it was removed, the wrecker company may reapply for inclusion on the rotation roster using the procedures established in section 25-89. Three removals of a wrecker company's name from the rotation roster, or conviction of the owner of the wrecker company of a felony, or any criminal conviction of the owner or any employee of the wrecker company for a criminal violation related to the wrecker business shall be sufficient grounds for the permanent revocation of any and all wrecker rotation roster permits issued to such company by the city.

**Section 20.** Section 25-93 *Suspension from the Rotation Roster* is hereby amended to read as follows:

Sec. 25 – 93. Suspension from the rotation roster.

- (a) Upon receipt of proof satisfactory to the chief of police, that any wrecker company has violated any of the provisions of this chapter related to the rotation roster, or any other ordinance of the city or law of the state or the United States, the chief of police may, in his discretion, immediately remove such wrecker company's name from any or all rotation rosters for such length of time as set forth herein regardless of whether the violation has been corrected. Suspension hereunder shall be established pursuant to the following criteria:

1. First violation: 15-day suspension.
  2. Second violation: 30-day suspension.
  3. Third violation: 60-day suspension.
- (b) Three suspensions or removals of a wrecker company's name from the wrecker rotation roster, or conviction of the owner of the wrecker company of a felony, or any criminal conviction of the owner or any employee of the wrecker company for a criminal violation related to the wrecker business shall be sufficient grounds for the permanent revocation of any and all wrecker rotation roster permits issued to such company by the city.
- (c) In the event that suspension or revocation of permits is contemplated against any wrecker company, the police department shall have the authority to require the wrecker company to make available to the chief of police or his designee any and all books and records of the wrecker company pursuant to any investigation of violations of this chapter by the police department.

**Section 21.** The following sections are hereby renumbered to read as follows:

- a. Sec. 25 - 76 *Authority at the scene of an accident* is hereby renumbered Sec. 25-79.
- b. Sec. 25 - 77 *Removal of a vehicle from an accident scene* is hereby renumbered Sec. 25-81.
- c. Sec. 25 – 78 *Unauthorized presence of a wrecker at an accident scene* is hereby renumbered Sec. 25 – 82.
- d. Sec. 25 – 79 *Intercepting police radio wrecker communications* is hereby renumbered Sec. 25 – 83.
- e. Sec. 25 – 80 *Impoundments* is hereby renumbered Sec. 25-84.
- f. Sec. 25 – 81 *Impoundment hearings* is hereby renumbered Sec. 25 – 85.
- g. Sec. 25 – 82 *Reports of repossession required* is hereby renumbered Sec. 25 – 86.
- h. Sec. 25 – 83 *Reports of towing from private property required* is hereby renumbered Sec. 25-87.

- i. Sec. 25 – 85 *Applications and conditions for participation in city wrecker rotation system* is hereby renumbered Sec. 25 – 89.
- j. Sec. 25 – 92 *Temporary removal from the rotation roster* is hereby renumbered Sec. 25 – 95.
- k. Sec. 25 – 93 *Suspension from the rotation roster* is hereby renumbered Sec. 25 – 96.

**Section 22.** The following sections are hereby renumbered and renamed to read as follows:

- a. Sec. 25 - 84 *Reports of repossession or towing from private property* is hereby renamed and renumbered to read Sec. 25 – 88 *Information for written reports*.
- b. Sec. 25 – 86 *Operation* is hereby renamed and renumbered to read Sec. 25 – 90 *Conduct of wrecker companies and operators on the rotation roster*.
- c. Sec. 25 – 88 *Storage procedures* is hereby renamed and renumbered to read Sec. 25 – 91 *Storage procedures for the rotation roster*.
- d. Sec. 25 – 89 *Records* is hereby renamed and renumbered to read Sec. 25 – 92 *Records required for the rotation roster*.
- e. Sec. 25 – 90 *Rotation roster* is hereby renamed and renumbered to read Sec. 24-93 *Rotation roster notification and response*.
- f. Sec. 25 – 91 *Rates and charges* is hereby renamed and renumbered to read Sec. 24 – 94 *Rates and charges for the rotation roster*.

**Section 23.** Sec. 25 – 76 *Required Rear Lightning and Illumination* is hereby enacted and shall read as follows:

Sec. 25 – 76. Required rear lighting and illumination.

Every wrecker towing or pulling a vehicle or a train of vehicles shall display red lighted lamps and illuminating devices, including rear tow lamps and/or tow bar, on the rear end of the last vehicle that are clearly visible at a distance of 500 feet.

**Section 24.** Sec. 25 – 77 *Required Reflective Wear* is hereby enacted and shall read as follows:

Sec. 25 – 77. Required reflective wear.

While on the scene of any dispatch, all wrecker operators shall wear reflective vests, coats or shirts that meet Class 2 or Class 3 of the American National Standard for High-Visibility Safety Apparel as set forth in ANSI/ISEA 107-2020.

**Section 25.** Sec. 25 – 78 *Driver’s License and Medical Card Required* is hereby enacted and shall read as follows:

Sec. 25 – 78. Driver’s license and medical card required.

No person shall be a wrecker operator or be allowed to drive any wrecker unless such person has in his possession a valid state driver's license or a commercial driver's license, if required by law, issued by the state department of public safety, and a current Department of Transportation (DOT) medical card.

**Section 26.** Sec 25 – 80 *Release of Towed Vehicle by Wrecker Company* is hereby enacted and shall read as follows:

Sec. 25-80. Release of towed vehicle by wrecker company.

A motor vehicle towed or impounded pursuant to this chapter shall be released by the wrecker company if the person or designee of the owner of the motor vehicle, including any other towing or automobile repair company, redeeming the motor vehicle satisfies in full the cost of removing and impounding the vehicle, plus such reasonable amount as may be charged by the wrecker company for storing the vehicle.

**Section 27.** All other sections of Division 2, *Vehicle Towing and Impoundment* of Article II, *Administration and Enforcement*, of Chapter 25, *Traffic and Vehicles*, shall remain in full force and effect.

**Section 28.** This ordinance shall be construed under, and in accordance with, the laws of the State of Alabama. In the event any provisions of this ordinance are held to be invalid, illegal or unenforceable in any respect, by a court of competent jurisdiction, the remaining portions of this ordinance shall continue in full force and effect.

**Section 29.** This ordinance shall become effective upon its adoption and publication.

**ADOPTED** this the 24th day of April, 2025.

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

**APPROVED** this the 24th day of April, 2025.

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