

Ordinance 25-310 continued from page B4

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.
(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.
(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.
(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.
(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.
(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 Lighting 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

ORDINANCE NO. 25-319
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 James T. Naylor, 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 PRESENT, 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 James T. Naylor, a single man, 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:

All that part of Lot 1 of a Resubdivision of Lot 1 of Davis Subdivision as recorded in Document Number 2005033000192260 and Other Lands as recorded in Document Number 20050525000336940 in the office of the Judge of Probate of Madison County, Alabama; Particularly described as commencing at the Southwest corner of said Lot 1 and also being the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 36, Township 4 South, Range 1 East of the Huntsville Meridian, Madison County, Alabama; Thence North 89 degrees 55 minutes 32 seconds East 170.00 feet; Thence North 00 degrees 28 minutes 10 seconds East 5.00 feet to the Point of Beginning of the herein described tract.

Thence from the Point of Beginning, North 00 degrees 28 minutes 10 seconds East 286.39 feet; Thence South 89 degrees 54 minutes 40 seconds East 25.00 feet; Thence South 00 degrees 28 minutes 10 seconds West 5.00 feet; Thence North 89 degrees 54 minutes 40 seconds West 20.00 feet; Thence South 00 degrees 28 minutes 10 seconds West 281.39 feet; Thence South 89 degrees 55 minutes 32 seconds West 5.00 feet to the Point of Beginning and containing 1,532 square feet, more or less.

TO HAVE AND TO HOLD unto the said Grantee, his successors and assigns forever.
IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed on its behalf by its Mayor and attested by its City Clerk, this the 24th day of April, 2025.

CITY OF HUNTSVILLE, ALABAMA
a municipal corporation
BY: Tommy Battle
TOMMY BATTLE, MAYOR

ATTEST:
BY: Shaundrika 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 date.

GIVEN under my hand and official seal this the 24th day of April, 2025.
Notary Public
My commission expires: July 10, 2028

THIS INSTRUMENT PREPARED BY:
Hazel D. Dwyer
Hodges Trial Lawyers, PC
320 Clinton Ave E
Huntsville, AL 35801
256-536-3110
jhdwyer@notaristateal.com

ORDINANCE NO. 25-319 (Cont'd)

ADOPTED this the 24th day of April, 2025.
John Meredith
President of the City Council of the City of Huntsville, Alabama

APPROVED this the 24th day of April, 2025.
Tommy Battle
Mayor of the City of Huntsville, Alabama

ADOPTED 04/24/25
ORDINANCE NO. 25-320

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 HudsonAlpha Institute for Biotechnology, 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:

THIS INSTRUMENT PREPARED BY:
Katherine Amos Beasley
Lanier Ford Shaver & Payne, P.C.
Attorney for Grantor
2101 W. Clinton Ave., Ste. 102
Huntsville, AL 35805
256-535-1100

STATE OF ALABAMA
COUNTY OF MADISON
QUITCLAIM DEED FOR VACATION OF UTILITY AND DRAINAGE EASEMENT

THIS INDENTURE made and entered into on this 24 day of April, 2025, by and between, CITY OF HUNTSVILLE, an Alabama municipal corporation ("Grantor") and HUDSONALPHA INSTITUTE FOR BIOTECHNOLOGY, an Alabama nonprofit corporation ("Grantee").

WITNESSETH: That the Grantor, for and in consideration of Ten Dollars (\$10.00) in hand paid by Grantee, and other good and valuable consideration, 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 portions of that certain utility and drainage easement situated in the City of Huntsville, County of Madison, State of Alabama, to-wit (the "Easement"):

See Exhibit "A" attached hereto and incorporated herein, and said Easement being depicted in Exhibit "B" attached hereto.

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

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed on its behalf by its Mayor and attested by its City Clerk, pursuant to Ordinance No. 25-320, as of this the 24 day of April, 2025.

[SIGNATURE PAGE TO FOLLOW]
CITY OF HUNTSVILLE, an Alabama municipal corporation
BY: Tommy Battle
Tommy Battle, Mayor

ATTEST:
BY: 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, an Alabama municipal corporation, are signed to the foregoing instrument, 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 municipal corporation on the day the same bears date.

GIVEN under my hand and official seal this the 24 day of April, 2025.
Notary Public
My commission expires: July 10, 2028

THIS INSTRUMENT WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE DRAFTER. NO TITLE EXAMINATION HAS BEEN PERFORMED AND NO TITLE OPINION ISSUED IN CONNECTION WITH THIS TRANSACTION.

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:
Grantor's Address: 305 Fountain Circle, P.O. Box 308, Huntsville, Alabama 35801
Grantee's Address: 601 Genome Way, Huntsville, Alabama 35805
Property Address: +/- 0.59 acre and +/-0.16 acre portions of that U&D easement lying in S36, T3S, R2W and S1, T4S, R2W
Purchase Price: N/A

Exhibit "A"
(Legal Description of Vacated Portions of Easement)

Two tracts of land lying and being in Section 36, Township 3 South, Range 2 West and Section 1, Township 4 South, Range 2 West of the Huntsville Meridian, Madison County, Alabama.

Said tracts being a portion of the property conveyed to Hudson-Alpha Institute for Biotechnology in Document Number 2008-789060 as recorded in the Office of the Judge of Probate for Madison County, Alabama and being more particularly described as follows.

TRACT 1 - HUDSON-ALPHA - EASEMENT VACATION -
Commencing at a #4 rebar with a cap stamped "McELROY 15920" found marking the southwest corner of Lot 1 of a resubdivision of Lot 1 of a resubdivision of Lot 1 of a resubdivision of Lots 4 and 5, Block 4, and Lots 1 and 2, Block 5 of parts of Blocks 1, 4, 5 & 6 of Cummings Research Park West, Plat Book 22 Page 54 and other lands as recorded in Document number 20050812000534510 recorded in Document number 2006063000435510 and other lands as recorded in the Office of the Judge of Probate for Madison County Alabama in Document number 2008-00077320 said point marking the north right-of-way of Moquin Drive; then leaving said right-of-way and along the west boundary of said Lot 1 North 1 Degrees 52 Minutes 55 Seconds East a distance of 25.13 feet to a #5 rebar with a cap Stamped "Garver LLC CA-445-LS" (typical) set, said point being the Point of Beginning of the herein described tract having established grid coordinates of (N) 1537763.66, (E) 397860.88 of the Alabama State Plane Coordinate System Zone East of the North American Datum of 1983 (NAD83).

Thence North 01 Degrees 52 Minutes 55 Seconds East a distance of 1033.61 feet to a #5 rebar set; then leaving said west boundary North 89 Degrees 56 Minutes 21 Seconds East a distance of 25.01 feet to a #5 rebar set marking the east boundary of an existing 25 foot Public Utility and Drainage Easement; then along the east boundary of said existing easement South 01 Degrees 52 Minutes 55 Seconds West a distance of 1031.82 feet to a #5 rebar set marking the north boundary of an existing 25 foot Public Utility and Drainage Easement, said point being on a curve to the right having a radius of 2672.48 feet, a chord of South 85 Degrees 51 minutes 56 Seconds West 25.14 feet; then leaving said east boundary and along the north boundary of said existing easement an arc distance of 25.14 feet to the Point of Beginning and containing 0.59 acres, more or less.

The above-described tract contains 0.59 (25739.444 sq. ft.) more or less and is subject to any existing easements and rights-of-way whether or not recorded in the public records.

TRACT 2 - HUDSON-ALPHA - EASEMENT VACATION -
Commencing at a #4 rebar with a cap stamped "McELROY 15920" found marking the southwest corner of Lot 1 of a resubdivision of Lot 1 of a resubdivision of Lot 1 of a resubdivision of Lots 4 and 5, Block 4, and Lots 1 and 2, Block 5 of parts of Blocks 1, 4, 5 & 6 of Cummings Research Park West, Plat Book 22 Page 54 and other lands as recorded in Document number 20050812000534510 recorded in Document number 2006063000435510 and other lands as recorded in the Office of the Judge of Probate for Madison County Alabama in Document number 2008-00077320 said point marking the north right-of-way of Moquin Drive; then leaving said right-of-way and along the west boundary of said Lot 1 North 1 Degrees 52 Minutes 55 Seconds East a distance of 1190.48 feet to a #5 rebar with a cap Stamped "Garver LLC CA-445-LS" (typical) set, said point being the Point of Beginning of the herein described tract having established grid coordinates of (N) 1538928.38, (E) 397899.15 of the Alabama State Plane Coordinate System Zone East of the North American Datum of 1983 (NAD83).

Thence North 1 Degrees 52 Minutes 55 Seconds East a distance of 283.18 feet to a #5 rebar set; then leaving said lot line South 88 Degrees 07 Minutes 09 Seconds East a distance of 25.00 feet to a point on the east boundary of an existing 25 foot Public Utility and Drainage Easement; then along the east boundary of said existing easement South 1 Degrees 52 Minutes 55 Seconds West a distance of 282.33 feet to a #5 rebar set; then leaving said easement line South 89 Degrees 56 Minutes 21 Seconds West a distance of 25.01 feet to the Point of Beginning and containing 0.16 acres, more or less.

The above-described tract contains 0.16 (7068.4833 sq. ft.) more or less and is subject to any existing easements and rights-of-way whether or not recorded in the public records.

ORDINANCE NO. 25-320 (Cont'd)
ADOPTED this the 24th day of April, 2025.

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

APPROVED this the 24th day of April, 2025.
Tommy Battle
Mayor of the City of Huntsville, Alabama