

ORDINANCE NO. 46

ORDINANCE CREATING OFFICE OF RECORDER

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA, AS FOLLOWS:

Section I. That there be and there is hereby established the recorder's court in the Town of Wilsonville, Alabama.

Section II. That there be and there is hereby established the office of recorder in the Town of Wilsonville, Alabama.

Section III. It shall be the duty of the recorder to keep his office in the Town of Wilsonville, Alabama, and the Council Chamber room in the Town of Wilsonville, Alabama, is hereby provided for the use of the recorder. The recorder shall hear and determine all cases for the breach of the ordinances and by-laws of the Town of Wilsonville, Alabama, that may be brought before him, including all offenses committed within the corporate limits of said town or within the police jurisdiction of said town, and he shall make report at least once a month, of all fines, penalties and forfeitures imposed by him or by any councilman in his stead. Such recorder is especially vested with and may exercise in the Town and within the police jurisdiction thereof, full jurisdiction in criminal and quasi criminal matters and may impose the penalties prescribed by the ordinance for the violation of ordinances and by-laws of said town, and shall have the power of an ex officio justice of the peace, except in civil matters, as provided by the Alabama Code of 1940. In the absence from the Town, death, disability or inability of the recorder, any councilman may act as such recorder with his full power and authority. The recorder may administer oaths and issue warrants of arrest.

Section IV. Such recorder shall have all the power and authority authorized or vested in him by virtue of the Alabama Code of 1940, and amendments thereto.

Section V. All persons tried and convicted in the recorder's court herein created shall have the right of appeal to the circuit court or court of like jurisdiction by giving bond, with good and sufficient sureties, payable to the Town of Wilsonville, Alabama, to be approved by the recorder or officer trying the case, or should such recorder or officer trying the case be prevented by absence from the city, death, or other disability, from approving such bond, such bond may be approved by the City Clerk, conditioned to be void if the defendant appears from term to term of said court until discharged by law to answer said charge, but unless such bond be given within five days from the date of the judgment, no appeal shall be allowed from such judgment. An appeal bond for more than \$300.00 shall in no case be required, except when sitting as a committing magistrate.

Section VI. The recorder may administer oaths, compel the attendance of witnesses and compel the production of books and papers, and may punish by fine not exceeding \$10.00 and imprisonment not exceeding twenty-four hours any person in contempt of court.

Section VII. The recorder may assess and collect as costs the sum of \$ _____ for each arrest and conviction, which sum shall be paid to the officer or officers making the arrest. The recorder may assess and collect the sum of \$8.00 in addition to the above for each conviction, the sum to be known as trial costs, which shall be paid into the treasury of the Town. Such costs shall be collected as provided for the collection

Said Ordinance was read at length, and thereupon Councilman Charles Dillard moved that unanimous consent of the Council be given for the immediate consideration of and action upon said Ordinance, which motion was seconded by Councilman Reed W. Smith. Said motion for unanimous consent was submitted to a vote of the Council and said vote resulted as follows:

AYES: Joseph D. Barnes; Charles Dillard; Woodrow W. Foster; Reed W. Smith

NAYS: None

Whereupon, the Mayor in open council declared said motion carried and unanimous consent given for the immediate consideration of and action upon said Ordinance.

Councilman Reed W. Smith moved that said Ordinance be adopted, which motion was seconded by Councilman Joseph D. Barnes. Said motion for the adoption of said Ordinance was submitted to a vote of the Council and said vote resulted as follows:

AYES: Joseph D. Barnes; Charles Dillard; Woodrow W. Foster; Reed W. Smith.

NAYS: None

Thereupon, the Mayor in open council declared said motion carried and said Ordinance adopted.

Adopted and approved by the Mayor and Council on this 3d day of July 1972.

TOWN OF WILSONVILLE, ALABAMA

BY

W. R. Smith
Mayor

Attest:

Ray B. Moore
Clerk

I, Roy B. Moore, Town Clerk for the Town of Wilsonville, Alabama, do hereby certify that I have this date posted a copy of the foregoing Ordinance at the following places:

Town Hall

Post Office

Sammy's Grocery

This the 17 day of July, 1972.

Roy B. Moore
Town Clerk
