

1 HB175
2 155764-2
3 By Representative Laird (N & P)
4 RFD: Local Legislation
5 First Read: 14-JAN-14

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ENROLLED, An Act,

Relating to Randolph County; to authorize the county commission to enact a noise ordinance in the areas outside the corporate limits of a municipality; and outside the boundaries of any industrial park designated by the county pursuant to Sections 11-23-1 to 11-23-8, inclusive, of the Code of Alabama 1975 and to provide that a violation of the ordinance constitutes a public nuisance subject to civil penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In Randolph County, the county commission may enact a noise ordinance for the areas outside of the corporate limits of a municipality and outside the boundaries of any industrial park designated by the county pursuant to Sections 11-23-1 to 11-23-8, inclusive, of the Code of Alabama 1975, and may provide that a violation of the ordinance constitutes a public nuisance subject to a civil fine of not more than \$250 to be assessed as provided in the ordinance. Any law enforcement officer or constable may issue a citation alleging a violation of the ordinance. The ordinance may provide that the person charged with a violation may pay a civil fine or request, within 30 days of receipt of the citation, a due process hearing before the county commission or its hearing officer on the validity of the citation. An order of the county commission finding a violation and an

1 assessment of a civil fine shall be final within 30 days
2 thereof unless appealed to the Circuit Court in Randolph
3 County based on the administrative record of the hearing. Any
4 fine due and owing shall be considered a debt owed to the
5 Randolph County Commission and shall be enforceable by civil
6 action in the same manner as any other debt. The person owing
7 the fine shall be liable for all costs, including court costs
8 and attorney fees, and all other expenses of litigation if
9 action is taken to collect the fine owed.

10 Section 2. This act shall become effective
11 immediately upon its passage and approval by the Governor, or
12 upon its otherwise becoming a law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 16-JAN-14.

Jeff Woodard
Clerk

Senate

23-JAN-14

Passed