

ORDINANCE NO. 2017-01

**AN ORDINANCE AMENDING ORDINANCE 2007-1;
ESTABLISHING REQUIREMENTS AND LIMITATIONS APPLICABLE TO ALL
BUSINESSES OPERATING WITHIN THE TOWN OF MOORESVILLE, ALABAMA.**

WHEREAS, on or about December 4, 2007, the Town Council of the Town of Mooresville, Alabama ("Council") adopted and the Mayor of the Town of Mooresville, Alabama ("Mayor") approved Ordinance No. 2007-1 ("Ordinance") setting forth the *Business License Code of the Town of Mooresville, Alabama*, which included a schedule of licenses and fees, said ordinance to become effective on January 1, 2008, and to apply to the tax year 2008 and each subsequent year thereafter; and

WHEREAS, said Ordinance has not been repealed or replaced and remains the prevailing law for the licensure of all businesses operating within the Town of Mooresville, Alabama ("Town"); and

WHEREAS, the Council desires to protect and preserve the health, safety, and welfare of the Town and its individual and commercial residents; and

WHEREAS, the Council further desires to encourage continued and future personal and commercial investment in the Town which honors and reflects its inclusion on the National Register of Historic Places; and

WHEREAS, the Council further desires to protect and preserve the unique cultural and educational opportunities afforded by this historically-significant community.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOORESVILLE, ALABAMA, AS FOLLOWS:

Section 1. That Ordinance No. 2007-1 is hereby amended to include Section 5A, which shall read as follows:

"SECTION 5A. Regulation of licensed activities.

In order to protect and preserve the health, safety, and welfare of the Town of Mooresville, Alabama, and its individual and commercial residents; to encourage continued and future personal and commercial investment in the Town; and to establish standards of business operation which honor and reflect the Town's inclusion on the National Register of Historic Places, the following regulations shall be applicable to the operation within the Town of any Business by any Person:

- [1] **NOISE.** On the premises of any Business, there shall be no amplification of any sound, including, but not limited to: live voices, live music, or live instruments; recorded voices, recorded music, recorded instruments, or videos; radio or television transmissions; and digitally-streamed music or videos. Any duly and properly licensed Business which is current on all tax obligations to the Town may request the Council to waive this requirement for any one (1) day (but in no case between the hours of 10:00 PM and 7:00

AM), each such Business being limited to no more than six (6) requests per License Year.

- [2] PARKING. With the exception of temporary parking for deliveries made in the normal course of business, all parking within the Town for any Business shall be on (a) the premises of the Business, (b) the public parking on North Street, or (c) Old Highway 20.
- [3] ON-SITE MANAGEMENT. Each Business shall have at least one (1) duly and legally authorized agent or representative on the Premises while any customer or patron is present.
- [4] OVERNIGHT USES. There shall be no overnight use of any commercial property by any customer or patron of the Business."

Section 2. That the original Ordinance and the amendment set forth in Section 1 are *in pari materia* and therefore must be read and construed with reference to each other.

Section 3. That the definitions set forth in the original Ordinance shall have the same meanings and applications in this amendment.

Section 4. That the recitals are due to be, and hereby are, incorporated as part of the legislation approved herein.

Section 5. That this Ordinance shall become effective upon its adoption and publication as provided by law.

Section 6. That if any word, clause, phrase, sentence, paragraph, or provision of this Ordinance shall be invalidated by a court of competent jurisdiction, such invalidity shall not affect any other word, clause, phrase, sentence, paragraph, or provision hereof.

APPROVED this 16 day of May, 2017.


Margaret-Anne Crumlish, Mayor
Town of Mooresville, Alabama

ATTEST:


Vashi Torrijos, Town Clerk
Town of Mooresville, Alabama

