

ORDINANCE NO. 324-05

20170802000278320 1/2 \$18.00
Shelby Cnty Judge of Probate: AL
08/02/2017 12:21:45 PM FILED/CERT

**AN ORDINANCE TO AMEND CHAPTER 5, ARTICLE II, SECTION 5-34.3
OF THE CODE OF ORDINANCES OF THE CITY OF PELHAM, ALABAMA
REGARDING THE APPLICABLE INTEREST RATE TO BE COMPUTED ON THE
PAYMENT OF DELINQUENT TAXES TO THE CITY OF PELHAM**

WHEREAS, Act 2017-415, effective August 1, 2017, amends §11-3-11.3 and §11-51-208, Code of Alabama, removing the option for counties and municipalities to charge interest at the rate of one percent (1%) per month. The applicable interest rate to be charged by or due from the county/municipality shall be determined pursuant to §40-1-44, Code of Alabama, which links interest to the underpayment rate established quarterly by the United States Secretary of the Treasury under the authority of 26 U.S.C. §6621.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Pelham, Alabama as follows:

Section 1. REPORT AND PAYMENT OF TAXES

Chapter 5, Article II, Section 5-34.3 – Interest, Code of Ordinances of the City of Pelham, Alabama is hereby amended to read as follows:

Sec. 5-34.3 – Interest

If a taxpayer fails to pay the taxes herein prescribed by the required date, interest shall be computed at the rate determined pursuant to §40-1-44, Code of Alabama 1975, as established quarterly by the United States Secretary of the Treasury under the authority of 26 U.S.C. §6621.

Section 2. SEVERABILITY

Each section and provision of this ordinance is hereby declared to be an independent section or provision. If any section or provision shall be declared void, invalid, or unconstitutional, the remaining sections or provisions shall not be affected but shall remain in full force and effect.

Section 3. EFFECTIVE DATE

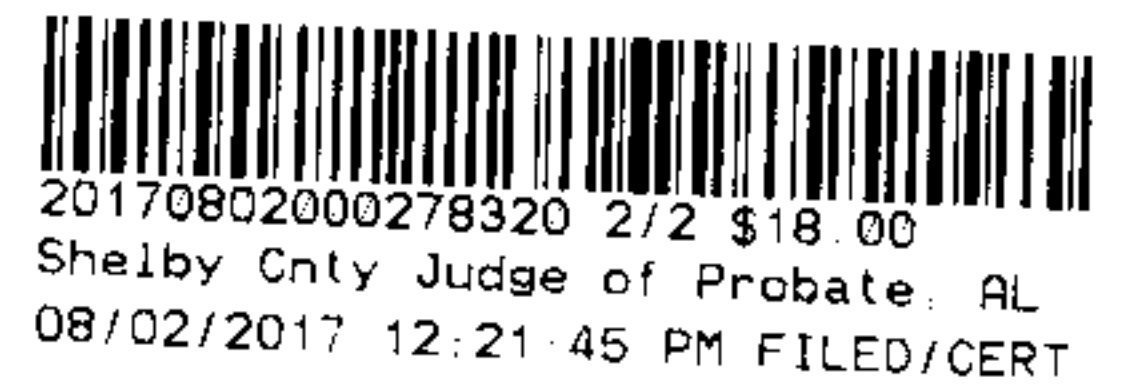
This ordinance shall become effective on the first day of August 2017.

Beth McMillan, a member of the Pelham City Council, moved that all rules which would prevent the immediate consideration of **Ordinance No. 324-05** hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Maurice Mercer, a member, and passed unanimously by roll call vote. The vote on said motion was as follows:

Rick Hayes, Council President	<u>yes</u>
Ron Scott, Council Member	<u>yes</u>
Beth McMillan, Council Member	<u>yes</u>
Maurice Mercer, Council Member	<u>yes</u>
Mildred Lanier, Council Member	<u>yes</u>

THEREUPON Ron Scott, a member moved and Maurice Mercer, a member seconded the motion that Ordinance No. 324-05 be given vote. The roll call vote on said motion was as follows:

Rick Hayes, Council President	<u>yes</u>
Ron Scott, Council Member	<u>yes</u>
Beth McMillan, Council Member	<u>yes</u>
Maurice Mercer, Council Member	<u>yes</u>
Mildred Lanier, Council Member	<u>yes</u>



Ordinance No.324-05 passed by majority vote of the Council and the Council President declared the same passed.

ADOPTED this 24th day of July 2017.

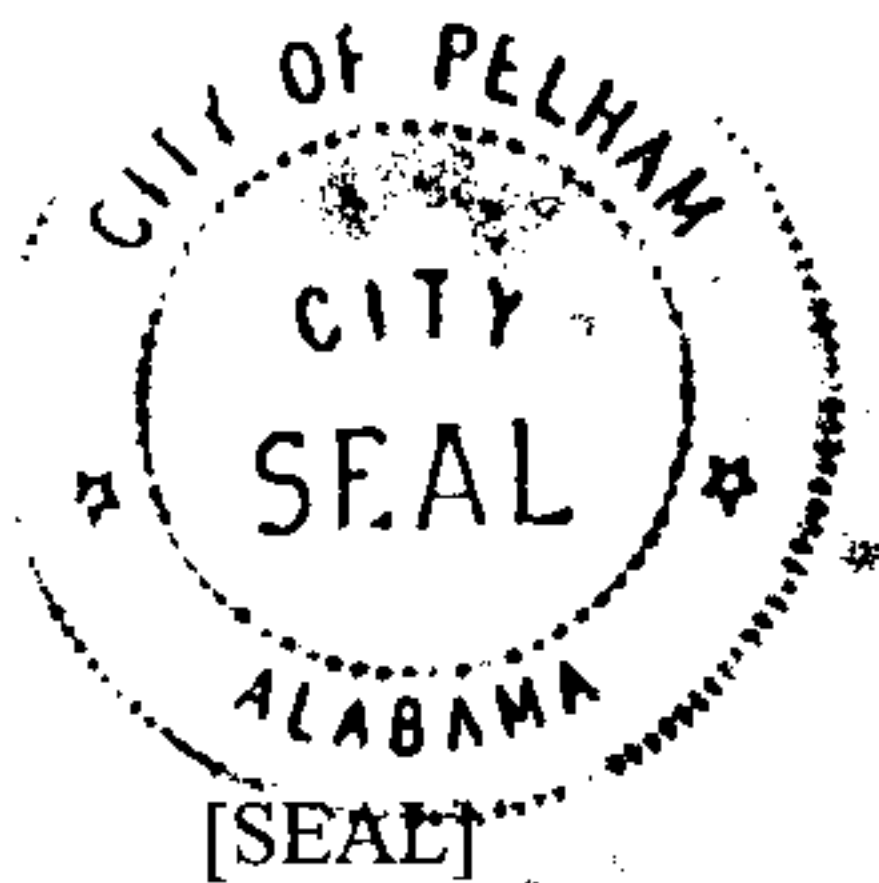
R.A. Hayes
Rick Hayes, Council President

Ron Scott
Ron Scott, Council Member

Beth McMillan
Beth McMillan, Council Member

Maurice Mercer
Maurice Mercer, Council Member

Mildred Lanier
Mildred Lanier, Council Member



ATTEST

Marsha Yates
Marsha Yates, MMC, City Clerk

APPROVED:

Gary Waters 7/25/17
Gary Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE NO. 324-05 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 24th day of July and duly published by posting an exact copy thereof on the 25th day of July 2017 at four public places within the City of Pelham, including the Mayor's Office at City Hall, City Park, Library, Water Department and at www.pelhamalabama.gov. I further certify that said ordinance is on file in the office of the City Clerk and a copy of the full ordinance may be obtained from the office of the City Clerk during normal business hours.



Marsha Yates
Marsha Yates, MMC, City Clerk