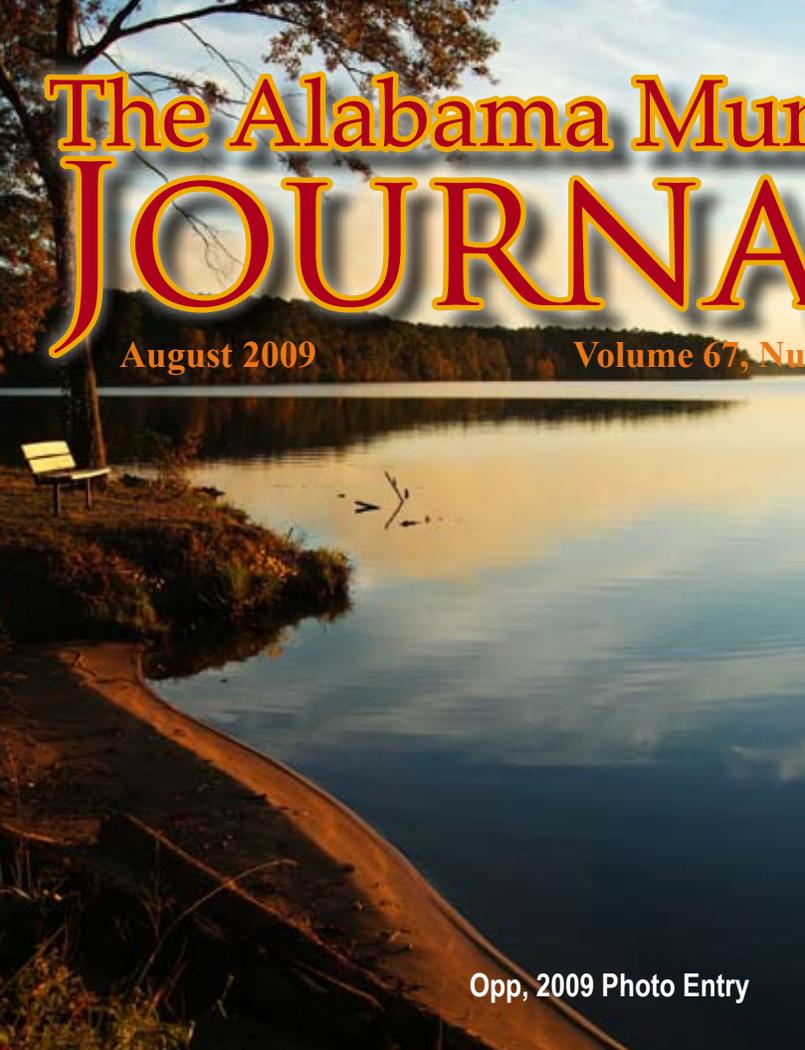


The Alabama Municipal JOURNAL

August 2009

Volume 67, Number 2



Opp, 2009 Photo Entry



Gadsden, 2009 Photo Entry



Southside, 2008 Photo Entry



Prattville, 2008 Photo Entry

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The Alabama Municipal JOURNAL

Official Publication, Alabama League of Municipalities

August 2009 • Volume 67, Number 2

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For a complete list of the ALM staff, visit www.alalm.org.

Contents

<i>A Message from the Editor</i>	4
<i>The Presidents's Report</i>	5
League-Endorsed Program Provides Competitive Pricing with No Participation Fees and No Minimum Purchase Requirements	
<i>Municipal Overview</i>	7
League Policy Committee Members	
<i>The Legal Viewpoint</i>	
Northwest Austin Municipal Utility District Number One v. Holder	13
<i>Remarkable Recycling Facts - Steel</i>	15
<i>Obituaries</i>	17
<i>Legal Clearinghouse</i>	18
<i>2010 Municipal Photo Contest</i>	22

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A Message from the

Editor



My sweet Mama visited with me for a week earlier this summer. Everyone should be so fortunate!

Even though Southern summers require a slower pace, lots of water and as much shade as possible, the League's calendar has been as brisk as ever. The staff is currently gearing up for annual policy committee meetings. Each committee will meet this month at 9 a.m. at League headquarters where members will hear from various resource advisors, review existing League and national policies and, if necessary, adopt revised goals and recommendations. The TPSC Committee meets August 11, FAIR is scheduled for August 13, HD for August 17, CED on August 19 and the EENR Committee on August 25. (For a complete list of committee memberships, see page 7.) Then on August 27, we will honor this year's basic and advanced CMO graduates at a special ceremony in Montgomery.

AAMA/AMJA – October 8-10

Registration materials were mailed in early August for the joint Fall Municipal Law Conference of the Alabama Association of Municipal Attorneys (AAMA) and the Alabama Municipal Judges Association (AMJA) which will be held October 8, 9 and 10 at the Bay Point Marriott in Panama City, Florida. Municipal attorneys, judges and prosecutors are encouraged to attend. For more information, contact **Sharon Carr** at **334-262-2566**.

NLC Congress of Cities – November 10-14

The 2009 National League of Cities (NLC) Congress of Cities will be held November 10-14 in San Antonio, Texas at the Henry B. Gonzalez Convention Center. For 86 years, this unique national conference has offered solutions for moving communities forward. Through innovative programming, participants strengthen their ability to lead and grow America's cities, towns and villages. The Exposition at the Congress of Cities is one of the largest exhibits for city officials and employees to come face-to-face with the companies that serve municipal needs. Municipal representatives looking for products and services to assist them in meeting the changing demands of their communities will find many potential solutions within the Expo. Visit www.NLCCongressofCities.org for more information about the program, registration and exhibits.

2010 Municipal Quality of Life Awards – Deadline: December 1

Next month we will mail information to mayors and clerks regarding our 2010 Municipal Quality of Life Awards program. One winning entry and one honorable mention will be chosen from each of three population categories: 1 – 5,000; 5,001 – 12,000; and 12,001 and over. The three winning entries will enjoy statewide recognition at the League's 2010 Annual Convention in Mobile; receive a special plaque; be featured in a video shown at the Convention; be spotlighted on the League's website; and featured in the *Alabama Municipal Journal*. The three Honorable Mentions will receive a certificate as well as recognition on the League's website and in the *Alabama Municipal Journal*. I encourage you to read through the materials as soon as they arrive in order to prepare your entry by the December 1, 2009 deadline. Information will also be posted on our website at www.alalm.org in early September.

Third Annual Photography Contest – Deadline: November 6

I encourage you to enter the League's Third Annual Municipal Photography Contest (see page 22). The winning photo will be featured on the cover of the League's *2010 Annual Directory and Vendor Listings* which is distributed each year in January. Other entries may be used in the *Alabama Municipal Journal*, as well as other League publications, throughout the year. Several entries from previous years are featured on the cover of this issue of the *Journal*. Pictures of municipal buildings, parks, streets downtowns, city festivals ... all are acceptable. **This year's deadline is November 6.** Because the winning photo will appear on the cover of the *Directory*, the picture must be vertical, color and taken at a high resolution so the print quality is not compromised. Complete information is posted on our website at www.alalm.org.

I hope to see many of you at the policy committee meetings later this month. Until then, continue to seek shady spots, drink plenty of water and don't forget to apply sunscreen (frequently)!!

Carrie

The President's Report



Roy H. Dobbs
Mayor of Berry

League-Endorsed Program Provides Competitive Pricing with No Participation Fees and No Minimum Purchase Requirements

Last month I wrote about the importance of several of the League's auxiliary programs: AMIC, MWCF and AMFund. The League has also endorsed a number of privately held companies whose products or services are structured to meet the unique needs of our member municipalities. This month I want to highlight one of these valuable League-endorsed programs and encourage your participation: **U.S. Communities Government Purchasing Alliance**.

In 2007 the League joined the National League of Cities (NLC) as a sponsor of the U.S. Communities Government Purchasing Alliance. This program provides Alabama's municipalities with the opportunity to piggyback on competitively bid contracts; take advantage of the enormous collective purchasing power of public agencies nationwide; and leverage these savings to their own advantage.

U.S. Communities was jointly founded by NLC, the National Association of Counties, the National Institute of Government Purchasing, the United States Conference of Mayors, and the Association of School Business Officials International to provide high quality government contracts to all U.S. local governments. Through contracts with such nationally recognized companies as Office Depot, Auto Zone, Home Depot, GTSI, Little Tikes, Landscape Structures, Tech Depot and many other suppliers, U.S. Communities currently offers thousands of products in the categories of office supplies, furniture, computers and technology, electrical and data supplies, janitorial supplies, carpeting and flooring, parks and play equipment, public safety and homeland security solutions, and auto parts and accessories.

The U.S. Communities program is easy to use. There is no fee to participate, no minimum spending and only a simple electronic registration is required. This flexible program is a wonderful tool for your purchasing and procurement officials. Any city or town may register online at the US Communities website, www.uscommunities.org by clicking on "Register With Us." Electronic registration provides

your municipality with access to all contract documents and pricing, all suppliers and substantial information on program savings and program participants. It also provides an electronic copy of the master intergovernmental cooperative purchasing agreement that serves as the legal document that authorizes a participating public agency's use of each lead public agency's contract available through U.S. Communities.

Suggested procedures for using the U.S. Communities program are outlined on the League's website at www.alalm.org (click on "Programs" then "League Endorsed Programs" and then "US Communities".)

Section 41-16-51(16), Code of Ala. 1975, and Attorney General Opinion 2007-011 gives Alabama municipalities authority to use this program provided certain criteria are met. Such purchases may only be made if all of the following occur:

- a. The goods being purchased are available as a result of a competitive bid process approved by the Alabama Department of Examiners of Public Accounts for each bid.
- b. The goods are either not at the time available on the state purchasing program or are available at a price equal to or less than that on the state purchasing program.
- c. The purchase is made through a participating Alabama vendor holding an Alabama business license if such a vendor exists.

Currently more than 37,000 public agencies throughout the country use U.S. Communities contracts and suppliers to procure more than 1 billion dollars in products and services annually. Each month more than 400 new public agencies register to participate. The continuing rapid growth is fueled by the program's track record for providing exceptional value to public and governmental agencies.

The League continues to look for even more programs to benefit our member municipalities and encourages you to use this flexible program for your purchasing needs. For more information on the U.S. Communities, visit www.alalm.org or www.uscommunities.org. ■

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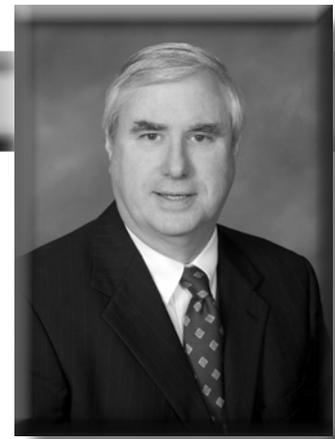
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League Policy Committee Members

The League has five standing policy committees comprised of mayors and councilmembers from each congressional district in the state. The committee chairs recently made appointments to these important League committees which will convene this month at League headquarters to hear from state and federal resource advisors and to update their policy statements for the League's *Policies and Goals* document. This important document will be used by the Committee on State and Federal Legislation when it meets in November to develop the League's Legislative Package for the 2010 Regular Session. The League would like to thank the following committee members for their service in this important policy process:

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~~\$14~~ Million Dollars



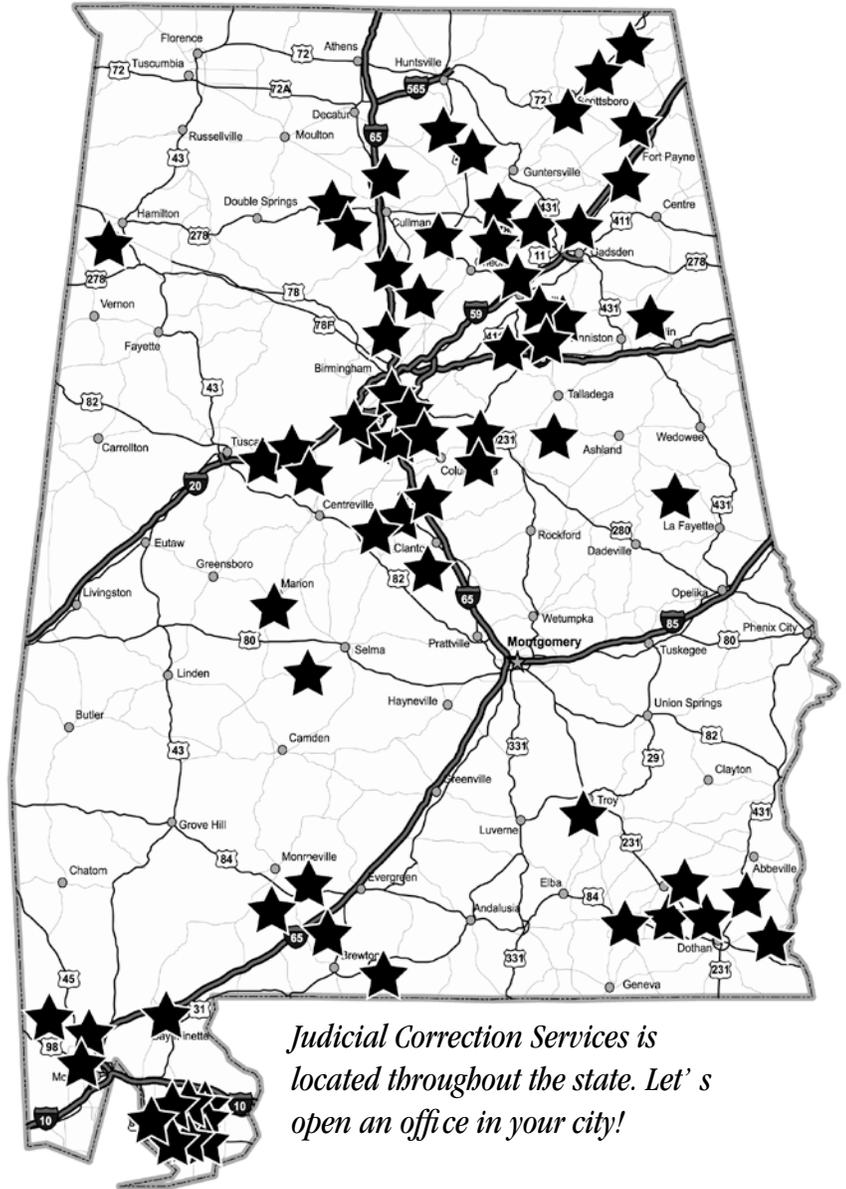
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Grant Writing Training Opportunities

With the current economic situation, now more than ever your grant proposals must be absolutely outstanding. With this in mind, we are pleased to announce two upcoming grant writing training opportunities in the state of Alabama.

August 24-25, 2009

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Hosted by Madison County Sheriff's Office

October 1-2, 2009

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Hosted by Birmingham Police Training Academy

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The Legal Viewpoint



By Ashley Penhale
Law Clerk

Northwest Austin Municipal Utility District Number One v. Holder

Ashley Penhale has completed her second year of law school at Jones School of Law and is presently the League's law clerk.

The U.S. Supreme Court's recent decision in *Northwest Austin Municipal Utility District Number One v. Holder*, 557 U.S. ___ (2009), 2009 WL 1738645, which discussed preclearance requirements under Section 5 of the Voting Rights Act, codified at 42 U.S.C. 1973(c), (the Act) has prompted some municipalities in Alabama to raise questions about the bailout provisions under the Act. The case involved a small utility district's suit to be relieved from its preclearance obligations under the bailout provisions of the Voting Rights Act. The lower court denied the district relief claiming that the bailout provisions did not apply to the utility district since it did not register its own voters. The Supreme Court however, reversed this decision and held that the utility district was eligible under the Act to seek bailout.

Section 5 of the Voting Rights Act suspended "all changes in state election procedure until they were submitted to and approved by a three-judge Federal District Court in Washington, D.C., or the Attorney General." *Id.* Congress then created a formula to determine what States the Act would apply to; in other words, which States would be "covered" by the Act. The Act applied to States that had "used a forbidden test or device in November 1964, and had less than 50% voter registration or turnout in the 1964 Presidential election." *Id.*

The controversy and difficulty involving the bailout provisions comes from the government's narrow interpretation of the definition of a political subdivision. Because of this narrow interpretation of who is eligible to bail out, since 1982, only 17 jurisdictions out of the more than 12,000 covered political subdivisions have successfully bailed out of the Act. The Act itself defines a political subdivision as "any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting." 42 U.S.C. Section 1973(1)(c)(2). In *Holder*, however, the Supreme Court determined that the definition provided in the Act does not apply to every use of the term "political subdivision" in the Act. The Court went on to explain that, "[o]nce a State has been designated for coverage, Section 14(c)(2)'s definition of political subdivision has no operative significance in determining the reach of Section 5." *Doughtery County Bd. of Edu. v. White*, 439 U.S. 32, 44 (1978).

Previously, the Court had determined that political units of a covered jurisdiction could not independently bring a bailout action.

However, in 1982, Congress amended the Act and provided that if the subdivision met the bailout requirements, it could bail out, even if the State could not. Although Congress amended the Act to allow piecemeal bailout, the government continued to contend that only the State as a whole could bail out. Then in *Northwest Austin Municipal Utility District Number One v. Holder*, the Supreme Court cleared up the confusion stating, "[b]ecause such piecemeal bailout is not permitted, it cannot be true that Section 5 treats every governmental unit as the State itself ... We therefore hold that all political subdivisions – not only those described in Section 14(c)(2) – are eligible to file a bailout suit." 557 U.S. ___ (2009).

While some municipalities in Alabama may be interested in "bailing out" of the preclearance requirements of the Voting Rights Act, municipalities should understand that the procedure to "bail out" may prove complicated and expensive. In order to "bail out" of the preclearance requirements under the current provisions of the Act, there are several things a municipality must do.

First, it must seek a declaratory judgment from a three-judge District Court in Washington, D.C. The municipality must be able to demonstrate that, "for the previous 10 [ten] years it has not used any forbidden voting test, has not been subject to any valid objection under Section 5, and has not been found liable for other voting rights violations; it must also show that it has 'engaged in constructive efforts to eliminate intimidation and harassment' of voters, and similar measures." *Id.* (citations omitted).

There are also other restrictions on the bailout provisions. "To bail out, a covered jurisdiction must show that every jurisdiction in its territory has complied with all of these requirements." *Id.* Even if a municipality successfully bails out under the Act, the "district court retains continuing jurisdiction over a successful bailout for 10 years, and may re-instate coverage if any violation is found." *Id.* This subjects a municipality to challenge in the district court in Washington, D.C. for a period of 10 years, and if the court determines that a violation under the Voting Rights Act has taken place, the court has authority to require pre-clearance of any future changes. Municipalities must weigh the potential costs of defending challenges in Washington, D.C. against any benefits of bailing out of the pre-clearance coverage of the Act.

In conclusion, now that the Court has clarified what constitutes a political subdivision and subsequently who is eligible to bailout of the preclearance requirements of the Voting Rights Act, municipalities that meet the bailout requirements may now file suit and seek relief from such requirements. ■



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Obituaries

J. Gilmer Blackburn, former mayor of Decatur, passed away at age 81. Blackburn became mayor in 1962 and served until 1968. During his time as mayor, he worked diligently to bring America's first wave pool to Decatur. After years of hard work, Point Mallard was a huge success for Decatur.

Mary Louis Phillips Freels, councilmember for the town of Jay, has died. She was 73. First elected in 2004, Freels served a four-year term and won re-election in 2008.

James Johnston, Mayor of Crossville, has died. He was 60. Johnston was serving his second term as mayor and was instrumental in building the town's new fire station.

Wayne Howard, East Brewton City councilmember has passed away. Howard served on the city council for 17 years.

Elton L. Johnson, former mayor and councilmember of Greenville passed away recently at the age of 91.

Calvin Wayne Richardson, former Northport City councilman died at the age of 81. During his service on the council, Richardson promoted retail development and finding ways to make city government more efficient. Richardson was a veteran of World War II, and the Korean War.

John Long, former mayor of Hartselle, has died. He was 83. During his terms, Long was instrumental in the formation of the Hartselle city school system and the paving of every unpaved road in the city.

Franklin Delano "Bob" Parker, former Fort Payne mayor, police chief and council member, passed away on May 7 at age 75. Parker began to work for the city as a police officer in 1952. In 1971, he was appointed chief of police and held this position for 23 years until his retirement in 1994. Parker was elected to the city council in 1996 and was unanimously elected by the council to become the mayor in 1997 after the resignation of the current mayor where he served for nearly three years before his retirement from politics. He had a total of 48 years of service to the City of Fort Payne, 44 as an employee and four as an elected official.

Dr. L. Franklin Blitz died June 13 at age 89. Dr. Franklin was Emeritus Professor of Political Science in the Bureau of Public Administration at the University of Alabama and active with the League for many years, receiving a Distinguished Service Award from the League in 1983 just prior to his retirement in 1985. During his tenure with Alabama, he taught political science courses and directed more than one hundred conferences, workshops, and institutes for state and local government officials. His work took him to small cities and towns throughout the state.

Gene Mayhall, former two-term Hokes Bluff mayor, passed away June 24. He served as mayor from 1988 through 1996 and was instrumental in bringing the first bank to Hokes Bluff as well as implementing a sewer system. He also played an important role in four-laning US Hwy 278E through the community.

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LEGAL CLEARINGHOUSE

NOTE: Legal summaries are provided within this column; however, additional background and/or pertinent information will be added to some of the decisions, thus calling your attention to the summaries we think are particularly significant. We caution you *not* to rely solely on a summary, or any other legal information, found in this column. You should read each case in its entirety for a better understanding.

ALABAMA COURT DECISIONS

Courts: When specific jurisdiction, as authorized by the “catch-all provision” of Alabama’s long-arm rule, is the basis for adjudication of claims against an out-of-state defendant, due process requires a clear, firm nexus between the acts of the defendant and the consequences complained of in order to establish the necessary contacts. For purposes of whether internet advertising is sufficient to establish personal jurisdiction over a nonresident defendant, when internet advertising over a web site is passive, that is, where the site serves as little more than an electronic billboard for the posting of information, the advertiser cannot be said to have purposefully directed his listing specifically at one state. *Ex parte Harrison*, 7 So.3d 1020, (Ala.Civ.App.2008)

Employees: The determination of a witness’s credibility is within the province of the county personnel board and its hearing officer. A county personnel board’s decision to uphold a city’s termination of a police officer after she tested positive for marijuana use was supported by substantial evidence where the hearing officer determined that the officer’s defense that she did not knowingly ingest marijuana was not credible and was based on conjecture and speculation due to the fact that her testimony conflicted with the records of her statements to her sergeant. *Ex parte City of Birmingham*, 7 So.3d 363 (Ala.Civ.App.2008)

Taxation: An amendment to the sales and use tax statute that requiring taxpayers to file use-tax reports for purchases from out-of-state vendors upon which no sales tax had been paid applies retroactively for three years before the amendment’s effective date. However, this does not serve to reopen tax years outside of the three year period because those tax years were forever closed to the Department of Revenue at the time the amendatory act became effective. Penalties for taxpayer’s failure to file use tax returns for purchases from out-of-state vendors upon which no sales tax had been paid, after the tax statute was amended to require

such returns, are waived. *IEC Arab Alabama, Inc. v. City of Arab*, 7 So.3d 370 (Ala.Civ.App.2008)

Tort Liability: Generally, state agents are afforded immunity from personal civil liability when the conduct made the basis of the claim is based on the exercise of judgment in performing their work responsibilities. A state agent acts beyond his or her authority and is therefore not immune when he or she fails to discharge duties pursuant to detailed rules or regulations, such as those stated on a checklist. *Ex parte Yancey*, 8 So.3d 299 (Ala.2008)

Workers Compensation: The workers’ compensation statute does not provide a cause of action for retaliatory discharge in anticipation of filing a workers’ compensation claim. Rather the retaliatory discharge provision of the workers’ compensation statute prohibiting discharge solely because the employee “has instituted or maintained” any action against the employer to recover workers’ compensation benefits contemplates that a workers’ compensation claim has been filed before the employee is discharged. It is insufficient that the employee is discharged in anticipation of filing a workers’ compensation claim. *Falls v. JVC America, Inc.*, 7 So.3d 986 (Ala.2008)

UNITED STATES COURT DECISIONS AFFECTING ALABAMA

Ad Valorem Taxes: A city’s ad valorem property tax on large vessels docking at the city’s ports, which took on more than one million dollars in cargo or that transacted business in that amount in ports, violated the Tonnage Clause, as it was effectively a charge for the privilege of entering, trading in, or lying in a port. In practice, the tax applied to 28 vessels, of which 24 were oil tankers. The tax applied to no other form of personal property other than large vessels and it exempted small vessels under 95 feet in length. The tax was designed for raising revenue for general municipal services, and it was not related to services provided to the vessel. *Polar Tankers, Inc. v. City of Valdez, Alaska*, 129 S.Ct. 2277 (U.S.2009)

Civil Rights: An employer’s good-faith belief that its actions are necessary to comply with Title VII’s disparate-impact provision is not enough to justify race-conscious conduct. A city’s refusal to certify the results of a firefighter promotion examination, based on city’s belief that doing so could have disparate impact on minority firefighters, was a violation of Title VII’s disparate-treatment prohibition absent

some valid defense. The purpose of Title VII is to promote hiring on the basis of job qualifications, rather than on the basis of race or color. *Ricci v. DeStefano*, --- S.Ct. ---, 2009 WL 1835138 (U.S.2009)

Courts: Inquiry into actual bias is just one step that a judge must take in deciding whether to recuse himself; objective standards may also require recusal whether or not actual bias exists or can be proven. Due process requires an objective inquiry into whether a contributor's influence on the judge's election under all the circumstances would offer possible temptation to an average judge to lead him not to remain impartial. *Caperton v. A.T. Massey Coal Co., Inc.*, 129 S.Ct. 2252 (U.S.2009)

Employment Discrimination: The Age Discrimination in Employment Act of 1967 (ADEA) does not authorize a mixed-motives age discrimination claim, since the ordinary meaning of ADEA's requirement that an employer took adverse action "because of" age is that age was "the reason" that employer decided to act. Therefore, to establish a disparate-treatment claim, the plaintiff must prove that age was a "but-for" cause of the employer's adverse decision, and the burden of persuasion does not shift to the employer to show that it would have taken the action regardless of age, even when the plaintiff has produced some evidence that age was one motivating factor in that decision. *Gross v. FBL Financial Services, Inc.*, 129 S.Ct. 2343 (U.S.2009)

Voting Rights Act: The requirement set forth in §5 of the Voting Rights Act, that changes in certain election procedures must be precleared, applies broadly and to every political subdivision in a covered State, no matter how small. All political subdivisions, not only those described in the Voting Rights Act's definition of "political subdivision," are eligible to file a suit to bail out of the preclearance requirements set by the Act's §5. *Northwest Austin Municipal Utility Dist. No. One v. Holder*, --- S.Ct. ---, 2009 WL 1738645 (U.S.2009)

DECISIONS FROM OTHER JURISDICTIONS

Civil Rights: In a tenants' §1983 Fourth Amendment unreasonable seizure claim, a city mayor was not entitled to qualified immunity for his alleged conduct in authorizing the seizure of a public housing tenants' pet dogs and cats, pursuant to a no pet policy imposed without the tenants' consent, and with only a few days notice. The court denied the mayor's immunity defense on the Fourth Amendment

Claim due in part to the short notice of the policy, given to the tenants in English only (which most of them do not speak or read) and with no opportunity to object, along with other factual issues. *Maldonado v. Fontanes*, --- F.3d ---, 2009 WL 1547737 (C.A.1 2009)

Ordinances: Owners of rental properties had constitutional and prudential standing to bring suit challenging a city ordinance, which set forth a process for lodging complaints against employers that hired illegal aliens, and required business entities applying for licenses to submit affidavits stating that they did not knowingly employ illegal aliens. Although the ordinance had not yet been enforced against owners, and owners did not maintain a business license, the ordinance was enforceable against them, as the owners did hire individuals or contractors from time to time to perform maintenance on the rental units and were likely to do so in the future, injury to owners was not

continued next page



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speculative, since they would be compelled to take specific steps to correct a violation, and owners sought redress of their own legal rights. *Gray v. City of Valley Park, Mo.*, 567 F.3d 976 (C.A.8 2009)

ATTORNEY GENERAL'S OPINIONS

Ad Valorem Taxes: A city, county, or state agency in Alabama may not engage a private firm on a contingency-fee basis to collect delinquent property taxes. AGO 2009-074

Annexation: A municipality may not use “long lasso” annexation (or the use of public rights-of-way alone) to create contiguity for purposes of annexation under Section 11-42-21 of the Code of Alabama, 1975. However, where the municipality owns the roadway, and is not merely using the public right-of-way to create contiguity, the annexation does not involve the use of “long lasso” annexation. AGO 2009-085

Boards: An ex officio officer is a person who has power by virtue of the authority implied by an office. An ex officio officer has the same rights and privileges as other members, including the right to vote, unless otherwise provided by law. AGO 2009-080

Competitive Bid Law: Based on Section 41-16-50(a) of the Code of Alabama, 1975, the governing bodies of instrumentalities of counties and municipalities must comply with the Competitive Bid Law. Because Section 41-16-51(a)(15) exempts contractual services related to security plans and procedures and the security of individuals from bidding, a board does not have to bid contracts for these services. The purchase of other services that are inextricably intertwined with the security services is also exempt. If not inextricably intertwined, these services are subject to bid. AGO 2009-981

Conflicts of Interest: An elected official of the City of Ashland may serve without compensation on the Clay County Industrial Development Council, which was established under Act 2001-506. This official may vote on matters concerning the City of Ashland only if a conflict of interest does not exist. This opinion does not address the ethics law as questions regarding the presence of a conflict should be presented to the Alabama Ethics Commission for advice and resolution. AGO 2009-077

Elections: The Secretary of State is authorized under Section 17-3-1 of the Code of Alabama, 1975, to promulgate rules and regulations regarding voter registration. Because the Secretary of State is authorized to promulgate rules regarding voter registration, the Uniform Electronic Transactions Act authorizes the Secretary of State to promulgate rules that would allow the development and use of an online voter registration system. AGO 2009-084

Law Enforcement: Municipal ordinances relating to fire protection, such as building codes and burn permits, may be

enforced within the police jurisdiction of the municipality. Only municipal police officers have the authority to issue citations for violations of these municipal ordinance violations. The chief of a municipal fire department or municipally sanctioned volunteer fire department, as an assistant to the State Fire Marshal, who has complied with APOSTC standards, may, if directed by the Fire Marshal, issue a citation for the violation of a state law related to the matters set forth in Section 36-19-2 of the Code of Alabama, 1975. However, state law allows any witness to the commission of a crime to go before a magistrate and swear out a warrant against the perpetrator of that crime. AGO 2009-075

Public Records: The regular copy fee may not be assessed if individuals use personal cameras or other electronic devices to make a copy of a public record. The public official does not have the authority to refuse the use of personal cameras or other electronic devices for receiving copies or retrieving information from public records unless the camera or other electronic device unduly interferes with the operation of the government office. AGO 2009-076

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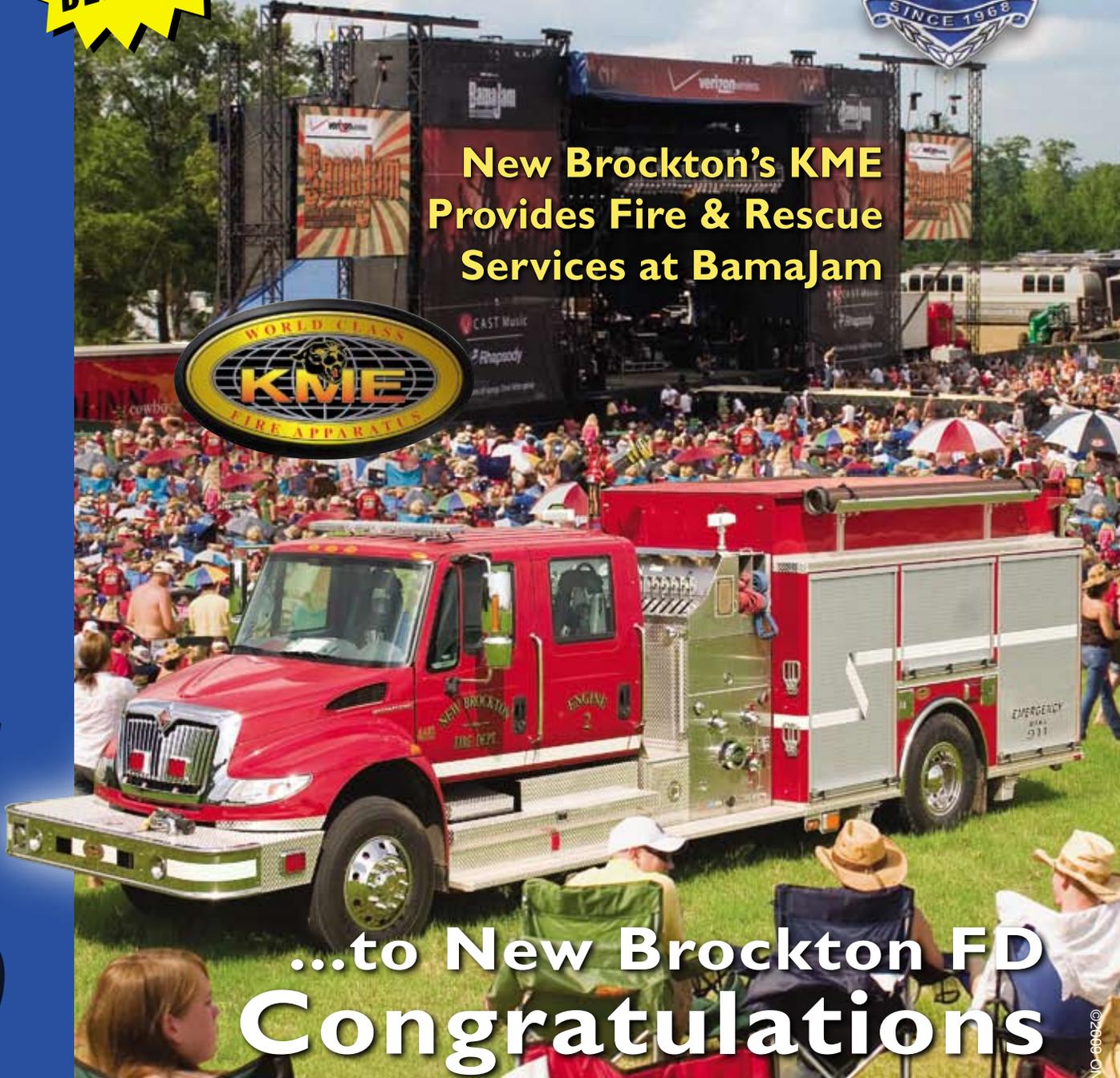
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Photos must be of your municipality. Municipal buildings, parks, street scenes, downtowns, city festivals, etc. are all acceptable. Photos do not have to be taken by a professional photographer; however, all photos must be taken within the last 18 months. **ALL ENTRIES MUST BE VERTICAL. (Horizontal images will not fit the format used for the *Directory* or the *Journal*.) Entry must include a photo description as well as photographer's name.**

Photo Format:

Photos must be submitted on a cd. Entries should be vertical, color images and submitted in JPEG or TIFF format in a resolution high enough for print quality purposes. The print size for the *Directory* is approximately 8.5 x 11 inches. Therefore, the submitted image should be at least 150 dpi **at this size** (1,200 x 1,500 pixels), although 300 dpi (1800 x 1200 pixels) is preferred. **Submissions that are not vertical or that do not have the correct print quality size will be disqualified.**

Note: Photo files will not be returned. Please do not send your only file of a photo.

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By entering the Alabama League of Municipalities (ALM) photo contest, photographers agree to have their submitted photograph displayed on any ALM or National League of Cities (NLC) publication as well as the ALM and NLC websites without any fee or other form of compensation. Photographers further agree that depending on the nature and use of the photograph, credit may not be attributed; however, for use on the cover of the *Directory* and the cover of the *Journal*, photos will be credited to the photographer named in the entry form. In the event that ownership of any photograph submitted to ALM is contested in any manner, ALM retains the discretion to disqualify that photograph and discontinue use of the photograph.

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