

**Minutes of the proceedings of the City Council of the City of Graysville,
Alabama of the regular meeting held on December 16, 2021.**

Mr. James Armstrong gave the invocation.

The regular meeting of the City Council of the City of Graysville was called to order at 6:00 p.m. in the Council Chambers of City Hall in the City of Graysville, Alabama by Mayor Clark "Julio" Davis.

Upon roll call those present:

	<i>Clark "Julio" Davis</i>	<i>Mayor</i>
	<i>Faye Busby</i>	<i>Councilmember</i>
	<i>Raleigh Fuller</i>	<i>Councilmember</i>
<i>Absent:</i>	<i>Dorothy Hawthorne</i>	<i>Councilmember</i>
	<i>Louella Kelley</i>	<i>Councilmember</i>
	<i>Karen Lauderdale</i>	<i>Councilmember</i>
	<i>Randy Teeter</i>	<i>Councilmember</i>

Also, present was Mr. Charlie Waldrep, City Attorney; several local citizens; several city employees and City Clerk, Kathy Dumas.

Mayor Davis asked for a moment of silence for the storm victims in Kentucky.

Councilmember Kelley moved to approve minutes of December 2, 2021 as presented. Motion seconded by Councilmember Fuller and carried.

Invoices were presented for payment as follows:

CITY:		Thursday, December 16, 2021
PUMPELLY OIL ACQ	\$2,717.68	VEHICLE GAS & OIL
UNIFIRST CORP	\$294.96	EMPLOYEE UNIFORM EXP
FORESTDALE ACE	\$43.71	MAINT SUPPLIES
O'REILLY AUTOMOTIVE	\$570.50	VEHICLE MAINT SUPPLIES
STRYKER FINANCIAL	\$150.48	AED EXPENSE
AIRGAS USA	\$386.62	CYLINDER REFILLS FIRE
AT&T	\$728.48	EMP CELL PHONES EXPENSE
WALDREP, STEWART	\$1,568.23	ADM LEGAL FEES
ALABAMA POWER	\$3,892.20	ST LIGHTS/ADM UTILITIES
OCC HEALTH SERVICES	\$100.00	EMP DRUG TESTING
MOSES HILL	\$30.00	INSPECTION SERVICES
RONNIE SAINT	\$30.00	INSPECTION SERVICES
ADM OFFICE OF COURTS	\$97.96	MUN COURT EXPENSE
STATE JUDICIAL ADMIN	\$56.04	MUN COURT EXPENSE
CITIZENSHIP TRUST FUND	\$6.00	MUN COURT EXPENSE

ALABAMA CRIME VICTIMS	\$14.00	MUN COURT EXPENSE
AL PEACE OFFICERS	\$37.50	MUN COURT EXPENSE
FINANCE DEPT-COMPTROLLER	\$604.50	MUN COURT EXPENSE
PRESIDING CIRCUIT JUDGE	\$13.98	MUN COURT EXPENSE
CIRCUIT CLERK ADM FD	\$13.98	MUN COURT EXPENSE
JEFF CO DA OFFICE	\$96.00	MUN COURT EXPENSE
QUILL LLC	\$266.20	ADM/POLICE OFF EXP
POLICE & SHERIFFS PRESS	\$47.95	POLICE ID CARDS
GREG GILCHRIST	\$103.35	REIMB EDUC-BOOK FOR CLASS
MUN EMERGENCY SERV	\$724.57	FIRE SCBA MASK
BIRMINGHAM WATER	\$54.45	FIRE PLUG RENTAL
CAM-LAR DIRECT	\$60.50	FIRE PAPER PRODUCTS
HENRY SCHEIN	\$316.94	FIRE EMS SUPPLIES & EXP
AZIMUTH GRANTS	\$3,153.75	FIRE GRANT EXPENSE
NAPA SUMITON	\$82.15	VEH PART DUMP TRUCK STREET
JEFF CO COMMISSION	\$341.99	STREET SIGNAL MAINT EXP
ALA MEDIA GROUP	\$616.00	BID STREET PAVING
WARRIOR TRACTOR	\$484.00	WHEEL DEERE BACKHOE
PINEVIEW LANDFILL	\$1,564.92	LANDFILL FEES
CHEVIOT HILLS CORP	\$395.48	ELECTRONIC PARK LIGHTS
BUFFALO ROCK	\$112.54	BEVERAGES COMM CENTER
WATER WORKS BOARD	\$19,248.43	OWED TO WATER LEASED EMP
	\$39,026.04	

GAS:

PUMPELLY OIL ACQ	\$2,113.76	VEHICLE GAS & OIL
UNIFIRST CORP	\$217.35	EMP UNIFORM EXPENSE
FORESTDALE ACE	\$30.32	MAINT SUPPLIES
O'REILLY AUTOMOTIVE	\$218.59	VEHICLE MAINT SUPPLIES
STRYKER FINANCIAL	\$150.49	AED EXPENSE
AIRGAS USA	\$382.61	CYLINDER REFILLS
AT&T	\$409.90	EMP TELPHONE/RADIO EXP
WALDREP, STEWART	\$1,568.23	LEGAL FEES
FINANCIAL IMAGING	\$2,815.84	UTILITY BILL PROCESSING
VERIZON WIRELESS	\$120.05	EMP TELPHONE/RADIO EXP
NEXBILLPAY	\$260.10	TEXT/CALL NOTIFICATIONS
AL DEPT OF REVENUE	\$48.50	TRUCK TAGS APPLICATION
AF & S	\$352.31	GAS SYSTEM CHECKS
DAN'S PRINTING	\$100.00	SIGNS FOR TRUCKS
MONROE CO TAX COLLECTOR	\$3,576.24	TAX GAS INVENTORY
MASSEY, STOTSER	\$211.17	COLLECTION FEES - LEGAL
SOEAST GAS SUPPLY	\$174,000.00	GAS PURCHASES
SEGAS	\$1,094.91	GAS PURCHASES
SO NATURAL GAS CO	\$39,452.77	GAS PURCHASES

BP ENERGY COMPANY	\$48,125.00	OVERPAYMENT
WADE SAND GRAVEL	\$477.90	LOADS 89-10 GRAVEL
CHARTER COMM	\$200.12	TV SERV/INTERNET
SAMS CLUB	<u>\$236.59</u>	MISC EXP-TREE LIGHTING
	\$276,162.75	
TOTAL: CITY & GAS	\$315,188.79	

Councilmember Lauderdale moved to approve payment of invoices as presented. Motion seconded by Councilmember Busby and carried.

Mayor Davis stated the employee Christmas Party will be Friday December 17, 2021 at 11:00 a.m. at the Community Center. Mayor Davis asked all Councilmembers that can attend be present.

Mayor Davis stated bids were opened on December 8, 2021 for blanket paving contract. One bid was received from Murray Paving.

Mayor Davis recommended accepting bid from Murray Paving for blanket paving contract.

Councilmember Kelley moved to approve recommendation to accept Murray Paving for blanket paving contract. Motion seconded by Councilmember Teeter. Roll call votes as follows:

<i>Councilmember Busby</i>	<i>Yes</i>
<i>Councilmember Fuller</i>	<i>Yes</i>
<i>Councilmember Kelley</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Mayor Davis presented Murray Paving invoice for \$37,800.00 for paving on 10th Avenue South.

Councilmember Lauderdale moved to approve payment to Murray Paving invoice for \$37,800.00 for paving on 10th Avenue South. Motion seconded by Councilmember Fuller. Roll call votes as follows:

<i>Councilmember Busby</i>	<i>Yes</i>
<i>Councilmember Fuller</i>	<i>Yes</i>
<i>Councilmember Kelley</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Mayor Davis made recommendation to purchase brick for \$500.00 for the World Games that will be held in Birmingham in 2022 sponsored by Alabama Power.

Councilmember Kelley moved to purchase brick for \$500.00 for the World Games sponsored by Alabama Power. Motion seconded by Councilmember Teeter. Roll call votes as follows:

<i>Councilmember Busby</i>	<i>Yes</i>
<i>Councilmember Fuller</i>	<i>Yes</i>
<i>Councilmember Kelley</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Police Chief Ken Marbury presented police report for November, 2021.

Fire Chief Greg Gilchrist presented fire report for November, 2021.

Councilmember Kelley request streets be stripped in all Graysville areas.

Mayor Davis stated that he is working on getting the streets stripped with Commissioner Jimmy Stephens of Jefferson County and we should have something done in the next few months.

Councilmember Teeter complained about tractor being moved from city property next to City Hall and supplies being stored in the Community School building.

Mayor Davis stated we will send letters to Mr. Roger Youngblood to remove tractor from property and Mr. Danny McGough to remove supplies stored in Community School building by January 20, 2022.

Councilmember Busby complimented the Fire Department on calls and what a wonderful job they do. She said the City really appreciates the Fire Department.

City Attorney, Charlie Waldrep introduced Ordinance Number 964 for its first reading to repeal and re-enact bingo licensing.

Councilmember Kelley moved to leave regular order of business to adopt Ordinance Number 964 as follows. Motion seconded by Councilmember Lauderdale. Roll call votes as follows:

<i>Councilmember Busby</i>	<i>Yes</i>
<i>Councilmember Fuller</i>	<i>Yes</i>

<i>Councilmember Kelley</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

**ORDINANCE NO. 964
AN ORDINANCE TO REPEAL AND RE-ENACT THE ORDINANCE PROVIDING FOR THE
LICENSING OF BINGO GAMES WITH THE CITY OF GRAYSVILLE, ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAYSVILLE, ALABAMA, as follows:

THAT the City Council of the City of Graysville hereby repeals and re-enacts the Ordinance 2020-947, as amended, enacted on February 20, 2020. Providing for the Licensing of Bingo Games by adopting the following:

**AN ORDINANCE PROVIDING FOR THE LICENSING OF
BINGO GAMES WITHIN THE CITY OF GRAYSVILLE, ALABAMA**

BE IT ORDAINED By the City Council of Graysville, Alabama as follows:

Section I. Definitions.

For the purposes of this Ordinance, the following words shall have the following meanings:

Any and All Games of Bingo. The game commonly or traditionally known as Bingo or Paper Card Bingo, played with paper cards.

Bingo. That specific kind of game commonly known as bingo in which prizes are awarded on the basis of designated numbers or symbols on a paper card conforming to numbers or symbols selected at random. In the event that any controversy concerning whether or not a certain activity constitutes the game of bingo as herein defined, the decision of the Graysville City Council shall control and shall be final.

Bingo Session. Any continuous series of bingo games conducted pursuant to this Ordinance during a calendar day.

City Council. The City Council of the City of Graysville.

City Clerk. The City Clerk of the City of Graysville.

Educational Organization. An organization within this state, not for pecuniary profit, whose primary purpose is education in nature and designed to develop the capabilities of individuals by instruction in any public or private elementary or secondary school, or any private college, not for pecuniary profit, and approved by the State Department of Education.

Equipment. The receptacle and numbered objects drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered, and the objects used to cover them and the board or signs, used to announce or display the numbers or designations as they are drawn. All equipment shall be stamped with the name of the organization and used only on that organization's premises.

Fraternal Organization. An organization within this state not for pecuniary profit, which is a branch, lodge, or chapter of a national or state organization and exists for the common business or other interests of its members.

Location. A single building, hall, enclosure, or outdoor area used for the purpose of playing bingo pursuant to a permit issued under this Ordinance. Bingo games shall be held only on the premises wholly owned by a qualified permitholder as defined in this Ordinance.

Mayor. The Mayor of the City of Graysville, Alabama.

Permitholder. A qualified organization issued a permit pursuant to this Ordinance.

Qualified Organization. A bona fide religious, educational, service, senior citizens', fraternal, or veterans' organization which operates without profit to its members and which either has been in existence continuously as such an organization for a period of two years or is exempt from taxation by virtue of having been classified as a tax-exempt nonprofit organization by the Internal Revenue Service.

Religious Organization. An organization, church, body of communicants, or group, not for pecuniary profit, gathered in common membership for mutual support and edification in piety, worship, and religious observances; or any society, not for pecuniary profit, of individuals united for religious purposes at a definite place; or a church related private school, not for pecuniary profit.

Senior Citizens' Organization. An organization within this state, not for pecuniary profit, which consists of at least 15 members who are 60 years of age or older and exists for their mutual support and advancing the causes of elderly or retired persons.

Service Organization. A branch, lodge, or chapter of a national or state organization, not for pecuniary profit, which is authorized by its written constitution, charter, articles of incorporation, or bylaws to engage in a fraternal, civic, or service purpose within the state; and a local civic organization, not for pecuniary profit and not affiliated with a state or national organization, which is recognized by resolution adopted by the city in which the organization conducts its principal activities, whose constitution, charter, articles of incorporation, or bylaws contain a provision for the perpetuation of the organization as a nonprofit organization whose entire assets are pledged to charitable purposes, and whose constitution, charter, articles of incorporation, or bylaws, contain a provision that all assets, real property, and personal property shall revert to the benefit of the city government upon dissolution of the organization.

Special Occasion. A single gathering or session at which a series of successive bingo games authorized by this Ordinance are played pursuant to a special permit issued under Section V of this Ordinance.

Veterans' Organization. An organization within this state, or a branch, or lodge, or charter within this state of a state organization or of a national organization chartered by Congress, not for pecuniary profit, the membership of which consists of individuals who were or are members of the Armed Services or Forces of the United States.

Section II. Permit required to operate bingo games.

(a). Any provisions of the law to the contrary notwithstanding, no qualified organization shall be permitted to operate a bingo game until the City Council issues a permit to the organization authorizing it to do so. In the event of any controversy concerning whether or not certain activity constitutes bingo for which a permit may be issued, the decision of the City Council shall control. A permit holder may hold only one permit and that permit is valid for only one location. A permit is not assignable or transferable.

(b). It shall be unlawful for any person to operate, conduct, or participate in any bingo game, or provide equipment utilized in the operation of bingo games, unless such a game is operated under a current, valid bingo permit issued for a qualified organization at the permitted location.

(c.) The permit described in this Section is in addition to and not in lieu of any other permits or licenses which may be required by the City of Graysville, and no bingo game shall be operated until such time as all requisite permits and licenses have been obtained.

(d.) There is only one type of bingo permit and it is a permit issued to an applicant who desires to operate only Paper Card Bingo.

Section III. Application for permit and Bingo Machine Fees.

(a). Any qualified organization desiring to obtain a Bingo Permit shall make application to the City Clerk on forms prescribed by the City Council and shall pay a fee per the following schedule:

Sessions 1-5 in any calendar month	\$250.00 flat fee
Sessions over 5 in any calendar month	\$250.00 per session

No permit shall be issued to any charitable non-profit organization unless such organization has been in existence for 24 months immediately prior to the issuance of the permit. The permit shall expire at midnight on September 30th following the granting of the permit. Renewal application for each calendar year shall be filed with the City Clerk prior to October 1st of each year.

(b). Each application for a permit and each application for renewal of a permit shall be on a form proscribed by the City Council and must contain the following information:

(1). The name and home and mailing address of the applicant and, if the applicant is a corporation, association, or other similar legal entity, the names and home and mailing addresses of each of the officers of the organization as well as the names and addresses of the directors, or other persons similarly situated, of the organization;

(2). The names and home and mailing addresses of each of the persons who will be operating or promoting the bingo game, as well as their date of birth and other information which may be requested by the City Clerk;

(3). The names and home and mailing addresses of any persons, organizations, or other legal entities that will act as surety for the applicant, or to whom the applicant is financially indebted, or to whom any financial obligation is owed by the applicant;

(4). The location at which the applicant will conduct the bingo games and a copy of all deeds, mortgages, rental agreements, or leases as to the premises where the proposed bingo games are to be conducted;

(5). A copy of the proposed location's most recent fire safety inspection;

(6). If the qualified organization is an incorporated organization, a copy of its articles of incorporation;

(7). The date and county the qualified organization was established in the State of Alabama;

(8). A statement showing the convictions, if any, for criminal offenses, other than minor traffic offenses, of each of the persons listed in subdivisions (1), (2), and (3); and

(9). Any other necessary and reasonable information which the City Council may require.

(c). A permit shall be refused to any applicant who fails to fully provide the information required by this section.

(d). Each application for a permit or for renewal of a permit may be subscribed to by any authorizing representative of the qualified organization before a notary public and shall affirm the truthfulness of the information provided.

(e). The City Clerk shall investigate the status of the application as a qualified organization as herein defined and the proposed place where bingo will be conducted. Within a reasonable time from the date of the application, but no more than thirty (30) days therefrom, the City Clerk shall direct the results of the investigation of the applicant and the applicant's proposed location to the attention of the City Council. The applicant shall be given reasonable notice of the City Council meeting at which its application will be considered. Upon the date of such meeting, the City Council shall, after considering any evidence offered by the applicant, make a decision as to the granting or refusal of the applicant's application.

Section IV. Contents and display of permit.

(a). Each bingo permit shall contain the name and address of the permit holder, the location at which the permit holder is permitted to conduct bingo, and the days of the week on which the permitholder is permitted to conduct bingo.

(b). The permitholder must display the permit conspicuously at the location where bingo is being conducted at all times during the conduct of the games.

Section V. Special Occasion Permits

(a). Upon special application submitted by a qualified organization licensed pursuant to Section III of this Ordinance and upon the applicant's payment of a fee of fifty dollars (\$50) to the City Clerk, the City Council may issue a special permit for conducting bingo at locations and on days other than those set forth in its annual permit.

(b). A qualified organization which does not hold a permit pursuant to Section III of this Ordinance may apply for a special permit for conducting bingo at a designated location for a special occasion.

(1). Such an applicant shall submit to the City Clerk a written application prepared in accordance with and on a form prescribed by rule of the City Council. The application shall include the information required by subsection (b) of Section III of this Ordinance, except that the applicant shall indicate the day or days on which the applicant will conduct bingo for the special occasion.

(2). Upon a determination by the City Clerk that the applicant is a qualified organization and is not ineligible pursuant to the *Code of Alabama*, Section 45-37-150.17 (1975) and upon the applicant's payment of the fee required under this subsection, the City Council may issue a special permit. If the applicant will conduct bingo on only one day under the special permit, the fee shall be twenty-five dollars (\$25). If the applicant will conduct bingo on more than one day under the special permit, the fee shall be fifty dollars (\$50).

(c). A special permit shall contain the name and address of the permitholder and shall specify the location at which the permitholder may conduct bingo, the days not exceeding two consecutive days on which the permitholder may conduct bingo, and the number of bingo games which the permitholder may conduct for the special occasion. The permitholder must display the permit conspicuously at the location where bingo is being conducted at all times during the conduct of the games.

(d). A qualified organization licensed pursuant to subsection (b) shall not be issued more than two special permits in any one calendar year.

(e). A special permit is not assignable or transferable.

Section VI. Certain activities prohibited.

(a). Only those qualified organizations which are properly issued permits pursuant to this Ordinance shall be allowed to operate bingo games. It shall be unlawful for any person or organization to operate bingo games without first having obtained a permit. Any person who has operated a bingo game without a proper permit shall be disqualified from obtaining a permit for a period of five (5) years.

(b). A qualified organization shall not lend its name or allow its identity to be used by any individual, firm, association, or corporation in the operating or promoting of a bingo game in which the qualified organization is not directly and solely operating the bingo game. All equipment shall be stamped or clearly marked in letters no less than one-half inch in height and one-fourth inch in width, except for the letter "I," with the name of the organization using the equipment, and it shall be unlawful to use equipment marked with the name of another organization.

(c). It shall be unlawful for two or more qualified organizations to operate bingo games jointly.

(d). It shall be unlawful for two or more qualified organizations to pyramid the valuation of prizes in such a manner as to exceed the limits in cash or gifts of equivalent value as provided in Section VIII of this Ordinance. The term equivalent value shall mean the fair market value of the gift on the date the gift is given as the prize in a bingo game.

(e). No person or organization by whatever name or composition thereof shall take any salary, expense money, or fees for the operation of any bingo game, except that not more than fifty dollars (\$50) per day may be paid to one or more individuals for assisting in the conduct of such games on such day.

(f). No person shall pay consulting fees to any person for any services performed in relation to the operation or conduct of a bingo game.

(g). It shall be unlawful for anyone to operate or conduct a bingo game at any place other than the permitted location.

(h). It shall be unlawful for any permitholder to allow anyone to operate a bingo game under its permit who is not a bona fide member, employee, or representative of the qualified organization.

Section VII. Disposition of Funds.

(a). The entire net proceeds of a bingo game shall be devoted exclusively to the lawful purposes of the permitholder. An item of expense shall not be incurred or paid in connection with the holding, operating, or conducting of bingo except the following bona fide expenses in reasonable amounts:

(1). The purchase or rental of equipment necessary for conducting bingo and payment of services reasonably necessary for the repair of equipment.

(2). Cash prizes or the purchase of prizes of merchandise.

(3). Rental of the location at which bingo is conducted. When premises owned by permitholder is destroyed by a natural disaster or any act not the fault of the tenant or property owner, then the premises may be rented for only one year.

(4). Utilities.

(5). Janitorial services.

(6). The fee required for issuance or reissuance of a permit to conduct bingo.

(7). To the extent reasonable for the operation of bingo, insurance and liability coverage of the bingo location.

(8). Security personnel.

(9). Advertising and promotional materials.

(10). Other reasonable expenses incurred by the permitholder, not inconsistent with this Ordinance as permitted by the City Council.

Section VIII. Management and operation.

- (a). A person other than a bona fide member of the permitholder may not participate in the management of bingo. Persons other than bona fide members of the permitholder may participate in the operation of bingo as provided by rule of the City Council.
- (b). A person may not receive any commission, salary, pay, profit, or wage for participating in the management or operation of bingo except as provided by rule of the City Council.
- (c). Bingo may not be conducted with any equipment which is not owned, being purchased, or being rented at a reasonable rate by the permitholder.
- (d). Prizes given by any organization for the playing of paper bingo games shall not exceed five thousand dollars (\$5,000) in cash or gifts of equivalent value during any paper bingo session or seven thousand five hundred dollars (\$7,500) in cash or gifts of equivalent value during any calendar week.
- (e). A permitholder may not advertise bingo except to the extent and in the manner authorized by rule of the City Council. If the City Council allows a permitholder to advertise bingo, the permitholder shall indicate in the advertisement the purposes for which the net proceeds will be used by the permitholder.
- (f). A permitholder shall not conduct more than one bingo session during any one calendar day and no more than two bingo sessions during any one calendar week and no session shall exceed five hours.
- (g). A permitholder shall conduct bingo games only at the single location specified in the permitholder's application.
- (h). Prizes given by any organization for the playing of bingo shall be no less than the amount of merchandise or money advertised by the permitholder.
- (i). No alcohol shall be served at any bingo location.

Section IX. Age Restrictions.

No person under the age of nineteen years old (19) shall be permitted to play any game or games of bingo conducted pursuant to any permit issued under this Ordinance. No person under the age of nineteen years old (19) shall be permitted to conduct or assist in the conduct of any game of bingo pursuant to any permit issued under this Ordinance.

Section X. Taxation.

Local taxes of any kind shall not be imposed upon the recipient of any prize, whether merchandise or money, awarded by a permitholder during a bingo game conducted in conformity with this Ordinance.

Section XI. Administration and enforcement.

The Mayor or City Council may promulgate reasonable rules and regulations for the proper administration and enforcement of this Ordinance.

Section XII. Maintenance of records.

(a). Each permitholder shall maintain the following records for at least three years from the date on which the last bingo game is conducted:

(1). An itemized list of the gross receipts for each session.

(2). An itemized list of all expenses, other than prizes paid during a bingo session, including the name of each person to whom the expenses are paid and a receipt for all of the expenses. The record shall be open to inspection by the City Clerk or designee during reasonable business hours. Upon the request of the City Clerk, the State Auditor or a certified public accountant firm appointed by him or her shall examine and conduct a post audit of a permitholder's records, accounts, and transactions related to the operation of bingo.

(b). On or before April 15th of each year, each permitholder shall file with the City Clerk a financial statement of receipts and expenses relating to the operation of bingo games in the previous calendar year. The report shall be in addition to any and all other reports required by law.

(c). The location at which bingo is being conducted or at which an applicant or permitholder intends to conduct bingo shall be open to inspection at all times by the City Clerk or her designee or by any police or peace officer of a political subdivision of the state.

Section XIII. Suspension or revocation of permits.

(a). The City Council may suspend or revoke any permit issued pursuant to this Ordinance if the permitholder or any officer, director, agent, member, or employee of the permitholder violates this Ordinance or rule promulgated hereunder.

(b). The City Clerk or his designee may request the revocation or suspension of any bingo permit for any of the following:

(1). Failure or refusal to comply with any provision of this Ordinance;

(2). Conviction of any officer, director, or employee of the permit holder or other person operating, conducting, or managing bingo games under such permit of any crime or offense involving moral turpitude or corrupt or fraudulent practice in association with such games;

(3). Making a false statement of a material fact in the application for a bingo permit or failing to disclose any information called for on the application.

(4). Failure to award the advertised amount of money or merchandise for each game.

(c). The City Clerk may request that the City Council suspend a bingo permit for any of the above reasons for a period not to exceed fifteen (15) days. Written notice shall be given to the permitholder or the manager or operator of the bingo games via certified mail or personal delivery. Such notice shall set out the offense or violation giving rise to the request for suspension or revocation of the permit and the date and time of the City Council hearing.

(d). The City Council shall hold a hearing on the revocation within fourteen (14) days of receipt of the City Clerk's recommendation. The permitholder may be represented by an attorney and may present witnesses concerning the charges.

(e). The City Council's decision is appealable to the Circuit Court of Jefferson County.

(f). Any decision shall be upon such terms and conditions as the City Council deems appropriate.

Section XIV. Effect of revocation, suspension, etc.

(a). A permitholder whose permit is revoked in consequence of a violation of this Ordinance or a rule promulgated under this Ordinance is ineligible to apply for a permit for a period of one (1) year after the revocation.

(b). A person convicted of an offense under Section XV of this Ordinance or any other gambling offense is ineligible to serve as an officer of a permitholder or to participate in conducting bingo for a period of one year after the conviction becomes final. If the person is licensed pursuant to this Ordinance, the person shall forfeit the permit and is ineligible to apply for the issuance or reissuance of the permit for a period of one year thereafter.

(c). If the permit is suspended, in addition to other penalties which may be imposed, the City Council may declare the violator ineligible to conduct a bingo game or apply for a permit under this Ordinance for a period not exceeding one (1) year.

(d). The permitholder shall return its permit to the City Clerk on or before the effective date of a suspension, revocation, or forfeiture. Whether returned or not, the permit shall not be valid beyond the effective date of the suspension, revocation, or forfeiture.

(e). It shall be unlawful for any person to conduct or to aid another in conducting a bingo game under an expired, suspended, or revoked permit.

Section XV. Violations.

Any person who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars (\$500), and may also be imprisoned in the Jefferson County Jail for no more than six (6) months.

Section XVI. Repealer.

Any previously adopted ordinance of the City of Graysville regarding bingo is hereby repealed.

Section XVII. Severability.

The provisions of this Ordinance are severable. If any portion of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other portion of this Ordinance.

This Ordinance shall become effective on December __, 2021 following its adoption and publication as required by law.

Approved, this the ____ day of December, 2021.

Mayor, Julio Davis

Councilmember, Louelle Kelley

Councilmember, Dorothy Hawthorne

Councilmember, Faye Busby

Councilmember, Karen Lauderdale

Councilmember, Raleigh Fuller

Councilmember, Randy Teeter

ATTEST:

City Clerk, Kathy Dumas

Councilmember Teeter moved to adopt Ordinance Number 964 as amended. Motion seconded by Councilmember Kelley. Roll call votes as follows:

<i>Councilmember Busby</i>	<i>Yes</i>
<i>Councilmember Fuller</i>	<i>Yes</i>
<i>Councilmember Kelley</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>
<i>Councilmember Teeter</i>	<i>Yes</i>
<i>Mayor Davis</i>	<i>Yes</i>

Councilmember Teeter moved to return to regular order of business. Motion seconded by Councilmember Fuller. Roll call votes as follows:

<i>Councilmember Busby</i>	<i>Yes</i>
<i>Councilmember Fuller</i>	<i>Yes</i>
<i>Councilmember Kelley</i>	<i>Yes</i>
<i>Councilmember Lauderdale</i>	<i>Yes</i>

Councilmember Teeter
Mayor Davis

Yes
Yes

Mayor Davis wished everyone a very Merry Christmas.

Thereupon on motion of Councilmember Lauderdale, motion seconded by Councilmember Teeter and being unanimously carried the meeting was duly adjourned.

Councilmember Faye Busby

Councilmember Raleigh Fuller

Councilmember Louella Kelley

Councilmember Karen Lauderdale

Councilmember Randy Teeter

Mayor Clark "Julio" Davis

City Clerk Kathy Dumas