

ORDINANCE 2025-07

An ordinance of the City of Irondale to modify Chapter 10 of the Municipal Code of the City of Irondale, Alabama

Section 1. AMENDMENT TO CHAPTER 10 OF THE MUNICIPAL CODE OF THE CITY OF IRONDALE. Chapter 10, Offenses and Miscellaneous Provisions, of the *Municipal Code of the City of Irondale, Alabama* is hereby amended by adding Article IX as follows:

Chapter 10 – Offenses and Miscellaneous Provisions

Article IX – Wireless telecommunication devices prohibited while operating a vehicle in a school zone.

Sec. 10-261 – Provisions.

It shall be unlawful for the driver of a motor vehicle in a school zone to operate a wireless telecommunication device between the hours of 7:30 a.m. and 8:30 a.m. and between the hours of 2:30 p.m. and 3:45 p.m. Operating a wireless telecommunication device shall include engaging in a call; writing, sending, or reading text-based communications; accessing, reading, or posting to a social network site or accessing or adding any information to the wireless telecommunication device. The provisions of this section shall only apply within a school zone upon a public road or highway during posted hours.

Sec. 10-262 – Wireless telecommunication device defined.

Wireless telecommunication device means a cellular telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, or any other substantially similar wireless device that is readily removeable from the vehicle and is used to write, send, or read text or data through manual input. A wireless telecommunication device shall not include any device or component that is permanently affixed to a motor vehicle. It does not include a hands-free wireless telephone, an electronic communication device used hands-free, citizens band radios, citizens band radio hybrids, commercial two-way radio communication devices, two-way radio transmitters or receivers used by licensees of the federal communication commission in the amateur radio service, or electronic communication devices with push-to-talk functions.

Sec. 10-263 – Violations.

- (1) Any police officer of the City shall serve upon any responsible person found to be in violation of this section a citation to appear in the municipal court of the City at the time and date specified therein to answer to the charge of such violation. If convicted of that violation, the charged person shall be fined \$75.00 for such offense. Except as set forth in Section 10-263(2), the charged party may dispose of the charge by settlement by paying this amount to the clerk of the municipal court by 12:00 p.m. on the date the case is set for trial in that court and not be assessed municipal court costs. However, if settlement of an alleged violation is not made with the municipal court clerk before 12:00 p.m. on the date of trial or the municipal court has not otherwise disposed of the charge, the charged party shall not be permitted to settle the alleged violation but shall be required to stand trial in municipal court and shall incur court costs if convicted.
- (2) If a person receiving a citation for an offense prohibited in this Article has been convicted of another violation of this kind within twelve (12) months of the date of such citation, the charged party shall not be permitted to settle the alleged violation by payment to the municipal court clerk by 12:00 p.m. of the date of trial, but shall be required to stand trial in municipal court and shall be punished as provided by Section 1-10 of this Code, including payment of any court costs if convicted.

Sec. 10-264 – Exceptions.

The provisions of this article shall not apply to a person who uses a wireless telecommunication device for doing any of the following:

- (1) Reports a traffic collision, medical emergency, or serious road hazard;
- (2) Reports a situation in which the person believes his personal safety is in jeopardy;
- (3) Reports the perpetration or potential perpetration of a criminal act against the driver or another person;
- (4) Operates a wireless telecommunication device while the motor vehicle is lawfully parked; or

(5) Uses a wireless telecommunication device in an official capacity as an operator of an authorized emergency vehicle.

Section 2. ORDINANCES REPEALED. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Irondale hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. LEGAL RIGHTS NOT IMPAIRED. That nothing in this ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. ORDINANCE CUMULATIVE; COMPATIBILITY WITH OTHER REGULATIONS. This ordinance shall not be construed to modify or to repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to and cumulative to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

Section 6. PUBLICATION OF ORDINANCE. That the City Clerk of the City of Irondale is hereby ordered and directed to cause this ordinance to be published as provided by law and that a copy of this Ordinance be entered upon the minutes of the meeting of the City Council.

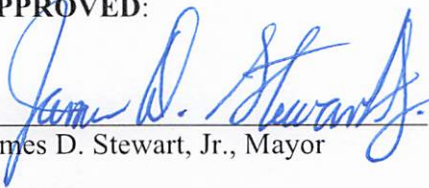
Section 7. EFFECTIVE DATE OF ORDINANCE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall be in full force and effect upon adoption and posting as required by law and shall continue in full force and effect from month to month and year to year from its effective date until repealed.

ADOPTED & APPROVED: This 18th day of March, 2025.

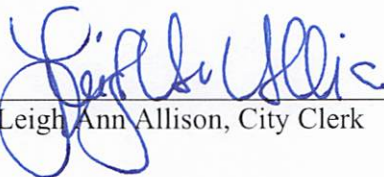


David Spivey, City Council President

APPROVED:

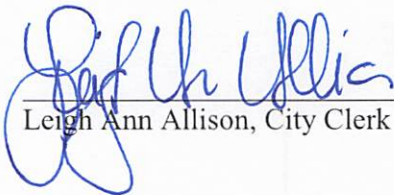

James D. Stewart, Jr., Mayor

ATTESTED:


Leigh Ann Allison, City Clerk

CERTIFICATION

I, Leigh Ann Allison, City Clerk of the City of Irondale, Alabama, hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Irondale at its regular meeting held on March 18, 2025 as the same appears in the minutes of said meeting.


Leigh Ann Allison, City Clerk