

ORDINANCE NO. 604-02

CITY OF HELENA, ALABAMA

**AN ORDINANCE TO PROTECT, PRESERVE, PROMOTE, AND
MAINTAIN THE CAHABA LILY (HYMENOCALLIS CORONARIA)
WITHIN THE CAHABA RIVER AND ITS TRIBUTARIES WITHIN
THE CITY LIMITS OF THE CITY OF HELENA, ALABAMA**

WHEREAS, the Cahaba Lily (*hymenocallis coronaria*) is an endangered plant which grows in a broad band along the Fall Line in the southeastern United States, ranging from the Cahaba River in Alabama in the west to the Catawba River South Carolina in the east, and

WHEREAS, the Cahaba Lily is fragile, threatened, and endangered plant species located within the Cahaba River and the tributaries of the Cahaba River within the city limits of the City of Helena, Alabama, and

WHEREAS, the City Council of the City of Helena, Alabama has determined that it is in the best interest of the public health, morals, and welfare that the Cahaba Lily be protected in its natural habitat within the City of Helena, Alabama:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
HELENA, ALABAMA AS FOLLOWS:**

1. No person, firm, or corporation shall disturb, damage, injure, cut, burn, remove, destroy, or possess any Cahaba Lily or any part or portion thereof which is located within or has been taken from within the high water boundaries of the Cahaba River or any of its tributaries within the city limits of the City of Helena, Alabama, except for scientific study or regulation by official government agencies authorized pursuant to legislation of the United States of America or the State of Alabama and then only upon direct authorization therefor.

2. Any law enforcement officer of the City of Helena, Alabama or other law enforcement officer of Shelby County, Alabama is hereby authorized and directed to enforce the provisions of this ordinance and may arrest any person violating this ordinance in his presence or view and may seize any Cahaba Lily or portion thereof which is taken or possessed in violation hereof.

3. It shall be illegal for any person, firm, or corporation to sell, offer for sale, buy, or offer to buy Cahaba Lilies, the bulbs, or any portion thereof, which have been removed in violation of this ordinance or in violation of Federal or State law.

4. Any person, firm, or corporation violating this ordinance or any section thereof shall be deemed guilty of a misdemeanor which shall be punished by a fine not to exceed five hundred dollars (\$500.00) and/or incarceration in an appropriate jail as determined by the Municipal Court of the City of Helena, with each day during which such offense continues being deemed a separate offense.

5. All Ordinances, or parts of Ordinances, contrary to the provisions of this Ordinance, are specifically repealed.

6. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

7. This Ordinance shall become effective immediately upon its passage by the City Council of the City of Helena and upon being published and posted as provided by law.

ADOPTED and APPROVED this 21 day of October, 2002.

[SEAL]

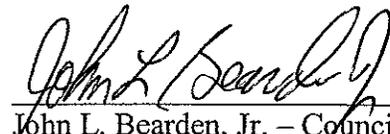
ATTEST:



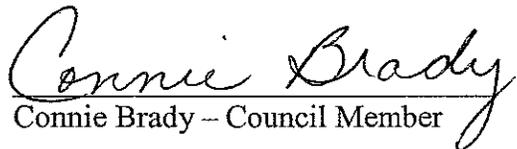
Peggy C. Dunaway, City Clerk



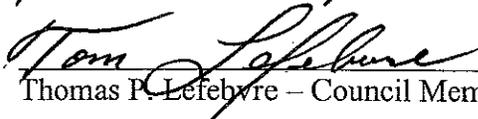
Charles W. Penhale, Mayor



John L. Bearden, Jr. – Council Member



Connie Brady – Council Member



Thomas P. Lefebvre – Council Member

Paul DeCarlo – Council Member

G. Mathew Pope – Council Member

**STATE OF ALABAMA
SHELBY COUNTY**

I, Peggy C. Dunaway, City Clerk of the City of Helena, do hereby certify that the above is a true correct copy of an ordinance duly adopted by the City Council of the City of Helena at its meeting held October 21, 2002, and as same appears of record in the ordinance records of said City, and approved by the Mayor on October 21, 2002.

Given under my hand and corporate seal of the City of Helena, this the 21 day of October, 2002.

[SEAL]


Peggy C. Dunaway, City Clerk

CERTIFICATION

I, Peggy C. Dunaway, the duly appointed and acting City Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number 604-02 is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three (3) public places in said City, being on the bulletin board of the City Hall, in the United States Post Office in the City of Helena, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 28 day of October, 2002, five or more days after the posting of the same as provided by law.

21 IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 21 day of October, 2002.

[SEAL]



Peggy C. Dunaway, City Clerk

ORDINANCE 662-04

Const. Traffic

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HELENA, ALABAMA under the authority of the Code of Alabama 1975, as last amended, as follows:

SECTION

It shall be unlawful for any person to drive or move any truck, vehicle, or vehicles over, or along Old Cahaba Avenue, a public street in the City of Helena, from its intersection of Shelby County Highway 52W to the termination of Old Cahaba Avenue and Old Cahaba Place, of a size or weight except in accordance with the following provisions:

- (a) The gross weight imposed on the street or highway aforesaid by the wheels of any one axle on a vehicle shall not exceed 18,000 pounds.
- (b) For the purpose of this Ordinance, an axle load shall be defined as the total load transmitted to the street or road by all wheels whose centers are included between two parallel transverse vertical planes 40" apart exceeding across the full width of the vehicle.
- (c) Subject to the limit upon the weight imposed upon the highway or street through any one axle as set forth herein, the total weight with load imposed upon the highway or street by all the axles of the vehicle or combination of vehicles shall not exceed the gross weight given for the respective distances between the first and last axle of the vehicle or combination of vehicles, measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet between First and last axles Vehicle or combination of Vehicles	Maximum load in pounds on all the axles
4	
5	
6	19,200
7	19,200
8	19,200
9	19,200
10	19,566
11	20,700
12	21,840
13	22,980
14	24,120
15	25,260
16	26,400
17	27,120
	27,780
	28,380

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