

SAMPLE RESOLUTION 1
CALLING FOR REFERENDUM
ON HEALTH AND SAFETY POWERS

WHEREAS, "The Alabama Limited Self-Governance Act" (*Ala. Code § 11-3A-1 et seq.*) authorizes the county commission to exercise certain health and safety powers in the unincorporated areas of the county upon passage of a local referendum in which the qualified voters in the unincorporated areas of the county approved the exercise of these powers by the county commission; and

WHEREAS, a local referendum may be called by the county commission upon resolution adopted by a majority of its members, with such referendum to be held in conjunction with a primary, general, or special election held for another purpose; and

WHEREAS, if the Limited Self-Governance Act is approved by a majority of the qualified electors in the unincorporated areas of the county at a local referendum on the question, the county commission will be authorized to adopt ordinances on health and safety issues related to the abatement of weeds, the control of animals, the control of litter, the control of junkyards, and the abatement of noise nuisances, unsanitary sewage, or pollution set out above; and

WHEREAS, the _____ County Commission believes that it is in the best interests of the county that the county commission be authorized to address some or all of the important health and safety issues set out in the Act; and

WHEREAS, the _____ County Commission desires to grant its citizens in the unincorporated areas of the county an opportunity to vote on whether to grant the county commission the authority to address these health and safety concerns within the unincorporated areas of the county; and

WHEREAS, based upon the foregoing, the _____ County Commission has adopted this resolution calling for a local referendum on this issue by a majority of the county commission.

WHEREFORE BE IT RESOLVED BY THE _____ COUNTY COMMISSION, that it does hereby call for a local referendum to be held on the question of whether the health and safety powers authorized in *Ala. Code § 11-3A-1 et seq.* shall be effective in _____ County, with such referendum to be held during the election on **(insert date)**.

BE IT FURTHER RESOLVED that copies of this resolution be immediately forwarded to the judge of probate and sheriff's office with instructions to include this local referendum on the ballot for the election to be held on **(insert date)**.

IN WITNESS WHEREOF, the _____ County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the ____ day of _____, 20__.

Chairman, _____ County Commission