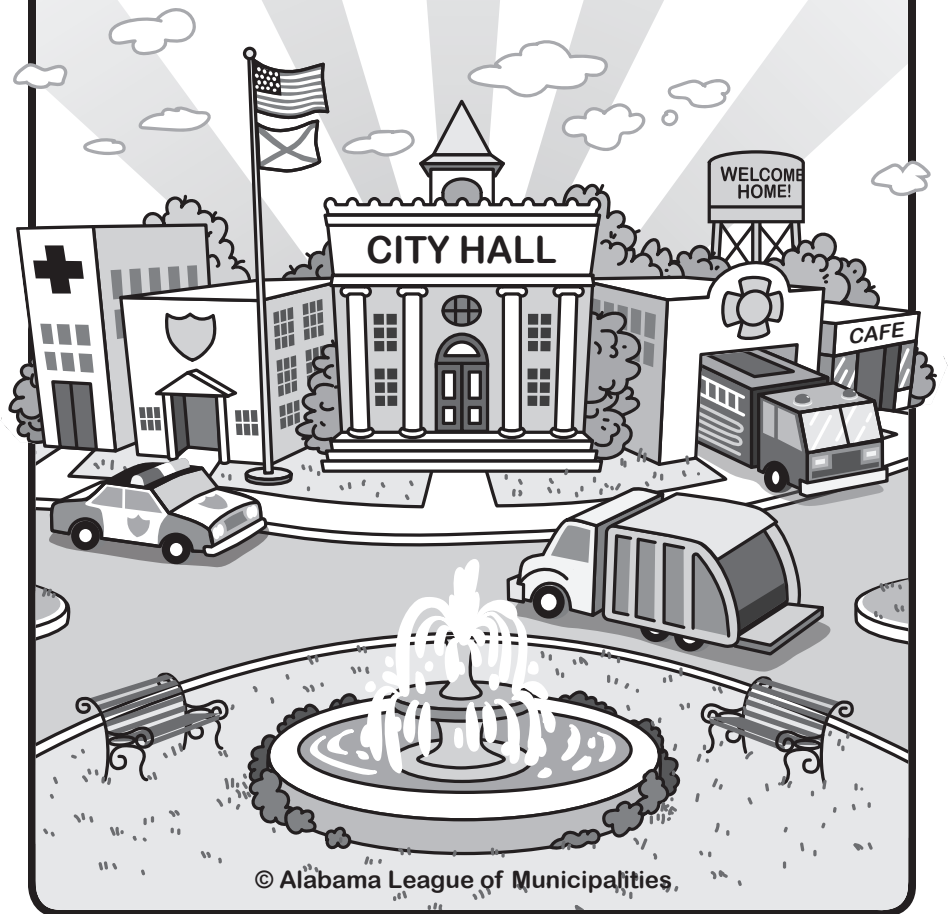
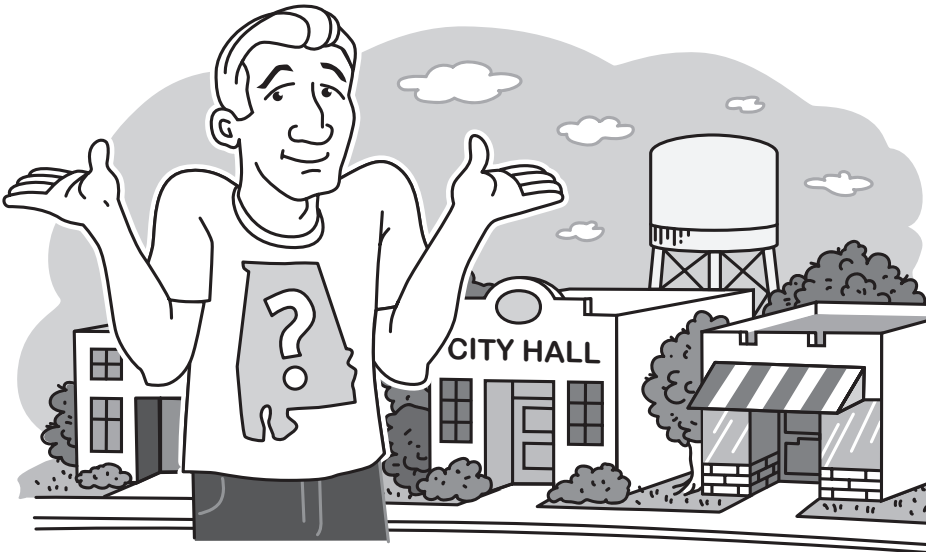


YOUR MUNICIPALITY and YOU!





Why does my municipality matter?

The best answer to this broad question is three words: **Quality of Life!** Very few people understand the true significance of municipal governance. It literally affects every aspect of our daily lives – from dogs, garbage, water and sewage to infrastructure, recreation, economic development and public safety. But what exactly is a municipality and how do they function in Alabama?

What is a municipality?

A municipality is a community of people operating under a form of government. In Alabama, municipalities are limited by the state legislature as to what they can and cannot do. Municipal governance is carried out by locally-elected people.

Why create a municipality?

Two key reasons a group of citizens may want to create a municipality is to protect the identity of a local community and for the services a municipality can provide for the people who live and work within the municipality. The following list is a general description of some of the

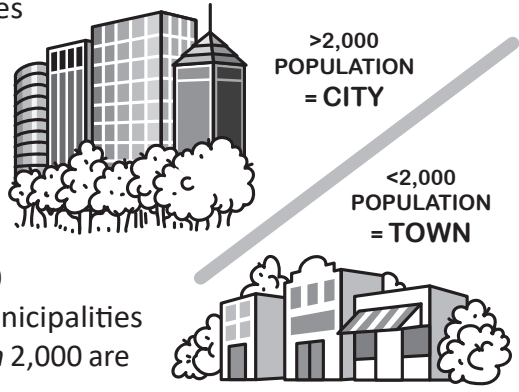
vital public services a municipality **may** provide to its residents. Keep in mind, however, that municipalities **are not** required to provide all these services.

Vital Public Services

- Police or fire protection services for the people and property of the community. Fire protection not only protects property, but often results in lower insurance rates for property owners
- Public works programs
- Schools
- Street construction and maintenance
- Sidewalk construction and maintenance
- Parks and recreation facilities
- Airports, museums, zoos, hospitals, curb markets, etc.
- Sewer systems, both sanitary and storm
- Street lighting
- Flood control projects
- Utilities: construction, maintenance and operation of water, gas, sewer and electric systems
- Economic development
- Community financing
- Grant programs
- Planning and zoning; balancing property rights with the need to have orderly development and property value protection
- Garbage collection and disposal services

Is my municipality a city or town?

In Alabama, municipalities are classified according to their population – or the number of people who live within the municipal limits. Municipalities with a population *less than* 2,000 are considered **towns**. Municipalities with a population *more than* 2,000 are considered **cities**.



What are the different forms of municipal government?

There are two forms of municipal government in the state of Alabama: mayor-council and council-manager.

The mayor-council form of government is found in most Alabama municipalities and consists of a mayor and five to seven councilmembers. Mayors and councilmembers are elected by municipal citizens to serve four-year terms.

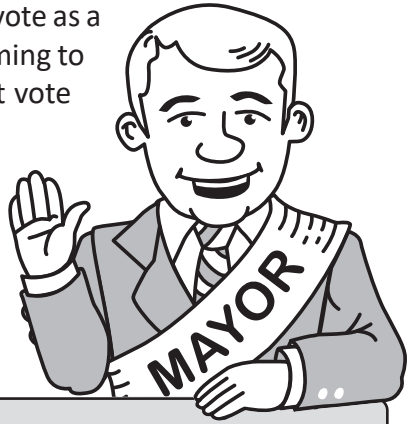
The governing body of a municipality organized under the council-manager form of government also consists of an elected mayor and council. However, the big difference is that the council appoints a manager who serves as the chief administrator for the municipality who performs many of the duties performed by the mayor in a mayor-council form of government.

What is the role of the Mayor?

In mayor-council municipalities, regardless of population, the mayor serves as the chief executive officer of the municipality and is charged with overseeing the day-to-day administration of the municipality and carrying out the policies adopted by the council.

In municipalities with a population less than 12,000, the mayor is a member of the council and presides over all meetings of the council.

At his or her discretion, the mayor may vote as a member of the council on any issue coming to a vote. However, if the mayor does not vote and the resulting vote of the council ends in a tie, then the law requires the mayor to vote to break the tie.



The mayor serves as the Chief Executive Officer

The mayor of a mayor-council municipality with a population of 12,000 or more has the same powers and duties as the mayor of a smaller municipality with the exception that he or she is **not** a member of the council and does

not vote. However, all ordinances of a general and permanent nature approved by the council are subject to the veto power of the mayor. (The mayor can reject the decision or proposal made by the council.)

What is the role of the Council?

The municipal council is the local legislative body which has the responsibility of determining the policies to be followed in the administration of the municipal government. In almost every instance where state law grants authority to municipalities, that authority must be exercised through action by the council.

In municipalities with a population of 12,000 or more, the president of the council presides over council meetings. The president of the council is a member of the council and is entitled to vote on issues



The municipal council is the local legislative body

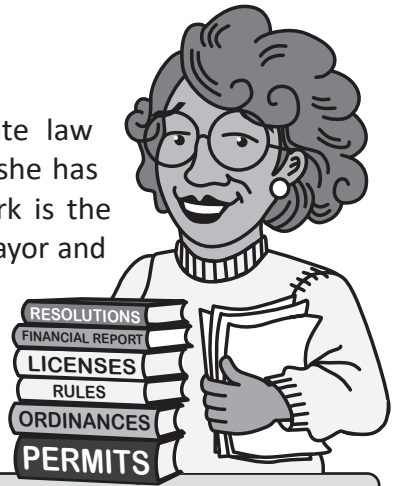
coming before the council. In case of a tie vote, the measure fails for lack of the required majority.

What is the role of the City Manager?

In those municipalities that have appointed a city manager, the city manager serves as the head of the administrative branch of the municipal government and is responsible to the council for the proper administration of all affairs of the municipality. The council has the power to appoint and remove a city manager.

What is the role of the Municipal Clerk?

Municipalities are required by state law to have a municipal clerk, and he or she has very specific responsibilities. The clerk is the bridge between the council and the mayor and between city hall and the public. In addition to keeping up with rules and regulations, preparing council minutes and maintaining financial records, the clerk is often the most direct link between residents and government. The city clerk's role is one of the oldest and most important public servant professions.



The clerk is the bridge between the council and the mayor and between city hall and the public

What is the difference between a Council Meeting and a Public Hearing?

A council meeting is when a majority of the councilmembers (known as a quorum) and the mayor gather at a designated place and time to discuss, deliberate and conduct city or town business. While smaller municipalities (population under 2,000) are only required to have one

council meeting per month, all other municipalities are required to hold two council meetings per month to conduct municipal business, such as passing ordinances.

The Open Meetings Act requires the council to give notice of the time, place and purpose of council meetings to the public so that citizens can also attend. Keep in mind that a council meeting is a business meeting, not a public hearing. The meeting is open to the public not so much to obtain citizen input, but to allow the public to observe the business of government to ensure they, the citizens, are appropriately represented by their elected officials. Although most councils do set aside a time for public comment, Alabama law does not guarantee citizens the right to speak at a council meeting.

A council meeting is a business meeting, not a public hearing

Unlike a council meeting, a public hearing is a special meeting of the council for the purpose of receiving input and testimony from the public on a particular issue or proposed action. In limited instances, Alabama law requires that before a council takes action on certain issues, they must receive public input by holding a public hearing. For example, before a council takes action on establishing zoning or rezoning, the law requires they hold a public hearing.

What is an ordinance?

An ordinance is an official action of the council regulating the community at large. A violation of an ordinance could result in a penalty.

How does my municipality afford to provide essential services?

In order to provide citizens with the essential services everyone expects, the city or town must have revenue. Municipalities generate revenue by creating and collecting a variety of taxes and licenses

as well as permit and franchise fees (a fee imposed as a condition for using public streets and right of ways for private and public benefit).

Generally speaking, municipalities have authority to establish and collect sales and use taxes, business license taxes, gasoline taxes, tobacco taxes, amusement taxes, lodgings taxes, property taxes and occupational license taxes. Keep in mind that not every municipality assesses all of these taxes even though they have the authority to do so.

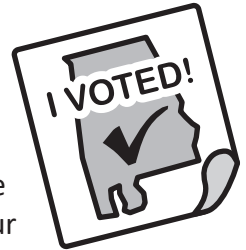
In addition to taxes, municipalities also have the authority to establish inspection fees for building, fire, plumbing and electrical inspections. These fees help offset the cost of providing for the inspections which help protect public safety.

While nobody likes to pay taxes, it is important to understand that the monies collected by your municipality fund vital public services like police and fire protection, parks and recreation, street and road maintenance, schools, water, sewer and garbage collection.

How can I be involved in municipal government?

There are several ways you can be involved in your local government.

- **Start by voting!** Anyone 18 years old or older can vote for the mayor and councilmembers of their community. Elections are usually held every four years in August.
- **Let your voice be heard!** You can participate in local government by contacting your councilmembers and telling them what you think about issues in your community or improvements you would like to see. It is the responsibility of the council and the mayor to represent their constituents (the citizens of the community) regardless of how young or old they are.
- **Show up!** Attend council meetings and public hearings and stay informed on the issues being discussed in your municipality.
- **Interested in running for office?** Candidates running for municipal



office – mayor or council – must be 18 years old and a resident of the municipality or council district for at least 90 days prior to the election.

- **Want to serve your municipality with hard work?** You can also consider working for your city or town. Municipal employees do everything from cleaning the streets to inspecting houses to make sure they are safe. Firefighters and police officers are also municipal employees.
- **Have an interest in or expertise in a particular area of government?** Look to see what boards, commissions and committees have been established in your municipality and volunteer to serve and/or express interest in serving as an appointed board member.

Where to go for more information?

For additional information on municipal elections; state laws affecting municipalities and municipal officials; and collecting municipal taxes, visit:

Alabama Secretary of State's Office

Phone: 334-242-7200

www.sos.alabama.gov

Alabama Ethics Commission

334-242-2997

www.ethics.alabama.gov

Alabama Attorney General's Office

334-242-7300

www.alabamaag.gov

Alabama Department of Revenue

334-242-1170

www.revenue.alabama.gov

In his Foreword for the 1955 publication *Some Facts About Municipal Government in Alabama*, the Alabama League of Municipalities' first Executive Director, Ed E. Reid (1935-1965), made the following observations:

It is an alarming fact that many people take their municipal government so much for granted. They become interested in it only when some controversial issue develops and otherwise assume that its routine operations are of little importance to them. They overlook the fact that the whole pattern of daily life is constantly influenced by their municipal government. It supplies water, sewage service, garbage collection, police and fire protection, streets, traffic control, recreational facilities and countless other functions. Some of these are primarily a convenience, but many of them vitally affect the health, safety and welfare of the municipality's residents. Moreover, they are financed by the residents of the municipality through taxes and other revenue devices. In short, every citizen has much at stake in the operations of his municipality's government and should show a degree of interest which reflects this. Certainly, he ought not simply take it for granted.

In addition to the services it supplies, there are other reasons why municipal government is of the utmost importance in our whole scheme of democratic government. Municipal government is a training ground in democracy and governmental statesmanship. Municipal government is also the level at which the citizen can most directly participate in the democratic process. Our state and national governments cover such a wide scope of activities that we cannot hope, as individuals, to follow all of

them. We cannot enjoy frequent contacts with our representatives on those levels and often lack the information necessary to understand their problems. On the municipal level, however, we can become thoroughly familiar with local problems, understand the policies of the city or town government and manifest opinions on these matters through direct contact with our elected officials. For these reasons, and many others, it is important to each of us that we have a good municipal government – that it must be honest, efficient, economical and progressive. This cannot be fully achieved without the active interest and participation of every citizen, which in turn requires some knowledge of municipal government.

Unfortunately, the study of municipal government and civics has been absent from mainstream high school curricula for many years. Additionally, 21st century Americans are now hyperconnected yet have fewer “nonvirtual” friendships, face-to-face interactions and in-person conversations than ever before. A 2017 study by global tech protection and support company Asurion found that the average person struggles to go more than 10 minutes without checking their phone and one in 10 check their phones on average once every four minutes. Couple that with nearly 40 percent of those 18 to 29 online almost every waking minute (according to a 2018 Pew survey) and it becomes clear that we are quickly losing our sense of real-time, physical community. As for civic engagement – fundamental, show-up-in-person-and-participate engagement – well, that is challenging across all ages.

It is our hope at the Alabama League of Municipalities that this publication will answer several basic questions about municipal government and, perhaps, spark the reader’s curiosity to learn more about why municipalities matter.



Since 1935, the Alabama League of Municipalities has worked to strengthen municipal government through advocacy, training and the advancement of effective local leadership. Alabama has 464 municipalities. As the recognized voice of Alabama's cities and towns, ALM's municipalities benefit from a variety of member programs, services and activities that are impossible to accomplish individually. For more detailed information about services and programs provided by ALM, visit our website at www.almonline.org.