



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 11/6/2025

File ID: 2025-1070

Department: Legal

Subject:

Type of Action: Approval/Action

Resolution authorizing the City Attorney to submit certain questions to the Office of the Attorney General of Alabama relative to forms to utilize in writing tickets for certain municipal traffic violations based on local ordinances and requesting issuance of an Attorney General's opinion relative thereto.

Resolution No.

Finance Information:

Account Number: NA

City Cost Amount: NA

Total Cost: NA

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location: (list below)

Address: NA

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments:

RESOLUTION NO. 25-_____

WHEREAS, the Attorney General of the State of Alabama is a constitutional officer whose duties and powers are prescribed in Title 36, Chapter 15 of the Code of Alabama (1975), to include rendering an opinion, in writing or otherwise, as to any question of law connected with the duties of city officers when requested to do so by the governing body of any incorporated municipality; and

WHEREAS, the State of Alabama has heretofore enacted laws regarding the use of wireless communication devices while operating a motor vehicle; and

WHEREAS, the City of Huntsville has previously enacted its own ordinances to further regulate the use of wireless communication devices, in the form of Ordinance No. 10-464, adopted and approved on July 22, 2010, and thereafter amended by Ordinance No. 23-694, adopted and approved on October 12, 2023; as codified in the Code of Ordinances of the City of Huntsville at Sections 25-180 through 184, (hereinafter referred to collectively as “Huntsville’s Hands Free Ordinance”); and

WHEREAS, there has developed confusion between and among the municipal judges, the local bar, municipal prosecutors, and municipal court administration as to certain issues relative to charging and enforcement of these local ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the City Attorney is hereby instructed to submit the following questions to the Office of Attorney General for the State of Alabama and to request his opinion relative thereto:

1. May a law enforcement officer intending to cite a citizen for violation of Huntsville’s Hands Free Ordinance utilize the State of Alabama’s “Uniform Traffic Ticket and Complaint” form (UTTC), to include the electronic version of the UTTC as approved by the Administrative Director of Courts (the “ADC”), in lieu of utilizing an arrest citation (the “Multi-Purpose Citation/Summons)?
2. If so, what court costs are required to be assessed and how should those court costs be distributed?

ADOPTED this the 6th day of November, 2025.

President of the City Council
of the City of Huntsville,
Alabama

APPROVED this the 6th day of November, 2025.

Mayor of the City of
Huntsville, Alabama