and adopted by the Mayor and City Council of the City of Roanoke, Alabama on the 13th day of November, 1950, and was herein recorded and was published in the Roanoke Leader, a newspaper of general circulation in the City of Roanoke, Alabama, the 16th and 23rd days of November, 1950.

Olin E. Stephard
Clerk, City of Roanoke, Alabama

AN ORDINANCE

NO. 392

To better promote and safeguard the health of the people of the City of Roanoke, Alabama and its police jurisdiction and to better regulate the sale of Milk and Dairy Products, and to provide for the obtaining of permits for the sale thereof in the City of Roanoke, Alabama and in the Police Jurisdiction thereof, and to provide License for the sale of such Milk and Dairy Products for the use of the Streets, roads and avenues in said City of Roanoke, Alabama and Police Jurisdiction thereof, and to further provide for the general revenue of the City of Roanoke, Alabama.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, ALABAMA, as follows:

Section 1. That the sale of Milk and Dairy Products in the City of Roanoke, Alabama affects the health of the people of said City and the Police Jurisdiction thereof.

Section 2. That the consumption of Milk and Dairy Products by the people of the City of Roanoke and the Police Jurisdiction thereof should at all times be of the best quality and character.

Section 3. That the kind, character and quality of Milk and Dairy Products consumed and used by the people of the City of Roanoke and the Police Jurisdiction thereof as to the sale thereof should at all times be regulated and controlled to the end that the health and safety of the people therein should be conserved.

Section 4. Therefore, on and after January 1st, 1950, all who deal in, sell and deliver Milk and Dairy Products in the City of Roanoke, Alabama and the Police Jurisdiction thereof shall obtain a Permit approved by the City Council of the City of Roanoke, Alabama, and such Permit shall be signed by the Mayor of said City and shall be attested by the City Clerk of said City.

Section 5. To obtain such Permit herein referred to in Section 4 of this Ordinance, the person, firm, association or corporation shall make application to the City Council, and such application shall contain among other things the following:
a. The name of the person, firm, association or corporation making such application, the nature of its business, the main office and place of business of the same, the location of its plant or place where such products are obtained, whether a barn or a Dairy; how such place or plant is operated, whether by hand milking, steam or electricity or otherwise; how such product is to be delivered in the City of Roanoke or its Police Jurisdiction as to the kind of containers to be used; whether such containers are used once or more than once; if used more than once how the same shall be cleaned or made ready for use after being once used; whether such milk or product is treated or untreated; if treated how; whether such product is sold in the raw state; whether such product is pasteurized; whether such product is homogenized; Health laws of the State of Alabama; whether the same has had any cream or butter-fat removed therefrom; whether the same has been treated in any way, and if so in what manner and the purpose thereof; how long such person, firm, association or corporation expects to sell or deliver such milk or Dairy Products in the City of Roanoke, Alabama or in the Police Jurisdiction thereof; and whether or not the Petitioner will obey and observe and present regulations of the City to be made in the future concerning the sale and delivery of any of such Milk or Dairy Products, and the failure to make such Petition or application and obtain such Permit shall be a violation of this Ordinance hereinafter contained.

Section 6. This Ordinance shall not apply to Oleomargarine and other items that have been inspected or approved by the Government of the United States regularly set up for such purposes and as provided by law.

Section 7. The terms and provisions of this Ordinance does not apply to those who do not regularly engage in the business of Selling Milk and Dairy Products, but it does apply to all who hold their products out to the public generally, whether wholesale or retail.

Section 8. After the making of application for a permit and the receipt of the same, no person, firm, association or corporation shall commence the business of engaging in the selling or delivering of Milk or Dairy Products, either wholesale or retail until one of the following Licenses has been obtained:

a. The selling of raw milk, either wholesale or retail in the City of Roanoke, Alabama, the sum of twenty five dollars ($25.00);

b. The selling of processed milk, whatever form of processing be used, including pasteurization and homogenizing in the City of Roanoke Alabama, the sum of fifty dollars ($50.00);

c. The selling of milk products as beverages, as chocolate milk and other drinks and beverages, other than plain sweet milk or butter milk the sum of seventy five dollars ($75.00);

d. That the license under sub-section "b" of this, Section 8 of this Ordinance shall include the License under sub-section "a" of this Ordinance; and the license under sub-section "c" of this said Section
8 of this Ordinance shall include the license under both sub-sections "a" and "b";

e. The selling of Milk or Dairy Products as set forth in paragraphs either a, b, or c in this Section 8 of this Ordinance in the Police Jurisdiction shall be one half of the License so stated therein, however if the license therefor is obtained for the City of Roanoke, the same shall also cover the Police Jurisdiction of the City of Roanoke, Alabama.

Section 9. The violation of any of the provisions of this herein Ordinance by any person, firm, association, corporation or the agent or employee of any firm, association or corporation shall be a violation of this Ordinance, and a Misdemeanor against the City of Roanoke, Alabama and shall for each offense be punishable by a fine of not less than Five Dollars ($5.00) and not more than one hundred dollars ($100.00) and may also be sentenced in addition to said fine to imprisonment in the City Jail or to hard labor on the streets of the City of Roanoke for a term of not longer than a period of six (6) months.

Section 10. Should any part, term or provision of this Ordinance be held unconstitutional by any Court, it shall not affect the validity of any of the other parts, terms or provisions thereof.

Adopted this on December 11th, 1950.

K. L. Hooper
Mayor
City of Roanoke, Alabama

I, Olin E. Sheppard, Clerk of the City of Roanoke, Alabama, hereby certify that the above and foregoing Ordinance No. 392 was passed and adopted by the Mayor and City Council of the City of Roanoke, Alabama on the 11th day of December, 1950, and was herein recorded and was published in the Roanoke Leader, a newspaper of general circulation in the City of Roanoke, Alabama, the 14th, 21st, and 28th days of December 1950.

Olin E. Sheppard
Clerk, City of Roanoke, Alabama