

**STATE OF ALABAMA
COUNTY OF BLOUNT
TOWN OF HIGHLAND LAKE**

ORDINANCE NO. HL 2025-01

AN ORDINANCE ESTABLISHING A LICENSE AND PERMIT FOR THE USE, DEVELOPMENT AND CONTROL OF HIGHLAND LAKE AND TO BE KNOWN AS THE "LAKE USE PERMIT" AND TO FIX THE PURCHASE COST OF SUCH PERMITS, THE DURATION OF VALIDATION AND TO ESTABLISH THE USES FOR SAID PERMIT, AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

BE IT ORDAINED BY THE TOWN COUNCIL OF HIGHLAND LAKE, ALABAMA, AS FOLLOWS:

SECTION 1: LAKE USE PERMIT

In order to maintain the Highland Lake Dam, develop and manage Highland Lake Park and Recreational areas, and to provide custodial care of Highland Lake and Recreational areas, all persons using Highland Lake shall purchase either an annual "Lake Use Permit" or daily "Bank Fishing Permit".

SECTION 2: THE PERMIT DESCRIPTION AND FEE

A. PROPERTY OWNER OR RESIDENTS - WATERFRONT PROPERTY: All waterfront property owners or waterfront residents *shall* purchase an annual Lake Use Permit fee of two hundred and no/100 dollars (\$200.00) per year per noncontiguous waterfront property. For the purposes of this ordinance, contiguous waterfront properties owned by the same person(s) and/or entity(ies) will be assessed as a single waterfront property. However, noncontiguous waterfront properties owned by the same person(s) and/or entity(ies) will be assessed the full Annual Lake Use Permit fee per set of noncontiguous properties. Additionally, there will be assessed a twenty-five and no/100 dollars (\$25.00) fee per motorized watercraft per year with a four (4) motorized watercraft limit *per* Lake Use Permit fee paid.

PROPERTY OWNER OR RESIDENTS - NON-WATERFRONT PROPERTY: All non-waterfront property owners or non-waterfront residents *should* pay an annual Lake Use Permit fee of one hundred and no/100 dollars (\$100.00) per year. Additionally, there will be assessed a twenty-five and no/100 dollars (\$25.00) fee per motorized watercraft per year with a four (4) motorized watercraft limit *per* Lake Use Permit Fee paid. If a property owner or resident owns both waterfront and non-waterfront property(s), the annual Lake Use Permit(s) will be paid on the waterfront property(s).

NON-PROPERTY OWNER, NON-RESIDENT PURCHASERS: Annual Lake Use Permit fee of four hundred fifty and no/100 dollars (\$450.00) per year will be charged to all Non-Property Owner, Non-Resident Purchasers. This permit will cover one (1) motorized (or non-motorized) vessel, and one (1) additional non-motorized vessel, if desired, i.e., non-motorized canoe or kayak. Maximum of two (2) vessels.

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- B. Daily Bank Fishing Permit fee is three and no/100 dollars (\$3.00) per person for bank fishing where permitted. Individuals purchasing a daily Bank Fishing Permit will be issued an identification card valid only for the day issued and is not transferable. This fee is not applicable to property owner/resident or non-property owner/non-resident annual Lake Use Permit holders.
- C. There will be no charge for handicapped persons fishing from the bank. You must show proof of handicap (such as parking permit) and apply for a daily Bank Fishing Permit in advance from the Town Clerk. This permit will be valid for one year, beginning May 15 and ending May 14 of the following year.
- D. Annual Lake Use Permits will not be issued to a non-property owner/non-resident for the use of Personal Watercraft, such as, but not limited, to seadoos and wave runners.

Failure to purchase permits as described shall be in violation of HL-2025-01

SECTION 3: DISPLAY REQUIREMENTS WITH TIME AND QUANTITY RESTRICTIONS

- A. Each Property Owner or Resident who purchases a Lake Use Permit will be entitled to a watercraft decal for each craft (with a limit of (4) four *per* Lake Use Permit purchased) registered in the name of the property owner, with the STATE OF ALABAMA.
- B. Non-Property Owner, Non-Residents may purchase an annual Lake Use Permit, which shall be restricted to the use of the purchaser/permittee. This permit will cover one (1) motorized (or non-motorized) vessel, and one (1) additional non-motorized vessel, if desired, i.e., non-motorized canoe or kayak. Maximum of two (2) vessels.
- C. Annual Lake Use Permits are valid for one (1) year beginning at 12:01 a.m. on May 15th of each year and are delinquent on June 1st of the following year.
- D. Daily Bank Fishing Permit are valid only for the day issued and are not transferable.
- E. Purchasers of Annual and/or Daily permits will be issued recognizable identification material.

Failure to purchase permits as described shall be in violation of HL-2025-01

SECTION 4: USE OF PERMIT

- A. Lake Use Permits are necessary for any water activity including boating, swimming, fishing and other water recreation.
- B. Watercraft identification decals must be displayed on the watercraft in the area adjacent to the state registration numbers and must be clearly visible.

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- C. Daily Bank Fishing Permit must remain with purchaser at all times. Permits are not transferable.

Improper use of permits as described shall be in violation of HL-2025-01

SECTION 5: HOLD HARMLESS AGREEMENT

As part of the permit process approved by the Town Council, a Hold Harmless Agreement must be signed before lake use decals are issued. Reference the addendum to this Ordinance.

SECTION 6: PENALTIES FOR PROPERTY OWNERS OR RESIDENTS' LATE OR FAILURE TO PURCHASE ANNUAL LAKE USE PERMIT

- A. If the annual Lake Use Permit is not purchased by June 1st of the calendar year, there *shall* be a late fee assessed of twenty-five and no/100 dollars (\$25.00) in addition to the cost of the appropriate Lake Use Permit for property owners or residents.
- B. The Town of Highland Lake reserves the right to file a lien against any waterfront property on which an annual Lake Use Permit has not been paid. Any legal/attorney fees incurred by the Town of Highland Lake in defense of the ordinance will be paid by the lakefront property owner.

SECTION 7: PENALTIES FOR ALL VIOLATIONS OTHER THAN PROPERTY OWNERS OR RESIDENTS' LATE PURCHASE ANNUAL LAKE USE PERMIT

- A. Upon violation and issuance of a citation / notice, issued by the Town of Highland Lake, the defendant, on a first, second, or third violation, may elect to enter a guilty plea to the offense and waive his or her right to trial before the District Court of Blount County, Alabama and remit the appropriate fine to the Town of Highland Lake within 30 days of issuance of citation / notice. Fines must be remitted in person at the Highland Lake Town Hall. Failure to act within the 30 days of issuance of citation / notice will result in referral to the District Court of Blount County for further action. The following fee schedule will be applied, provided that the violation has been abated:

- PROPERTY OWNER OR RESIDENT
 - 1st Violation shall be two hundred and no/100 dollars (\$200) (if a watercraft is involved in the citation / notice, then an additional twenty-five and no/100 dollars (\$25.00) fee shall be applied)
 - 2nd Violation shall be three hundred and no/100 dollars (\$300) (if a watercraft is involved in the citation / notice, then an additional twenty-five and no/100 dollars (\$25.00) fee shall be applied)
 - 3rd Violation shall be four hundred and no/100 dollars (\$400) (if a watercraft is involved in the citation / notice, then an additional twenty-five and no/100 dollars (\$25.00) fee shall be applied)

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- NON-PROPERTY OWNER, NON-RESIDENT
 - 1st Violation shall be four hundred and no/100 dollars (\$400)
 - 2nd Violation shall be six hundred and no/100 dollars (\$600)
 - 3rd Violation shall be eight hundred and no/100 dollars (\$800)

- B. Payment of fine does not constitute purchase of an annual Lake Use Permit.
- C. If the Defendant is found guilty by the District Court of Blount County, Alabama, the Court may impose a fine or imprisonment or both and court costs. Violations of this Ordinance are punishable by a term of imprisonment in the Blount County Jail not to exceed 30 days and/or a fine as described in the fee schedule above.

SECTION 8: ADDITIONAL INFORMATION

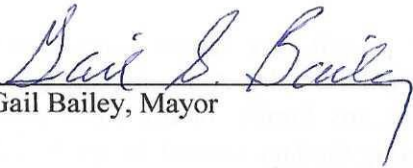
- A. Any resident that has launched their boat on the lake without having registered his or her vessel and therefore has no Boat Sticker on said vessel will be in violation of this Ordinance.
- B. Any person found upon the waters of Highland Lake after having Lake Use Privileges revoked shall be guilty of unlawful trespass and shall be so charged.
- C. Any person convicted of any offense provided for herein by the Blount County District Court shall have the right to appeal to the Blount County Circuit Court, Criminal Division, for a trial de novo by filing within the same time and in the same manner as prescribed with the law for violations generally.

SECTION 9: PASSAGE OF ORDINANCE

Upon passage of this Ordinance, all previous Ordinances and amendments pertaining to Lake Use Permit for the Town of Highland Lake, Alabama are hereby rescinded.

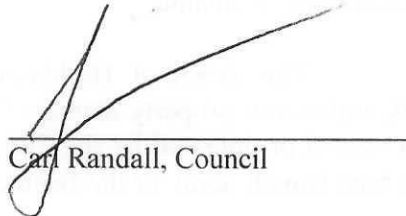
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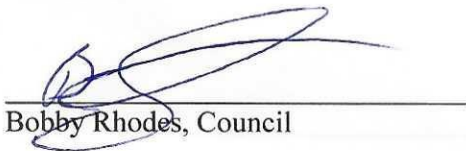
Adopted and approved this the 4th day of March 2025.


Gail Bailey, Mayor


Sid Nelson, Council


Sam Pearson, Council


Carl Randall, Council


Bobby Rhodes, Council


Ramzi Malek, Council

ATTEST:


Mary Ann Allen, Clerk

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LAKE USE PERMIT ADDENDUM

Hold Harmless Agreement

I, _____, do, for myself, my family, and/or my guests hereby agree to save and hold harmless the Town of Highland Lake, Alabama, any town employees, or officials, from all injury, cost or damage that I, my family, or my guest, may sustain arising from any activity, condition or event while using the lake owned by the Town of Highland Lake, Alabama.

The Town of Highland Lake, Alabama, shall not be responsible for any accidents, injuries or property damage I, my family or my guest incur while using any public facilities owned or operated by the Town of Highland Lake, including but not limited to, the lake, the boat launch ramp, or the fishing pier.

THE HOLD HARMLESS AGREEMENT SET FORTH ABOVE SHALL REMAIN IN FULL FORCE AND EFFECT FOR ALL RENEWALS OF THIS PERMIT.

Signed: _____

Date: _____

Permit #: _____

Property Address: _____

FOR OFFICE USE ONLY

New Permit

Renewal Permit for Original Permit No. _____