

1 HB377
2 165735-1
3 By Representatives Johnson (R) and Hurst
4 RFD: County and Municipal Government
5 First Read: 31-MAR-15

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8 SYNOPSIS: This bill would provide that the annexation
9 of property by general or local law would not
10 extend the police jurisdiction unless specifically
11 provided for in the general or local law.

12 This bill would specify that a municipality
13 could only change its police jurisdiction based on
14 annexation and deannexation once a year.

15 This bill would further specify that a
16 municipality could only enforce certain ordinances,
17 collect license fees, and levy and collect taxes
18 within its police jurisdiction after providing
19 notice to affected persons.

20 This bill would require that if an
21 annexation results in a portion of a
22 county-maintained street being within the police
23 jurisdiction of a municipality being bound on at
24 least two sides by a municipal street, the
25 municipality would assume responsibility for that
26 portion of the county-maintained street.

1 This bill would also require that a
2 municipality provide an annual accounting of all
3 revenues collected in its police jurisdiction and
4 an itemization of its expenditures for providing
5 services within the police jurisdiction.

6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Sections 11-40-10, 11-49-80, 11-51-91,
12 11-51-206, and 11-52-30 of the Code of Alabama 1975, relating
13 to annexation; to provide that the annexation of property by
14 general or local law would not extend the police jurisdiction
15 unless specifically provided; to further provide that
16 alterations to the police jurisdiction by annexation or
17 deannexation would only occur once a year; to further provide
18 that before a municipality can enforce an ordinance in its
19 police jurisdiction the municipality must provide 30 days
20 notice under specific circumstances; to further provide that
21 if an annexation results in a portion of a county-maintained
22 street being within the police jurisdiction of a municipality
23 being bound on at least two sides by a municipal street, the
24 municipality would assume responsibility for that portion of
25 the county-maintained street; to further provide that a
26 municipality must annually account for all revenues collected
27 in its police jurisdiction and an itemization of all services

1 provided within the police jurisdiction; to provide that no
2 municipality can levy or assess taxes within a police
3 jurisdiction without providing notice under certain terms and
4 conditions; and to further provide that any alteration to a
5 municipal planning commission due to annexation or
6 deannexation would occur only once a year.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Sections 11-40-10, 11-49-80, 11-51-91,
9 11-51-206, and 11-52-30 of the Code of Alabama 1975, are
10 amended to read as follows:

11 "§11-40-10.

12 "(a) The police jurisdiction in ~~cities~~
13 municipalities having 6,000 or more inhabitants shall cover
14 all adjoining territory within three miles of the corporate
15 limits, and in ~~cities~~ municipalities having less than 6,000
16 inhabitants and in towns, ~~such~~ the police jurisdiction shall
17 extend also to the adjoining territory within a mile and a
18 half of the corporate limits of ~~such city~~ the municipality or
19 town.

20 "(b) ~~Ordinances~~ In order for an ordinance of a city
21 or town enforcing police or sanitary regulations and
22 prescribing fines and penalties for violations thereof ~~shall~~
23 to have force and effect in the limits of the city or town and
24 in the police jurisdiction of a municipality or town thereof
25 and on any property or rights-of-way belonging to the ~~city~~
26 municipality or town, the municipal governing body shall
27 provide a 30-day notice that the ordinance shall be effective

1 in the police jurisdiction. The notice given shall be the same
2 as required for adoption of an ordinance under Section
3 11-45-8. The notice may include any or all ordinances in
4 effect in the municipality or town at the time the notice is
5 given. Additionally, the notice shall be posted on the Atlas
6 Alabama state website or any successor state-operated website
7 providing information to businesses and, if the municipality
8 maintains a website, the notice shall be posted on the website
9 of the municipality. No ordinance may be enforced against an
10 individual or entity affected by the ordinance until and
11 unless the municipality has complied with the notice
12 requirements provided for in this section.

13 "(c) The police jurisdiction of any municipality
14 which pursuant to this section extends to include part of any
15 island which has water immediately offshore adjacent to the
16 boundary of the State of Florida, upon approval of the council
17 of the municipality, shall extend to include the entire island
18 including the water adjacent to the island extending to the
19 existing police jurisdiction of the municipality and extending
20 to the Florida state boundary where applicable.

21 "(d) Any alterations to a police jurisdiction based
22 upon the annexation or deannexation of property shall be
23 effective only once a year on the first day of October and
24 shall take effect for any annexation or deannexation which was
25 finalized on or before the preceding first day of August. No
26 later than the first day of October in each year, a map
27 showing the boundaries of the municipal limits and police

1 jurisdiction of the municipality shall be posted on the Atlas
2 Alabama state website or any successor state-operated website
3 providing information to businesses and, if the municipality
4 maintains a website, the notice shall be posted on the website
5 of the municipality. No ordinance, license, permit, or tax
6 levy may be enforced against an individual or entity included
7 in the alteration of the municipal limits or the police
8 jurisdiction unless the municipality has complied with the
9 notice requirements provided for in this section.

10 "(e) The annexation of property by general or local
11 law may not extend the police jurisdiction of a municipality
12 except as expressly provided in the general or local law. Any
13 extension of a police jurisdiction expressly provided for in a
14 general or local law is subject to subsection (d) and shall
15 take effect only on the next October 1 following the enactment
16 of the general or local law.

17 "§11-49-80.

18 "(a) For the purposes of this article, the following
19 terms shall have the following meanings:

20 "(1) COUNTY-MAINTAINED STREET. A street in which the
21 county commission has the authority or responsibility to
22 control, manage, supervise, regulate, repair, maintain, or
23 improve a public street, road, or bridge.

24 "(2) MUNICIPAL STREET. A street in which the
25 municipality has the authority or responsibility to control,
26 manage, supervise, regulate, repair, maintain, or improve a
27 public street, road, or bridge.

1 "(3) RESPONSIBILITY. The authority to control,
2 manage, supervise, regulate, repair, maintain, or improve a
3 public street, road, or bridge.

4 "(4) STREET. A public street, road, bridge, or
5 portion thereof.

6 "~~(a) (b)~~ Where the ~~authority to control, manage,~~
7 ~~supervise, regulate, repair, maintain, and improve~~
8 responsibility for a public street or streets or part thereof
9 lying within a ~~municipal corporation~~ municipality is vested in
10 the county commission of the county within which ~~a municipal~~
11 ~~corporation~~ the municipality is located, ~~a municipal~~
12 ~~corporation~~ the municipality may ~~resume or take over the~~
13 ~~authority to control, manage, supervise, repair, maintain, and~~
14 ~~improve such~~ assume responsibility for the public street or
15 ~~streets or part thereof~~ designated in the resolution adopted
16 by the governing body of ~~a municipal corporation to resume or~~
17 ~~take over such authority~~ the municipality.

18 "~~(b) (c)~~ Notwithstanding the adoption of a
19 resolution as required in Sections 11-49-80 and 11-49-81, the
20 annexation of unincorporated territory into a municipality,
21 after July 7, 1995, shall result in the municipality assuming
22 responsibility ~~to control, manage, supervise, regulate,~~
23 ~~repair, maintain, and improve~~ for all public streets ~~or parts~~
24 ~~thereof~~ lying within the territory annexed, provided ~~such~~ the
25 public streets ~~or parts thereof~~ were ~~controlled, managed,~~
26 ~~supervised, regulated, repaired, maintained, and improved~~ by
27 the county for a period of one year prior to the effective

1 date of the annexation. The annexation of unincorporated
2 territory into a municipality shall also result in the
3 municipality assuming responsibility ~~to control, manage,~~
4 ~~supervise, regulate, repair, maintain, and improve~~ for all
5 public streets ~~or parts thereof~~ lying within the territory
6 annexed, provided ~~such~~ the public streets ~~or parts thereof~~
7 were ~~dedicated to, accepted by, and were controlled, managed,~~
8 ~~supervised, regulated, repaired, maintained, and improved~~ by
9 the county for a period of less than one year prior to the
10 effective date of the annexation ~~when such~~ if the construction
11 of the public streets ~~or parts thereof~~ were also approved upon
12 ~~construction~~ by the municipal planning commission of the
13 annexing municipality. Except as herein provided, this section
14 shall not require a municipality to assume responsibility ~~to~~
15 ~~control, manage, supervise, regulate, repair, maintain, or~~
16 ~~improve~~ for any public street ~~or part thereof~~ located within
17 the territory annexed which was not ~~being controlled, managed,~~
18 ~~supervised, regulated, repaired, maintained, and improved~~ by
19 the county prior to the effective date of the annexation.
20 Further, nothing in this section shall require a county to
21 assume responsibility ~~to control, manage, supervise, regulate,~~
22 ~~repair, maintain, or improve~~ for any public street ~~or part~~
23 ~~thereof~~ located within the territory annexed which was not
24 ~~being controlled, managed, supervised, regulated, repaired,~~
25 ~~maintained, and improved~~ by the county prior to the effective
26 date of the annexation.

1 "~~(c)~~ (d) After July 7, 1995, when the annexation of
2 unincorporated territory by a municipality results in a public
3 street ~~or part thereof which was dedicated to, accepted by,~~
4 ~~and was controlled, managed, supervised, regulated, repaired,~~
5 ~~maintained, and improved by the county for a period of one~~
6 ~~year prior to the effective date of the annexation, or for a~~
7 ~~period of less than one year prior to the effective date of~~
8 ~~the annexation when such public street or part thereof was~~
9 ~~approved upon construction by the municipal planning~~
10 ~~commission,~~ being located outside the corporate limits of the
11 annexing municipality while at the same time bounded on ~~both~~
12 at least two sides by the corporate limits of the annexing
13 municipality, the county governing body shall consent to the
14 annexation of such public street ~~or part thereof~~ by the
15 municipality if the street was a street maintained by the
16 county for a period of one year prior to the effective date of
17 the annexation or was approved upon construction by the
18 municipal planning commission. Once consent to annexation is
19 given by the owners of ~~such~~ the public street ~~or part thereof~~
20 ~~to annexation by the municipality,~~ the municipality shall
21 annex that portion of the public street ~~or part thereof~~ which
22 is bounded on both sides by the ~~municipal~~ corporate limits or
23 police jurisdiction of the municipality. Once ~~such~~ the
24 annexation becomes effective, the municipality shall assume
25 responsibility for the public street ~~or part thereof~~ as
26 provided in subsection ~~(b), above~~ (c).

1 "(e) On and after the effective date of the act
2 adding this amendatory language, if an annexation of property
3 results in a portion of a county-maintained street within the
4 police jurisdiction of a municipality being bound on at least
5 two sides by a municipal street, the municipality shall assume
6 responsibility for that portion of the county-maintained
7 street as provided in subsection (c) no later than 60 days
8 after the effective date of the annexation. If any annexation
9 that has occurred between July 7, 1995, and the effective date
10 of the act adding this amendatory language has resulted in a
11 municipality having responsibility for two separate portions
12 of a street maintained by the county that is connected by a
13 portion of a street which remains outside the corporate limits
14 of the municipality, but within the municipal police
15 jurisdiction, the municipality shall assume responsibility for
16 that portion of the street as provided in subsection (c) no
17 later than 30 days following the effective date of the act
18 adding this amendatory language.

19 "~~(d) (f)~~ The responsibility for ~~the control,~~
20 ~~management, supervision, regulation, repair, maintenance, or~~
21 ~~improvement of public streets or parts thereof~~ lying within
22 the corporate limits of an incorporated municipality on July
23 7, 1995, shall remain the responsibility of the entity
24 responsible for ~~such~~ the public streets ~~or parts thereof~~ on
25 July 7, 1995.

26 "~~(e)~~ (g) Nothing contained in Sections 11-49-80 and
27 11-49-81 shall prohibit a county and municipality from

1 entering into a mutual agreement providing for an alternative
2 arrangement for ~~the control, management, supervision,~~
3 ~~regulation, repair, maintenance, or improvement~~ responsibility
4 of public streets ~~or parts thereof~~ lying within the corporate
5 limits of an incorporated municipality.

6 "(h) A county-maintained divided four-lane public
7 street which has been designed or designated by the county or
8 Governor as an evacuation route to be utilized under emergency
9 conditions found in Chapter 9 of Title 31, may not be annexed
10 by a municipality, regulated by a municipal planning
11 commission, or considered a part of the police jurisdiction of
12 any municipality except where there is a mutual agreement
13 between a county and municipality providing otherwise. Nothing
14 in this subsection shall prevent a municipality from annexing
15 territory on either side of the evacuation route that would
16 otherwise be considered contiguous for the purpose of
17 annexation under any state law.

18 "§11-51-91.

19 "(a) Any municipality may adopt an ordinance to fix
20 and collect licenses for any business, trade, or profession
21 done within the police jurisdiction of ~~such~~ the municipality
22 but outside the corporate limits thereof; provided, that the
23 amount of ~~such~~ the licenses shall not be more than one half
24 the amount charged and collected as a license for like
25 business, trade, or profession done within the corporate
26 limits of ~~such~~ the municipality, fees and penalties excluded;
27 and provided further, that the total amount of ~~such~~ the

1 licenses shall not be in an amount greater than the cost of
2 services provided by the municipality within the police
3 jurisdiction. All licenses adopted pursuant to this section
4 shall be uniformly assessed to all businesses, trades, or
5 professionals within the police jurisdiction. No license shall
6 take effect until a 30-day notice has been given of the
7 adoption of the ordinance; provided, however, that no license
8 may be imposed under this section in an expanded police
9 jurisdiction until the police jurisdiction expansion is
10 effective under subsection (d) of Section 11-40-10. The notice
11 given shall be the same as required for adoption of an
12 ordinance under Section 11-45-8. Additionally, the 30-day
13 notice shall be posted on the Atlas Alabama state website or
14 any successor state-operated website providing information to
15 businesses and, if the municipality maintains a website, the
16 notice shall be posted on the website of the municipality. No
17 ordinance may be enforced against an individual or entity
18 affected by the ordinance unless the municipality has complied
19 with the notice requirement provided in this section.

20 "(b) No calculation ~~is~~ shall be required to be made
21 by the municipal officials or license officer for the cost of
22 services to any particular business or classification of
23 businesses within the police jurisdiction so long as the total
24 amount of revenues from ~~such~~ the licenses collected in the
25 police jurisdiction ~~shall not be in~~ is not an amount greater
26 than the cost of services provided by the municipality to the
27 police jurisdiction. Each municipality shall prepare an annual

1 report which shall include an accounting of all revenues
2 collected pursuant to this section and an itemization of the
3 services provided by the municipality within the police
4 jurisdiction. A copy of the annual report, which shall be
5 completed within 90 days of the close of the fiscal year,
6 shall be forwarded to the Office of Examiners of Public
7 Accounts and shall be made available to the public.

8 "(c) When the place at which any ~~such~~ business,
9 trade, or profession is done or carried on is within the
10 police jurisdiction of two or more municipalities which levy
11 the licenses thereon authorized by this section, ~~such the~~
12 licenses shall be paid to, issued, and collected by that
13 municipality only whose boundary measured to the nearest point
14 thereof is closest to ~~such the~~ business, trade, or profession.
15 ~~Provided further, that this~~ This section shall not have the
16 effect of repealing or modifying the limitations in this
17 ~~division article~~ relating to railroad, express companies,
18 sleeping car companies, telegraph companies, telephone
19 companies, and public utilities and insurance companies and
20 their agents. This section shall be given a liberal
21 construction to effectuate its purpose and meaning.

22 "§11-51-206.

23 "The council or other governing body shall have the
24 authority to levy and assess by ordinance within the police
25 jurisdiction of any ~~said city~~ municipality or town all taxes
26 authorized by this article; provided, that said levy and
27 assessment shall not exceed one-half the amount levied and

1 assessed for like businesses, sales or uses conducted within
2 the corporate limits, fees and penalties excluded. All taxes
3 adopted pursuant to this section shall be uniformly levied and
4 assessed. No levy or assessment shall take effect until a
5 30-day notice has been given of the adoption of the ordinance;
6 provided, however, that no tax levy or assessment may be
7 imposed under this section in an expanded police jurisdiction
8 until the police jurisdiction expansion is effective under
9 subsection (d) of Section 11-40-10. The notice given shall be
10 the same as required for adoption of an ordinance in Section
11 11-45-8. Additionally, the 30-day notice shall be posted on
12 the Atlas Alabama state website or any successor
13 state-operated website providing information to businesses
14 and, if the municipality maintains a website, the notice shall
15 be posted on the website of the municipality. Each
16 municipality shall prepare an annual report which shall
17 include an accounting of all revenues collected pursuant to
18 this section and an itemization of the services provided by
19 the municipality within the police jurisdiction. A copy of the
20 annual report, which shall be completed within 90 days of the
21 close of the fiscal year, shall be forwarded to the Office of
22 Examiners of Public Accounts and shall be made available to
23 the public.

24 "§11-52-30.

25 "(a) Except as otherwise provided herein, the
26 territorial jurisdiction of any municipal planning commission
27 shall include all land located in the municipality and all

1 land lying within five miles of the corporate limits of the
2 municipality and not located in any other municipality; except
3 that, in the case of any nonmunicipal land lying within five
4 miles of more than one municipality having a municipal
5 planning commission, the jurisdiction of each municipal
6 planning commission shall terminate at a boundary line
7 equidistant from the respective corporate limits of such
8 municipalities; ~~provided further, that in.~~ Any alterations of
9 a municipal planning commission based upon annexation or
10 deannexation of property within the corporate limits of a
11 municipality shall occur once a year on the first day of
12 October and shall take effect for any annexations which were
13 finalized on or before the preceding first day of August. In
14 all counties having a population of 600,000 or more according
15 to the 1950 federal census or any succeeding decennial federal
16 census, the county planning and zoning commission shall be
17 invested with the authority, except and unless the
18 municipality or municipalities in question are actively
19 exercising zoning jurisdiction and control within the police
20 or five mile jurisdiction or, in the case of a municipality
21 subsequently incorporated, within 180 days from the date of
22 its incorporation; provided, further, that in all counties
23 having a population of 600,000 or more inhabitants according
24 to the 1950 federal census or any succeeding decennial federal
25 census, the county commission of the county may establish
26 minimum specifications and regulations governing the lay-out,
27 grading, and paving of all streets, avenues, and alleys and

1 the construction or installation of all water, sewer, or
2 drainage pipes or lines in any subdivision lying wholly or
3 partly in areas outside the corporate limits of any
4 municipality in the counties and relating to subdivisions
5 lying within the corporate limits of any municipality in the
6 counties which has declined or failed to exercise zoning
7 jurisdiction and control as provided in this section.

8 "(b) A municipal planning commission, by resolution
9 properly adopted ~~regulation~~ no later than the first day of
10 August of any year, may provide that, effective on the first
11 day of October, the territorial jurisdiction of the municipal
12 planning commission shall include all land lying within a
13 radius less than the five miles permitted by this section. The
14 ~~regulation~~ resolution shall establish the territory within
15 which the municipal planning commission will exercise
16 jurisdiction to a boundary line equidistant from the corporate
17 limits of the municipality, except, that in the case of any
18 nonmunicipal land lying within the territorial jurisdiction of
19 more than one municipality with a municipal planning
20 commission exercising jurisdiction outside the municipal
21 corporate limits, the jurisdiction of each municipal planning
22 commission shall terminate at a boundary line equidistant from
23 the respective corporate limits of each municipality. A copy
24 of the resolution altering the territorial jurisdiction shall
25 be forwarded to the county commission within five days of
26 adoption. Additionally, nothing in this subsection shall be
27 construed to alter the provisions of Article 5 of Chapter 49,

1 which require a municipality to assume responsibility for
2 roads annexed into the municipality under certain
3 circumstances.

4 "(c) (1) If a county commission has adopted
5 subdivision regulations pursuant to Chapter 24, those
6 subdivision regulations shall apply to the development of
7 subdivisions within the territorial jurisdiction of a
8 municipal planning commission outside the corporate limits of
9 a municipality and shall be regulated and enforced by the
10 county commission in the same manner and to the same extent as
11 other subdivision development governed by the county's
12 subdivision regulations. Notwithstanding the foregoing, a
13 county commission and the municipal planning commission may
14 enter into a written agreement providing that the municipal
15 planning commission shall be responsible for the regulation
16 and enforcement of the development of subdivisions within the
17 territorial jurisdiction of the municipal planning commission
18 under the terms and conditions of the agreement. In order to
19 be effective, the agreement shall be approved by a resolution
20 adopted by the county commission, the municipal governing
21 body, and the municipal planning commission of the
22 municipality, respectively.

23 "(2) In those counties in which the county
24 commission has adopted subdivision regulations pursuant to
25 Chapter 24 and the municipal planning commission has been
26 unsuccessful in reaching an agreement to exercise its
27 jurisdiction as provided in subdivision (1), the governing

1 body of the municipality and the municipal planning commission
2 may override the county's enforcement of the regulation of
3 subdivisions within the planning jurisdiction by fully
4 complying with all of the following requirements:

5 "a. The municipal governing body and the municipal
6 planning commission shall each adopt separate resolutions
7 expressing intent to exercise jurisdiction over the
8 construction of subdivisions initiated after the effective
9 date of the resolutions, despite the county commission's
10 objections to the exercise of that authority.

11 "b. The municipal planning commission shall at all
12 times thereafter employ or contract with a licensed
13 professional engineer who shall notify the county commission
14 of the initiation of subdivisions; conduct inspections of the
15 construction of the subdivision; and shall certify, in
16 writing, the compliance with the subdivision regulations
17 governing the development of the subdivision.

18 "c. The county commission shall retain the authority
19 to require a performance and maintenance bond from the
20 developer, consistent with the requirements for the bonds in
21 the county subdivision regulations, which shall be payable to
22 the county.

23 "d. The county commission shall retain the authority
24 to execute on the bond to make necessary improvements to the
25 public roads and drainage structures of the subdivision while
26 it remains in the unincorporated area of the county.

1 "e. The municipal governing body and the municipal
2 planning commission exercising the authority granted in this
3 subsection may thereafter withdraw their exercise of
4 jurisdiction over future subdivisions located outside the
5 corporate limits of the municipality after not less than six
6 months' notice to the county commission. After withdrawal, the
7 municipal planning commission of the municipality may not
8 reinstate the authority granted in this subsection for 24
9 months after the effective date of its withdrawal.

10 "(d) If a county commission has not adopted
11 subdivision regulations pursuant to Chapter 24, the municipal
12 planning commission shall have sole jurisdiction for the
13 regulation and enforcement of the development of subdivisions
14 within the territorial jurisdiction of the municipal planning
15 commission.

16 "(e) If the municipal planning commission accepts
17 responsibility for the development of a subdivision within its
18 territorial jurisdiction as provided in subsection (c), the
19 county commission shall not accept any roads or bridges within
20 the subdivision for county maintenance unless the county
21 engineer certifies to the county commission that the road or
22 bridge meets the minimum road and bridge standards of the
23 county. This section shall not apply to any roads or bridges
24 which the county has accepted for maintenance prior to October
25 1, 2012.

26 "(f) If the county commission is responsible for the
27 regulation and enforcement of a subdivision development within

1 the territorial jurisdiction of a municipal planning
2 commission outside the corporate limits of a municipality, the
3 recording of any map or plat related to the subdivision shall
4 be governed by Chapter 24.

5 "(g) If the municipal planning commission is
6 responsible for the regulation and enforcement of a
7 subdivision development within the territorial jurisdiction of
8 the municipal planning commission outside the corporate limits
9 of the municipality, no map or plat of any subdivision shall
10 be recorded, and no property shall be sold referenced to the
11 map or plat, until and unless it has been first submitted to
12 and approved by the municipal planning commission, pursuant to
13 Section 11-52-32 and its adopted procedures, and then
14 certified by the county engineer or his or her designee as
15 follows within 30 days of being submitted to the county
16 engineer: "The undersigned, as County Engineer of the County
17 of _____ of Alabama, hereby certifies on this _____ day
18 of _____, 20____, that the _____ Planning Commission
19 approved the within plat for the recording of same in the
20 Probate Office of _____ County, Alabama."

21 "(h) Approval by the county engineer pursuant to
22 this subsection shall not constitute approval in lieu of or on
23 behalf of any municipality with respect to subdivision
24 development regulated and enforced by the municipal planning
25 commission, wherein all maps or plats must be first submitted
26 to and approved by the municipal planning commission or other

1 appropriate municipal agency exercising jurisdiction over the
2 subdivision.

3 "(i) Nothing in this section shall be interpreted as
4 allowing a municipal planning commission or a municipality to
5 exercise the power of eminent domain outside of its corporate
6 limits.

7 "(j) Nothing in this section shall be interpreted as
8 allowing a municipal planning commission or a municipality to
9 levy taxes or fees outside of its corporate limits.

10 "(k) Nothing in this section shall limit or impair
11 the authority of a municipality to regulate the construction
12 of buildings within the police jurisdiction of the
13 municipality, including, but not limited to, the issuing of
14 building permits, the inspection of building construction, and
15 the enforcement of building codes.

16 "(l) Nothing in this section shall be construed to
17 grant the county commission or county engineer the authority
18 to regulate subdivision development or approve maps or plats
19 for any developments within the corporate limits of a
20 municipality."

21 Section 2. This act shall become effective
22 immediately following its passage and approval by the
23 Governor, or its otherwise becoming law.