

OFFICE OF THE ATTORNEY GENERAL 85-00503



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SEP 6 1985

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Honorable W. Cameron Parsons
Town Attorney, Town of Brookwood
P. O. Box 65
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Municipalities -- Annexation

Section 11-42-21, Code of Alabama 1975, applies to municipalities generally, including those with a population of less than 2,000.

Dear Mr. Parsons:

In an opinion dated July 30, 1985, this office advised you that §11-42-21, Code of Alabama 1975, applies only to municipalities with a population of 2,000 inhabitants or more. That advice was in error. Section 11-42-21 was amended by Act No. 82-507 to delete the reference therein to population. The preamble to Act 82-507 states as follows:

To amend Sections 11-42-21 and 11-42-22, Code of Alabama 1975, to eliminate the population requirements and thereby make the Sections applicable to all incorporated municipalities.

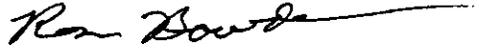
The language contained in §11-42-21 prior to the passage of Act 82-507 specifically applied to "any incorporated municipality with a population of 2,000 inhabitants or more." Section 11-42-21, as amended by Act 82-507, now applies to "any incorporated municipality located in the State of Alabama." This section therefore applies to municipalities with a population of less than 2,000, including the Town of Brookwood, despite the fact that the article heading in the 1985 Code Supplement con-

tinues to refer to "Annexation of Territory by Municipalities of
2,000 Inhabitants or More."

Sincerely yours,

CHARLES A. GRADDICK
Attorney General

By-



RON BOWDEN
Assistant Attorney General

RB:jt