



Resolution 2013-28

STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF CLAY

A Resolution to Extend the Temporary Moratorium on the Issuance of Check Cashing, Cash/Payday Advance, Title Loan Businesses

WHEREAS, on May 6, 2013, the City council of the City of Clay, Alabama adopted a resolution to place a temporary moratorium on the review, approval and issuance of any building permits, business licenses, or other development-related permits for any new Check Cashing, Cash/Payday Advance, Title Loan Business or expansion of an existing business; and,

WHEREAS, the temporary moratorium expired on November 3, 2013; and,

WHEREAS, the City Council finds it essential to protect the public health, safety and welfare by extending the prohibition of the review, approval and issuance of any building permits, business licenses, or other development-related permits for any new Check Cashing, Cash/Payday Advance, Title Loan Business or expansion of an existing business.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Clay, Alabama, as follows:

1. A moratorium on the issuance of business licenses shall be established for a period of 365 days from the effective date of this resolution. During this time, no business license shall be issued for Check Cashing, Cash/Payday Advance and Title Loan Businesses or any similarly related businesses.
2. A moratorium on the issuance of building permits shall be established for all property intended for use as a Check Cashing, Cash/Payday Advance and Title Loan Businesses or any similarly related businesses within the City. While this moratorium is in effect, no building permits or construction approvals for such uses shall be granted, except as provided herein. This moratorium shall apply only to construction, additions, and interior and exterior alterations and will not prohibit repair to existing structures occupied or used as Check Cashing, Cash/Payday Advance and Title Loan Businesses or any similarly related businesses as of the date of passage of this Resolution
3. The moratorium regarding Check Cashing, Cash/Payday Advance and Title Loan Businesses or any similarly related businesses shall apply to all property located in the municipal limits of Clay.
4. The Check Cashing, Cash/Payday Advance and Title Loan Businesses or any similarly related businesses Moratorium shall be imposed immediately upon its passage by the City Council, and shall extend for a period of three hundred sixty-five (365 days).
5. Said moratorium shall terminate, and no longer be in force, upon the expiration of said period without further action by the governing body of the City of Clay, Alabama.



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Continued

6. If any portion of this ordinance/resolution is found to be invalid, it is the intention of the City Council that the remaining provisions of the ordinance/resolution be severed from the invalid provisions and remain in full force and effect.

ADOPTED AND APPROVED, this 4th Day of November, 2013.

Charles K. Webster
Mayor

Attest: _____
Ronnie Dixon
City Manager



I, the undersigned City Clerk of the City of Clay, Alabama, do hereby certify that the above and foregoing is a true copy of Resolution 2013 – 28 lawfully passed and adopted by the City Council named therein, at a regular meeting of such Council, and that such resolution is on file in the City Clerk's Office.

I further certify that said Resolution was posted as required by State Law at the following locations: Chalkville Regions Bank; Clay City Hall; Clay Post Office and the Clay Seniors Center all being in the City of Clay.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 5th Day of November, 2013.

Ronnie Dixon
City Manager