



# Resolution 2015-12

STATE OF ALABAMA  
JEFFERSON COUNTY  
CITY OF CLAY

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## A RESOLUTION ESTABLISHING STANDARD OPERATING PROCEDURES FOR ANNEXATION

**NOW BE IT RESOLVED**, that the attached is adopted by the City Council of the City of Clay, Alabama.

**ADOPTED AND APPROVED**, this the 2<sup>nd</sup> Day of February, 2015.

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Charles K. Webster  
Mayor

**Attest:**

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Ronnie Dixon  
City Manager



I, the undersigned City Manager of the City of Clay, Alabama, do hereby certify that the above and foregoing is a true copy of Resolution 2015 – 12 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 3<sup>rd</sup> Day of February, 2015.

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Ronnie Dixon  
City Manager

## Standard Operating Procedures for City of Clay Annexation

### Application Submission Process

- **Required Information:** A request for Annexation requires that the following information be submitted by the applicant:
  - A completed Petition for Annexation signed by all affected property owners.
  - A full legal description of all property to be annexed.
  - A signed and notarized “Designation of Agent” if the applicant is someone other than the property owner.
- **Deadline for Submission:** Submissions for annexation must be submitted to City Hall no later than 4:00 p.m. on the third Thursday of the month prior to the month in which it is to be heard by Clay Planning and Zoning Commission.
- **Filing Fee:** The City of Clay does not assess a filing fee for Petitions for Annexation.
- **Review and Approval Process:**
  - City Staff reviews property to ensure that it is contiguous to Clay corporate city limits.
  - Notice of Public Hearing is posted and mailed to all property owners within a 500 foot radius of subject property. Notice shall advertise the subject property as well as the date, time, and location of the Public Hearing for both the Planning and Zoning Commission and the City Council.
  - The Planning and Zoning Commission, upon the Conclusion of the Public Hearing, will make a recommendation to the City Council.
  - The City Council will hold a Public Hearing at the advertised meeting. Council will then vote on an Ordinance of Annexation under Unanimous Consent.
  - If approved, the Ordinance will be posted at the locations prescribed in the certification of said Ordinance.
  - Upon expiration of posting requirements, the Annexation Ordinance will be recorded in the Jefferson County Court House and the property will be considered annexed.
- **Notes and Limitations:**
  - All property proposed for annexation must be contiguous to the corporate limits of Clay.
  - Applications received after the stated deadline will be postponed until the next month.
  - All materials submitted shall be typed or legibly printed in ink.
  - **Incomplete applications will not be placed on the agenda until such time as all information has been submitted, and then only on the next meeting for which the deadline has been met.**
  - Please refer to the City of Clay’s Zoning Ordinance for further information.

### **Annexation - Staff Process**

- Applicant submits a complete petition for annexation.
- Submission is reviewed by staff to ensure that it is contiguous to Clay corporate limits.
- Public Hearing placed on the appropriate Planning and Zoning and City Council agendas. City Council Agenda will also include an Annexation Ordinance under Unanimous Consent.
- Advertising:
  - Public Hearing Notice posted at the 4 Notice locations in the city limits of Clay. (Current locations: Clay City Hall, Clay Senior Activity Center, Clay Post Office, Chalkville Regions)
  - Public Hearing Notice mailed to all property owners within 500 feet of subject property
  - All notices should advertise the subject property as well as the date, time, and locations of the Public Hearing for both the Planning and Zoning Commission and the City Council.
  - Notices shall be posted and post marked 15 days before the Planning and Zoning Commission's Public Hearing.
- Staff prepares packets for Planning and Zoning Commission's review. Packets should include all pertinent information (i.e. petition, legal description, map, public notice, etc). Packets should be emailed to Commissioners with all other meeting documents the Friday before the meeting.
- Planning and Zoning Commission holds a Public Hearing and makes a recommendation to Council.
- Staff prepares the Planning and Zoning recommendation and an Annexation Ordinance.
- Staff prepares packets for Council's review. Packets should include all pertinent information (i.e. Planning and Zoning recommendation, petition, legal description, map, public notice, etc). Packets should be emailed to Council with all other meeting documents the Friday before the meeting.
- City Council holds a Public Hearing. The Council will vote on the Annexation Ordinance under Unanimous Consent.
- If the Annexation is approved by the Council, the Annexation Ordinance is posted at the locations prescribed in the certification of said ordinance.
- Staff prepares documents to be recorded at Jefferson County Probate Court. The recorded copy should be kept in case file in locked file room.
- Annexation information is reported to the following agencies:
  - Alabama Power
  - Birmingham Water Works
  - Alagasco
  - Trussville Gas and Water
  - Charter
  - Allied Waste Services
  - Jefferson County Land Development
  - Jefferson County Tax Assessor
  - Jefferson County Board of Registrars
  - State ABC Board Administrator
  - State Treasurer
  - State Comptroller
  - State Revenue – Income Tax
  - State Revenue – Privilege Tax
  - State Revenue – Sales, Use, and Business Tax
  - State Legislative Reapportionment Office