



ORDINANCE NO. 2013 - 18

AN ORDINANCE TO AMEND ORDINANCE 2006-07, ZONING ORDINANCE

WHEREAS, the City Council of the City of Clay, Alabama adopted Ordinance 2006 – 07 on March 27, 2006, and

WHEREAS, the provisions of this Ordinance, including the Zoning Map, may from time to time be amended, supplemented, changed, modified or repealed by the City Council in accordance with the procedures stated in Section 1105 of Ordinance 2006 - 07; and

WHEREAS, this Ordinance has been previously amended by Ordinances 2007-12, 2008-10, 2008-11, 2008-12, 2009-09, 2010-02, 2011-03, 2011-04, 2012-06, 2013-01, 2013-02, 2013-04, and 2013-08; and

WHEREAS, the Planning and Zoning Commission held a public hearing on June 20, 2013 in accordance with Section 1107 of Ordinance 2006 – 07; and

WHEREAS, the Planning and Zoning Commission recommends the attached amendments to Sections 205 and 1102 of Ordinance 2006 – 07;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Clay, Alabama that based on the recommendation of the Planning and Zoning Commission, Sections 205 and 1102 of Ordinance 2006 – 07 are hereby amended as attached.

ADOPTED AND APPROVED this 1st Day of July, 2013.

Charles K. Webster
Mayor

ATTEST: _____
Ronnie Dixon
City Manager



Section 205. Zoning of Annexed Land.

- 205.01 If, prior to annexation, the property is zoned in another jurisdiction as a use compatible with a use in Article 4, Section 401, and the use is compatible with surrounding uses; then upon approval of the city council, the property will be annexed into the city and be zoned as a use in Article 4, Section 401 .
- 205.02 Property may be pre-zoned prior to annexation in accordance with § 11-52-77 and §11-52-85 of the Code of Alabama, 1975.

Section 1102. Building Permit

- 1102.01.** Building Permit Required. No building, sign or other structure shall be erected, moved, extended, enlarged or otherwise structurally altered until the Building Inspector has issued a Building Permit for such work. The Building Inspector shall not issue a Building Permit until conformance with the provisions of this Ordinance and the City of Clay Design and Construction Specifications is certified by the Zoning Officer through the issuance of Zoning Approval.
- 1102.02.** Expiration of the Building Permit. Any Building Permit, under which, no construction work has commenced above the foundation walls or other foundation support after six months from the issuance of the permit, shall expire. Further, any Building Permit, issued for a property, shall expire upon the sale or transfer of said property to a new owner other than the person for which the Building Permit was originally issued and shall expire upon any change in the building contractor employed for the project at the time the permit was originally issued. Any Building Permit renewed subsequent to its initial approval and issuance shall, however, be subject to the provisions of all ordinances and amendments thereto in force at the time of said renewal.
- 1102.03.** The Building Inspector shall not issue a Building Permit until conformance with the provisions of any deed restrictions is certified by the appropriate homeowners association through the Zoning Officer. Homeowners association within the city must register with the city and request to be included in the review process.
- 1102.04.** To be eligible to register to review proposed plans the following conditions should exist.
1. Any covenants and restrictions must be recorded with the deed.
 2. The HOA must be registered with the Alabama Secretary of State.
 3. All review powers claimed must be stated in the covenants.



**CITY OF CLAY, ALABAMA
ORDINANCE 2013 - 18**

CERTIFICATION:

I, Ronnie Dixon, as City Manager of the City of Clay, Alabama, hereby Certify that the above and foregoing copy of one (1) **Ordinance 2013-18** is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Clay, Alabama, on the 1st Day of July 2013, as same appears in the official records of said City.

Posted at City Hall, Chalkville Regions Bank, Seniors Centers, and the United States Post Office all being in the City of Clay this the 2nd Day of July, 2013.

Ronnie Dixon
City Manager