

**CITY OF ANNISTON
FEBRUARY 24, 2014
5:30 P.M.**

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
- **ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**

I. RECEIVE INFORMAL PUBLIC COMMENTS

Informal Public Comment – Speaker Protocol

The City of Anniston believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. This opportunity to address City Council may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Anniston, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agenda matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

II. RECEIVE FORMAL PUBLIC COMMENT - None

Formal Public Comment – City Council Agenda Protocol

The City of Anniston has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Anniston requires that individuals who desire to formally address City Council to submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on an upcoming meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal **“REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA”** form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the second and fourth Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or email and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager or from the City’s website www.anniston.al.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred, at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised that the mere completion of a request form does not entitle the speaker to be added to the agenda.

III. CONDUCT PUBLIC HEARING - None

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council’s time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

IV. UNFINISHED BUSINESS – None

V. CONSENT AGENDA

- (a) Approving the suspension of the rule requiring the Council to meet on the second Monday of March 2014.
- (b) Appointing a member to the McClellan Development Authority

VI. ORDINANCES

- (a) Creating and designating the Downtown Anniston Historic District
- (b) Amending Section 12½.4 of the Code of Ordinances of the City of Anniston

VII. RESOLUTIONS

- (a) Declaring a moratorium on the approval of business licenses for on-premises liquor sales establishments within the Central Business District

VIII. OTHER ADDITIONAL OR FURTHER MATTERS THAT MAY COME BEFORE COUNCIL

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

2/10/14

Anniston, Alabama
February 10, 2014

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, February 10, 2014, at approximately 5:37 o'clock p.m.

Martha Vandervoort prayed the Invocation.

Martha Vandervoort led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Reddick made a motion to waive the reading of the minutes of January 27, 2014. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion to approve the minutes of January 27, 2014. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion to adopt the agenda. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Darren Douthitt, Superintendent Anniston Board of Education, addressed the Council and stated that education proceeds prosperity. He stated he was looking forward to partnering with the City so they could have the best school system possible. He stated it was all about the children.

Mayor Stewart announced that was the time for the public hearing to hear comments on the proposed abatement of identified nuisances at the following locations: 1014, 1012, 1018, 1020 and 1022 W. 15th Street, 1423, 1419 and 1421 Stephens Avenue, 528 Brockman Avenue, 802 W. 14th Street, 0 W. 14th Street #14, 927, 923 and 1001 W. 14th Street, 1402, 1410, 1414, 1413, 1415 and 1417 Cobb Avenue, 1315 and 1319 Mulberry Avenue, 902 and 906 Zinn Parkway Drive, 0 Zinn Parkway Drive #51, 712, 716, 736, and 609 Zinn Parkway Drive, 0 Zinn Parkway Drive #37, 0 Zinn Parkway Drive #10, 714, 712, and 814 Montrose Avenue, 0 E. Montrose Avenue #71.001, 801 Ferron Avenue, 1316 West 8th Street, 1729 McCoy Avenue, 0 McCoy Avenue & West 17th Street, 1919, 1923 and 1912 Walnut Avenue, 2433 McCoy Avenue and 127 Nunally

2/10/14

Avenue; declared the hearing open and asked if anyone wished to address the Council concerning the proposed abatement of identified nuisances at said locations.

No one addressed the Council concerning the proposed abatement of identified nuisances at said locations.

Mayor Stewart declared the public hearing to hear comments on the proposed abatement of identified nuisances at the following locations: 1014, 1012, 1018, 1020 and 1022 W. 15th Street, 1423, 1419 and 1421 Stephens Avenue, 528 Brockman Avenue, 802 W. 14th Street, 0 W. 14th Street #14, 927, 923 and 1001 W. 14th Street, 1402, 1410, 1414, 1413, 1415 and 1417 Cobb Avenue, 1315 and 1319 Mulberry Avenue, 902 and 906 Zinn Parkway Drive, 0 Zinn Parkway Drive #51, 712, 716, 736, and 609 Zinn Parkway Drive, 0 Zinn Parkway Drive #37, 0 Zinn Parkway Drive #10, 714, 712, and 814 Montrose Avenue, 0 E. Montrose Avenue #71.001, 801 Ferron Avenue, 1316 West 8th Street, 1729 McCoy Avenue, 0 McCoy Avenue & West 17th Street, 1919, 1923 and 1912 Walnut Avenue, 2433 McCoy Avenue and 127 Nunally Avenue; closed.

Council Member Harris made a motion to approve the Consent Agenda items (a) a resolution authorizing reimbursements to City officials for expenses incurred while traveling away from the city (14-R-117) (b) a motion to approve a Special Retail – More Than 30 Days license application for CWHL Enterprise LLC d/b/a The Turn at Cane Creek located within the city limits at 64 Galloway Road and (c) a motion to approve a request to block Noble Street between 9th and 10th Street from 4:00 p.m. to 5:00 p.m. for a small musical performance by St. Paul and the Broken Bones. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase introduced and read Resolution Number 14-R-118 as follows:

(14-R-118, over-ruling objections to the abatement of identified nuisances)

Council Member Selase made a motion for the passage and adoption of Resolution Number 14-R-118 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 14-R-118 was passed and adopted.

Mayor Stewart introduced and read Resolution Number 14-R-119 as follows:

(14-R-119, declaring a moratorium on the approval of business licenses for pay day lending businesses, check cashing/title loan businesses, car title loan businesses, money brokers, cash advance and other similar operations)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 14-R-119 as introduced and read. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris

2/10/14

and Stewart; nays: none. The motion carried and Resolution Number 14-R-119 was passed and adopted.

Council Member Reddick introduced and read Resolution Number 14-R-120 as follows:

(14-R-120, renaming the Project Pay building to “Unity House”)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 14-R-120 as introduced and read. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 14-R-120 was passed and adopted.

Council Member Jenkins thanked the Public Works Department for their hard work during the recent inclement weather.

Council Member Reddick thanked everyone for their support after the death of his great uncle.

Council Member Selase stated that on February 13 they would be continuing the West Anniston Conceptual Master Plan meetings. He stated these were important meeting for the redevelopment of West Anniston.

Council Member Harris stated there would be a Domestic Violence Awareness meeting on February 20 at Carver Center and encouraged everyone to attend.

Mayor Stewart thanked Darren Douthitt, Superintendent Anniston Board of Education, for attending the meeting and pledged the Council’s support for the school system. He thanked the Public Works, Police and Fire Departments for their hard work during the recent inclement weather.

There being no further business to come before the meeting at that time Council Member Reddick made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 6:13 o’clock p.m.

CONSENT AGENDA

RESOLUTION NUMBER 14-R-_____

**A RESOLUTION APPOINTING A MEMBER TO THE MCCLELLAN
DEVELOPMENT AUTHORITY**

BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. That Roderick Lemon be and he hereby is appointed as a representative of the McClellan Development Authority for a term to expire on March 9, 2017.

Section 2. That a copy of this resolution be mailed to the above named appointee and to the Chairman of the McClellan Development Authority.

PASSED AND ADOPTED this the _____ day of February, 2014.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

ORDINANCES

ORDINANCE NO. 14-O-__

**AN ORDINANCE CREATING AND DESIGNATING THE DOWNTOWN
ANNISTON HISTORIC DISTRICT**

WHEREAS, the Anniston Historic Preservation Commission (hereinafter “the Commission”) has advised the City Council that it has conducted a historic survey of Downtown Anniston Historic District, and has conducted a public hearing upon its proposed recommendation to designate the Downtown Anniston Historic District as a local historic district, and

WHEREAS, the City Council has further been advised that the Commission published notices in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, said notices being not less than 15 days prior to the public hearing and the second notice being not less than 5 days prior to the public hearing, and

WHEREAS, the City Council has further been advised that the Commission mailed written notice of the said public hearing to all owners of properties within the proposed historic district, and

WHEREAS, in its October 17, 2013 meeting, the Anniston Historic Preservation Commission approved the proposal for the creation of Downtown Anniston Historic District and has, by resolution, recommended to the City Council that it designate this area as a historic district.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Anniston, Alabama, as follows:

Section 1. In accordance with the provisions of Ordinance No. 91-0-18 passed and adopted by the City Council of the City of Anniston on the 24th day of April, 1991, the City Council does hereby designate the “Downtown Anniston Historic District” as a historic district, which shall be comprised of the properties listed on Exhibit “A” hereto attached.

Section 2. The Anniston Historic Preservation Commission is hereby directed, within 30 days of the adoption of this ordinance to notify the owners of each structure

within this designated historic district of the necessity of obtaining a Certificate of Appropriateness prior to undertaking any material change in appearance of their property in accordance with Section IV (C) (5) of Ordinance No. 91-0-18.

Section 3. The City Planner is hereby ordered and directed to see that the boundaries of the Downtown Anniston Historic District are depicted on the official zoning map of the City of Anniston.

Section 4. This Ordinance shall become effective upon its publication one time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk of the City of Anniston is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED AND ADOPTED this the ___ day of February, 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

EXHIBIT "A"

PPIN	PROPERTY ADDRESS	PPIN	PROPERTY ADDRESS
18798	0 11TH ST	116	16 W 11TH ST
18656	36 W 11TH ST	18657	1031 GURNEE AV
117	1025 GURNEE AV	18658	1015 GURNEE AV
18659	1009 GURNEE AV	18829	1005 GURNEE AV
18830	33 W 10TH ST	18667	0 GURNEE AVE
18642	106 W 11TH ST	18831	0 11TH ST
18651	120 W 11TH ST	18652	0 11TH ST
18653	1011 MOORE AV	18654	0 GURNEE AVE
18655	0 WEST OF GURNEE AVE	20743	1331 NOBLE ST
20744	1325 NOBLE ST	20745	1319 NOBLE ST
20746	1301 NOBLE ST	20747	0 WILMER AVE
20748	0 WILMER AVE	20749	1318 WILMER AV
20750	1322 WILMER AV	20751	0 EAST 14TH ST
20905	30 E 14TH ST	20685	0 E 13TH ST
20686	1230 WILMER AV	20687	0 WILMER AVE
20688	1216 WILMER AV	20689	0 WILMER AVE
75721	1212 WILMER AV	20875	29 E 12TH ST
20876	20 E 12TH ST	20877	22 E 12TH ST
20859	24 E 12TH ST	20860	30 E 12TH ST
20861	0 WILMER AVE	20492	1111 WILLIAMS AV
20493	0 1112 WILMER AVE	20494	1110 WILMER AV
78047	1108 WILMER AV	20495	27 E 11TH ST
20674	21 E 11TH ST	20675	11 E 11TH ST
20676	1101 NOBLE ST	20677	1105 NOBLE ST
20678	1107 NOBLE ST	20679	1109 NOBLE ST
20680	1111 NOBLE ST	20681	1113 NOBLE ST
20682	1115 NOBLE ST	20683	1117 NOBLE ST
20481	1119 NOBLE ST	20482	1121 NOBLE ST
75722	1123 NOBLE ST	20483	1125 NOBLE ST
20484	1129 NOBLE ST	20485	1201 NOBLE ST

PPIN	PROPERTY ADDRESS	PPIN	PROPERTY ADDRESS
20486	1207 NOBLE ST	20487	1205 NOBLE ST
20488	1209 NOBLE ST	20489	1211 NOBLE ST
20490	1213 NOBLE ST	20491	1215 NOBLE ST
75723	1217 NOBLE ST	20659	1219 NOBLE ST
20660	1221 NOBLE ST	20661	1227 NOBLE ST
20662	1229 NOBLE ST	19163	230 W 14TH ST
18736	210 W 14TH ST	18737	1300 MOORE AV
63073	217 W 13TH ST	18738	1316 WALNUT AV
18739	1318 WALNUT AV	18740	231 W 14TH ST
18870	200 W 13TH ST	18893	202 W 13TH ST
18871	204 W 13TH ST	18894	206 W 13TH ST
18872	208 W 13TH ST	18873	210 W 13TH ST
18881	214 W 13TH ST	18882	218 W 13TH ST
1422	1224 MOORE AV	1424	0 MOORE AVE
18883	0 MOORE AVE	18884	208 W 12TH ST
18885	0 MOORE AVE	18886	1116 MOORE AV
18887	1108 MOORE AV	2580	0 MOORE AVE
18888	0 WALNUT AVE	18889	1300 WALNUT AV
18904	0 W OF 12TH ST	18859	1330 NOBLE ST
18863	1311 GURNEE AV	18878	0 W 13TH ST
18890	1300 NOBLE ST	18879	1308 NOBLE ST
18880	0 NOBLE ST	18852	1316 NOBLE ST
18853	105 W W 14TH ST ST	18854	0 GURNEE AVE
18847	1230 NOBLE ST	18688	0 W 13 ST
18689	20 W 13TH ST	18695	24 W 13TH ST
18669	0 W 13TH ST	18839	1231 GURNEE AV
18840	1229 GURNEE AV	18841	0 GURNEE AVE
18696	0 GURNEE AVE	18697	21 W 12TH ST
18698	0 12TH ST	18848	19 W 12TH ST
18849	0 12TH ST	18850	1200 NOBLE ST
18864	0 ALLEY OFF 12TH ST	18842	0 COURT ST

PPIN	PROPERTY ADDRESS	PPIN	PROPERTY ADDRESS
18851	1214 NOBLE ST	18692	0 NOBLE ST
18693	1220 NOBLE ST	75899	0 NOBLE ST
75900	1224 NOBLE ST	75099	1226 NOBLE ST
63058	1228 NOBLE ST	18668	0 NOBLE ST
63059	0 12TH ST	63060	1128 GURNEE AV
63061	131 W 11TH ST	63062	0 MOORE AVE
63063	0 11TH ST	63065	25 W 11TH ST
18694	1118 NOBLE ST	2415	1116 NOBLE ST
2416	1112 NOBLE ST	18648	1108 NOBLE ST
63057	15 W 11TH ST	76676	0 COUNTY LANDFILL
18663	1030 NOBLE ST	18664	0 NOBLE ST
18665	1026 NOBLE ST	18666	0 NOBLE ST
18690	1020 NOBLE ST	18691	1018 NOBLE ST
18832	1016 NOBLE ST	18833	1016 NOBLE ST
18834	1014 NOBLE ST	18835	1012 NOBLE ST
18661	1010 NOBLE ST	63053	1006 NOBLE ST
18643	1000 NOBLE ST	63054	0 NOBLE STREET
18644	13 W 10TH ST	63055	15 W 10TH ST
18645	17 W 10TH ST	63056	0 10TH ST
18646	21 W 10TH ST	18647	0 ATLANTA AVE
18797	1015 ATLANTA AV	84063	1025 GURNEE AV
85951	1221 NOBLE ST	18843	0 W 13TH ST
18791	0 GURNEE AVE	18813	101 W 10TH ST
18792	105 W 10TH ST	18814	109 W 10TH ST
18793	0 10TH ST	18815	115 W 10TH ST
18794	117 W 10TH ST	18795	119 W 10TH ST
18796	0 W 10TH ST	18801	123 W 10TH ST
18802	125 W 10TH ST	18803	131 W 10TH ST
18804	0 W 10TH ST	18805	1014 MOORE AV
18790	1008 MOORE AV	18806	1010 MOORE AV
18807	1030 MOORE AV	18585	930 NOBLE ST

PPIN	PROPERTY ADDRESS	PPIN	PROPERTY ADDRESS
18586	0 W 10TH ST	18755	20 W 10TH ST
18756	24 W 10TH ST	18579	26 W 10TH ST
18580	26 W 10TH ST	18581	100 W 10TH ST
18582	102 W 10TH ST	18583	108 W 10TH ST
18761	112 W 10TH ST	18570	114 W 10TH ST
63043	0 10TH ST	18762	0 10TH ST
18747	130 W 10TH ST	2073	126 W 10TH ST
18575	0 10TH STREET	18561	130 W 10TH ST
18563	906 GURNEE AV	18564	914 GURNEE AV
18718	0 GURNEE AVE	18707	0 MARKET ST
75903	900 NOBLE ST	18708	902 NOBLE ST
18714	910 NOBLE ST	18715	912 NOBLE ST
18709	914 NOBLE ST	18710	914 NOBLE ST
18711	920 NOBLE ST	18712	0 W 10TH ST
18072	1031 NOBLE ST	18073	1029 NOBLE ST
17895	0 NOBLE ST	17896	0 1027A NOBLE ST
17897	1025 NOBLE ST	17898	1025 NOBLE ST
17899	1025 NOBLE ST	17900	1021 NOBLE ST
17901	1019 NOBLE ST	17902	1009 NOBLE ST
17903	1001 NOBLE ST	17904	11 E 10TH ST
17905	15 E 10TH ST	17722	923 NOBLE ST
17723	921NOBLE ST	17724	0 NOBLE ST
17713	919 NOBLE ST	75978	915 NOBLE ST
70182	913 NOBLE ST	69684	911 NOBLE ST
17714	909 NOBLE ST	17715	901 NOBLE ST
17716	901 NOBLE ST	17887	930 WILMER AV
17888	916 WILMER AV		

ORDINANCE NUMBER 14-O-____

**AN ORDINANCE AMENDING SECTION 12½.4 OF THE
CODE OF ORDINANCES OF THE CITY OF ANNISTON**

WHEREAS, the Council of the City of Anniston (“Council”) finds that Section 12½.4 of the Code of Ordinances of the City of Anniston, Alabama is due to be amended in order to remove the provision making the violation of any provision of Chapter 12½, Historic Preservation, a criminal act punishable as a misdemeanor;

WHEREAS, the Council finds that violations of Chapter 12½, Historic Preservation, are better characterized as offenses that should be remedied through the imposition of fines and through civil actions in the name of the City, or its designee;

WHEREAS, the Council finds that amending Section 12½.4, as set forth below, will better serve the goals of the Chapter and will foster the public’s support and interest in the preservation of historical properties and districts within the City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 12½, Article I, Section 12½.4 of “The Code of the City of Anniston, Alabama, 1981” in its entirety to read as follows:

Sec. 12½.4. Violation of chapter provisions.

- (a) Enforcement. Any citizen, official or agent of the City may initiate enforcement of any provision of this chapter by registering a complaint with the Police Department of the City of Anniston or with any other duly authorized designee of the City.
- (b) Violations. A person who allows or causes a violation of any provision of this chapter or who fails to comply with an official remedial effort pursuant to this chapter shall be guilty of an offense, punishable by a fine not exceeding five hundred (\$500.00) dollars for each violation. Each day on which a violation of this chapter occurs shall be considered a separate and distinct violation. A charge of violation shall be treated in the same manner as a traffic violation.
- (c) Public Nuisance. A violation of this chapter is hereby declared to be a public nuisance, which may be abated by the City of Anniston, or its authorized designee, by restraining order, preliminary and permanent injunction, or other means provided for by law, and the City may take action to recover the costs of the nuisance abatement.

Section 2. This Ordinance shall become effective immediately upon its adoption and publication one (1) time in The Anniston Star, a newspaper of general circulation

published in the City of Anniston, Alabama, and the City Clerk is hereby authorized and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED and **ADOPTED** this ____ day of February, 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTIONS

RESOLUTION NO. 14-_____

A RESOLUTION DECLARING A MORATORIUM ON THE APPROVAL OF BUSINESS LICENSES FOR ON-PREMISES LIQUOR SALE ESTABLISHMENTS WITHIN THE CENTRAL BUSINESS DISTRICT

WHEREAS, the Council for the City of Anniston desires to attract and retain a diverse combination of business enterprises in the central business district of the city;

WHEREAS, the Council finds that the central business district has experienced a proliferation and concentration of business establishments that have the principal business activity of on-premises alcohol sales (referred to herein as “Bars and Clubs”);

WHEREAS, the Council finds that a long-range, comprehensive land use plan for the central business district will attract and retain diverse businesses types is in the best interests of the city;

WHEREAS, the Council finds that the addition of new Bars and Clubs in the central business district threatens to frustrate and impair the Council’s long-range, comprehensive land use plan for the city;

WHEREAS, the Council desires to evaluate whether to modify the city’s zoning ordinance or otherwise take other action to address the proliferation and concentration of Bars and Clubs in the central business district;

WHEREAS, the Council finds that a three (3) month moratorium on the issuance of new business licenses for Bars and Clubs within the central business district is necessary to provide the time needed to properly evaluate and address the proliferation and concentration of such businesses;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama, that there shall be a six month moratorium on the issuance of business licenses for business establishments that that have the principal business activity of on-premises alcohol sales, except that existing licenses may be renewed or transferred for use in its current location, only.

PASSED AND ADOPTED this the _____ day of February, 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk