

**ORDINANCE # 135-157**

AN ORDINANCE TO AMEND ORDINANCE # 135, AS PREVIOUSLY AND HERETOFORE AMMENDED, CODIFIED AT APPENDIX A - ZONING, ARTICLE XVII, SECTION 2, OF THE CODE OF ORDINANCES, CITY OF PELHAM, ALABAMA, TO PROHIBIT THE PARKING OF MOTOR VEHICLES, BOATS, TRAILERS AND SIMILAR DEVICES, OR PERSONAL PROPERTY IN THE FRONT YARDS OF PROPERTY ZONED RESIDENTIAL.

Whereas, the City of Pelham has determined that it is in the best interests and public welfare of the City and its citizens to amend Appendix A - Zoning, Article XVII, Section 2, of the Code of Ordinances, City of Pelham, Alabama, as herein provided,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA AS FOLLOWS:

**SECTION ONE:** Appendix A - Zoning, Article XVII, Section 2, of the Code of Ordinances, City of Pelham, Alabama, is hereby amended to add the following:

It is prohibited and shall be unlawful to park or allow any motor vehicle, specially constructed vehicle, special-mobile equipment, motorcycle, motor-driven cycle, trailer, semi-trailer, as each of the above are defined in the Code of Alabama 1975, Section 32-1-1.1, or any boat or other vessel, as defined in the Code of Alabama 1975, Section 33-5-3, in the front yard of any residentially zoned property in the city, except upon the paved driveway required and installed according to the requirements of the Code of Ordinances, City of Pelham, Alabama.

**SECTION TWO:** All Ordinances, or parts of Ordinances, contrary to the provisions of this Ordinance, are specifically repealed.

**SECTION THREE:** The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

**SECTION FOUR:** This Ordinance shall become effective on

10/25, 2004.

ADOPTED AND APPROVED THIS 18<sup>th</sup> DAY OF October, 2004.

Willard Payne, a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance Number 135-157, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Rosemary Metcalf, a member, and upon a roll call vote was unanimously passed. The vote on said motion was as follows:

|  |          |
|--|----------|
| Mike Dickens<br>President of the<br>City Council | <u>4</u> |
| Willard Payne<br>Council Member                  | <u>4</u> |
| Rosemary Metcalf<br>Council Member               | <u>4</u> |
| Karyl Rice<br>Council Member                     | <u>4</u> |
| Bob Sullivan<br>Council Member                   | <u>4</u> |

THEREUPON Willard Payne, a member moved and Rosemary Metcalf, a member seconded the move that said Ordinance be given vote. Said Ordinance passed by vote of all members of the Council present and the Council President declared the same passed.

ADOPTED this the 18<sup>th</sup> day of October 2004

Mike J. Dickens  
President of the City Council

Willard C. Payne  
Council Member

Rosemary Metcalf  
Council Member

Karyl D. Rice  
Council Member

Robert D. Sullivan  
Council Member

*Abstained  
RSD*

Seal

ATTEST  
Cyrry Bates  
City Clerk

APPROVED:  
Bobby Hayes  
Mayor

POSTING AFFIDAVIT

I, the undersigned, Clerk of the City Council of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE 135-157 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at its regular meeting on the 18<sup>th</sup> day of October, 2004 and duly published by posting an exact copy thereof on 19<sup>th</sup> day of October 2004 at three public places within the city, including the Mayor's Office at City Hall, City Park and Library, all being public places in the City of Pelham, Alabama.

Cyrry Bates  
City Clerk

Seal