

Join us! In an effort to enhance meetings post COVID-19 emergency orders, the City Council invites you to join and/or participate in a variety of ways: Via computer Zoom meetings (no app is necessary), telephone, email and/or text! See details on page 3.

**Vestavia Hills
City Council Agenda
January 23, 2023
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Steve Dedmon, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. City Manager’s Report
8. Councilors’ Reports
9. Financial Reports – Melvin Turner, III, Finance Director
10. Approval Of Minutes – January 9, 2023 (Regular Meeting)

Old Business

11. Public Hearing – Resolution 5435 – A Resolution Proposing An Increase In An Ad Valorem School Tax Levied In The City Of Vestavia Hills
12. Public Hearing – Ordinance Number 3145 – Rezoning – 4553 Pine Tree Circle; Lot 15, Topfield Subdivision; Rezone From Vestavia Hills B-1.2 (Neighborhood Mixed Use District) To Vestavia Hills O-1 (Office Park District); Mark Hancock, Owner
13. Public Hearing – Ordinance Number 3146 – Rezoning – 3105 Blue Lake Drive; Lot 26, Topfield Subdivision; Rezone From Vestavia Hills R-1 (Low Density Residential District) To Vestavia Hills O-1 (Office Park District); Lauran Savage, Owner
14. Public Hearing – Ordinance Number 3147 – An Ordinance Establishing Voting And Polling Places For All Municipal Elections For The City Of Vestavia Hills, Alabama
15. Public Hearing – Ordinance Number 3148 – An Ordinance Adopting And Enacting Supplement V For The Vestavia Hills Code Of Ordinances Republished 2013

New Business

New Business Requesting Unanimous Consent

First Reading (No Action To Be Taken At This Meeting)

16. Citizens Comments
17. Time Of Adjournment

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

JANUARY 9, 2023

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. A number of staff and members of the general public also attended virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order. The City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul Head, Councilor
George Pierce, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick H. Boone, City Attorney
Cinnamon McCulley, Asst. City Manager*
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Jason Hardin, Deputy Fire Chief
Melvin Turner, III, Finance Director
Zach Clifton, Asst. Finance Director
Marvin Green, Fire Chief
Keith Blanton, Building Official*
**present virtually via Zoom or telephone*

David Phillips, Vestavia Hills Chaplain, led the invocation, followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The Mayor opened the floor for a motion to approve of the agenda.

MOTION Motion to approve the agenda as presented was made by Mr. Weaver and seconded by Mr. Pierce. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- Mr. Head announced that the Parks and Recreation Department will meet next Tuesday at 7:30 AM at the Civic Center.

CITY MANAGER'S REPORT

- Mr. Downes stated that he pulled the utilization data of the new Civic Center after just one month of operation. He reported that 115 family memberships, 175 individual memberships, 104 senior memberships, 29 track only senior memberships, and 9 City employees. Since opening, there have been 13 hosted events and 5 regular events held at the new facility. They have averaged 14 pickleball players daily and some 30 +/- teens playing basketball. He stated that more than 50% of the budgeted membership fees were collected in the first month. He stated that the demand is high and people are using the facility.
- Mr. Downes announced the Council will meet for its annual strategic planning on February 16-17. He explained that one of the key factors would be the City survey results and indicated that he received a letter from the company that does the survey notifying him that Vestavia Hills is one of the cities to be given the Leading the Way award based on meeting a certain set of metrics.
- Mr. Downes stated that the Crosshaven project is still on track for completion around mid-February. The final paving will be completed in March.
- Mr. Downes announced that the old Civic Center has been conveyed to the Board.

COUNCILOR REPORTS

- Mr. Pierce stated he continues to get great comments on the new Civic Center.
- Mrs. Cook stated that she has been contacted about the Moody landfill fire. She stated that Councilor Weaver has been more involved, recently, with this, so she will let him comment further on it during his report. She indicated she is concerned about it and making phone calls to state and local leaders to bring attention to the environmental disaster and, hopefully, bring resources to put the fire out.
- Mr. Pierce stated he will attend the Chamber of Commerce luncheon tomorrow at the Vestavia Country Club. He announced that the main program will include a review of the Chamber projects from last year and induction of new officers.
- Mayor Curry stated that he attended the Seniors' lunch this afternoon and was met with many positive comments regarding the Civic Center. He indicated that the entertainment was really good and even the entertainer complimented the facility.
- Mr. Weaver stated that he attended the emergency called meeting of the St. Clair Commission to address the Moody landfill fire in which they declared a local state of emergency. He stated that it was well attended, however, only one state official attended, State Senator Lance Bell. The declaration will allow Gov. Ivey to declare a state of

emergency which will bring additional funding to help alleviate the problem. St. Clair County has determined it does not have the means or capability to fight this fire. After the meeting, every Commissioner stayed and answered questions. Mr. Weaver commended the Commission on their actions at and after that meeting. He stated that he has contacted the local state legislators representing our area and all have committed to sending this up the chain of leadership. Mr. Pierce has spoken to Senator Tuberville and alerted him to the emergency and how serious this issue is. He indicated that Mrs. Cook is working with the Cahaba Riverkeeper to obtain stormwater runoff tests from the landfill area. He urged citizens of Liberty Park not to stop contacting the State to declare an emergency so the disaster can receive state or even federal assistance. He encouraged everyone to stay engaged.

- Mrs. Cook stated that State Sen. Lance Bell indicated that putting out the fire could take as long as 90 days to complete the process. They hope to begin the process to address it in mid-February if all goes well in securing the funding. Mr. Weaver indicated this has a cost estimate of \$3 to \$4 million.
- Mr. Weaver announced that the Planning and Zoning Commission meeting will be held on Thursday, January 12, beginning at 6 PM.

FINANCIAL REPORTS

Zach Clifton, Deputy Director, presented the financial reports for month ending November 2022. He read and explained the reports.

INFRASTRUCTURE AND COMMUNITY SPACES UPDATE

Raynor Boles, TCU, gave an update regarding the Wald Park Phase III. He stated that all of the critical supplies have been delivered for the site. Bases for the retaining walls and light bases are being dug and they are looking for ways to speed up the process. Completion date is set for early summer. He stated that materials were ordered early and now everything depends on weather and production. Storm and sanitary sewer will be installed so it will be a while before you see actual structures coming out of the ground.

Discussion ensued as to the installation of the parking lot. Mr. Boles stated that the final pavement will not be installed until later because there is a need for staging areas.

Mr. Weaver asked about signage for the park.

Mr. Boles stated that there is a signage package containing markers, rules, and other information, but this cannot be installed until they know the distances.

Mr. Downes stated that this last phase also contains the Wald Park signage for Highway 31 and a guardrail that was requested. There is a number of punch list items for the Civic Center which include lighting on the building and signage at Highway 31.

APPROVAL OF MINUTES

The Mayor stated that the approval of the minutes December 12, 2022 (Work Session) and December 19, 2022 (Regular Meeting) are open for approval. He asked for a motion:

MOTION: Motion to approve the minutes of the December 12, 2022 (Work Session) and December 19, 2022 (Regular Meeting) was made by Mr. Cook and seconded by Mr. Weaver. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

OLD BUSINESS

NEW BUSINESS

RESOLUTION NUMBER 5436

Resolution Number 5436 – A Resolution Authorizing The City Manager To Issue A Refund On Sales Taxes Which Were Remitted To The City In Error

MOTION Motion to approve Resolution Number 5436 was made by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes stated that this was the Hoover Subway. The County remitted these sales taxes to Vestavia Hills and they should have been remitted to Hoover. This has been investigated and approved by the Finance Director who recommends this refund.

There being no one further to address the Council, the Mayor called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

RESOLUTION NUMBER 5437

Resolution Number 5437 – A Resolution Authorizing The City Manager To Execute And Deliver A Right-Of-Way Deed For A Sewer Easement At The Altadena Valley Park

MOTION Motion to approve Resolution Number 5437 was made by Mr. Weaver and seconded by Mr. Pierce.

Mr. Downes stated that is for a sanitary sewer to serve the restroom needs of the park.

There being no one further to address the Council, the Mayor called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

- Public Hearing – Resolution 5435 – A Resolution Proposing An Increase In An Ad Valorem School Tax Levied In The City Of Vestavia Hills
- Public Hearing – Ordinance Number 3145 – Rezoning – 4553 Pine Tree Circle; Lot 15, Topfield Subdivision; Rezone From Vestavia Hills B-1.2 (Neighborhood Mixed Use District) To Vestavia Hills O-1 (Office Park District); Mark Hancock, Owner
- Public Hearing – Ordinance Number 3146 – Rezoning – 3105 Blue Lake Drive; Lot 26, Topfield Subdivision; Rezone From Vestavia Hills R-1 (Low Density Residential District) To Vestavia Hills O-1 (Office Park District); Lauren Savage, Owner
- Public Hearing – Ordinance Number 3147 – An Ordinance Establishing Voting And Polling Places For All Municipal Elections For The City Of Vestavia Hills, Alabama
- Public Hearing – Ordinance Number 3148 – An Ordinance Adopting And Enacting Supplement V For The Vestavia Hills Code Of Ordinances Republished 2013

CITIZEN COMMENTS

None.

EXECUTIVE SESSION

The Mayor stated there was a need for the Council to go into Executive Session to discuss pending/existing litigation for an estimated 30 minutes. Mr. Boone, City Attorney, concurred the law allows the Council to go into executive session for such purposes.

MOTION Motion for the Council to go into Executive Session to discuss pending/existing litigation for an estimated 30 minutes was made by Mr. Weaver and seconded by Mr. Pierce. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	motion carried.

At 6:28 PM the Council exited the Chambers and entered into Executive Session. At 6:50 PM the Council re-entered the Chamber and the Mayor called the meeting back to order.

At 6:51 PM, Mrs. Cook made a motion to adjourn. The meeting adjourned at 6:51 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

Due to the COVID-19 safety advice given by the ADPH, the City Council work sessions and meetings are available via video-conference and teleconference. If you choose not to attend in person, you may still participate. Following are instructions for three options to participate remotely.

COMPUTER PARTICIPATION (view/participate in real time)

To participate in by videoconference, click <https://us02web.zoom.us/j/5539517181>. When the Zoom.us window opens in your browser, click “Allow” so that the page may open to a waiting room. The host will open the meeting and bring all into the meeting room at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the “Raise Hand” feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council.

Using the icons on the Zoom screen, you can:

- Mute/unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- View Participants – opens a pop-out screen that includes the “Raise Hand” icon that you may use to raise a virtual hand
- Change your screen name displayed in the participant list and video window
- Toggle between “speaker” and “gallery” views – “Speaker view” shows the active speaker; “Gallery view” tiles all of the meeting participants

TELEPHONE PARTICIPATION (view/participate in real time)

To participate by telephone, dial 312.626.6799 and enter the meeting ID: 455 534 3275. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, press *6 on your phone keypad to unmute yourself. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

TEXT AND/OR EMAIL (prior to the meeting or in real time)

If you do not wish to join the meeting but would like to ask a question or make a statement regarding an item on the agenda, you may email the City Council directly at City.Council@vhal.org. You may also text your question/statement to City Council at 205.517.1370. Both of these options are available prior to and during each work session and meeting. Be sure to provide your name and address for the record and your comments will be recited to the City Council as the corresponding item is being addressed. Note: As a matter of record, your name and address are required. If identification is not provided, your comment/question will not be presented.

Zoom meetings may be recorded. By participating in the meeting, you are consenting to be recorded. Zoom-bombing is a cyber-crime and is punishable by law. In the event of an attendee intruding into any City of Vestavia Hills Zoom meeting, the online broadcast will be ended immediately. Council and/or board members may be readmitted but online attendees will not. Although Zoom-bombing is not a frequent occurrence, those wishing to make public comment should attend the meeting in person.

RESOLUTION NUMBER 5435

A RESOLUTION PROPOSING AN INCREASE IN AN AD VALOREM SCHOOL TAX LEVIED IN THE CITY

BE IT RESOLVED BY THE CITY COUNCIL (herein called "the Council") of the City of Vestavia Hills (herein called "the City"), in the State of Alabama, as follows:

Section 1. Definitions. The following words and phrases used in this Resolution, and others evidently intended as the equivalent thereof, shall, in the absence of a clear implication herein otherwise, be given the following respective interpretations herein:

- "Amendment No. 373" means that certain amendment to the Constitution that was proposed by Act No. 6 enacted at the 1978 Second Special Session of the Legislature of Alabama.
- "Board" means the Vestavia Hills City Board of Education.
- "Constitution" means the Constitution of Alabama of 1901.
- "Special School Tax" means the special annual ad valorem tax for public school purposes authorized in Amendment No. 56 to the Constitution and pursuant to elections held in the City on April 28, 1970, May 8, 1990, and March 11, 2014, to be levied and collected on taxable property situated in the City, the rate of which has, pursuant to proceedings heretofore taken by the Council under the Constitution, been increased to \$2.56 on each one hundred dollars of assessed value of taxable property (25.6 mills on each dollar).

Section 2. Findings. The Council has ascertained and does hereby find and declare as follows:

- a. The City is presently authorized to levy and collect the Special School Tax at a rate of \$2.56 on each one hundred dollars (25.6 mills on each dollar) of assessed value pursuant to Amendment No. 56 to the Constitution and proceedings heretofore taken under the Constitution.
- b. The Board has requested that the City increase the rate at which the Special School Tax is levied and the Board and the Council have agreed that the said increase should be to a maximum rate, for any tax year of the City, which is

equal to \$3.54 on each one hundred dollars (35.4 mills on each dollar) of assessed value.

- c. Pursuant to a notice posted in five public places (viz., the Vestavia Hills City Hall, Vestavia Hills City Board of Education central office, Vestavia Hills Civic Center, Vestavia Hills Library in the Forest and the New Merkel House) in the City, the Council called a special public hearing to be held at 6:00 p.m. on Monday, January 23, 2023, on the proposed increase in the rate at which the Special School Tax is levied.
- d. At the said special public hearing held on January 23, 2023, all members of the public were afforded the opportunity to express their views, orally and in writing, on the proposed increase in the Special School Tax.
- e. It is necessary and desirable and in the public interest that the Council, acting pursuant to the request of the Board and of its own initiative, propose an increase in the rate at which the Special School Tax is levied in accordance with Section 3 of this Resolution, subject to the conditions set forth in Section 4 of this Resolution.

Section 3. Proposed Increase in Rate of Special School Tax. Pursuant to subsection (f) of Amendment No. 373 and after the said public hearing, the Council proposes to increase the rate at which the City is authorized to levy and collect the Special School Tax to a maximum rate, for any tax year of the City, which is equal to \$3.54 on each one hundred dollars (35.4 mills on each dollar) of assessed value.

Section 4. Proposed Increase Subject to Approval of Legislature and Electorate. The proposed increase in the rate at which the Special School Tax may be levied and collected pursuant to this Resolution is subject to (a) the approval of the Legislature to be evidenced by an act thereof, and (b) the approval of a majority of the qualified electors of the City who vote on the proposed increase at a special election called and held for such purpose pursuant to the provisions of subsection (f) of Amendment No. 373.

DONE, ORDERED, ADOPTED and APPROVED this the 23rd day of January, 2023.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Resolution Number 5435 is a true and correct copy of such 24th day of October, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkel House, Vestavia Hills City Board of Education (central office) and Vestavia Hills Recreational Center this the _____ day of _____, 2023.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3145

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS B-1.2 TO VESTAVIA HILLS O-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills B-1.2 (neighborhood mixed use district) to Vestavia Hills O-1 (office park district):

4553 Pine Tree Circle
Lot 15, Topfield Subdivision
Mark Hancock, Owner(s)

APPROVED and ADOPTED this the 23rd day of January, 2023.

Ashley C. Curry
Mayor

ATTESTED BY:

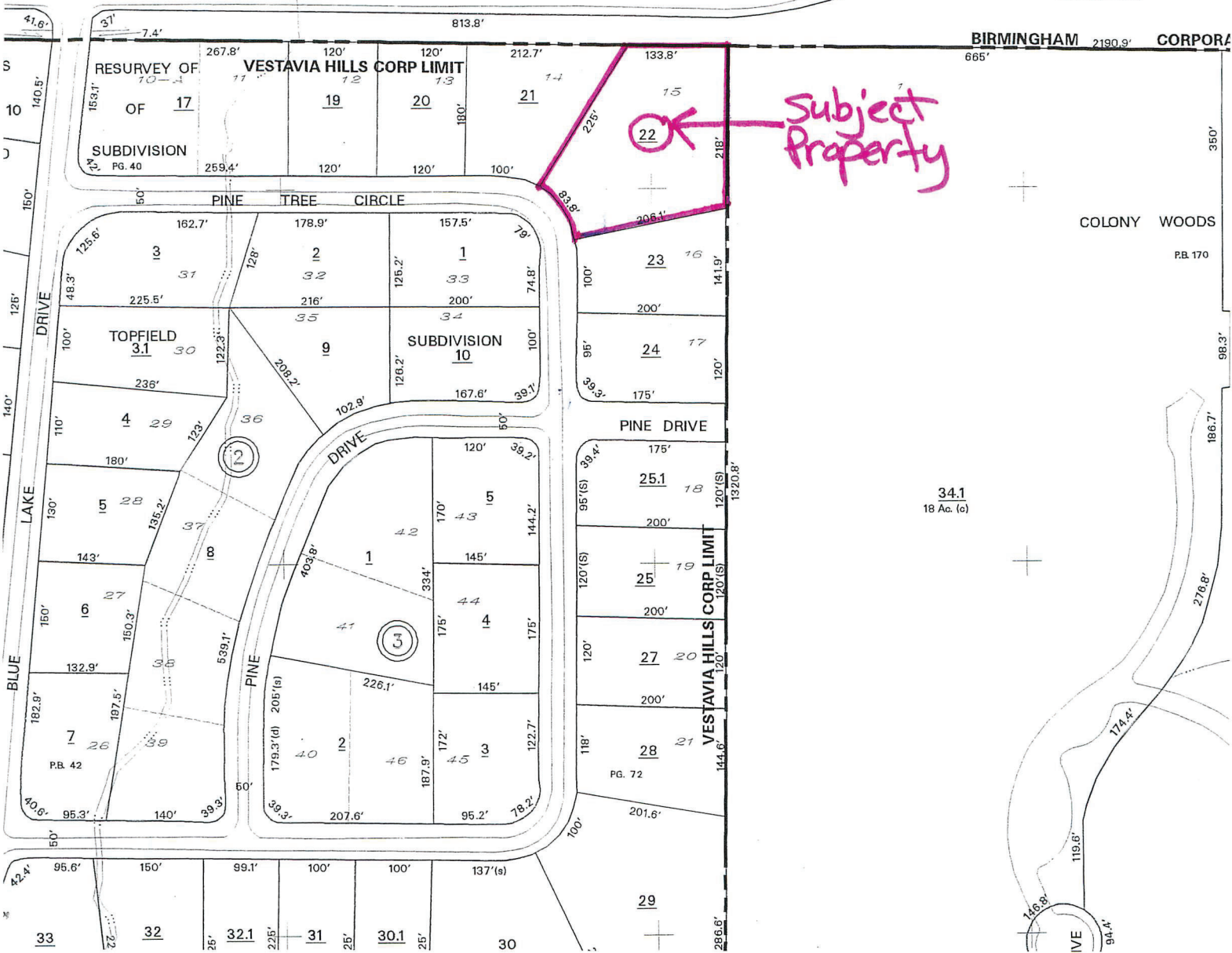
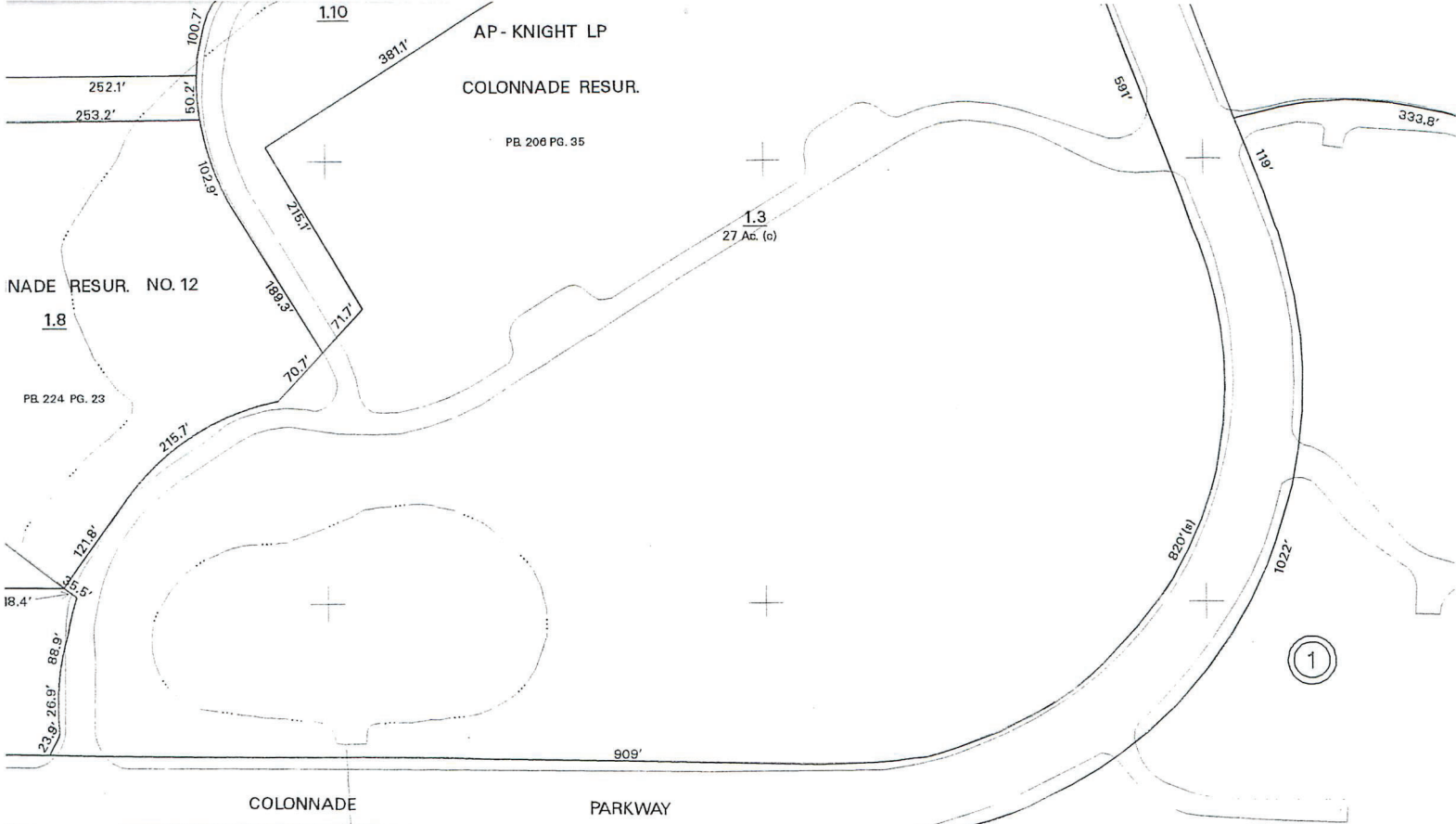
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3145 is a true and correct copy of such 23rd day of January, 2023, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2023.

Rebecca Leavings
City Clerk





City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-8

Representative: Mark Hancock

Owner Name: Mark Hancock

Rep. Address: 2828 Old 280 Court Suite 200 Vestavia, AL 35243

Owner Address: 2828 Old 280 Court Suite 200 Vestavia, AL 35243

Project Address: 4553 Pine Tree Cir. Vestavia, AL 35243

Legal Description: Lot 15, according to the Survey of Topfield Subdivision, as record in map book 42, Page 72, in the Probate Office of Jefferson County, Alabama.

Parcel ID Number: 2800274001022

Current Zoning: B-1.2

Requested Zoning: O-1

Intended Purpose: Construction of an office building.

MOTION Mr. Weaver made a motion to recommend Rezoning for 4553 Pine Tree Cir. from Vestavia Hills B-1.2 to Vestavia Hills O-1 as presented. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes

Mr. Sykes – yes

P&Z Recommendation: Ms. Barnes – yes

Mr. Larson – yes

Mr. Romeo – yes

Mr. Weaver – yes

Mr. Vercher – yes

Motion carried.

Date of P&Z Meeting: December 8, 2022

Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael Vercher, Chair

Issued by:

Conrad Garrison, City Planner

Rezoning Application**Applicant****Primary Location****RZ-22-8**

👤 Mark Hancock

☎ 2054973284

@ amanda@hancockbuilt.com

4553 PINE TREE CIR

VESTAVIA HILLS, AL 35243

Submitted On: Nov 3, 2022

Property Information**Subject Property Address**

4553 Pine Tree Cir. Vestavia, AL 35243

Tax Parcel ID Number

2800274001022

Legal Description

Lot 15, according to the Survey of Topfield Subdivision, as record in map book 42, Page 72, in the Probate Office of Jefferson County, Alabama.

Existing Parking Spaces

0

Proposed Parking Spaces

50

Submission Date

10/04/2022

Type of Project

New Commercial Development

Action Requested:**From Existing Zoning Classification**

R-1

To Requested Zoning Classification

O-1

For the Intended Purpose of:

Construction of an office building.

Acreage of Subject Property

1

Acreage of Property to be Disturbed

.9

Setbacks**Front**

50

Back

15

Side

15

Open Space

--

Lot Coverage Percentage

0.75

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by

Property Owner Name

Mark Hancock

way of a notarized letter and/or power of attorney.

Company Name

West Bham Rentals LLC

Owner Address City State Zip

2828 Old 280 Court Suite 200 Vestavia, AL 35243

Owner's Phone Number

205-222-5260

Email Address of Owner

mark@hancockbuilt.com

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

Owner Representative/Responsible Party

Mark Hancock

true

Company Name

West Bham Rentals, LLC

Contact Email of Responsible Party

mark@hancockbuilt.com

Mailing Address of Responsible Party

2828 Old 280 Court Suite 200 Vestavia, AL 35243

Phone No. of Responsible Party

1

Email Address of Responsible Party

mark@hancockbuilt.com

Project Engineer Information (if applicable)

Name

J.T. Murphy

Company

CCI Planning and Engineering

Mailing Address

3528 Vann Road Suite 105 Birmingham, AL 35235

Phone Number

205-655-1991

Email

jmurphy@ccipe.com



City of Vestavia Hills, AL

12/02/2022

RZ-22-8

Planning Review

Rezoning Application

Status: Complete**Became Active:** 11/03/2022**Assignee:** Conrad Garrison**Completed:** 11/03/2022

Applicant

Mark Hancock
amanda@hancockbuilt.com
2828 Old 280 Court
Suite 200
Vestavia Hills, AL 35243
2054973284

Primary Location

4553 PINE TREE CIR
VESTAVIA HILLS, AL 35243

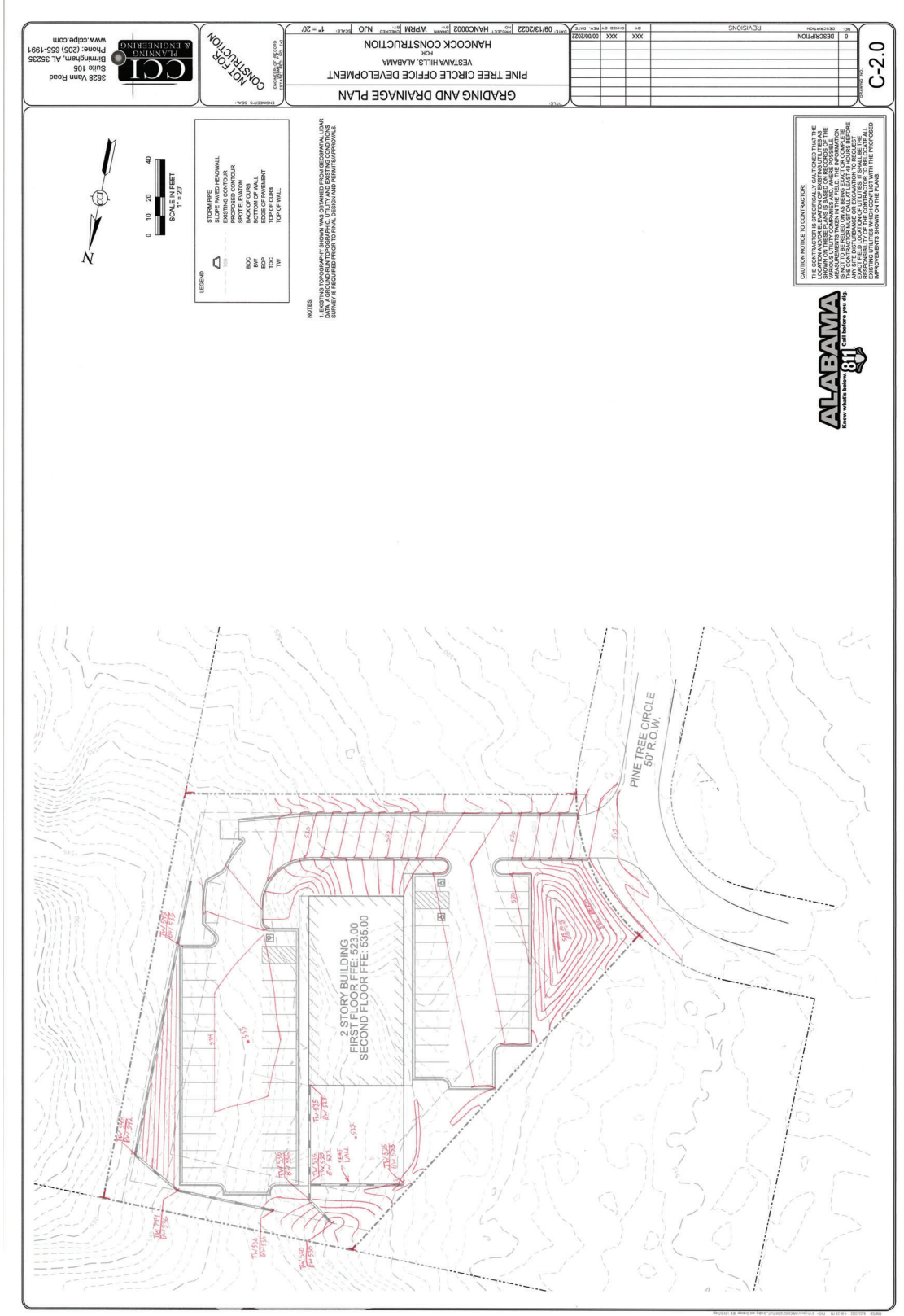
Owner:

West Bham Rentals
2828 Old 280 Court Vestavia, AL 35243

Comments

Conrad Garrison, Nov 30, 2022 at 11:18am

Applicant is seeking to rezone from the current, defunct B-1.2 zoning to O-1 for a new office building. The proposed office building would be 2 stories, have sidewalks along the frontage, and overall conform to the O-1 zoning. A site plan and rendering is attached.



ALABAMA
 811
 Know what's below. Call before you dig.

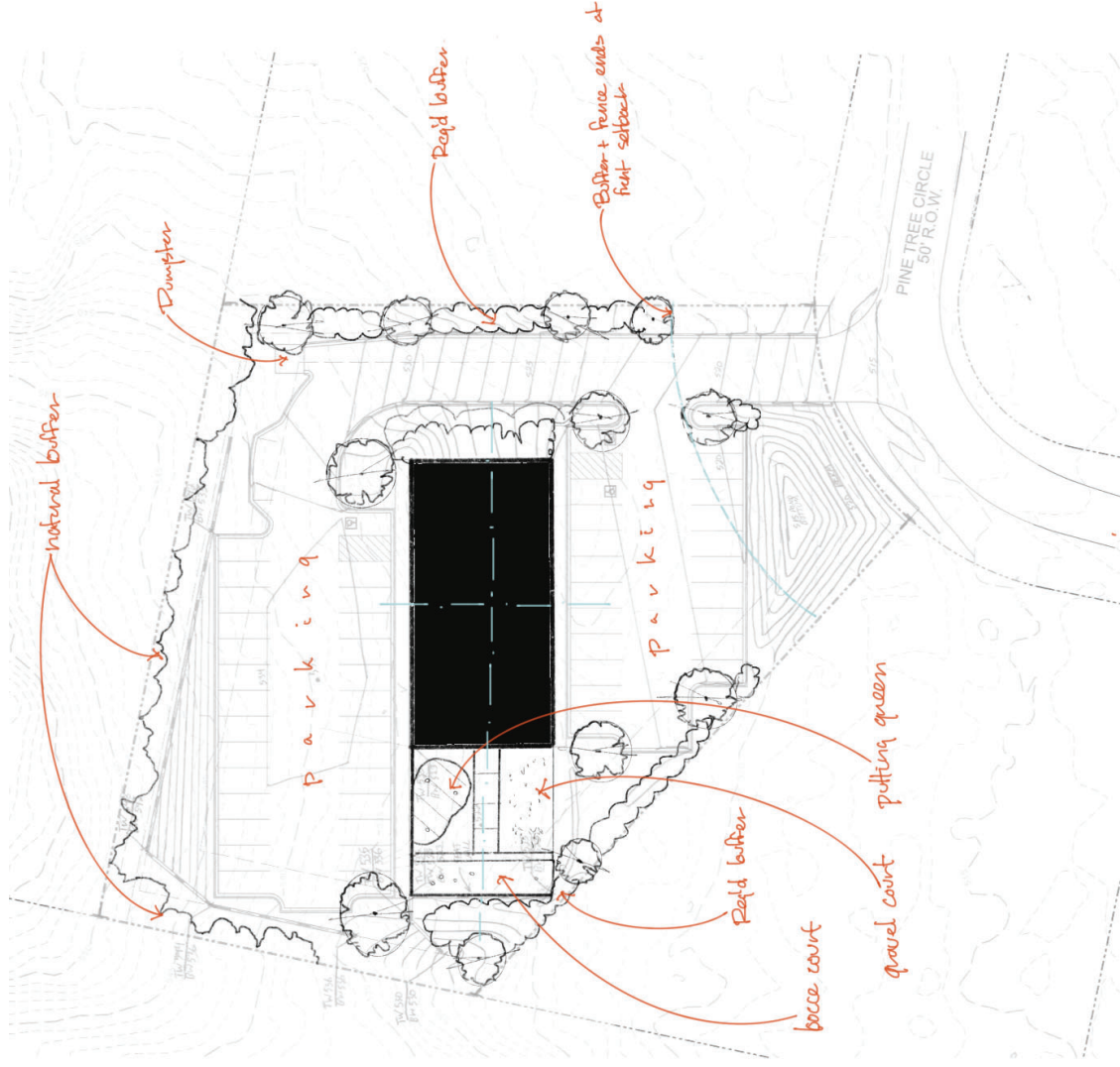
CAUTION NOTICE TO CONTRACTOR:
 THE LOCATION AND DEPTH OF ALL UTILITIES SHOWN ON THESE PLANS IS BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION OR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL UTILITY COMPANIES AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SHALL BE RESPONSIBLE FOR REPAIRING ANY UTILITIES DAMAGED DURING THE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL UTILITY COMPANIES AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SHALL BE RESPONSIBLE FOR REPAIRING ANY UTILITIES DAMAGED DURING THE CONSTRUCTION.

NO.	DESCRIPTION	REVISIONS
0		
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

NOT FOR CONSTRUCTION

CC ENGINEERING & PLANNING
 5529 Veon Road
 Birmingham, AL 35226
 Phone: (205) 655-1911
 www.ccepe.com

HANCOCK CONSTRUCTION
 104
 VERSTAVA HILLS, ALABAMA
 GRADING AND DRAINAGE PLAN
 PROJECT NO. 20220002
 DATE: 09/13/2022
 SCALE: 1" = 20'



Rezoning Presentation

Proposed Building





ORDINANCE NUMBER 3146

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS R-1 TO VESTAVIA HILLS O-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-1 (low density residential district) to Vestavia Hills O-1 (office park district):

3105 Blue Lake Drive
Lot 26, Topfield Subdivision
Lauran Savage, Owner(s)

APPROVED and ADOPTED this the 23rd day of January, 2023.

Ashley C. Curry
Mayor

ATTESTED BY:

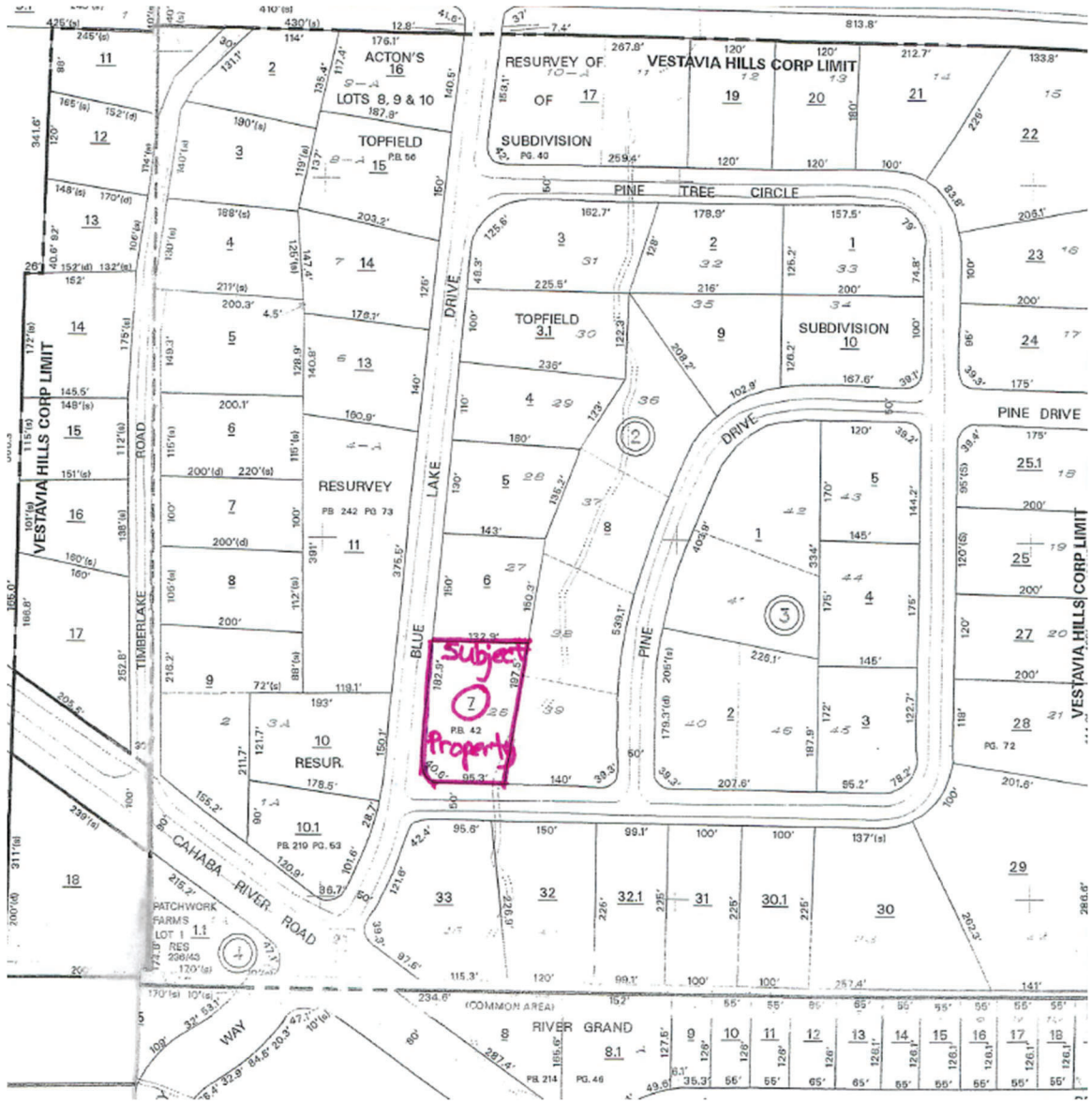
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3146 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 23rd day of January, 2023 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel Houser this the _____ day of _____, 2023.

Rebecca Leavings
City Clerk





City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-9

Representative: Jamie Collins

Owner Name: Lauren Savage

Rep. Address: 1950 Stonegate Drive, Suite 200, Birmingham, AL 35242

Owner Address: 1801 Gadsden Highway, Trussville, AL 35173

Project Address: 3105 Blue Lake Drive

Legal Description: Lot 26, according to the Survey of Topfield Subdivision, as recorded in Map Book 42 page 72 in the Probate Office of Jefferson County, Alabama.

Parcel ID Number:

Current Zoning: VH R-1: Low Density Residential District

Requested Zoning: VH 0-1: Office Park District

Intended Purpose: Medical Office Building

MOTION Ms. Barnes made a motion to recommend Rezoning for 3105 Blue Lake Dr. from Vestavia Hills R-1 to Vestavia Hills O-1 as presented. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes

Mr. Sykes – yes

P&Z Recommendation: Ms. Barnes – yes

Mr. Larson – yes

Mr. Romeo – yes

Mr. Weaver – yes

Mr. Vercher – yes

Motion carried.

Date of P&Z Meeting: December 8, 2022

Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael Vercher, Chair

Issued by:

Conrad Garrison, City Planner


Rezoning Application

Applicant

Primary Location

RZ-22-9

 James Collins

 205-278-6287

 jcollins@turnerbatson.com

3105 BLUE LAKE DR

VESTAVIA HILLS, AL 35243

Submitted On: Nov 3, 2022

Property Information

Subject Property Address

3105 Blue Lake Drive

Tax Parcel ID Number

--

Legal Description

Lot 26, according to the Survey of Topfield Subdivision, as recorded in Map Book 42 page 72 in the Probate Office of Jefferson County, Alabama.

Existing Parking Spaces

0

Proposed Parking Spaces

18

Submission Date

11/02/2022

Type of Project

New Commercial Development

Action Requested:

From Existing Zoning Classification

VH R-1: Low Density Residential District

To Requested Zoning Classification

VH 0-1: Office Park District

For the Intended Purpose of:

Medical Office Building

Acreage of Subject Property

0.58

Acreage of Property to be Disturbed

0.5

Setbacks

Front

30

Back

30

Side

20

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by

Property Owner Name

Lauren Savage

way of a notarized letter and/or power of attorney.

Company Name

--

Owner Address City State Zip

1801 Gadsden Highway, Trussville, AL 35173

Owner's Phone Number

205-999-4907

Email Address of Owner

plsjr5@msn.com

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

Owner Representative/Responsible Party

Jamie Collins

true

Company Name

TurnerBatson Architects

Contact Email of Responsible Party

jcollins@turnerbatson.com

Mailing Address of Responsible Party

1950 Stonegate Drive, Suite 200, Birmingham, AL 35242

Phone No. of Responsible Party

205-278-6287

Email Address of Responsible Party

jcollins@turnerbatson.com

Project Engineer Information (if applicable)

Name

Andrew Phillips

Company

Schoel Engineering

Mailing Address

1001 22nd Street South, Birmingham, AL 35205

Phone Number

205-313-1154

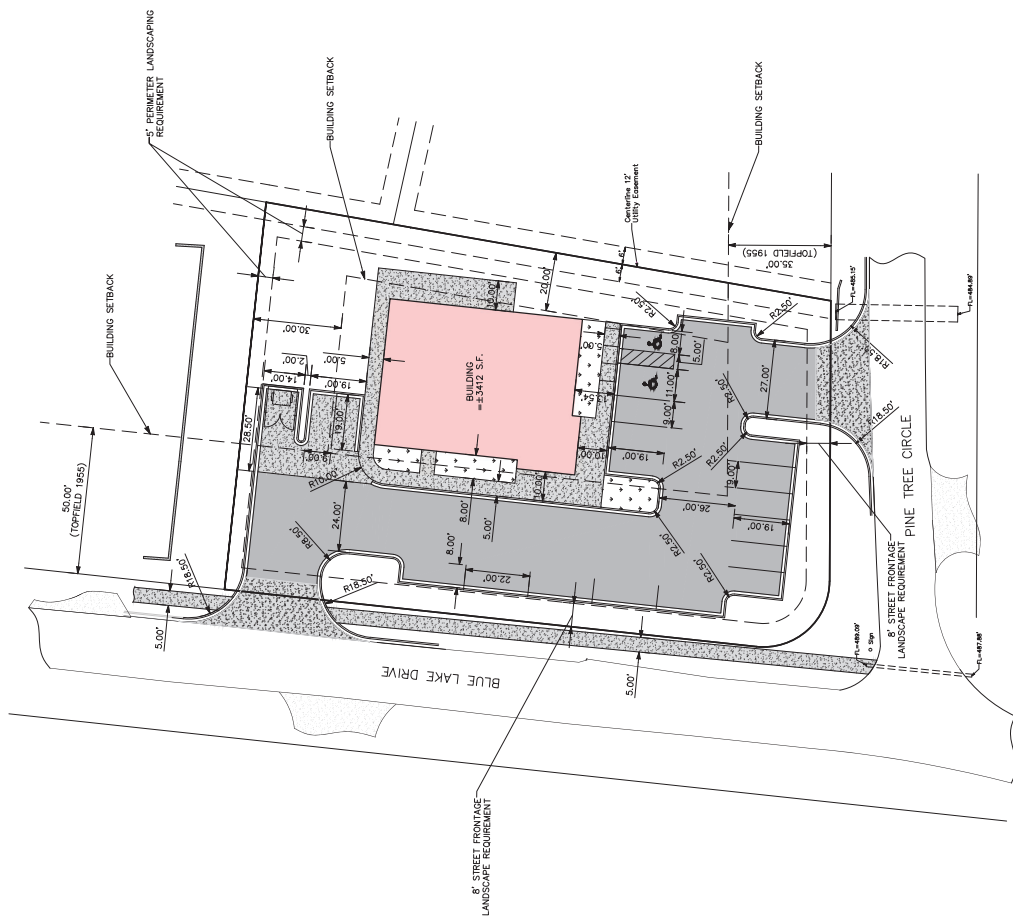
Email

aphillips@schoel.com

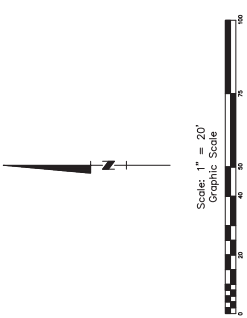
VICINITY MAP



(NTS)



PROPERTY INFORMATION:
 JURISDICTION: VESTAVIA HILLS, AL
 PROPERTY AREA: ±25262.34 SF = ±0.58 AC
 CURRENT ZONING: R-1 (LOW DENSITY RESIDENTIAL DISTRICT)
 REZONING TO: O-1 (OFFICE PARK DISTRICT)
 MINIMUM LOT AREA REQ'D: 10000 SF
 MAXIMUM BUILDING HEIGHT: 35 FT OR 2 STORIES, WHICHEVER IS LESS
MINIMUM YARD SETBACKS FOR O-1:
 FRONT 30 FT
 REAR 30 FT
 SIDE 20 FT
MINIMUM BUILDING SETBACKS PER RECORDED PLAT (TOPFIELD 1955):
 FRONT ALONG BLUE LAKE DRIVE 50 FT
 FRONT ALONG PINE TREE CIRCLE 35 FT
LANDSCAPING REQUIREMENTS FOR O-1:
 STREET FRONTAGE LANDSCAPING: 8 FT
 PERIMETER LANDSCAPING: 5 FT
PARKING REQUIREMENT FOR O-1:
 MEDICAL AND DENTAL OFFICES, CLINICS 4 SPACES PER DOCTOR PLUS 1.0 SPACES PER EMPLOYEE
SPACES REQUIRED: 8 SPACES (1 DOCTOR AND 4 EMPLOYEES)
SPACES PROVIDED: 18 SPACES (PARALLEL=5, STANDARD=11, ACCESSIBLE=2)
**PARKING SPACE SIZE: PARALLEL = 8 FT X 23 FT
 STANDARD = 9 FT X 19 FT**



IMPERVIOUS VS. PERVIOUS

PROPERTY AREA = 25262.34 SF = ±0.58 AC
 PRE-DEVELOPED CONDITIONS:
 IMPERVIOUS AREA = 0.021 AC
 PERVIOUS AREA = 0.559 AC

POST DEVELOPED CONDITIONS:
 IMPERVIOUS AREA = 1.143 AC
 PERVIOUS AREA = .437 AC

MAX. BUILDING AREA FOR O-1 WITH BASEMENT PARKING = 30%
 WITHOUT BASEMENT PARKING = 25%

CALCULATION:
 0.137 AC / 0.58 AC = 0.246
 = 24.6% IMPERVIOUS AREA

LEGEND:
 [Grey Box] PERVIOUS AREA
 [Red Box] IMPERVIOUS AREA
 [Patterned Box] IMPERVIOUS AREA

UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE FROM LOCAL UTILITY COMPANY RECORDS AND SHOULD BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.

JOB SAFETY IS NOT THE RESPONSIBILITY OF THE ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION SITE SAFETY.



DRAFT



LEGEND

B-2*	GENERAL BUSINESS DISTRICT
B-3*	CONDITIONAL BUSINESS DISTRICT
O-1*	OFFICE PARK DISTRICT
O-1*	OFFICE PARK DISTRICT
R-1	LOW DENSITY RESIDENTIAL DISTRICT

* MEANS THERE IS A SPECIFIC PROVISION ALLOWED

PROPERTY INFORMATION:

JURISDICTION: VESTAVIA HILLS, AL
 PROPERTY AREA: ±25262.34 SF = ±0.58 AC
 CURRENT ZONING: R-1 (LOW DENSITY RESIDENTIAL DISTRICT)
 REZONING TO: O-1 (OFFICE PARK DISTRICT)
 MINIMUM LOT AREA REQD: 10000 SF
 MAXIMUM BUILDING HEIGHT: 35 FT OR 2 STORES, WHICHEVER IS LESS
 MINIMUM YARD SETBACKS FOR O-1:
 FRONT 30 FT
 REAR 30 FT
 SIDE 20 FT
 LANDSCAPING REQUIREMENTS FOR O-1:
 STREET FRONTAGE LANDSCAPING: 8 FT
 PERMETER LANDSCAPING: 5 FT
 PARKING REQUIREMENT FOR O-1:
 OFFICES/CLINICS PLUS 1.0 SPACES PER EMPLOYEE
 OFFICES/CLINICS PLUS 1.0 SPACES PER EMPLOYEE
 SPACES REQUIRED: 8 SPACES (1 DOCTOR AND 4 EMPLOYEES)
 SPACES PROVIDED: 18 SPACES (PARALLEL=5, STANDARD=11, ACCESSIBLE=2)
 PARKING SPACE SIZE: PARALLEL = 8 FT X 22 FT
 STANDARD = 9 FT X 19 FT

VICINITY MAP



ORDINANCE NUMBER 3147

AN ORDINANCE ESTABLISHING VOTING AND POLLING PLACES FOR ALL MUNICIPAL ELECTIONS FOR THE CITY OF VESTAVIA HILLS, ALABAMA.

THIS ORDINANCE NUMBER 3147 IS APPROVED AND ADOPTED ON THIS THE 23rd DAY OF JANUARY, 2023.

WITNESSETH THESE RECITALS:

WHEREAS, Alabama law at Title 11-46-21, *Code of Alabama, 1975*, provides that the regular municipal elections in cities and towns in Alabama shall be held on the fourth Tuesday in August 1984, and quadrennially thereafter and, when necessary as provided in subsection (d) of Title 11-46-55, a second or runoff election shall be held on the first Tuesday of October following said regular election; and

WHEREAS, Alabama law at Title 11-46-24, *Code of Alabama, 1975*, requires the municipal governing body to designate voting places for municipal elections; and

WHEREAS, the City of Vestavia Hills, Alabama adopted Ordinance Number 152 on June 3, 1968 to establish voting and polling sites at the following locations: (1) Vestavia Hills City Hall at 513 Montgomery Highway and (2) Vestavia Hills Shopping Center at 700 Montgomery Highway; and

WHEREAS, Ordinance Number 1818 adopted on June 5, 2000 established the voting and polling sites in the City of Vestavia Hills for municipal elections at the following locations: (1) Vestavia Hills Municipal Center, 513 Montgomery Highway and (2) Vestavia Hills Civic Center, 1973 Merryvale Road, relocating the second polling site because of the closure and renovation of the Vestavia Hills Shopping Center; and

WHEREAS, the City of Vestavia Hills, Alabama adopted Ordinance Number 1849 on November 6, 2000 for the addition of a voting and polling site at the Liberty Park Fire Station located at 13041 Liberty Parkway in the Liberty Park community of Vestavia Hills; and

WHEREAS, in 2001, the Jefferson County Board of Registrars relocated the voting and polling site at the Vestavia Hills Municipal Center to the Vestavia Hills United Methodist Church at 2061 Kentucky Avenue at the request of the City of Vestavia Hills

due to problems in parking at the Municipal Center. This location is used for all Federal, County and State elections; and

WHEREAS, in 2002, the Jefferson County Board of Registrars established a voting and polling site at the Liberty Park Baptist Church located at 12001 Liberty Parkway in the Liberty Park community of Vestavia Hills for use in all Federal, County and State elections; and

WHEREAS, the City of Vestavia Hills experienced extensive growth in an easterly direction through annexation of many unincorporated portions of Jefferson County between Vestavia Hills proper and the Vestavia Hills Liberty Park community; and

WHEREAS, on the 6th day of October, 2003, the Mayor and City Council adopted and approved Ordinance Number 2370 to relocate existing polling and voting sites as well as locating additional polling and voting sites within the corporate limits to better serve the voting public with more convenient access to polling and voting locations within the City and established six (6) voting and polling places for all municipal elections at the following locations: (1) the Vestavia Hills United Methodist Church, 2061 Kentucky Avenue; (2) the Vestavia Hills Civic Center, 1973 Merryvale Road; (3) the Liberty Park Baptist Church, 12001 Liberty Parkway; (4) the MountainTop Community Church, 225 Centerview Drive; (5) the Town Village Vestavia Hills, 2385 Dolly Ridge Road; and (6) the Cahaba Heights Community and Senior Citizens Center, 4401 Dolly Ridge Road. All of these locations were also regular polling and voting sites utilized by the Jefferson County Board of Registrars for all Federal, County and State elections and are within corporate limits of City of Vestavia Hills; and

WHEREAS, development occurred within the site of the Vestavia Hills Civic Center in which traffic flow became extremely congested with the carpool traffic of two schools, activities from the Senior Citizens Community Room as well as the location of the Vestavia Hills Chamber of Commerce. Following repeated complaints from citizens on polling days, it was found that traffic flow was virtually impassable at certain times which tended to disenfranchise voters at that location; and

WHEREAS, at the request of the Mayor of the City of Vestavia Hills, the Jefferson County Board of Registrars investigated and has determined it is in the best public interest to relocate its polling location from the Vestavia Hills Civic Center at 1973 Merryvale

Road, Vestavia Hills, Alabama to a new polling location at Vestavia Alliance Church at 1380 Montgomery Highway for all Federal, State and County elections; a change which was submitted to the U.S. Department of Justice by letter dated February 8, 2011 from Barry Stephenson, Chairman, Jefferson County Board of Registrars and was subsequently precleared; and

WHEREAS, on July 25, 2011, the City Council of the City of Vestavia Hills adopted and approved Ordinance Number 2370 to relocate the municipal polling location from Vestavia Hills Civic Center at 1973 Merryvale Road, Vestavia Hills, Alabama to a new polling location at Vestavia Alliance Church at 1380 Montgomery Highway for all municipal elections. This new polling location was subsequently precleared by the U. S. Department of Justice by letter dated November 7, 2011; and

WHEREAS, on March 13, 2012, primary elections for Federal, State and County offices were held and the new polling location at the Vestavia Alliance Church (now named Birmingham International Church) at 1380 Montgomery Highway proved to be an extremely bad location for polling. Numerous complaints by voters were received by the Jefferson County Registrar as well as Mayor Alberto C. Zaragoza, Jr., citing confusing parking, dismal lighting within the facilities and inaccessibility onto Montgomery Highway.

WHEREAS, the City Council of the City of Vestavia Hills, Alabama has determined that it is in the best public interest to again relocate the third precinct polling location from the Vestavia Alliance Church (now called Birmingham International Church), 1380 Montgomery Highway, Vestavia Hills, Alabama to a new polling location at Horizon Church, 2345 Columbiana Road, Vestavia Hills, Alabama for all municipal elections. The new polling location will allow controlled access to Columbiana Road as well as ample space and parking to accommodate all voters at this location; and

WHEREAS, on April 9, 2012, the City Council adopted and approved Ordinance Number 2396 to move the polling location to Horizon Church, 2345 Columbiana Road; and

WHEREAS, continued growth and construction at the Vestavia Hills Cahaba Heights Elementary School, traffic concerns and reconstruction of the Cahaba Heights Sports Complex has warranted a change in the Cahaba Heights Community and Senior

Citizens Center located at 4401 Dolly Ridge Road voting location. In February 2019, Jefferson County Board of Registrars moved the County polling location to Cahaba Heights Baptist Church, 3800 Crosshaven Road, Vestavia Hills, Alabama; and

WHEREAS, the Mayor and City Council feel it is in the best interest of the public to mirror the County's actions and move the City's polling place from the Cahaba Heights Community and Senior Citizens Center located at 4401 Dolly Ridge Road to the Cahaba Heights Baptist Church, 3800 Crosshaven Road, Vestavia Hills, Alabama; and

WHEREAS, on May 11, 2020, due to pandemic Covid restrictions, the City Council adopted Ordinance Number 2930 to relocate the polling place located at Town Village to the former Vestavia Hills Central Elementary School temporarily until a more permanent polling place can be found; and

WHEREAS, in November, 2021, Jefferson County, at the request of the County Registrar, relocated two polling locations in the City: (1) the relocation of the polling place located at the former Vestavia Hills Central Elementary School to the new Vestavia Hills Civic Center located at 1090 Montgomery Highway; and (2) the relocation of the polling place from Horizon Church to Shades Mountain Baptist Church located at 2017 Columbiana Road; and

WHEREAS, the City Clerk has recommended that the City Council mirror the actions of Jefferson County and move these two polling places to the new locations; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The seven (7) voting and polling places for all municipal elections for the City of Vestavia Hills, Alabama, shall be at the following sites:
 - A. The Church at Liberty Park: One voting and polling place for municipal elections in the City of Vestavia Hills, Alabama shall be at The Church At Liberty Park in the Liberty Park community located at 12001 Liberty Parkway, Vestavia Hills, Alabama. All qualified electors of the City of Vestavia Hills who regularly vote in the Precinct Numbers 5140, 5250, 5080 shall vote at The Church at Liberty Park.
 - B. Vestavia Hills United Methodist Church: One voting and polling place for municipal elections in the City of Vestavia Hills, Alabama shall be at the

Vestavia Hills United Methodist Church located at 2061 Kentucky Avenue, Vestavia Hills, Alabama. All qualified electors of the City of Vestavia Hills who regularly vote at the Precinct Number 5020 shall vote at the Vestavia Hills United Methodist Church.

- C. Shades Mountain Baptist Church: One voting and polling place for municipal elections in the City of Vestavia Hills, Alabama shall be at the Shades Mountain Baptist Church located at 2017 Columbiana Road, Vestavia Hills, Alabama. All qualified electors of the City of Vestavia Hills who regularly vote at Precinct Numbers 5050, 5120 and 5035 shall vote at the Shades Mountain Baptist Church.
- D. MountainTop Community Church: One voting and polling place for municipal elections in the City of Vestavia Hills, Alabama shall be at the MountainTop Community Church located at 255 Centerview Drive, Vestavia Hills, Alabama. All qualified electors of the City of Vestavia Hills who regularly vote at Precinct Numbers 5200 and 5030 shall vote at the MountainTop Community Church.
- E. Vestavia Hills Civic Center: One voting and polling place for municipal elections in the City of Vestavia Hills, Alabama shall be at the Vestavia Hills Civic Center located at 1090 Montgomery Highway, Vestavia Hills, Alabama. All qualified electors of the City of Vestavia Hills who regularly vote at Precinct Numbers 5220 and 5040 shall vote at the Vestavia Hills Civic Center.
- F. Cahaba Heights Baptist Church: One voting and polling place for municipal elections in the City of Vestavia Hills, Alabama shall be at the Cahaba Heights Baptist Church located at 3800 Crosshaven Drive, Vestavia Hills, Alabama. All qualified electors of the City of Vestavia Hills who regularly vote at Precinct Numbers 5160, 5070, 5130 and any Shelby County polling location shall vote at the Cahaba Heights Baptist Church.
- G. Vestavia Hills City Hall. All absentee voting for municipal elections shall be held at the Vestavia Hills City Hall, 1032 Montgomery Highway.

2. Any and all ordinances or resolutions in conflict with this Ordinance are hereby repealed.
3. If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance which shall continue in full force and effect notwithstanding such holding.
4. This Ordinance shall become effective upon approval and adoption in its publication and/or posting as required by Alabama law.

DONE, ORDERED, APPROVED and ADOPTED, on this the 23rd day of January, 2023.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3147 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 23rd day of January, 2023 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Civic Center this the _____ day of _____, 2023.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3148

AN ORDINANCE ADOPTING AND ENACTING SUPPLEMENT V FOR THE VESTAVIA HILLS CODE OF ORDINANCES, REPUBLISHED 2013 PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN SUCH SUPPLEMENTS AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. Supplement No. 5 to the Code entitled "Vestavia Hills Code of Ordinances, Republished 2013," is adopted.

Section 2. All Ordinances of a general and permanent nature enacted on or before December 20, 2021, and in conflict with the Ordinances included in the supplement or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in Section 2 hereof shall not be construed to revive any Ordinance or part thereof that has been repealed by a subsequent Ordinance that is repealed by this Ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Supplement or any Ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not less than \$1.00 nor more than \$500.00 or by imprisonment at hard labor for not exceeding six months or by both such fine and imprisonment. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. The Ordinances included in this Supplement shall be deemed to be incorporated in the Code, so that reference to the Code includes such Ordinances.

Section 6. Ordinances adopted after December 20, 2021 that amend or refer to Ordinances that have been included in the supplement shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This Ordinance shall become effective upon adoption, approval and publication as required by law.

ADOPTED and APPROVED this 23rd day of January, 2023.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3148 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 23rd day of January, 2023 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel Houser this the _____ day of _____, 2023.

Rebecca Leavings
City Clerk