

RESOLUTION NUMBER 3824

A RESOLUTION ESTABLISHING GUIDELINES AND PROCEDURES FOR ANNEXATION TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA; REPEALING RESOLUTION 3667.

- WHEREAS,** the City of Vestavia Hills provides emergency services and public work services to its citizens, the cost of which is funded through city revenues; and
- WHEREAS,** some subdivision construction and development outside the city does not conform to city development standards and building codes; and
- WHEREAS,** annexation of properties developed and built outside the city and subsequently brought into the city often results in the acquisition of inferior roadways and deficient drainage structures which require city expenditures for maintenance and improvement; and
- WHEREAS,** individual owners or property which are located outside the boundaries of the corporate limits of the City of Vestavia Hills city frequently desire annexation to receive city emergency and public works services and access to Vestavia Hills City Schools.
- NOW, THEREFORE, BE IT RESOLVED,** that the City of Vestavia Hills may consider annexation of individual properties and/or subdivisions outside the corporate limits, subject to the following:

1. The streets and all drainage structures shall be in substantial compliance with city regulations and building codes and in good condition at the time of the annexation of a development.
2. Individual households may be annexed provided the home assesses by the Jefferson or Shelby County Tax Assessor at a minimum market value of \$250,000 or above. This threshold will be adjusted by the Vestavia Hills Finance Department to reflect the "median" average tax assessed value of all single-family residences property in the City at the completion of each new County assessment.
3. On streets where fewer than 100% of the individual properties lie within the limits of the City of Vestavia Hills, it is preferred that the entire street petition for annexation at one time so that additional gaps in the city limits are not created.
4. Fire dues pursuant to Act #604 of the State of Alabama Legislature and any other assessments due on the subject property at the time of annexation shall be the responsibility of the property owner, and sufficient documentation of payment shall be proved to the City of Vestavia Hills.
5. A non-refundable administrative fee of \$100.00 shall be payable to the City of Vestavia Hills. Furthermore, voluntary contributions are established by the City of Vestavia Hills to offset the costs associated with the annexation and immediate implementation of appropriate city services. These voluntary contributions are refundable to the petitioner(s) should the request be denied or withdrawn. The voluntary contributions include an application fee equal to one half of

one percent (0.005) of the county assessed market value of the property and any improvements thereon at the time of application subject to a minimum contribution of \$1,000.00, plus an amount calculated on a prorated basis that approximates the municipal and school ad valorem taxes. Fees are assessed per housing unit or unimproved parcel.

6. Immediately upon annexation of property, the owner must file for rezoning to the most comparable zoning classification of the current county zoning classification and must bear all costs associated with said rezoning.
7. If the City Engineer is of the opinion that a Phase I and/or Phase II environmental study is necessary to verify that the property is free and clear of all hazardous waste, then in such event, the City may require that the owner or applicant shall furnish said studies at the sole cost of said owner or applicant.
8. The City Council of Vestavia Hills may waive one or more of these conditions, when it is in the public interest, in considering any proposed annexation.
9. A petitioner's satisfaction of any or all of the conditions set forth in this resolution is not a guarantee of an approval for the annexation of subject property. Approval of any annexation request under the terms of this resolution lies solely under the jurisdiction of the City Council of Vestavia Hills.

Note that no forms will be attached to or considered a part of the revised resolution.

APPROVED this the 18th day of February, 2008.



David Carrington
Council President

ATTEST:



Rebecca Leavings
Admin. Analyst

APPROVED BY:



Charles A. McCallum
Mayor