

Case No. ZAC2019-00006

ORDINANCE NO. 19-95

WHEREAS, forty-six of the census tracts that either fully or partially exist within Birmingham City limits are classified by the U.S. Department of Agriculture as low-income census tracts with insufficient access to healthy foods, also known as food deserts; and,

WHEREAS, these represent 74% of all census tracts either fully or partially within Birmingham City limits and cross all nine City Council Districts; and,

WHEREAS, community and personal health is connected to quality of life and quality employment; and,

WHEREAS, access to healthy and affordable foods is a key determinant of community and personal health; and,

WHEREAS, national research has recently shown that small box discount stores target and worsen food deserts by oversaturating the market and diverting significant customers and revenue from full-service grocery stores; and,

WHEREAS, the State of Alabama is among the top five states with the greatest number of small box discount stores per capita, at greater than two stores per 10,000 people; and,

WHEREAS, Jefferson County, Alabama, was among the top three Alabama counties between 2005 and 2015 in terms of losing full-service grocers, losing five over this period; and,

WHEREAS, the Council accordingly finds that it is in the best interest of the public health, safety and welfare of the City of Birmingham to restrict the new development of small box discount stores within food deserts; and,

WHEREAS, the Council also finds that it is in the best interest of the public health, safety and welfare of the City of Birmingham to empower fresh food producers and sellers within food deserts and throughout the City by revising applicable zoning restrictions to encourage more production and sales of fresh food products in the City;

NOW THEREFORE BE IT ORDAINED by the Council of the City of Birmingham that said Council adopt an ordinance in words and figures substantially as follows:

SECTION 1. BE IT ORDAINED by the Council of the City of Birmingham that the Table of Contents (Title 1, Chapter 8: Overlay Districts); of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, is hereby amended to add the following Article V:

Article V. Healthy Food Overlay District Regulations

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SECTION 2. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 1: General Provisions and Definitions, Article III: Definitions, Section 1, Subsections #123-205; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, are hereby amended to read as follows:

123. **Mobile Grocery Store.** A motorized vehicle, trailer, or other portable unit drawn by a motorized vehicle from which food items are sold or distributed. The mobile grocery store may not exceed 26 feet in length. No preparation or assembly of food items or beverages may take place from the unit. Food items may include fresh fruit, vegetables, meat, dairy, pantry staples, or small household items. A mobile grocery store shall not be allowed to operate in the City's right-of-way without authorization or permission from the City.
124. **Motor Freight, Distribution.** Facilities engaged in the shipment of goods from shippers to receivers for a charge including the services of other transportation establishments to effectuate delivery.
125. **Nursery.** Any premises used for the retail and wholesale sale of plants grown on or off site, as well as accessory items such as clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes and shovels, but not power equipment such as lawnmowers or tractors.
126. **Office.** A room or group of rooms where the principal use is conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, files and communication equipment.
127. **Office, Institutional.** Any building used as an office for charitable non-profit organizations that may hold meetings on a regular basis, and charity events on

a temporary basis.

128. **Office, Leasing/Sales.** The use of a unit or dwelling as a leasing and or sales office for other units solely within that development.
129. **Office Warehouse.** Any building used for the combined uses of office and warehouse, where the office function is the principal use (at least 60% of the gross floor area) of the building, for the primary purpose of wholesale trade, display, and distribution of products.
130. **Off-Premise Sign.** Any permanent or temporary sign which directs the attention of the general public to a business, service, product or activity not conducted, offered or sold as a major portion of business upon the premises where such sign is located.
131. **Open Space.** Land not covered by man-made impermeable surfaces, parking or buildings, other than recreational structures, pools, or stormwater facilities, which may be landscaped or preserved in a natural state for private use of owners or guests, or for public access as may be required by the provisions of these regulations or the zoning ordinance.
132. **Opioid.** An opioid is a class of addictive narcotic drugs that are often prescribed for severe pain relief but also are frequently used (and abused) illegally to create euphoric states of consciousness. Common types of opioids are heroin, codeine, and morphine.
133. **Opioid Replacement Therapy Treatment Facility.** Any operation that has received a Certificate of Need from the State Health Planning and Development Agency of Alabama to operate a facility to prescribe and/or dispense opioid replacement drugs and offer therapy to individuals and groups as a part of a treatment program. These opioid replacement drugs generally include, but not limited to, methadone, naloxone, naltrexone, and similar types of opioid receptor agonists.
134. **Public Market.** Premises where outdoor sales consisting of whole uncut produce, ornamental crops, value-added agricultural products such as baked goods, jams and jellies, pickles and relish, dried fruits, syrups and honey, eggs, meat, nuts, handmade art and crafts and unique local goods. Sales of used clothing, mass produced items and appliances are prohibited.
135. **Park.** Any facility or property specifically designated as a park, natural area or recreation area that is used for recreational uses or predominately kept in a natural state.
136. **Pawnshop.** Any building or portion thereof where a pawnbroker is engaged in lending money on the security of pledged goods left in pawn, or in the business of purchasing personal property to be left in pawn on the condition it may be redeemed by the seller for a fixed price within a fixed period of time, as regulated by Title 5, Chapter 19A of the Code of Alabama.
137. **Payday Loan (Deferred Presentment) Business.** A business that, in accordance to the requirements and restrictions listed in Chapter 18A of Title 5 of the Code of Alabama (Alabama Deferred Presentment Services Act), involves a transaction pursuant to a written agreement involving the following combination

of activities in exchange for a fee: (1) accepting a check or authorization to debit a checking account and, in connection with that acceptance, advancing funds to the checking account holder; and (2) holding the check or authorization to debit the checking account for a specified period of time.

138. **Personal Care Services.** Services such as, spas, tanning salons, beauty and barber care, and dry cleaning and laundry services not to include a laundry plant.
139. **Personal Instruction.** Services for training individuals or groups in the arts, dance, personal defense, crafts or other subjects of a similar nature.
140. **Place of Worship.** Any structure or site used primarily for religious practices.
141. **Power Plant.** Any structure or land used for the generation of electrical power.
142. **Premises.** A lot, parcel or acreage parcel together with all buildings and structures existing thereon.
143. **Principal Building.** A building that contains the principal use located on a premises.
144. **Principal Use.** The main use located in a building or on a premises.
145. **Printing and Publishing.** The production and distribution of books, magazines, newspapers and other printed matter, including record pressing and publishing, and engraving.
146. **Private Club.** A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.
147. **Public building.** Any building that is accessible to the public and its operation is funded from public sources.
148. **Racetrack.** Any premises or building that includes a measured course where animals or machines are entered in competition against one another or against time, including tracks that are used for drifting.
149. **Railroad Station.** A building or structure where railroad cars stop to load and un-load passengers.
150. **Railroad Yard.** The use of land, building or structure for activities directly associated with the operation of a railroad such activities may include loading and off-loading of freight, and maintenance and repair of railroad cars.
151. **Recreation Equipment Sales and Service.** The retail or wholesale sale of motorcycles, trucks and vans, recreational vehicles, boats, or similar motorized recreational equipment, along with incidental service or maintenance such as, but not limited to boat dealers, motorcycle dealers, and recreational vehicle dealers.
152. **Recycling (Recovered Materials) Collection Center.** A drop-off facility that is staffed and fenced for the temporary assemblage of small recovered materials or recyclable consumer items, such as food and beverage containers, fabrics and paper, that has waste receptacles on site that are open to the public.

153. **Recycling Facility (Solid Waste Treatment Facility).** A facility, other than a facility open to the public to receive household waste and recyclable material, where any method, technique, or process is utilized to separate, process, modify, convert, treat or otherwise prepare non-putrescible waste so that component materials or substances may be used or reused or sold to third parties for such purposes.
154. **Resource Extraction.** The extraction of minerals or materials, including rock crushing, screening and the accessory storage of explosives.
155. **Restaurant.** Any establishment where food is prepared and sold for consumption on-site or as take-out.
156. **Retail.** An establishment engaged in the selling or renting of goods or merchandise (usually to the general public for personal use or household consumption, although they may also serve business and institutional clients) and in rendering services incidental to the sale of such goods.
157. **Rummage Sale.** A sale of personal property or other merchandise for the express purpose of raising charitable donations for the benefit of the entity holding the sale by a place of worship, charitable, or civic organization.
158. **Salvage Yard.** Any land or building used for the storage of recovered materials for the purpose of recycling, reuse, or proper storage for future recycling or reuse.
159. **School, Business.** An enterprise offering instruction and training in a service or the arts such as secretarial, cosmetology, commercial artist, computer software, legal, and similar training, provided that such enterprise does not offer student housing or athletic facilities at the site.
160. **School, Elementary/Middle.** Any building used for public primary instruction or a parochial or private school having a curriculum including the same courses ordinarily given in a public school that may include accessory structures such as a gymnasium.
161. **School, High.** Any building used for public secondary instruction or a parochial or private school having a curriculum including the same courses ordinarily given in a public school that may include accessory structures such as a gymnasium or stadium.
162. **School, Trade.** Any building used for the offering of regularly scheduled instruction in technical, commercial or industrial trade skills.
163. **Scientific Lab.** A facility primarily engaged in performing physical, chemical, and other analytical testing services or investigation and experimentation of a scientific nature and other scientific research, but not for the production of a product.
164. **Scrap Metal Processor.** Any building or land used for the storage, purchase or sale of scrap metal which may include the grading, cutting, preparing, processing or refining of scrap metal for sale and shipment to industrial consumers.
165. **Shopping Center.** A group of commercial-retail establishments planned, developed, owned or managed as a unit with off-street parking provided on the

property. Any out-parcel within a shopping center shall be developed under a separate site plan.

166. **Sign.** A sign is any object or device or part thereof situated outdoors or indoors which is used to advertise or identify a person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs do not include merchandise, pictures or models of products or services incorporated in a window display.
167. **Solar Panel, Building Mounted.** A solar energy collection device mounted to a structure.
168. **Solar Panel, Ground Mounted.** A solar energy collection device mounted to the ground.
169. **Solid Waste Transfer Facility.** Any building used to receive and temporarily store solid waste prior to being delivered to a sanitary landfill or other solid waste facility.
170. **Special Exception.** An action where permission is granted to establish that a use be allowed within a district after the Board determines that the use as proposed would not disturb public health, safety, welfare, comfort, convenience, appearance, prosperity or general welfare.
171. **Stable.** Any lot, building, structure or premises used for the boarding, breeding, training, and/or raising of horses, whether by owners of such animals or by persons providing facilities and care.
172. **Stadium.** A large open space with tiers of seating for spectators surrounding a field used for sporting, entertainment or recreational events.
173. **Story.** That portion of a building other than a cellar, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.
174. **Street.** A public right-of-way for movement of motor vehicles, pedestrians or non-motorized traffic, whether identified as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however designated.
175. **Street Line.** A dividing line between a lot, tract or parcel of land and an abutting street.
176. **Street Setback.** The distance a building or structure shall be setback from a front, side or rear lot line. Street setback may be referred to as a front, side or rear setback or front, side or rear yard.
177. **Structure.** Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground, including but not limited to buildings, signs, billboards, back stops for tennis courts, fences or radio towers.
178. **Structural Alterations.** Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders; provided, however, that the application of any exterior modernizing shall not be considered a

structural alteration.

179. **Studio, Radio/TV.** A facility for the staging and recording of video or audio productions such as, but not limited to, music commercials, programs, and motion pictures. Any broadcasting antennas or satellites are subject to the regulations of Chapter 4, Article V of this Ordinance.
180. **Subdivision Committee.** A committee composed of five (5) members of the Commission authorized to hear and decide upon applications for subdivisions of land, and to advise the chief legislative body of the City on vacation of public lands and new right-of-way dedications, all such actions to be taken on behalf on behalf of the Commission.
181. **Tank Farm.** Any land or structure used for the storage of one or more aboveground large containers for the bulk storage of material in liquid, powder or pellet form. Items stored at these facilities are intended to be wholesaled to retailers, and no retailing of stored items can occur on site.
182. **Timbering.** Any premises used for the harvesting of timber.
183. **Title Loan Business.** Any business that offers a short term loan that is collateralized by the title of a vehicle in accordance with the requirements and restrictions described and detailed in Chapter 19A of Title 5 of the Code of Alabama (Alabama Pawn Shop Act).
184. **Truck Plaza.** Any building premises or land in which or upon which a business may engage in the service, maintenance or storage of commercial vehicles including dispensing of motor fuel or petroleum products directly into motor vehicles. A truck plaza also may include overnight accommodation, restaurant and truck wash facilities.
185. **Truck Repair, Heavy.** Any building or land used for the general repair or reconditioning of heavy trucks and equipment and engines, including but not limited to body, frame or fender straightening or repair, the reconditioning, repairing, sale, mounting, or installing of any used tires, painting, or upholstery work, collision repair, vehicle steam cleaning, but excluding the assembly, disassembly, dismantling or salvage of any vehicle, in whole or in part. No abandoned or inoperable vehicles shall be stored on the premises.
186. **Upholstery Shop.** Any building used for the minor repair of furniture and replacement of upholstery to household and office furnishings, but does not include motor vehicle upholstering or repair.
187. **Urban Farm, Outdoor.** An outdoor commercial farm that produces and distributes food crops, ornamental crops and other agriculture products, such as honey, either for sale on site or off site utilizing traditional farming methods, hydroponics or aquaculture.
188. **Urban Farm, Indoor.** An enclosed commercial farm that produces and distributes food crops, ornamental crops and other agriculture products for sale on site or off site utilizing hydroponics or aquaculture, and is completely enclosed within a building. Outside storage is prohibited.
189. **Utility Substation.** A facility that regulates electric current, telephone switching or natural gas pressure for distribution to individual neighborhoods.

190. **Variance.** A departure from any provision of this Ordinance for a specific parcel, except use, without changing the zoning ordinance or the underlying zoning of the parcel. A variance is intended to be granted on rare occasions, when demonstration of unnecessary hardship based on the review standards set forth in Chapter 9, Article VI in relation to other properties in the same zoning district.
191. **Veterinarian Clinic.** An enterprise for the medical treatment of animals and for the temporary, indoor overnight boarding, care, grooming and convalescence of domesticated dogs and cats.
192. **Warehouse.** A facility used primarily for the bulk storage of goods and materials or motor vehicles, characterized by heavy trucking activity, but not involved in manufacturing or production.
193. **Wholesale.** The sale or distribution of goods from the premises that may consist of the flexible use of the floor area for warehouse, assembly, showroom and office space.
194. **Wireless Communication.** Towers, antennas and accessory buildings for transmitting and receiving radio, television, satellite, cellular and microwave, and broadcast tower.
195. **Wrecker Impound Lot.** Any land used for the outside storage of operable vehicles awaiting final disposition.
196. **Wrecker Service Yard.** Any land used for the temporary outside storage of disabled vehicles awaiting final disposition. This definition shall not be applicable to junkyards as defined herein.
197. **Yard.** An open space between a building or use and the adjoining lot lines, unoccupied and unobstructed by any structure or use from the ground upward, except as otherwise provided in Chapter 3: Area and Dimensional Regulations.
198. **Yard, Required.** A yard the depth of which is specified in Chapter 3: Area and Dimensional Regulations of the applicable district.
199. **Yard, front.** A yard extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.
200. **Yard, rear.** A yard extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.
201. **Yard, side.** A yard extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicular from the side lot line to the closest point of the principal building.
202. **Zoning Advisory Committee.** A committee composed of seven members of the Commission authorized to approve site development plans, hear and recommend rezoning of land applications and Zoning Ordinance text changes to advise the chief legislative body of the City, all such actions to be taken on behalf of the Commission.

- 203. **Zone map.** The map referred to in Chapter 9, Article I (Official Zoning Map).
- 204. **Zoning district map.** The Zone Map.
- 205. **Zoo.** Any premises, building or enclosure which contains wild animals on exhibition for viewing by the public.

SECTION 3. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 2: Zoning Districts and Permitted Uses, Article II: Permitted Uses Table, Section 6: Permitted Use Table, Subsection COMMERCIAL USES; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, is hereby amended to read as follows:

[illegible]

Zoning District	D-1	D-2	D-3	D-4	D-5	D-6	MU-L	MU-M	MU-H	MU-D	C-1	C-2	I-1	I-2	I-3	I-4	PR D	MXD / PUD	HI D	AG
Car Wash, Automated	X	X	X	X	X	X	SE	SE	PC	PC	SE	PC	PC	PC	PC	X	PC	PCP	X	X
Car Wash, Manual	X	X	X	X	X	X	PC	PC	PC	PC	PC	PC	PC	PC	PC	X	PC	PCP	PM P	X
Convenience Store	X	X	X	X	X	X	PC	PC	PC	PC	PC	PC	PC	PC	PC	X	PC	PCP	PM P	X
Donation Box	X	X	X	X	X	X	PA C	PAC	PA C	PAC	PA C	PAC	PA C	PA C	X	X	X	PAC	PM P	X
Donation Center	X	X	X	X	X	X	X	X	P	P	X	P	P	P	X	X	X	PCP	PM P	X
Dressmaker/Tailor/Millinery	X	X	X	X	X	X	P	P	P	P	P	P	P	P	X	X	X	PCP	PM P	X
Drive-In/Drive-Through	X	X	X	X	X	X	PA C	PAC	PA C	PAC	PA C	PAC	PA C	PA C	PA C	X	PA C	PAC	PM P	X
Electronics Repair	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	X	X	PCP	PM P	X
Event Center	X	X	X	X	X	X	X	X	SE	SE	X	SE	P	X	X	X	SE	PCP	X	X
Financial Institution	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	X	P	PCP	PM P	X
Fitness Center	X	X	X	X	X	X	PC	P	P	P	PC	P	P	P	P	X	P	PCP	PM P	X
Funeral Home	X	X	X	X	X	X	X	X	P	P	X	P	P	P	P	X	X	PCP	X	X
Furniture Store	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	X	X	PCP	X	X
Home Improvement Center	X	X	X	X	X	X	PC	PC	PC	PC	PC	PC	PC	PC	PC	X	X	PCP	X	X
Hotel	X	X	X	X	X	X	X	PC	P	P	X	P	P	X	P	X	PC	PCP	PM P	X
Market, Farmer's	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	X	X	PC	PCP	PM P	PC
Market, Flea	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	PCP	X	X
Market, Public	X	X	X	X	X	X	PC	PC	PC	PC	PC	PC	PC	PC	X	X	PC	PCP	PM P	PC
Mini-Storage Warehouse	X	X	X	X	X	X	X	X	PC	PC	X	PC	P	P	P	X	X	PCP	X	X

Zoning District	D-1	D-2	D-3	D-4	D-5	D-6	MU-L	MU-M	MU-H	MU-D	C-1	C-2	I-1	I-2	I-3	I-4	PR D	MXD / PUD	HI D	AG
Mobile Grocery Store	PA C	PA C	PA C	PA C	PA C	PA C	PC	PC	PC	PC	PC	PC	PC	PC	PC	X	PC	PC	PC	PC
Nursery	X	X	X	X	X	X	PC	PC	PC	PC	PC	PC	PC	PC	PC	X	PC	PCP	PM P	PC
Office	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	X	P	PCP	PM P	X
Office, Leasing/Sales	PC	PC	PC	PC	P	P	P	P	P	P	P	P	X	X	X	X	PC	PCP	PM P	PC
Payday Loan	X	X	X	X	X	X	X	X	PC	PC	X	PC	PC	PC	X	X	X	X	X	X
Personal Care Services	X	X	X	X	X	X	P	P	P	P	P	P	P	P	X	X	P	PCP	PM P	X
Recreation Equipment Sales/Service	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	P	PCP	X	X
Restaurant	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	X	P	PCP	PM P	X
Retail	X	X	X	X	X	X	PC	P	P	P	PC	P	P	P	P	X	P	PCP	PM P	X
Shopping Center	X	X	X	X	X	X	PC	P	P	P	PC	P	P	P	P	X	P	PCP	PM P	X
Title Loan/Pawnshop	X	X	X	X	X	X	X	X	PC	PC	X	PC	PC	PC	X	X	X	X	X	X
Upholstery Shop	X	X	X	X	X	X	P	P	P	P	P	P	P	P	PC	X	X	PCP	X	X

SECTION 4. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 2: Zoning Districts and Permitted Uses, Article II: Permitted Uses Table, Section 6: Permitted Use Table, Subsection AGRICULTURAL USES; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, is hereby amended to read as follows:

AGRICULTURAL USES:																				
Apiary	PA C	PA C	PA C	PA C	PA C	PA C	PA C	PAC	PA C	PAC	PA C	PAC	PA C	X	PA C	X	PA C	PAC	PM P	P
Chicken Coop	PA C	PA C	PA C	X	X	X	X	X	X	X	X	SE	SE	SE	SE	X	X	X	X	PA C
Community Garden	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	X	PC	PC	PM P	P
Dairy Farm	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P
Livestock Barn	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	X	PA C
Market Stand	PA C	PA C	PA C	PA C	PA C	PA C	PA C	PAC	PA C	PAC	PA C	PAC	PA C	PA C	PA C	X	X	PAC	X	X
Poultry/Rabbit Farm	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P
Stable/Ranching	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	PA C	X	X	P
Zoning District	D-1	D-2	D-3	D-4	D-5	D-6	MU -L	MU- M	MU- H	MU- D	C-1	C-2	I-1	I-2	I-3	I-4	PR D	MXD / PUD	HID	AG
Urban Farm, Indoor	X	X	X	X	X	X	X	X	P	P	X	P	P	P	PC	X	PC	PCP	X	P
Urban Farm, Outdoor	X	X	X	X	X	X	X	X	X	X	X	SE	PC	PC	PC	X	PC	PCP	X	P

SECTION 5. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 4: Land Use Development Standards, Article II: Uses Permitted with Conditions, Section 5: Commercial Uses, Subsections P.-V.; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, are hereby amended to read as follows:

P. **Mobile Grocery Store.** In the following districts: MU-L, MU-M, MU-H, MU-D, C-1, C-2, I-1, I-2, I-3, PRD, MXD, HID and AG a mobile grocery store shall be permitted provided that the following conditions are met:

1. Sales occur between 7:00am and 10:00pm.
2. Operator must demonstrate that adequate parking is available on the lot being used by the mobile grocery store or a parking arrangement has been made for a non-dwelling lot that is within 500 feet and is not in use during operation.
3. A letter or document verifying landowners' permission for the mobile grocery store to operate on the property.
4. A letter stating that the mobile grocery store complies with any applicable Jefferson County Department of Health regulations or a letter stating that the mobile grocery store does not require approval by the Jefferson County Department of Health.
5. Mobile grocery stores shall not be located on vacant or undeveloped lots.
6. Mobile grocery stores shall not be located within 1,000 feet of the front door of a brick and mortar business selling the same or similar products.
7. Signage is limited to 60 square feet and is limited to signs permanently

affixed to or painted on the exterior of the mobile grocery store. Signs shall not be illuminated nor project from the mobile grocery store.

8. A mobile grocery store may have no more than two tables and/or two chairs for customer check-in and processing.
9. No more than one mobile grocery store shall be permitted to operate, per day, at a site/location.
10. No audio or amplification is allowed.

Q. **Nursery.** In the following districts: AG, MU-L, MU-M, MU-H, MU-D, C-1, C-2, I-1, I-2, I-3, PRD and MXD a nursery shall be permitted provided that the following conditions are met:

1. In MU-L and C-1 any buildings on-site shall be limited to 7,500 square feet of gross floor area.
2. Outside display shall be limited to finished product or packaged materials, provided that all chemicals, fertilizers and pesticides are stored and covered so that rain cannot wash over them and then drain into the storm sewer system.
3. Sale and display of power equipment shall be limited to typical household gardening and lawn maintenance equipment.

R. **Office, Leasing/Sales.** In the following districts: AG, D-1, D-2, D-3, D-4 and PRD a leasing/sales office shall be permitted provided that the following conditions are met:

1. The office use is limited to one unit or dwelling as a leasing and or sales office for other units within that development.
2. Signage is limited to one attached or monument sign of no more than six square feet that is on the same lot as the leasing/sales office.

S. **Outdoor Market, Farmer's.** In the following districts: AG, D-1, D-2, D-3, D-4, D-5, D-6, MU-L, MU-M, MU-H, MU-D, C-1, C-2, I-1, I-2, PRD, MXD AND HID an outdoor farmers market shall be permitted provided that the following conditions are met:

1. In dwelling districts, sales may occur on a temporary basis no more than 156 days per year and between the hours of 7:00am and 7:00pm.
2. In non-dwelling districts, sales may occur between the hours of 7:00am and 10:00pm.
3. Market cannot operate for more than three consecutive days in a dwelling district.
4. Market manager demonstrates that adequate parking is available on the lot being used by the market or a parking arrangement has been made for a non- dwelling lot that is within 500 feet and is not in use during market hours.

5. Items made from kits, used or mass produced items are prohibited.
6. Every vendor in any market shall, within one hour after the closing of the market, cause his or her provisions and vehicle to be removed from the vendor stall, and his or her stall thoroughly cleansed, and all rubbish to be removed from the vendor stall.
7. A letter or document verifying landowners' permission for the outdoor farmer's market to operate on the property and identifying Market Manager is submitted to PEP.
8. A letter stating that the outdoor farmer's market complies with any applicable Jefferson County Department of Health regulations or a letter stating that the outdoor farmer's market does not require approval by the Jefferson County Department of Health.
9. A Farmers Market Permit, valid for one year, is obtained from PEP and a permit fee is paid to PEP that provides the following information:
 - a. Name of all persons or entities that govern the market
 - b. Name, signature and contact information of Market Manager.
 - c. List of all vendors and a list of items to be sold by vendor.
 - d. Copy of State of Alabama Farmers Market Authority Certificate.
 - e. List of market clean-up procedures.
 - f. Detailed explanation of location of market and days/hours of operation.
 - g. Address of the market location.
 - h. Parking plan.
10. In the following districts, D-1, D-2, D-3, D-4, D-5, and D-6, the following conditions also apply to outdoor farmers markets:
 - a. The farmers market shall occur only on lots where the primary use is a school, place of worship, a public park, public housing community or on an abutting lot that is owned by one of the aforementioned primary uses.
 - b. A letter or document verifying landowners' permission for the outdoor farmer's market to operate on the property and identifying Market Manager is submitted to PEP.

T. **Outdoor Market, Public.** In the following districts: AG, MU-L, MU-M, MU-H, MU-D, C-1, C-2, I-1, I-2, PRD, MXD AND HID an outdoor public market shall

be permitted provided that the following conditions are met:

1. At least one vendor must sell produce or value-added agricultural products.
2. Used clothing, mass produced items and appliances are prohibited.
3. Market cannot operate for more than two consecutive days.
4. Market manager demonstrates that adequate parking is available on the lot being used by the market or a parking arrangement has been made for a non- dwelling lot that is within 500 feet and is not in use during market hours.
5. Sales only occur between the hours of 7:00am and 10:00pm.
6. Every vendor in any market shall, within one hour after the closing of the market, cause his or her provisions and vehicle to be removed from the vendor stall, and his or her stall thoroughly cleansed, all rubbish to be removed from the vendor stall.
7. A letter or document verifying landowners' permission for the outdoor public market to operate on the property and identifying Market Manager is submitted to PEP.
8. A letter stating that the outdoor public market complies with any applicable Jefferson County Department of Health regulations or a letter stating that the outdoor public market does not require approval by the Jefferson County Department of Health.
9. Public Market Permit, valid for one year, is obtained from PEP and a permit fee is paid to PEP that provides the following information:
 - a. Name of all persons or entities that govern the market.
 - b. Name, signature and contact information of Market Manager.
 - c. List of all vendors, the products they will sell and their grower's permits or City of Birmingham business licenses number.
 - d. List of market clean-up procedures.
 - e. Detailed explanation of location of market and days/hours of operation.
 - f. Parking plan.

U. **Payday Loan.** In the following districts: MU-H, MU-D, C-2, I-1 and I-2 a payday loan establishment shall be permitted provided that the following conditions are met:

1. The purpose of this condition is to:

- a. Reduce traffic congestion that is reported to be associated with these types of businesses;
 - b. Reduce the concentration of these types of businesses in certain areas in an effort to encourage and enhance economic development within that area by promoting business diversity in the offering of other goods and/or services in the area;
 - c. Provide for zoning protection of existing residential and commercial real estate values from possible economic impairment by these types of businesses; and,
 - d. In general to provide for the protection of the health, safety, comfort and general welfare of the citizens of the City of Birmingham.
2. Finding of fact. Based upon the evidence and information submitted to the Council, the governing body of the city of Birmingham, Alabama, including statements of citizens submitted to the Council, expert opinions submitted to and considered by this Council, and the knowledge and experience gained by Council members both prior to and while serving as members of this Council, this Council hereby makes the following findings of fact:
 - a. There are a disproportionate number of these types of businesses within the corporate limits of the City of Birmingham based upon the number per resident compared to the other cities within Jefferson County and within unincorporated Jefferson County.
 - b. According to public statements made by real estate developers, real estate agents, community leaders, clergy, and members of the general public, a "negative community reputation" has been created by these businesses because of the extraordinarily high interest rates for these loans. Consumers of the services offered by these businesses have also made statements that terms and conditions associated with these types of loans are confusing and very difficult to understand.
 - c. Real estate developers and agents have stated that this "negative community reputation" has a detrimental effect on the location of other commercial developments within the area and that these businesses tend to diminish nearby real estate values.
3. Locational Requirements. In order to provide for more economic opportunities within certain areas of the City of Birmingham, the following spacing requirements are required:
 - a. No payday loans (deferred presentment) established after the enactment of this ordinance shall be located within 2000 linear feet of another such business. The method of measurement that shall be used is a straight line measured from the closest portion of a lot or property that is occupied by these businesses.
 - b. Any properly licensed payday loan (deferred presentment) existing at the time of the enactment of this section that is within 2000 feet of another such business (as measured as described above) shall be considered to be a legal nonconforming use.

4. No payday loan (deferred presentment) business established after December 17, 2013 (Ordinance 13-178) shall be located within 2,000 linear feet of another such business. The method of measurement that shall be used is a straight line measured from the closest portion of a lot or property that is occupied by these businesses.

V. **Retail.** In the following districts: MU-L, and C-1 retail establishments shall be permitted provided that the following conditions are met:

1. The use shall be limited to 7,500 square feet of gross floor area per lot, except in the Healthy Food Overlay District where grocery stores may have up to 20,000 square feet of gross floor area.

SECTION 6. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 4: Land Use Development Standards, Article II: Uses Permitted with Conditions, Section 8: Agricultural uses, Subsections A.-B.; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, are hereby amended to read as follows:

A. **Community Garden.** In the following districts: D-1, D-2, D-3, D-4, D-5, D-6, MU-L, MU-M, MU-H, MU-D, C-1, C-2, I-1, I-2, I-3, and MXD, a community garden shall be permitted provided the following conditions are met:

1. No dwelling structure is located on the same lot as the community garden.
2. A community garden permit application has been completed and approved by the Department that contains the following:
 - a. Name of all persons or entities that govern the garden;
 - b. Name, signature and contact information of Garden Manager;
 - c. Description of garden use and purpose;
 - d. Detailed explanation of location of garden including address;
 - e. Site plan depicting all structures, compost piles, proposed screening and garden installations of the proposed garden;
 - f. Results of soil testing for soil condition and contamination.
3. Garden use excluding all accessory structures is allowed in any yard.
4. A community benefit is demonstrated in two of the following ways:
 - a. Garden space is provided for area neighbors.
 - b. Provide healthy food access to area neighbors.
 - c. Local Neighborhood Association sponsorship.
 - d. Provide gardening education to area neighbors.

- e. Provide gardening internships to area neighbors.
- f. Provide community events that support food access or healthy eating habits.

- 5. Accessory structures are limited to storage sheds, water cisterns, cold frames, market stand, hoophouses and greenhouses, and they must be built of standard uniform materials that are either new or in sound condition not showing signs of decay, and can be located anywhere on site other than the required front yard or as required as an accessory structure in rear or side yard.
- 6. For the purposes of this section, a greenhouse or market stand is not subject to the accessory structure requirements in Title 1, Chapter 3, Article I of this Ordinance.
- 7. All compost and organic matter stored on site shall be of materials, generated on-site by the owner or tenant and shall not cover more than ~~5%~~ 10% of the total lot area, and shall be screened from view of adjacent property and public right-of-way with fencing built of standard uniform materials that are either new or in sound condition not showing signs of decay or an evergreen landscape buffer.
- 8. All compost must be maintained to prevent rodents and pests, and shall be maintained to prevent odors and drainage from compost onto adjacent sites.
- 9. All gardening equipment shall be limited to household gardening/lawn equipment.
- 10. The maximum lot size for a community garden shall be no more than 50,000 square feet.

B. **Urban Farm, Outdoor.** In the I-1, I-2 and I-3 district an outdoor urban farm shall be permitted provided that the following conditions are met:

- 1. All compost and organic matter used on site shall be produced on site and shall be for use solely on site, and is screened from lots and is more than 500 feet from any adjacent residential dwelling, which shall not cover more than 20% of the total area, shall be managed to prevent rodents and pests, prevent odors and drainage from compost onto adjacent sites.
- 2. All farming equipment shall be screened from view with fencing or landscaping of adjacent lots.
- 3. Accessory structures are limited to storage sheds, greenhouses, hoophouses, cold frames and cisterns built of standard uniform materials that are either new or in sound condition not showing signs of decay.
- 4. Apiaries are setback from property lines by 25 feet and 50 feet from any adjacent dwelling lots, a continuous water source is available, 1 hive allowed per 2,500 square feet with maximum of 40 hives.

5. If any accessory structure is not maintained in sound condition free from evidence of decay and can be seen from public right-of-way or an adjacent property, they will be considered a nuisance and will be subject to code enforcement.
6. It is a requirement that soil testing be conducted prior to gardening activities. Test for both soil condition and possible soil contamination, to determine at minimum constraints to food production, shall be conducted. Information on acquiring Soil testing kits and analysis can be found in the Appendix to this Ordinance.

SECTION 7. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 4: Land Use Development Standards, Article III: Uses Permitted by Special Exception, Section 9. Agricultural special exceptions; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, is hereby amended to read as follows:

Section 9. Agricultural special exceptions.

- A. **Chicken Coop.** A chicken coop in only any C-2, I-1, I-2 and I-3 zoning district a special exception may be granted by the Board provided that the following conditions are met:
 1. Roosters are prohibited.
 2. It is accessory to an urban farm.
 3. No more than 100 hens per property.
 4. An enclosed predator-proof coop/run shall be provided that is no more than 2,000 square feet.
 5. The minimum setback from any dwelling district shall be 200 feet and from street right-of-way lines the setback shall be 50 feet.
 6. Slaughtering of animals is prohibited.
- B. **Urban Farm, Outdoor.** In the C-2, districts a special exception may be granted by the Board provided that the following conditions are met:
 1. All compost and organic matter used on site shall be produced on site and shall be for use solely on site, and is screened from adjacent lots and is more than 500 feet from any adjacent residential dwelling, which shall not cover more than five percent of the total area, shall be managed to prevent rodents and pests, prevent odors and drainage from compost onto adjacent sites.
 2. All farming equipment shall be screened from view with fencing or landscaping of adjacent lots.
 3. Accessory structures are limited to storage sheds, greenhouses, hoopouses, cold frames and cisterns built of standard uniform materials

that are either new or in sound condition not showing signs of decay.

4. Apiaries are setback from property lines by 25 feet and 50 feet from any adjacent dwelling lots, a continuous water source is available, 1 hive allowed per 2,500 square feet with maximum of 40 hives.
5. If any accessory structure is not maintained in sound condition free from evidence of decay and can be seen from public right-of-way or an adjacent property, they will be considered a nuisance and will be subject to code enforcement.
6. It is a requirement that soil testing be conducted prior to gardening activities. Test for both soil condition and possible soil contamination, to determine at minimum constraints to food production, shall be conducted. Information on acquiring Soil testing kits and analysis can be found in the Appendix to this Ordinance.
7. The maximum lot area shall be 4 acres.

SECTION 8. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 4: Land Use Development Standards, Article IV: Uses Permitted as Accessory, Section 4: Commercial accessory uses; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, are hereby amended to read as follows:

Section 4. Commercial accessory uses.

- A. **Donation Box.** In the following districts: MU-L, MU-M, MU-H, MU-D, C-1, C-2, I-1, I-2 and MXD, a donation box shall be permitted as an accessory use provided the following conditions are met:
1. The donation box is located in a side or rear yard.
 2. The area around donation box is maintained free of donated material, clutter and trash.
 3. A donation box shall not be larger than 16 square feet or taller than eight feet.
 4. No more than 3 donation boxes shall be located on any one lot.
 5. If a parking lot is at least 125,000 square feet, an enclosed trailer may be used in association with donation boxes provided that:
 - a. The trailer is located in a remote area of the parking lot that shall be approved by the Director.
 - b. If the Director deems necessary, landscape screening shall be provided.
 - c. The area around the trailer is maintained free of donated material, clutter and trash.
 - d. Required parking is not reduced by placement of the trailer.

- B. **Carwash, Automated.** In the following districts: MU-H, MU-D, C-2, I-1, I-2, I-3, PRD AND MXD an automated carwash shall be permitted as an accessory use provided that the following conditions are met:
1. All vacuum and blower equipment shall be located 50 feet from any dwelling district.
 2. All washing facilities shall be located within a building which is enclosed except those openings necessary for vehicular and pedestrian access. Such openings shall not face any adjacent property zoned for dwellings.
 3. If located within 100 feet of a dwelling zone district, operation of the establishment shall be prohibited prior to eight a.m. or after nine p.m. on any day of the week.
 4. There shall be no outdoor loudspeakers or public address systems.
 5. All waste water resulting from car wash activities shall be either directed to the sanitary sewer system or be recycled on-site to the satisfaction of the Director.
- C. **Drive-in/Drive-through.** In the following districts: MU-L, MU-M, C-1, C-2, I-1, I-2, I-3 PRD AND MXD a drive-in or drive-through shall be permitted provided that any drive-in or drive-through shall be located 50 feet from any dwelling district, and in MU-H and MU-D the following conditions are met:
1. Any drive-in or drive-through shall be located 50 feet from any dwelling district.
 2. Any drive-in or drive-through shall be accessed from an alley, if present.
 3. Any drive-in or drive-through shall be located in a rear or side yard.
 4. Any drive-in or drive-through shall be accessory to the principal use of the lot.
- D. **Mobile Grocery Store.** In D-1, D-2, D-3, D-4, D-5 and D-6 a mobile grocery store shall be permitted as an accessory use on lots where the primary use is a school, place of worship, a public park, public building or non-profit office provided that the following conditions are met:
1. Sales occur on a temporary basis no more than 156 days per year and between the hours of 7:00am and 7:00pm.
 2. Mobile grocery stores cannot operate for more than three consecutive days at the same location.
 3. Operator must demonstrate that adequate parking is available on the lot being used by the mobile grocery store or a parking arrangement has been made for a non-dwelling lot that is within 500 feet and is not in use during operating hours.
 4. A letter or document verifying landowners' permission for the mobile grocery store to operate as an accessory use on the property.

5. A letter stating that the mobile grocery store complies with any applicable Jefferson County Department of Health regulations or a letter stating that the mobile grocery store does not require approval by the Jefferson County Department of Health.
6. Mobile grocery stores shall not be located within 1,000 feet of the front door of a brick and mortar business selling the same or similar products.
7. Signage is limited to 60 square feet and is limited to signs permanently affixed to or painted on the exterior of the mobile grocery store. Signs shall not be illuminated nor project from the mobile grocery store.
8. A mobile grocery store may have no more than two tables and/or two chairs for customer check-in and processing.
9. No more than one mobile grocery store shall be permitted to operate, per day, at a site/location.
10. No audio or amplification is allowed.

SECTION 9. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 4: Land Use Development Standards, Article IV: Uses Permitted as Accessory, Section 6: Agricultural accessory uses, Subsections E. –F.; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, are hereby amended to read as follows:

E. **Market Stand.** In the following districts: D-1, D-2, D-3, D-4, D-5, and D-6 a market stand shall be permitted provided that the following conditions are met:

1. It is accessory to a community garden.
2. Sales only occur on a temporary basis no more than 156 days per year and between the hours of 7:00am and 7:00pm.
3. Market cannot operate for more than three consecutive days.
4. Market manager demonstrates that adequate parking is available on the lot being used by the market or a parking arrangement has been made for a non-residential lot that is within 500 feet and is not in use during market hours.
5. Items made from kits, used or mass produced items are prohibited.
6. Only agriculture products grown on the community garden property can be sold.
7. Within one (1) hour after the closing of the market stand the market stand must be moved to its permanent storage area in a rear yard and the market area be cleaned of any debris or trash.
8. A letter or document verifying land owners permission for the market stand

to operate on the property and identifying Community Garden Manager is submitted to Department.

F. **Stable.** In the AG district a stable shall be permitted as an accessory use provided that the following conditions are met:

1. The minimum setback from adjoining property lines shall be 100 feet and from street right-of-way lines shall be 300 feet. No stables shall be built closer than 300 feet to the nearest adjacent residence.

SECTION 10. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 8: Overlay Districts, Article I: Overlay Districts Established, Section 1: Purpose and Intent; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, is hereby amended to read as follows:

Section 1. Purpose and intent.

Overlay districts are established by this Ordinance as a means of addressing specific aspects of land use control or development design that transcend conventional zoning district provisions. Included-are the following overlay districts:

1. Article II. Floodplain Zone Overlay - intended to protect and develop responsibly in the floodplain
2. Article III. US Highway 280 Overlay District Regulations_- a special overlay to promote the development of the US Highway 280 corridor
3. Article IV. Highland Park Neighborhood Form-Based Overlay District Regulations - a special form based overlay intended to preserve and protect existing development patterns in the Highland Park Neighborhood and ensure the compatibility of new development
4. Article V. Healthy Food Overlay District Regulations - a Healthy Food Overlay District designed to increase access to fresh foods for properties located in food deserts.

SECTION 11. BE IT ORDAINED by the Council of the City of Birmingham that Title 1, Chapter 8: Overlay Districts; of the City of Birmingham Zoning Ordinance, Ordinance No. 15-133, as amended, is hereby amended to add the following Article V:

Article V. Healthy Food Overlay District Regulations

Section 1. Administration.

A. Intent and Purpose.

The intent of this Article is to establish a Healthy Food Overlay District for the City of Birmingham. The United States Department of Agriculture (USDA) has identified low-income census tracts where a significant number (at least 500 people) or share (at least 33 percent) of the population is greater than ½ mile

from the nearest supermarket, supercenter, or large grocery store for an urban area or greater than 10 miles for a rural area. These areas are known as food deserts.

The purpose of this Overlay District is to modify existing regulations to allow for more diverse retail options and convenient access to fresh meats, fruits and vegetables. These regulations are intended to:

1. Limit over-concentration of small box discount stores within the Overlay District.
2. Encourage a greater diversity of retail options within the Overlay District.
3. Promote a community-based approach for access to fresh meats, fruits and vegetables.

B. Applicability.

Except as otherwise stated, the regulations of this section apply to all new uses and structures within the boundaries of the Healthy Food Overlay District and a ½ mile buffer on either side of the Healthy Food Overlay District boundaries. The Healthy Food Overlay District boundaries are mapped using the low income/low access census tract data identified as food deserts by the USDA. The map titled “Healthy Food Overlay District Including 0.5 Mile Buffer” shows those properties in the City of Birmingham that are included in the Healthy Food Overlay District.

Section 2. Definitions.

The following terms shall have the meaning provided herein. Terms not defined herein shall have the meaning provided in the City of Birmingham Zoning Ordinance and/or City Subdivision Regulations.

Grocery Store: Retail store that provides assorted goods for sale, including but not limited to, food, beverages and personal health items. A minimum of 25% of sales floor area or more than 3,000 square feet of sales floor area dedicated to the sale of fresh or pre-packaged meats, fruits, vegetables, and dairy, whichever is greater. Accessory uses may include restaurants, dining areas, and pharmacies.

Small Box Discount Store: Retail store that provides assorted, inexpensive items that are continuously offered at a discounted price that is usually under \$10 per item. Products sold typically include processed food and drink items, personal hygiene products, office supplies and decorations. Gross floor area is typically less than 12,000 square feet. Does not include convenience retail stores.

Convenience Retail Store: Retail store that provides assorted or specialty goods for sale, including food and beverages for off-premise consumption and personal health items. Typical uses include bakeries, convenience stores, drug stores, specialty food stores, gift shops, newsstands or florists. Small box discount stores are not included.

Section 3. Regulations

A. Small Box Discount Stores

1. To avoid over-concentration, a new small box discount store within the Healthy Food Overlay District shall not be closer than 1 mile (5,280 feet) from another existing small box discount store located in the Healthy Food Overlay District. The required separation distance must be measured in a straight line from the nearest point on the lot line of the property to the nearest point on the lot line of the other property.

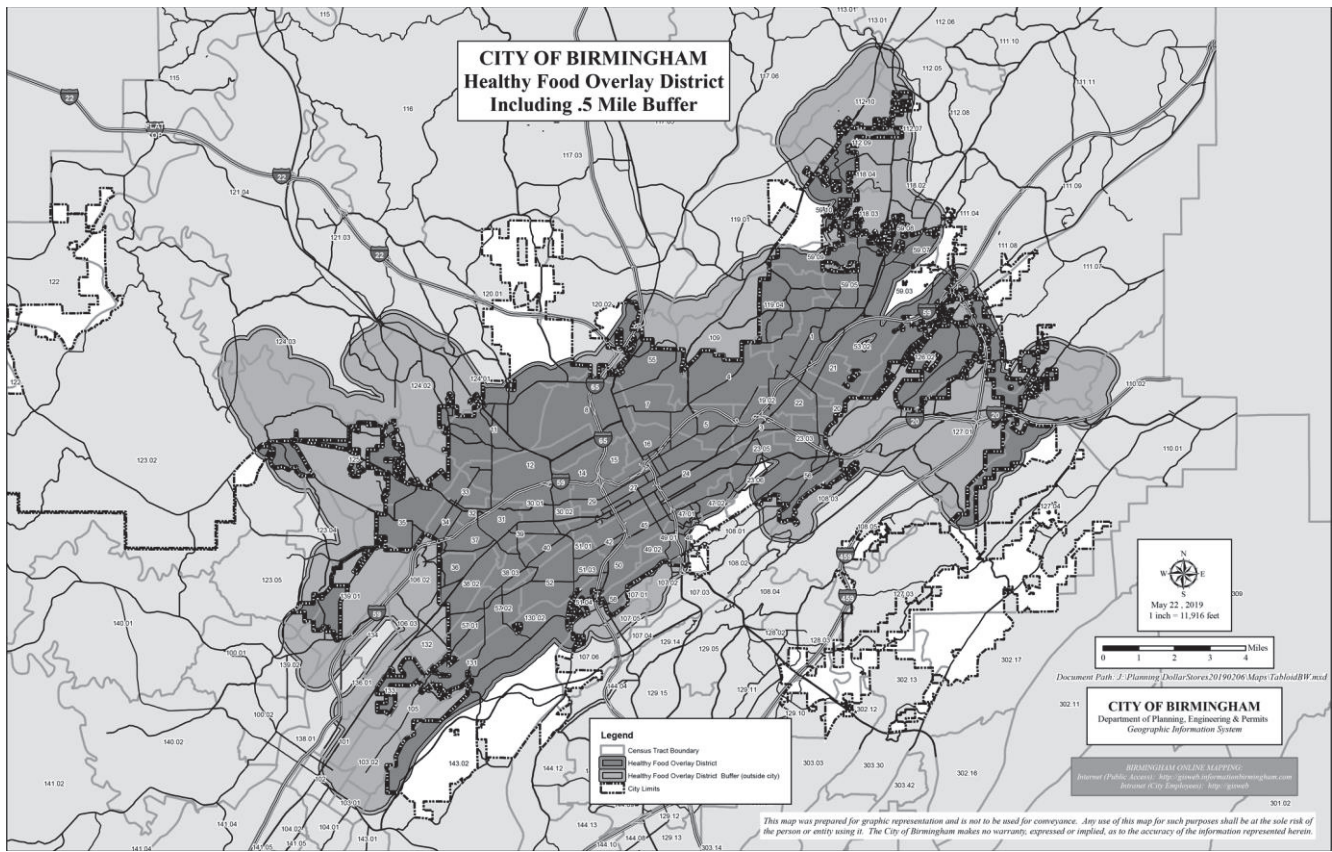
B. Grocery Stores. Any new grocery store constructed within the Healthy Food Overlay is subject to the following:

1. In C-1 and MU-L zoning districts, a new grocery store may have up to 20,000 square feet of gross floor area.
2. A parking reduction of up to 50% is available for any new grocery store.

C. Community Gardens. On-site sale of produce is allowed in the following districts: D-1, D-2, D-3, D-4, D-5, D-6, MU-L, MU-M, MU-H, MU-D, C-1, C-2, I-1, I-2, I-3, and MXD when a community garden is located in the Healthy Food Overlay District (see Title 1, Chapter 4, Article II, Section 8.A).

Section 4. Legal Non-conforming

Any existing use legally established prior to the effective date of this Ordinance that does not comply with its provisions shall be subject to the regulations of the nonconforming provisions of this Ordinance stipulated in of Chapter 9, Article VII.



SECTION 12. That the provisions of this Ordinance are hereby declared to be severable. If any of these sections, provisions, sentences, clauses phrases, or parts are held to be unconstitutional or void, the remainder shall continue in full force and effect.

SECTION 13. That this Ordinance shall become effective upon publication as required by statute.

Adopted by the Council July 9, 2019 and Approved by the Mayor July 15, 2019



A CERTIFIED COPY
Lee Frazier, City Clerk
Birmingham, AL
Lee Frazier