

ORDINANCE NO. 1683

AN ORDINANCE IMPOSING A MORATORIUM ON THE PLACEMENT OF MOBILE/ MANUFACTURED HOMES IN AREAS CURRENTLY ZONED MHA (MOBILE HOME ZONING DISTRICTS) WITHIN THE CITY LIMITS OF THE CITY OF TALLADEGA FOR SIX MONTHS OR UNTIL AN AMENDMENT IS APPROVED AND IMPLEMENTED FOR ORDINANCE #1120 "TALLADEGA, ALABAMA ZONING ORDINANCE" CONCERNING MHA ZONING DISTRICTS, WHICHEVER MAY COME FIRST AND TO SET FORTH PENALTIES FOR VIOLATION OF SAID ORDINANCE.

WHEREAS, the Talladega City Planning Commission and the City Council of the City of Talladega, Alabama wish to re-evaluate the placement of MHA zoned districts throughout the City;

SECTION 1. A moratorium is immediately implemented to refuse permits for the placement of mobile/manufacturing homes (as defined in Talladega Zoning Ordinance 1120) within the City limits of the City of Talladega, Alabama for six months from the date of adoption of this ordinance.

SECTION 2. It shall be unlawful for any person(s), individual(s), company, corporation owner, buyer, seller, mobile home manufacturer or hauler to place a mobile/manufactured home on any property in the Corporate City limits of the City of Talladega, until the appropriate and legal permit has been issued for such placement of a mobile/manufactured home. It shall be the responsibility of the person(s), individual(s), company, corporation owner, buyer, seller, mobile home manufacturer or hauler, to inquire and determine that the appropriate and legal permits have been issued prior to placement on any property within the Corporate City limits of the City of Talladega, Alabama.

SECTION 3. Any person(s), individual(s), company, corporation owner, buyer, seller, mobile home manufacturer or hauler who violates any provision of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction shall be punished in accordance with Section 1-5 of the Code of the City of Talladega, Alabama.

SECTION 4. Any person(s), individual(s), company, corporation owner, buyer, seller, mobile home manufacturer or hauler who places a mobile/manufactured home during the one year moratorium without a legal permit will be notified by the City to remove the mobile/manufactured home within 30 days. If the mobile/ manufactured home is not removed within the 30 days, the City shall have it removed without further notice, and impounded until all fines and fees have been paid in full.

SECTION 5. All sections of this ordinance are hereby declared to be severable; and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION 6. This ordinance shall take effect immediately upon its passage and publication, as provided by law.

ADOPTED and APPROVED this the 2nd day of December, 2010.

Dr. Horace Patterson, Council President

Dr. Jimmy Davis, Council Member

Ms. Elizabeth Grissett, Council Member

Mr. Eddie L. Tucker, Council Member

Mr. Robert D. Miller, Council Member

Attested to by Elizabeth Cheeks, City Clerk