

ORDINANCE NO. 1728

AN ORDINANCE TO AMEND ORDINANCE #1718 IMPOSING A MORATORIUM ON VARIANCES FOR ANY NON-CONFORMING SIGN UNDER ORDINANCE #1320 "TALLADEGA, ALABAMA SIGN ORDINANCE" AND TO SET FORTH PENALTIES FOR VIOLATION OF SAID ORDINANCE.

WHEREAS, the Talladega Historic Preservation Commission and the Talladega Board of Adjustments and Appeals has requested that the City Council of the City of Talladega, Alabama re-evaluate and update the City's sign ordinance;

SECTION 1. A moratorium is immediately implemented to refuse permits for any sign that does not conform to City Ordinance #1320 for three (3) months from the date of adoption of this ordinance or until a new sign ordinance is adopted, which ever comes first. This moratorium also includes any application to the Board of Adjustments and Appeals for a non-conforming sign.

SECTION 2. It shall be unlawful for any person(s), individual(s), company, corporation owner, buyer, seller, or contractor on any property in the Corporate City limits of the City of Talladega, to erect or construct a non-conforming sign in any zoning district. It shall be the responsibility of the person(s), individual(s), company, corporation owner, buyer, seller, or contractor, to inquire and determine that the appropriate and legal permits have been issued prior to placement of any sign 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, or contractor 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, or contractor who places a non-conforming sign during the seven-month moratorium without a legal permit will be notified by the City to remove the sign within 30 days. If the sign 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 9th day of April 2012.

Council President Horace Patterson

Councilman Jarvis Elston

Councilman Joe Ballow

Councilman Donnie Miller

Councilman Rick Simpson

Attested by Elizabeth Cheeks, City Clerk