

ZONING ORDINANCE
OF THE
TOWN OF SOUTH VINEMONT, ALABAMA

An ordinance providing for the establishment of districts within the corporate limits of the Town of South Vinemont, Alabama; regulating within such districts the use of buildings, structures and land; providing methods of administration of this ordinance and penalties for violations thereof.

ARTICLE I
AUTHORITY AND ENACTMENT CLAUSE

The public welfare requiring it, and under authority granted by Title 11, Chapter 52, Code of Alabama, 1975, the Town Council of the Town of South Vinemont does hereby ordain, as follows:

That the Town Council of the Town of South Vinemont will act in matters of planning and zoning within the Town.

That the "Zoning Ordinance of the Town of South Vinemont", Ordinance No. 89-2 shall read as follows:

ARTICLE II SHORT TITLE

This ordinance shall be known as the "Zoning Ordinance of South Vinemont, Alabama", and attested by the Town Clerk as the Zoning Map of South Vinemont and all explanatory matter thereon are hereby adopted and made a part of this ordinance. Such map shall be filed in the office of the Town Clerk and shall show thereon the date of the adoption of this ordinance.

ARTICLE III DEFINITIONS

For the purpose of interpreting this ordinance, certain words or terms are herein defined. Except as defined herein, all other words used in this ordinance shall have their customary dictionary definition.

SECTION 30.0 INTERPRETATION OF CERTAIN WORDS AND TERMS

30.1 Words used in the present tense include the future tense. Words used in the singular number include the plural, and words used in the plural number include the singular. The word "Map", "Zoning Map", or "South Vinemont Zoning Map", shall mean the "Official Zoning Map of South Vinemont, Alabama".

SECTION 31.0 DEFINITIONS

31.1 ACCESSORY STRUCTURE: A structure on the same lot with, and of nature customarily incidental or subordinate to, the principal use or structure.

31.2 BUILDING AREA: The portion of the lot occupied by the main building, including porches, carports, accessory building, and other structures.

- 31.3 CAR LOT: Any establishment where automobiles are sold for profit or kept for sale other than a casual sale by the owner of a vehicle that has been kept for personal use by a member of his or her household. The sale of three or more vehicles in any twelve month period shall give rise to a rebuttable presumption that the owner is operating a car lot.
- 31.4 DWELLINGS: A house or other building used primarily as an abode for one or two families except the word "dwelling" shall not include boarding or rooming houses, tents, tourist camps, hotels, trailers, trailer camps, or other structures designed or used primarily for transient residents.
- 31.5 DWELLING, MULTI-FAMILY: A building designed for or occupied exclusively by three (3) or more families living independently of each other.
- 31.6 DWELLING, SINGLE FAMILY: A building designed for or occupied exclusively by one (1) family.
- 31.7 EASEMENT: A grant by a property owner of the use of land for a specific purpose by the general public, a corporation, or a certain person or persons.
- 31.8 FRONTAGE, LOT: The distance for which the front boundary line of the lot and the street are coincident.
- 31.9 LOT: A piece, parcel or plot of land occupied or intended to be occupied by one main building, accessory buildings, uses customarily incidental to such main building and such open spaces as are provided in this ordinance, or as are intended to be used with such piece, parcel, or plot of land.

- 31.10 LOT OF RECORD: A lot or parcel of land where existence, location, and dimensions have been recorded in the office of the Probate Judge of Cullman County prior to Sept. 14, 1989.
- 31.11 MOBILE HOME: The term "mobile home" shall be construed to mean and include any structure intended for, or capable of, human habitation, mounted upon wheels and capable of being driven, propelled or towed from place to place without change in structure or design, by whatsoever name or title it is colloquially or commercially known. Removal of wheels and placing such a structure on the ground, piers, or other foundation, shall not remove such a vehicle from this definition; provided, that this definition shall not include transport trucks or vans equipped with sleeping for a driver or drivers. To be termed a mobile home, such structure shall not have less than 350 square feet.
- 31.12 MOBILE HOME PARK: Each mobile home park shall have not less than four (4) acres nor less than twenty (20) lots. No mobile home park shall contain more than an overall average of twelve mobile home lots per gross acre of said park space. A buffer strip not less than fifteen (15) feet in width shall be provided completely around the mobile home park except in access roads.
- 31.13 NON-CONFORMING USE: A use of any structure or land which though originally lawful does not conform with the provisions of this ordinance or any subsequent amendments thereto for the district in which it is located.
- 31.4 SETBACK LINE: A line parallel to the property line in front of which no structure may be erected.

- 31.15 STREETS: A dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting properties.
- 31.16 STRUCTURE: Any combination of materials, including buildings constructed or erected, the use of which requires location on the ground or attachment to any thing having location on the ground, including among other things, gasoline pumps, signs, billboards, but not including utility poles and overhead wires.
- 31.17 USE: The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.
- 31.18 YARD: An open space, on the lot with the main building, left open, unoccupied and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance.
- 31.181 "Front Yard": The yard extending across the entire width of the lot between the main building including covered porches, and the front lot line, or if an official future street right-of-way has been established, between the main building, including covered porches and the right-of-way line.
- 31.182 "Rear Yard": The yard extending across the entire width of the lot between the main building including covered porches and the rear lot line.
- 31.183 "Side Yard": The yard extending along a side lot line, from the front yard to the rear yard, between the main building, including covered porches and carports, and such lot line.

ARTICLE IV

ESTABLISHMENT OF DISTRICTS

For the purpose of this ordinance, the Town of South Vinemont is hereby divided into the types of districts designated as follows:

SECTION 40.0 USE DISTRICTS

R-1	Residential District	(Single Family)
R-2	Residential District	(Multi-Family)
B-1	Business District	(Local Shopping)
B-2	Business District	(General Shopping)
BR-1	Residential and Business District	
M-1	Manufacturing District	(Light Industry)
M-2	Manufacturing District	(General Industry)
AG-1	Agricultural District	
AG-2	Agricultural District	

SECTION 41.0 DISTRICT BOUNDARIES

The boundaries of the above districts are hereby established as shown on the Zoning Map of South Vinemont. Unless otherwise shown on said Zoning Map, the boundaries of districts are lot lines, the centerlines of street or alleys or such lines extended, the centerline of railroad tracks, or the corporate limit lines as they existed at the time of enactment of this ordinance.

ARTICLE V GENERAL PROVISIONS

SECTION 50.0 NON-CONFORMING

Any use, structure, and/or improvement existing at the time of enactment or of subsequent amendment to this ordinance, but not in conformity with its provisions, may be continued with the following limitations. Any use, structure, and/or improvement which does not conform to the provisions of this ordinance shall

not be:

- a. Changed to another non-conforming use.
- b. Re-established after discontinuance for six (6) months.
- c. Extended, modified or changed unless brought into full conformity with this ordinance.

No permit shall be issued when existing or proposed uses, structures, and/or improvement are not in conformity with any one, or more, provisions of said ordinance.

ARTICLE VI DISTRICT REGULATIONS

SECTION 60.0 R-1 RESIDENTIAL DISTRICT

USE REGULATIONS

USES PERMITTED: Single family dwellings; accessory structures (carports and utility rooms and structures used for residential storage); gardens; playgrounds.

USE PROHIBITED: House trailers, trailer courts or camps, commercial and industrial uses, including parking lots or parking areas in connection with these uses, not specifically permitted.

SPACE AND HEIGHT REGULATIONS

MINIMUM LOT SIZE: Minimum required lot area 15,000 square feet.
Minimum required lot width at building line 100 feet. Front yard required, 40 feet; side yare required, 15 feet; rear yard required 40 feet; accessory, 5 feet.

SECTION 61.0 B-1 BUSINESS DISTRICT

USE REGULATIONS

USES PERMITTED: Neighborhood retail stores and markets, including the following types of stores:

food; general merchandise; apparel; furniture;
household and hardware; radio and television;
drugh and sundries; jewelry and gifts;
florists; sporting goods; pet shops and
similar types; gas station, (open lot sales
for used cars or trailers).

USES PROHIBITED: Auto repair; manufacturing; night clubs;
motels or motor courts.

SECTION 62.0 B-2 BUSINESS DISTRICT

USE REGULATIONS

USES PERMITTED: Neighborhood retail stores and markets,
including the following types of stores;
food; general merchandise; apparel; and sundries;
jewelry and gifts; florists; sporting goods;
pet shops; and similar types.
Neighborhood services including the following
types: dry cleaning and laundry pickup
stations; barber and beauty shops; shoe
repair; offices; banks; post offices; theaters
and similar services. Dry cleaners and laundries.
Manufacturing incidental to a retail
business where articles are sold at retail
on the premises, not specifically prohibited
herein.

SECTION 63.0 B-1 BUSINESS DISTRICT

SPACE AND HEIGHT REGULATIONS

MINIMUM LOT SIZE: It is the intent of the ordinance that lots
of sufficient size be used for any business
or service use to provide adequate parking

and loading space in addition to the space required for the other normal operations of the business or service.

MINIMUM YARD SIZE: Front, 20 feet, rear, 20 feet; side, not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.

MAXIMUM HEIGHT: 65 feet or 5 stories.

OFF STREET PARKING: 200 square feet of parking space per each: 100 square feet of one (1) story buildings, or per each 60 square feet of two (2) story buildings. Theaters; one car space per each five (5) seats.

OFF STREET LOADING AND UNLOADING: Shall use required rear or side yard for loading and unloading.

SECTION 64 B-2

SPACE AND HEIGHT REGULATIONS

MINIMUM LOT SIZE: It is the intent of the ordinance that lots of sufficient size be used for any industrial, service or business use to provide adequate parking and loading space in addition to the space required for other normal operations of the enterprises.

MINIMUM YARD SIZE: Front, 35 feet; rear 35 feet; side, not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than fifteen (15) feet wide.

MAXIMUM HEIGHT: 35 feet or 2 stories.

OFF-STREET PARKING: 200 square feet of parking space per each:
100 square feet of one (1) story building, or
per each 60 square feet of two (2) story buildings.
One car space per each two (2) employees.

OFF-STREET LOADING AND UNLOADING: Shall use required rear or
side yard for loading and unloading.

SECTION 64-A BR-1 BUSINESS AND RESIDENTIAL DISTRICT

USE REGULATIONS

USES PERMITTED: Any use permitted in an R-1 or B-1 district.

USES PROHIBITED: Any use prohibited in an R-1 or B-1 district.

SPACE AND HEIGHT REGULATIONS

MINIMUM LOT SIZE: Minimum required lot area 15,000 square feet.

Minimum required lot width at building line
100 feet. Front yard required, 40 feet;
side yard required, 15 feet; rear yard
required, 40 feet; accessory, 5 feet.

SECTION 65

INDUSTRIAL DISTRICT REQUIRMENTS

USES PERMITTED:

LIGHT INDUSTRY

M-1

Light industrial operations not obnoxious,
offensive, detrimental to neighboring
property by reason of dust, smoke, vibration,
noise, odor, or effluents, and including the
following types of business or industry:
ice cream plants and creameries; cold storage
plants; ice plants; bottling and central
distribution plants; baking plants; textile

mills, dyeing plants; warehouses; dry cleaners and laundries; and similar types of industries or businesses. All business, service and manufacturing uses permitted in a B-2 Business District.

USES PERMITTED ON APPEAL: Any manufacturing or business use not specifically prohibited herein. Any use permitted or permitted on appeal in a R-1 Residence District or B-1 Business District, and subject to all district requirements of said district.

USES PROHIBITED: Slaughter house; stockyard; bag cleaning; central mixing plants for cement, mortar, plaster, or paving material; curing, tanning or storage of hides; distillation of bones, coal, tar or wood; fat rendering; frog plant; manufacture of acetylene, acid alcohol, ammonia, bleaching powder, brick, pottery, terra cotta on tile, concrete blocks, candles, disinfectants, dyestuffs, fertilizers, illuminating or heating gas including storage; paint, turpentine, varnish, soap, and tar products; wool pulling or scouring; junk yards; cotton waste reclaiming; and similar types of plants or operations.

M-2

USES PERMITTED

GENERAL INDUSTRY

Any industrial, service or commercial use, except those which in the opinion of the Building Inspector would cause noise, smoke,

gas, vibration, fumes, dust, or other objectionable conditions which would affect a considerable portion of the city.

USES PERMITTED ON APPEAL: Any industrial, service or commercial use, except those which in the opinion of the Building Inspector would cause noise, smoke, gas, vibration, fumes, dust or other objectionable conditions which would affect a considerable portion of the city.

USES PROHIBITED: Residences and apartments, excepting quarters of a watchman or custodian and his family.

SPACE AND HEIGHT REGULATIONS

MINIMUM LOT SIZE:

LIGHT INDUSTRY

M-1

It is the intent of the ordinance that lots of sufficient size be used for any industrial, service or business use to provide adequate parking and loading space in addition to the space required for the other normal operations of the enterprise.

MINIMUM YARD SIZE: Front yard: None specified, except where existing establishments (other than residential) are set back, any new structures shall be set back not less than the average of the set-backs of the existing establishments within one hundred (100) feet each side thereof.

Side yard: None specified, excepting a lot, adjoining its side lot line another lot which is in a residential district, there shall

be a side yard not less than eight (8) feet wide.

Rear yard: None specified.

MAXIMUM HEIGHT: 45 feet or 3 stories.

OFF-STREET PARKING: Space necessary to accomodate the cars of all workers in the industry or use. Also, space necessary to store overnight all vehicles incidental to the operation of the industry or use.

OFF-STREET LOADING OR UNLOADING: Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or use.

GENERAL INDUSTRY

M-2

MINIMUM LOT SIZE: Same as for M-1 Industrial District.

MINIMUM YARD SIZE: None specified.

MAXIMUM HEIGHT: 45 feet or 3 stories.

OFF-STREET PARKING: Same as for M-1 Industrial District.

OFF-STREET LOADING AND UNLOADING: Same as for M-1 Industrial District.

SECTION 66

AGRICULTURAL DISTRICT REQUIREMENTS AG-1

USES PERMITTED: General farming including horticulture, dairying; apiaries; livestock and poultry raising; and other similar enterprises or uses. Aircraft land fields; hangars and equipment; cemeteries, golf courses, swimming pools; country clubs; recreation buildings of a public character, sanitoriums, convalescent and nursing homes for human care; charitable

institutions; animal hospitals and kennels; private clubs, lodges, summer camps, lodging and boarding houses. Accessory buildings and uses customarily incidental to the above uses. Any use permitted or permitted on appeal in a R-1 Residential district and subject to all district requirement of a R-1 District as specified in Section 60.0 hereof. Outdoor advertising structures, provided, however, that such use shall be conditional as follows: Within sixty (60) days of the time that the zoning map is amended to cause advertising structures which have been erected in an "Ag-1" Agricultural District to fall within a Residential District such structures shall be removed.

USES PERMITTED ON APPEAL: Sports arenas, recreation and amusement enterprises operated on a commercial basis; clubs, the chief activity of which is customarily carried on as a business; tourist home.

USES PROHIBITED: Residential, Commercial and Industrial uses not specifically permitted.

AG-2

USES PERMITTED: All uses permitted and regulated in an "AG-1" Agricultural District. Manufacturing, storage and processing of natural resources indigenous to South Vinemont. Roadside stands, provided no part of the structure or goods display encroaches upon a

public right of way or dedicated street.

USES PERMITTED ON APPEAL: Live stock sales and any use permitted on appeal in an "AG-1" Agricultural District and subject to the same requirements and conditions set forth for the uses permitted on appeal in "AG-1" Agricultural District.

USES PROHIBITED: Residential, Commercial and Industrial Uses not specifically permitted.

Auto repair; manufacturing; night clubs; motels or motor courts; open lot sales for used cars or trailers.

ARTICLE VII EXCEPTIONS AND MODIFICATIONS

SECTION 70.0

The provisions of this ordinance shall be administered and enforced by the Town Council and such Council may employ a designated official to act under their direction for the purpose of making inspections of buildings or premises necessary in the enforcement of this ordinance.

SECTION 71.0 BUILDING PERMIT REQUIRED

It shall be unlawful to commence the excavation for or the construction of any building or other structure or the setting up of any mobile homes on any property within the South Vinemont Town limits until the Clerk of the Town of South Vinemont has issued for such work a building permit including a statement of the intended use of such structure and such a manner as to conform with the provisions of this ordinance.

SECTION 72.0 PENALTY

If any person violating any provisions of this ordinance may be

prosecuted and may be fined upon conviction not less than \$2.00 not more than \$200.00 and costs of Court for each offense. Each day such violation continues shall constitute a separate offense.

SECTION 73.0 REMEDIES

In case any building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violations of this ordinance, the Clerk of the municipality or any other appropriate authority or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies, and the Town of South Vinemont may institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to correct or abate such violation or to prevent occupancy of such building, structure, or land.

SECTION 74.0 ADJUSTMENTS

The Town Council of South Vinemont, Alabama, shall sit and act as a Board of Adjustment and shall exercise all authority provided by the Code of Alabama relative to appeals, hearings, and actions by a Board of Adjustment.

SECTION 75.0 SAVING CLAUSE

If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not in and of itself invalid or unconstitutional.

SECTION 76.0 CITY COUNCIL MEETING

That the Town Council shall meet on the 31st day of
August, 1989 at 6:00 P.M. at the Town Hall
in the Town of South Vinemont to hear any objections, remonstrances
or protest that may be made against said improvements the manner
of making the same or the character of materials to be used.


SECTION 77.0 PUBLICATION OF ORDINANCES

This ordinance shall be published once a week for two consecutive
weeks in The Cullman Times, a newspaper published and of general
circulation in the Town of South Vinemont, the date of the
first publication to be not less than two weeks before the
14th day of September, 1989. Adopted by the Town
Council on this 12th day of October, 1989.


MAYOR

Town of South Vinemont, Alabama

ATTEST:


CITY CLERK

Town of South Vinemont, Alabama



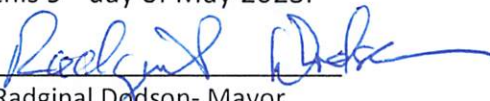
Town of South Vinemont
Ordinance NO. 2023-05-01

AN ORDINANCE TO AMEND THE "ZONING ORDINANCE OF THE TOWN OF SOUTH VINEMONT" (ORDINANCE NO. 89-2. ADOPTED OCTOBER 12, 1989) AND TO ALTER AND CHANGE THE "TOWN OF SOUTH VINEMONT ZONING MAP".

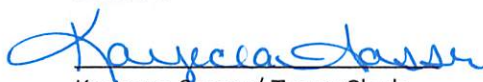
WHEREAS, the Public Welfare requiring it and pursuant to and author the authority conferred by the Code of Alabama 1975 as amended, Section 11-52-70 et. Seq., be it, therefore.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTH VINEMONT, ALABAMA, AS FOLLOWS: that the following Zoning Map (Exhibit A (Picture of Zoning Map) reflects the uses, and boundaries for the incorporated limits of the Town of South Vinemont and conforms to said Ordinance NO. 89-2. The "Town of South Vinemont Zoning Ordinance Map" as adopted by Ordinance No. 89-2 of the Town of South Vinemont, Alabama and subsequently amended is hereby adopted as the official zoning map of the Town of South Vinemont, Alabama and may be cited in all legal proceedings and other references as the "Town of South Vinemont Zoning Map," and in this ordinance as the "Zoning Map."

THEREFORE, this ordinance is adopted by the town council of the Town of South Vinemont on this 9th day of May 2023.


Radginal Dodson- Mayor

Attest:


Kayecea Sasser/ Town Clerk



Neither the North Central Alabama Regional Council of Governments (NARCOC) nor any employees thereof, make any warranty, expressed or implied, or assume any legal liability or responsibility, for the accuracy, completeness, or usefulness of any information contained on this map. Linear and Spatial Data obtained from 2020 United States Census. Map produced by North Central Alabama Regional Council of Governments, 2021

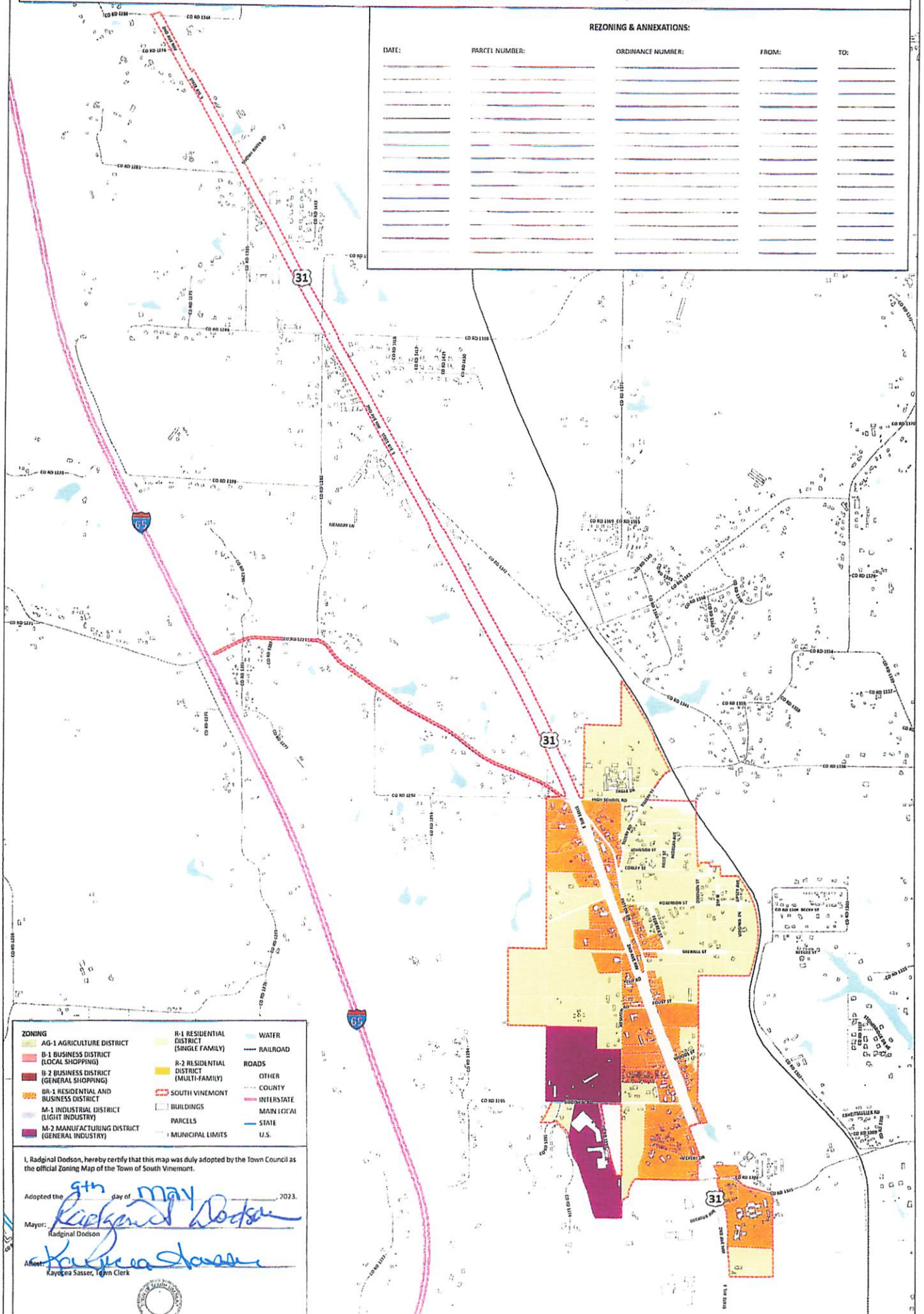
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Exhibit A

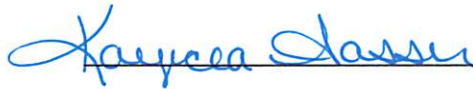
CERTIFICATION OF TOWN CLERK

STATE OF ALABAMA)

CULLMAN COUNTY)

I, Kayecea Sasser, Town Clerk of the Town of South Vinemont, Alabama, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2023-04-01 duly and legally adopted by the Town Council of the Town of South Vinemont, Alabama, on the 9th day of 2023 while in regular session on May 9, 2023 and the same appears of record in the minute book of said date of said Town.

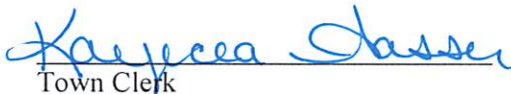
Witness my hand and seal of office this 9th day of May 2023.



Kayecea Sasser, Town Clerk



Town of South Vinemont, Alabama, certificate of publication. This is to certify that **Ordinance No. 2023-05-01**, Town of South Vinemont, Alabama, was published by posting on at least three (3) bulletin boards in the Town, Vinemont Post Office, V&W Gas Station and South Vinemont Town Hall from May 10, 2023 to June 10, 2023.


Town Clerk

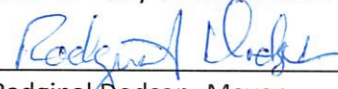


Town of South Vinemont
Ordinance NO. 2023-06-01
Amend Ordinance No. 2023-05-01
Zoning Map Exhibit A (Picture of Zoning Map)

WHEREAS, the Public Welfare requiring it and pursuant to and author the authority conferred by the Code of Alabama 1975 as amended, Section 11-52-70 et. Seq., be it, therefore.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTH VINEMONT, ALABAMA, AS FOLLOWS: that the following **Zoning Map (Exhibit A-1 (Picture of Zoning Map))** reflects the uses, and boundaries for the incorporated limits of the Town of South Vinemont and conforms to said Ordinance NO. 89-2. The "Town of South Vinemont Zoning Ordinance Map" as adopted by Ordinance No. 89-2 of the Town of South Vinemont, Alabama and subsequently amended is hereby adopted as the official zoning map of the Town of South Vinemont, Alabama and may be cited in all legal proceedings and other references as the "Town of South Vinemont Zoning Map," and in this ordinance as the "Zoning Map."

THEREFORE, this ordinance is adopted by the town council of the Town of South Vinemont on this 13th day of June 2023.


Radginal Dodson- Mayor



Attest:

Kayceea Sasser/ Town Clerk

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Adopted the _____ day of _____, 2023.

Mayor:
Radginal Dodson

Adopted by 15th June 2023
Mayor: Richard Hinegar
Radical Division
Councillor: David Eastwood
Approved by: Mayor Eastwood, on Clerk



CERTIFICATION OF TOWN CLERK

STATE OF ALABAMA)

CULLMAN COUNTY)

I, Kayecea Sasser, Town Clerk of the Town of South Vinemont, Alabama, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2023-06-01 duly and legally adopted by the Town Council of the Town of South Vinemont, Alabama, on the 13th day of June 2023 while in regular session on June 13, 2023 and the same appears of record in the minute book of said date of said Town.

Witness my hand and seal of office this 13th day of June 2023.



Kayecea Sasser, Town Clerk

Town of South Vinemont, Alabama, certificate of publication. This is to certify that **Ordinance No. 2023-06-01**, Town of South Vinemont, Alabama, was published by posting on at least three (3) bulletin boards in the Town, Vinemont Post Office, V&W Gas Station and South Vinemont Town Hall from June 14, 2023 to July 14, 2023.


Town Clerk