

ORDINANCE NO. 16-4250

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA

Section 1. That the district boundaries of the City of Decatur Official Zoning Map, heretofore adopted by Section 27-1, Code of Decatur, Alabama, 1956, now Section 25-1, Code of Decatur, Alabama, as thereafter amended, are further amended, changed and modified as follows:

Zoning Text Amendment 233-16

The effect of the proposed amendments will be to amend Section 25-2 definitions.

Section 1 That subparagraphs (6a), (6b) and (34a) of Section 25-2 Definitions of Code of Decatur, Alabama are hereby amended to read as follows:

"(6a) Bus Transit Company: A company that contracts for or provides transportation by bus for people.

(6b) Caterer, Catering, Catering Service. A person, business or service that contracts to provide food and incidental service at the request of an owner for a social affair or for a private dwelling for a fee or to prepare on site for an agency or group to sell to the public as a fund raiser. Such person, business or service is not a home occupation, is in possession of a health department permit, has a permanent fixed location, and has obtained a City business license.

(34a) Transit Center/ Station: Any premises for the loading and unloading of passengers by a public or private bus transit company including the temporary parking of transit vehicles between routes or during stop overs and excluding overnight parking and storage and maintenance of transit vehicles. This definition shall not include school bus stops along rights of way, or MCATS transportation vehicles. Charter busses as defined by this ordinance hired by a local organization are not included. They shall only be allowed in M2 zones on lots with a minimum 200 feet on a state highway and a driveway length of 200 feet. Transit Center/ Stations cannot be located within 200 feet of any residentially zoned property. They shall also be safely lit and provide indoor waiting areas. All drop off or pick up activity shall take place completely off the public right of way on private property."

Section 2 That the Code of Decatur, Alabama is here by amended by adding subparagraphs to Section 25-2 Definitions to be numbered (6c), (6d) and (34b) which read as follows:

"(6c) Caterer, Catering, Catering Service, Manufacturing. A person, business or service that provides food only at the request of a land owner of a construction or manufacturing site, uses only commercially licensed vehicles equipped for the purpose of transporting or preparing food to be sold directly from such vehicle and only to those employees of the construction site or manufacturing site where the vehicle is located. The vehicle shall be located on the site and shall not sell from the Public Right of Way without a franchise agreement from the City of Decatur. Such person, business, service is not a home occupation, is in possession of a health department permit, has a permanent fixed location where the food is prepared, and has obtained a City business license.

(6d) Charter Busses. Any Bus that is privately contracted for to provide transportation for a specific group with a specific itinerary. The agency contracting with the Charter Bus shall be responsible for providing off street loading and unloading of the vehicle and off street private parking for the bus passengers.

(34b) Usage. For the purpose of these regulations, certain numbers, abbreviations, terms, and

words used herein shall be used, interpreted, and defined as set forth below.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense.

Words used in the plural number include the singular.

The word "herein" means "in these regulations".

The phrase "these regulations" means "Chapter 25 of the Code of the City of Decatur, Alabama".

The word "person" includes a corporation, a partnership, and an incorporated association of persons such as a club, or any other legal entity.

The word "shall" is always mandatory.

A "building" or "structure" includes any part thereof.

That which is "adjacent" may be separated by some intervening object.

That which is "adjoining" must touch in some part.

That which is "contiguous" must touch entirely on one (1) side."

Section 3.

This Ordinance shall take effect immediately upon its approval and publication as provided by law.

ADOPTED this the 7th day of March, 2016.

Authenticated:


Stacy Gilley

APPROVED this the 9th day of March, 2016.


Don Kyle, Mayor