

CITY COUNCIL OF THE CITY OF LAKE VIEW, ALABAMA

ORDINANCE NO. 0212182024

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
OF THE CITY OF LAKE VIEW, ALABAMA.**

WHEREAS, the City of Lake View, Alabama (the “City”) has adopted the Zoning Ordinance of the City of Lake View, Alabama, Ordinance No. 99-01 as amended over time (the “Zoning Ordinance”) in order to encourage the use of lands and natural resources in the City in accordance with their character and adaptability, to limit the improper use of land, and to provide for the orderly development and growth of the City;

WHEREAS, the Planning Commission of the City of Lake View, Alabama (the “Planning Commission”) desires to amend the Zoning Ordinance as described in **Exhibit A**, attached hereto;

WHEREAS, the Planning Commission has petitioned the City Council of the City of Lake View, Alabama (the “City Council”) to amend the Zoning Ordinance;

WHEREAS, following the satisfaction of any publication or posting requirements provided by the Zoning Ordinance and State law, the Planning Commission considered said Petition at a regularly scheduled meeting, held a public hearing on the proposed amendment, and made advisory recommendations to the City Council concerning the proposed amendment;

WHEREAS, upon receipt of the recommendation of the Planning Commission of the proposed zoning amendment and on behalf of the City Council, the City Clerk gave public notice of a public hearing on the proposed amendment by posting and publishing said notice in accordance with the Zoning Ordinance and applicable State law;

WHEREAS, in accordance with the notice given, the City Council held a public hearing on the proposed amendment on December 12, 2024;

WHEREAS, at its meeting on December 12, 2024, the City Council gave a “first reading” of the proposed amendment;

WHEREAS, the City Council desires to amend the Zoning Ordinance as described in **Exhibit A**, attached hereto;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lake View, Alabama, sitting in special session on Wednesday, December 18, 2024, at 6:00 p.m. as follows:

Section 1. The City Council hereby finds as follows:

- (a) That the public necessity, convenience, safety, general welfare, and good zoning practices warrant the amendment of the zoning regulations as provided herein;

- (b) That following public notice as required by law, on November 21, 2024, the Planning Commission held a public hearing for the consideration of the proposed zoning amendment made herein, and following the public hearing, recommended to the City Council that the proposed zoning amendment made herein be approved;
- (c) That, following public notice as required by law, on December 12, 2024, the City Council held a public hearing for the consideration of the proposed zoning amendment made herein; and
- (d) That following the public hearing, the City Council gave a first reading of the proposed amendment at its subsequent meeting.


Section 2. The Zoning Ordinance of the City of Lake View, Alabama is hereby amended and replaced in its entirety by **Exhibit A** attached hereto.


Section 3. All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Lake View, Alabama, that are inconsistent with the provisions of this Ordinance, including, but not limited to Ordinance No. 99-01 and Ordinance No. 99-11, are hereby expressly repealed.

Section 4. The provisions, sections, paragraphs, sentences, clauses, phrases and parts thereof of this Ordinance are severable, and if any provision, section, paragraph, sentence, clause, phrase, or part thereof of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, then such ruling shall not affect any other provision, section, paragraph, sentence, clause, phrase, or part thereof, since the same would have been enacted by the City Council without the incorporation of any such unconstitutional or invalid provision, section, paragraph, sentence, clause, phrase, or part thereof.

Section 5. This Ordinance shall become effective upon its publication as provided by law.

ADOPTED AND APPROVED this the 18th day of December, 2024.


ADRAIN DUDLEY PhD, MAYOR

ATTEST: 
Tawana Witherspoon, City Clerk

CERTIFICATION OF CITY CLERK

I, Tawana Witherspoon, City Clerk of the City of Lake View, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Lake View, Alabama, on the 18th day of December, 2024.

The above and foregoing Ordinance was published on the ____ day of December, 2024, by posting copies thereof in the following four public places within the City:

1. Lake View City Hall;
2. Club at Lake View;
3. DJ's Food Mart; and
4. Lake View Fire District Building.

Witness my hand and seal of office this 23 day of December, 2024.


Tawana Witherspoon City Clerk



EXHIBIT A