

ORDINANCE NO. 1902

AN ORDINANCE AMENDING SECTION 129-431 OF THE CITY CODE
MODIFYING NOTICING AND PUBLICATION PROVISIONS

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, that Section 129-431 of the City Code is hereby amended as follows:

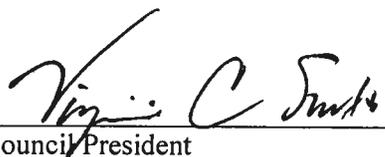
1. **Section 129--431.** “ **Amendments in General.** The number and boundaries of, and the regulations relating to, the districts established by this chapter may be amended, supplemented, or repealed by the city council, but no such amendment, supplement or repeal shall become effective unless it is first submitted to the planning commission for its recommendation. The planning commission shall hold a public hearing for the consideration of any such proposed amendment, supplement or repeal, after giving at least ten days' notice thereof, by posting notice of such hearing in four conspicuous places within the city, or by any other means permitted by applicable law, and shall, after the consideration of such amendment, supplement or repeal at the public hearing, forward its recommendation to the city council. The city council shall hold a public hearing for the consideration of such proposed amendment, supplement or repeal, ~~after giving at least 22 days notice of such public hearing by publication in a newspaper of general circulation within the city, or by any other means permitted by applicable law~~ **after giving notice of such public hearing in accordance with applicable law.** Written notice of public hearings held by the planning commission and by the city council shall be sent, by United States certified mail or registered mail, to all property owners, any portion of whose property lies within 500 feet of any portion of the parcel included in a request for rezoning. For the purpose of such notice, the owner of a parcel shall be considered to be the person who is shown as the owner of such parcel according to the records of the tax assessor of Jefferson County, Alabama. If a public hearing is continued or postponed during the meeting of the planning commission or city council during which such hearing was held or was scheduled to have been held, no notice of such continued or postponed hearing need be given.”

2. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

3. **Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

4. **Effective Date.** This ordinance shall become effective immediately upon adoption and publication as provided by law.

ADOPTED: This 10th day of March, 2014.



Council President

APPROVED: This 10th day of March, 2014.



Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on March 10, 2014, as same appears in the minutes of record of said meeting, and published by posting copies thereof on March 11, 2014, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road
Overton Park, 3020 Overton Road
The Invitation Place, 3150 Overton Road



City Clerk