

**ORDINANCE NO. 1960**

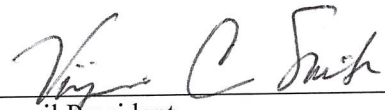
**AN ORDINANCE AMENDING SECTION 129-295 OF THE CITY CODE  
REGARDING OPEN HOUSES, HOME TOURS AND SPECIAL EVENTS  
IN RESIDENTIAL ZONING DISTRICTS**

**BE IT ORDAINED** by the City Council of the City of the City of Mountain Brook, Alabama, that Section 129-295 of the City Code is hereby amended to include subsection (c) as follows:

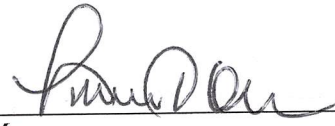
1. **“(c) Open Houses, Home Tours and Special Events.** Open houses, home tours and other special events ("Special Events") wherein a residential premise or part thereof is made open to the general public for a fee, donation or other remuneration for commercial or charitable purposes may be conducted in the residential districts of the city under the conditions specified herein below. Such uses shall also be subject to the same monitoring and enforcement procedures set forth in article XXIII of this chapter (applicable to home occupation).
  - (1) No more than one (1) such Special Event shall be conducted at any one residential premises during any one calendar year.
  - (2) Such Special Event shall be limited in duration to a maximum of six (6) weekend days and eight (8) weekdays, which days must be within an eighteen (18) day period beginning with the first day of the event. For the purposes of this provision, weekend days shall mean Saturday and Sunday and weekday shall mean Monday through Friday.
  - (3) Goods sold at the Special Event shall be limited to inside the premises or the rear yard, and may not be visible from any public street.
  - (4) A permit shall be required for each Special Event for which a fee to help defray the cost of issuing the permit will be charged in accordance with article XXVII of this chapter. Application for such permit, in the form and with all information requested by the city, must be submitted to the City Manager at least thirty (30) days prior to the date upon which the Special Event is scheduled to begin.
  - (5) If, after review of the application, the City Manager determines that the parking or the public rights of way are insufficient to handle anticipated traffic volume for the Special Event, the City Manager may require the use of remote parking areas and shuttle buses or valet services, the engagement of law enforcement officers by the applicant to assist with vehicular traffic or other measures designed to reduce the impact on surrounding properties and the public rights of way in the area.
  - (6) For the purposes of this section, an open house or home tour conducted for the sole purpose of marketing or sale of the residential premises themselves and for which a fee, donation or other remuneration is not collected shall be permitted and shall not be subject to the conditions in this subsection.

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 the 12th day of September, 2016.

  
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Council President

**APPROVED:** This the 12th day of September, 2016.


  
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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 September 12, 2016, as same appears in the minutes of record of said meeting, and published by posting copies thereof on September 12, 2016, 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  
Cahaba River Walk, 3503 Overton Road

  
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City Clerk