

ORDINANCE NO. 2014- 3

AN ORDINANCE TO AMEND ORDINANCE 99-4, ZONING ORDINANCE OF THE CITY OF WETUMPKA, ALABAMA

WHEREAS, there is strong evidence that the health, welfare, safety, and public good of the residents of the City of Wetumpka could be negatively affected by the impacts of certain land uses; and

WHEREAS, the city desires to protect sensitive land uses; now, therefore be it

ORDAINED, by the City Council for the City of Wetumpka, Alabama, that Ordinance No. 99-4, adopted September 2, 1999, be and the same is hereby amended in the following manner:

SECTION 1. Article III shall be amended to include the following definitions:

Deferred Presentment Service. An establishment that engages in deferred presentment transactions as defined by Code of Alabama 1975 §5-18A-2.

Pawnshop. An establishment that engages in the business a pawnbroker as defined by the Code of Alabama 1975 §5-19A-2.

Sexually Oriented Establishment. An establishment providing live performances or that has over 20% of its stock-in-trade in media, paraphernalia, devices, or equipment that depict, describe, or relate to sexual conduct as defined in the Code of Alabama 1975 §13A-12-200.1 or specified anatomical areas described in the Code of Alabama 1975 §13A-12-200.11 for entertainment, medical, scientific, educational, legislative, judicial, or law enforcement purposes.

Section 2. Amend Table 6-1 to include the following uses and permissions:

	Zoning District											
	R1	R2.6	R3	R4	R5	B1	B2	B3	B4	M1	M2	RH
Deferred Presentment Service*	N	N	N	N	N	Y	N	N	N	N	N	N
Pawnshop*	N	N	N	N	N	Y	N	N	N	N	N	N
Sexually Oriented Establishment*	N	N	N	N	N	Y	N	N	N	N	N	N

Section 3. Insert the following:


Section 63.3 Regulated uses. Regulated uses include deferred presentment services, pawnshops, and sexually oriented establishments. Regulated use shall be subject to the following restrictions in addition to the requirements of the zoning district in which they are located:

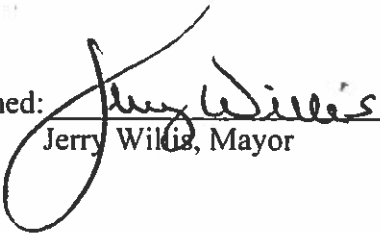
1. No regulated use may be located within 1,000 feet of any single-family detached residence, place of worship, school, park, or daycare center, as measured from any point upon the outside walls of the building or building lease space containing the regulated use to the nearest property line of aforementioned uses.

2. No regulated use may be located within 500 feet of another regulated use or facility containing mechanical or electronic devices, machines, tables or apparatus of any kind used for playing games of skill or amusement, as a primary or accessory use, as measured from any point upon the outside walls of the building or building lease space containing the business to any point upon the outside walls of another regulated use or gaming facility.

SECTION 2. This Ordinance shall become effective immediately upon its adoption and publication as provided by law.

ADOPTED AND APPROVED on this the 17th day of March, 2014.

ATTEST: 
Janice G. Whorton, City Clerk

Signed: 
Jerry Willis, Mayor

CERTIFICATE AS TO PASSAGE

I, THE UNDERSIGNED City Clerk of the City of Wetumpka, Alabama, do hereby certify that the above and foregoing ordinance was duly approved and adopted by the Council of the City of Wetumpka, Alabama, on the 17th day of March, 2014.


Janice G. Whorton, City Clerk

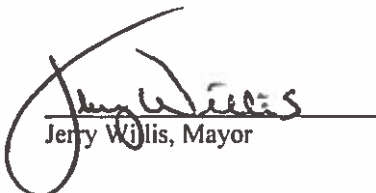
CERTIFICATE AS TO PUBLISHING

I, THE UNDERSIGNED City Clerk of the City of Wetumpka, Alabama, do hereby certify that the above and foregoing ordinance has been published in the *Wetumpka Herald*, Wetumpka, Alabama, as required by law.

Published: Date: March 22, 2014.


Janice G. Whorton, City Clerk

APPROVED:


Jerry Willis, Mayor