
CITY OF CLAY, ALABAMA

PRE-COUNCIL MEETING AGENDA

City Hall Meeting Room - 2441 Old Springville Road

May 12, 2026 @ 6:00 PM

As a matter of convenience, members of the public are invited to listen and observe in public meetings by YouTube video. Presenters and others interested in a particular matter for discussion are encouraged to attend the meeting in-person. The City is not responsible for technical issues that may occur that interfere with the video. The City Council, at its sole discretion, may proceed with its in-person business meeting regardless of whether virtual attendees can hear and/or observe the proceedings. To access the YouTube video, go to www.YouTube.com and search cityofclay in the search bar. Click on the City of Clay logo and then click on "Live" to [view the meeting.](#)

1. Ordinance 2026-05-02: An Ordinance to Annex property located at 5744 Cheryl Drive, Pinson 35126
2. Ordinance 2026-05-03: An Ordinance to Adopt the City's Flood Damage Prevention Ordinance
3. Resolution 2026-05-01: A Resolution Awarding the 2026 Annual Asphalt/Paving Contract
4. Resolution 2026-05-02: A Resolution Awarding the 2026 Annual Labor, Material & Equipment Contract
5. Resolution 2026-05-03: A Resolution to Consider Approval for Alcohol License to Liquor Discount Clay, LLC /dba/ Deerfoot Liquor at 6736 Deerfoot Parkway, Suite 102, Pinson 35126
6. Resolution 2026-05-04: A Resolution to Amend Resolution 2026-25 to Authorize funds for Fireworks Display at Clay City Fest

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 205-680-1223.

CITY OF CLAY, ALABAMA

REGULAR COUNCIL MEETING AGENDA

City Hall Meeting Room - 2441 Old Springville Road

May 12, 2026 @ 6:30 PM

As a matter of convenience, members of the public are invited to listen and observe in public meetings by YouTube video. Presenters and others interested in a particular matter for discussion are encouraged to attend the meeting in-person. The City is not responsible for technical issues that may occur that interfere with the video. The City Council, at its sole discretion, may proceed with its in-person business meeting regardless of whether virtual attendees can hear and/or observe the proceedings. To access the YouTube video, go to www.YouTube.com and search cityofclay in the search bar. Click on the City of Clay logo and then click on "Live" to view the meeting.

CALL TO ORDER

INVOCATION / PLEDGE OF ALLEGIANCE / ROLL CALL

APPROVE COUNCIL MINUTES

1. Pre-Council and Council Minutes from April 21, 2026

APPROVE AGENDAS

2. Meeting Agenda
3. Consent Agenda (Financial)

COMMITTEE REPORTS

4. Mayor Jane Anderton
5. Council member Nathan Thompson
6. Council member Carla Youngblood
7. Council member Chris Nail
8. Council member Joseph "Jody" Harris
9. Council member Orletta Jackson-Rush, Ed.D.

READING OF PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, COMMUNICATIONS, ETC

PUBLIC HEARINGS

10. Ordinance 2026-02: An Ordinance to levy an additional Five (5) mill Ad Valorem Tax with money designated and appropriated for Public Education Purposes
11. Ordinance 2026-05-03: An Ordinance to Adopt the City's Flood Damage Prevention Ordinance

12. ALC-2026-002: Alcoholic Beverage License to Liquor Discount Clay, LLC /dba/ Deerfoot Liquor at 6736 Deerfoot Parkway, Suite 102, Pinson 35126

PUBLIC COMMENTS

ENTER UNANIMOUS CONSENT: CONSENT AGENDA

OLD BUSINESS:

13. Ordinance 2026-05-01: An Ordinance to Reinstate an additional Five (5) mill Ad Valorem Tax with money designated and appropriated for Public Education Purposes

NEW BUSINESS:

14. Ordinance 2026-05-02: An Ordinance to Annex property located at 5744 Cheryl Drive, Pinson 35126
15. Ordinance 2026-05-03: An Ordinance to Adopt the City's Flood Damage Prevention Ordinance
16. Resolution 2026-05-01: A Resolution Awarding the 2026 Annual Asphalt/Paving Contract
17. Resolution 2026-05-02: A Resolution Awarding the 2026 Annual Labor, Material & Equipment Contract
18. Resolution 2026-05-03: A Resolution to Consider Approval for Alcohol License to Liquor Discount Clay, LLC /dba/ Deerfoot Liquor at 6736 Deerfoot Parkway, Suite 102, Pinson 35126
19. Resolution 2026-05-04: A Resolution to Amend Resolution 2026-25 to Authorize funds for Fireworks Display at Clay City Fest

END UNANIMOUS CONSENT

ADJOURNMENT

NEXT CITY COUNCIL MEETING – TUESDAY, May 26, 2026

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 205-680-1223.

City of Clay, Alabama

Pre-Council Meeting Minutes

City Hall Meeting Room – 2441 Old Springville Road
April 21, 2026

CALL PRE-COUNCIL MEETING TO ORDER

Mayor Jane Anderton called the meeting to order at 6:00 p.m.

PRESENT

Mayor Jane Anderton
Council member Nathan Thompson
Council member Carla Youngblood
Council member Chris Nail
Council member Joseph “Jody” Harris
Council member Orletta Jackson-Rush, E.D.

1. Outside Agency Policy

Discussion mirrored previous comments, with concerns expressed regarding the overall purpose of the policy. It was noted that requiring all funding requests to be submitted at one time prior to the budget being set may limit flexibility. Questions were raised about whether any exceptions would be allowed under the policy.

There was general agreement with a “one and done” approach for submissions; however, concern was expressed about unforeseen or “oops” situations. It was suggested that limited flexibility be maintained by allowing exceptions on a case-by-case basis, while still placing responsibility and accountability on the requesting agency.

Additionally, a proposed amendment to Section 7 was discussed. Suggestions included removing the first sentence entirely, revising the language to allow for bi-annual consideration, or modifying the wording to reference “any” appropriation.

2. Procurement Card Users

It was noted that this item was previously discussed at the March 17 Finance Meeting, where the consensus was to maintain current spending limits and monitor usage before making adjustments. Members agreed that 6 to 12 months of data would be necessary to make informed decisions. The approach discussed was to establish a baseline now, conduct a review at 6 months, and reassess again at the 12-month mark.

One member suggested reviewing the previous six months of expenditures to help inform expectations and identify trends.

It was also noted that the current list of procurement card users does not include the Librarian and Assistant Librarian.

Concerns were raised regarding the proposed \$5,000 limit for Council Members, with one member suggesting a lower limit of \$750 would be more appropriate. In contrast, another member noted that higher limits function similarly to insurance, serving as a safety net if needed, even if not regularly used.

3. 5 Mill Ad Valorem Tax

It was noted that this item constitutes the first reading. A public hearing is scheduled to be held at the next meeting on May 12, 2026.

4. Contract with Herbicide Applicators, LLC

Discussion was held regarding a proposed contract with Herbicide Applicators, LLC for services at the DYS property. The contract provides for monthly herbicide applications to address vegetation issues until the property is brought under control.

5. COLA (Cost of Living Adjustment) for City Employees

Discussion was held regarding employee Cost of Living Adjustments (COLAs). It was noted that the current Council, being newly seated, was not initially aware that annual adjustments had historically been implemented at the beginning of April, with the matter coming to attention following employee inquiries.

The Finance Committee has approved a 1% pay increase at this time, with the intent to consider an additional 3% increase at the start of the new budget year. Moving forward, it was proposed that the beginning of each new budget year be the designated time for consideration of any COLAs.

One member suggested excluding new employees from the adjustment. Clarification was also made that any approved COLA would be applied as an adjustment to the pay scale across the board for all eligible employees.

6. Contract with Citizenseve

Discussion was held regarding a proposed contract with CitizenServe. It was noted that, following the recent audit conducted by the Insurance Services Office (ISO) as part of the Building Code Effectiveness Grading Schedule (BCEGS), the City received a poor rating related to record management practices.

The proposed contract with CitizenServe would transition the City from paper-based permitting to a digital permitting system, improving recordkeeping, accessibility, and compliance.

The Finance Committee recommended approval of the contract.

7. Contract with Neumo Group, LLC

8. Set Date for Hearing

ADJOURNMENT

The meeting adjourned into the Council meeting at 6:30 p.m.

Attest:

Jane Anderton, Mayor

Toushi Arbitelle, City Clerk

City of Clay, Alabama

Regular Council Meeting Minutes

City Hall Meeting Room – 2441 Old Springville Road
April 21, 2026

CALL COUNCIL MEETING TO ORDER

Mayor Jane Anderton called the meeting to order at 6:30 p.m.

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

PRESENT

Mayor Jane Anderton
Council member Place 1 – Nathan Thompson
Council member Place 2 – Carla Youngblood
Council member Place 3 – Chris Nail
Council member Place 4 – Joseph “Jody” Harris
Council member Place 5 – Orletta Jackson-Rush

INVOCATION

Mr. Bobby Christmas

PLEDGE OF ALLEGIANCE

Council member Joseph “Jody” Harris

APPROVE COUNCIL MINUTES

Motion to approve Pre-Council and Regular Council Minutes from April 14, 2026, made by Council member Nail, Seconded by Council member Rush. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

APPROVE MEETING AGENDA

The Public Hearing for Ordinance 2026-02 was moved to May 12, 2026. Motion to approve amended April 21, 2026, Meeting Agenda, made by Council member Thompson, Seconded by Council member Harris. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush, and Mayor Anderton.

APPROVE CONSENT AGENDA (Check Register)

Motion to approve April 21, 2026, Consent Agenda (Check Register), made by Council member Thompson, Seconded by Council member Harris. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

COMMITTEE REPORTS

Mayor Anderton

Mayor Anderton reported attending the open house and ribbon cutting at The Pines of Birmingham. She also shared that the City promoted the local high school play.

She noted that materials for the City’s cleanup day are available at City Hall and that brochures for the “Keep Clay Beautiful” initiative have been distributed, with positive participation in several neighborhoods.

Additionally, Mayor Anderton announced that the City has posted a job opening for a Code Enforcement Officer.

Council member Place 1

Council Member Thompson expressed appreciation for the community's attendance. He reported that the Deerfoot Dollar General recently held its grand opening.

He also noted that he will be attending next week's Alabama League of Municipalities Annual Convention in Montgomery, along with Mayor Anderton, Council Member Nail, and Council Member Harris.

Council member Place 2

As Finance Chair, Council Member Youngblood reported that work is underway to develop a detailed budget in order to accurately track revenues and expenditures, noting that the budget approved for the current fiscal year by the previous administration was not fully explained. Adjustments will be necessary to ensure accurate financial reporting.

She also reminded attendees of the upcoming City Fest scheduled for June 27 at the ballpark.

Council member Place 3

Council Member Nail reported that he brought a framed proclamation recognizing the football championship for public display. She noted that he will deliver the proclamation to Dr. Dallas and Coach Floyd.

Council member Place 4

Council Member Harris noted that no representatives from the Police or Fire Departments were present to provide a status update.

He reported an increase in traffic accidents and emphasized the need for continued attention to safe driving practices within the community.

He also provided information regarding the upcoming golf tournament in honor of Rickey Davis, the only Center Point firefighter to lose his life in the line of duty.

Finally, Council Member Harris gave an overview of the City's financial condition and stated that the City remains in stable financial status.

Council member Place 5

Council Member Rush expressed appreciation for the attendance of those present. She provided a brief overview of the earlier quarterly Library Committee meeting held that day.

She announced that the Library is preparing for its summer reading program. She also reported that work is underway on the wiring for the Library's new sign, which is expected to be operational soon.

READING OF PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, or COMMUNICATIONS

There was none.

PUBLIC HEARING

Ordinance 2026-02: An Ordinance to levy an additional Five (5) Mill Ad Valorem Tax with money designated and appropriated for Public Education Program

This item was moved to the May 12, 2026 meeting.

PUBLIC COMMENTS

Ms. Maureen Thompson, had questions regarding the proposed ordinance.

APPROVE CONSENT AGENDA (Resolutions)

Motion to enter unanimous consent and approve Consent Agenda (Resolutions), made by Council member Rush, Seconded by Council member Youngblood. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush, and Mayor Anderton.

OLD BUSINESS

Ordinance 2026-01: An Ordinance to Establish Standards & Requirements for Appropriations to Outside Agencies

Motion to amend Ordinance 2026-01 as was discussed in Pre-Council made by Council member Harris, Seconded by Council member Rush. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Motion to table Ordinance 2026-01 made by Council member Rush, Seconded by Council member Harris. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Resolution 2026-34: A Resolution Authorizing Designated Employees to be issued Procurement Cards and Establishing individual card limits

Motion to remove Resolution 2026-34 from the table made by Council member Harris, Seconded by Council member Rush. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Motion to amend Resolution 2026-34 as was discussed in Pre-Council made by Council member Harris, Seconded by Council member Youngblood. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Motion to approve amended Resolution 2026-34 made by Council member Youngblood, Seconded by Council member Rush. Voting Yea: Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton. Voting Nay: Council member Thompson

NEW BUSINESS

Ordinance 2026-02: An Ordinance

This is the *FIRST READING*. No Action was taken.

Resolution 2026-38: A Resolution Authorizing a Contract with Herbicide Applicators, LLC

Motion to approve Resolution 2026-38 made by Council member Youngblood, Seconded by Council member Thompson. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Resolution 2026-39: A Resolution to Approve FY2026 Cost of Living Adjustment (COLA) for all City Employees

Motion to approve Resolution 2026-39 made by Council member Harris, Seconded by Council member Rush.

Motion to suspend the rules for Resolution 2026-36 made by Council member Thompson, Seconded by Council member Harris. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Motion to approve Resolution 2026-36 made by Council member Harris, Seconded by Council member Nail. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Resolution 2026-40: A Resolution Authorizing an agreement with Online Solutions, LLC /dba/ Citizenserve

Motion to approve Resolution 2026-40 made by Council member Harris, Seconded by Council member Rush. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Resolution 2026-41: A Resolution Authorizing an agreement with Neumo Group, LLC

Motion to approve Resolution 2026-41 made by Council member Harris, Seconded by Council member Rush. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

Resolution 2026-42: A Resolution to set a hearing date

Motion to approve Resolution 2026-42 made by Council member Rush, Seconded by Council member Youngblood. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

END UNANIMOUS CONSENT

Motion to end unanimous consent, made by Council member Thompson, Seconded by Council member Rush. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

ADJOURNMENT

Motion to adjourn made by Council member Thompson, Seconded by Council member Nail. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush, and Mayor Anderton.

The meeting adjourned at 8:05 p.m.

The next Pre-Council Meeting will be held on Tuesday, May 12th, 2026, at 6:00 p.m. at City Hall followed by the City Council meeting at 6:30 p.m.

Attest:

Jane Anderton, Mayor

Toushi Arbitelle, City Clerk

Overtime Report	
04/09/2026 - 04/22/2026	
Departments	OT
Administration	0
Ballpark	1.75
Inspections	
Library	2.25
Public Works	0.75
Senior Center	0

Overtime Report	
04/23/2026 - 05/06/2026	
Departments	OT
Administration	0
Ballpark	1
Inspections	
Library	0
Public Works	0.5
Senior Center	0.5



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20260413113313691



Type License: 011 - LOUNGE RETAIL LIQUOR - CLASS II (PACKAGE)
 990 - TOBACCO AND ALTERNATIVE NICOTINE PRODUCTS

State: \$300.00
 \$150.00

County: \$300.00
 \$0.00

Trade Name: DEERFOOT LIQUOR

Filing Fee: \$100.00

Applicant: LIQUOR DISCOUNT CLAY LLC

Transfer Fee:

Location Address: 6736 DEERFOOT PKWY : STE 102 PINSON AL 35126

Mailing Address:

County: JEFFERSON

Tobacco sales: YES

Tobacco Vending Machines:

Product Type: 01

Type Ownership: LLC

Book, Page, or Document info: 001-243-779

Do you sell Draft Beer?: N/A

Date Incorporated: 03/25/2026

State incorporated: AL

County Incorporated:

Date of Authority:

Federal Tax

Alabama State Sales Tax ID:

Name:	Title:	Date and Place of Birth:	Residence Address:
[REDACTED]	OWNER	[REDACTED]	[REDACTED]

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES



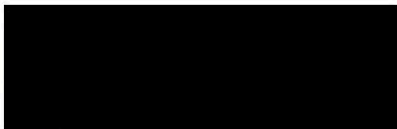
STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20260413113313691



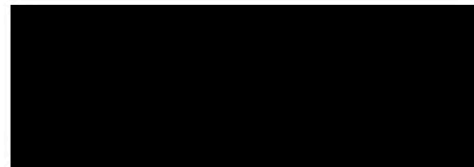
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO



Fax:



PREVIOUS LICENSE INFORMATION:

Trade Name:
Applicant:

Previous Vendor Number:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20260413113313691



If applicant is leasing the property, is a copy of the lease agreement attached? YES

Name of Property owner/lessor and phone number: [REDACTED]

What is lessors primary business? REAL ESTATE

Is lessor involved in any way with the alcoholic beverage business? NO

Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? NO

Is the business used to habitually and principally provide food to the public? NO

Does the establishment have restroom facilities? NO

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? NO

Will the business be operated primarily as a package store? YES

Building Dimensions Square Footage: 1200

Display Square Footage: 1200

Building seating capacity: 0

Does Licensed premises include a patio area? NO

License Structure: SHOPPING CENTER

License covers: OTHER

Number of licenses in the vicinity:

Nearest:

Nearest school:

Nearest church:

Nearest residence:

Location is within: CITY/TOWN LIMITS

Police protection: CITY



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20260413113313691



Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20260413113313691

Signature page

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

N/A

In reference to Special Retail or Special Events retail license, Wine Festival and Wine Festival Participant Licenses, and Food or Beverage Truck Licenses, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

N/A

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

N/A

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business.

Applicant Name (print)

Notary Name

Signature of Applicant

Notary Signature

Commission

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20260413113313691



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members? N/A

Number of paid up members:

Are meetings regularly held? N/A

How often?

Is business conducted through officers regularly elected? N/A

Are members admitted by written application, investigation, and ballot? N/A

Has Agent verified membership applications for each member listed? N/A

Has at least 10% of members listed been confirmed and highlighted? N/A

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members? N/A

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership? N/A

Special Retail

Is it for 30 days or less? N/A

More than 30 days? N/A

Franchisee or Concessionaire of above? N/A

Other valid responsible organization: N/A

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

License Covers: STE 102

**CITY OF CLAY, ALABAMA
ORDINANCE NO. 2026 – 02**

AN ORDINANCE TO LEVY AN ADDITIONAL FIVE (5) MILL AD VALOREM TAX WITHIN THE CORPORATE LIMITS OF THE CITY OF CLAY, ALABAMA; TO PROVIDE FOR THE ASSESSMENT AND COLLECTION THEREOF; TO CREATE A DESIGNATED FUND; TO PROVIDE FOR THE APPROPRIATION OF SUCH FUNDS FOR PUBLIC EDUCATION PURPOSES; AND TO PROVIDE FOR RELATED MATTERS.

WHEREAS, Section 216 of the Constitution of Alabama of 1901, as amended, authorizes municipalities to levy ad valorem taxes within prescribed limits;

WHEREAS, Amendment 373 to the Constitution of Alabama of 1901 (now Section 217 of the Constitution of Alabama of 2022) provides for the classification and assessment of property for ad valorem taxation;

WHEREAS, the Code of Alabama 1975, including Section 11-51-1 et seq., authorizes municipalities to levy and collect taxes for lawful municipal purposes;

WHEREAS, the City Council of the City of Clay, Alabama, has determined that supporting public education serving residents of the City constitutes a valid and lawful public purpose;

WHEREAS, the City Council desires to levy an additional ad valorem tax and to restrict the proceeds thereof for such public purpose, subject to appropriation by the Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAY, ALABAMA, AS FOLLOWS:

SECTION 1. LEVY OF TAX.

There is hereby levied and imposed an additional ad valorem tax of five (5.0) mills on each dollar of taxable property situated within the corporate limits of the City of Clay, Alabama.

SECTION 2. ASSESSMENT AND COLLECTION.

- (a) Assessed on the assessed value of property as determined by the Jefferson County Tax Assessor;**
- (b) Collected by the Jefferson County Tax Collector, or such other official as provided by law; and**
- (c) Due and payable at the same time and in the same manner as other municipal ad valorem taxes.**

SECTION 3. CREATION OF FUND.

There is hereby created a special fund to be known as the 'City of Clay Education Support Fund.' All proceeds shall be deposited into said fund and accounted for separately.

SECTION 4. PURPOSE AND USE OF FUNDS.

Funds shall be used exclusively for public education purposes benefiting residents of the City, including support of public schools, contributions to the Jefferson County Board of Education, and lawful educational expenditures.

SECTION 5. APPROPRIATION BY RESOLUTION REQUIRED.

No funds shall be expended except upon specific appropriation by resolution of the City Council, identifying amount, purpose, and conditions.

SECTION 6. ACCOUNTABILITY AND OVERSIGHT.

Recipients must comply with use restrictions, maintain records, provide reports, and are subject to audit. Misused funds must be repaid.

SECTION 7. NO OBLIGATION CREATED.

Nothing herein creates any obligation to appropriate funds in any fiscal year.

SECTION 8. CODIFICATION.

This Ordinance shall become part of the Code of Ordinances and may be renumbered or relettered as necessary.

SECTION 9. SEVERABILITY.

Invalid provisions shall not affect remaining provisions.

SECTION 10. REPEALER.

Conflicting ordinances are repealed.

SECTION 11. EFFECTIVE DATE.

Effective October 1, 2026.

ADOPTED AND APPROVED on this 12th day of May 2026.

Jane Anderton, Mayor

ATTEST:

Toushi Arbitelle, City Clerk

Yea: ____

Nay: ____

Abstain: ____

Absent: ____

CITY OF CLAY, ALABAMA

ORDINANCE NO. 2026-05-02

ANNEXATION CASE NO. AX2026-05-01

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE BOUNDARY LINE OF THE CITY OF CLAY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF THE CITY CERTAIN TERRITORY IN JEFFERSON COUNTY, ALABAMA, PURSUANT TO SECTIONS 11-42-20 THROUGH 11-42-24, CODE OF ALABAMA 1975.

WHEREAS, Glenda S. Howe (the "Petitioner" and "Owner") has filed a Petition for Annexation with the City of Clay, Alabama, dated May 4, 2026, requesting annexation of certain real property located at 5744 Cheryl Dr, Pinson, Alabama 35126-3403; and

WHEREAS, the Petition represents that the subject property is contiguous to the City of Clay, Alabama, and that no portion of the subject property lies within the corporate limits of another municipality; and

WHEREAS, the City Council considers it to be in the public interest and benefit to approve the Petition and annex the subject property into the corporate limits of the City of Clay.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Clay, Alabama, as follows:

1. The recitals above shall be included herein and incorporated into this Ordinance as if fully set forth.
2. The City Council does hereby determine that the matters set forth in that certain Petition for Annexation submitted by Glenda S. Howe, requesting that certain property be annexed to the City of Clay, are true, and that it is in the public interest and benefit that said property be annexed to the City of Clay.
3. Under the provisions of Sections 11-42-20 through 11-42-24, Code of Alabama 1975, the boundary line of the City of Clay be and the same is hereby altered, extended, and rearranged so as to include within the corporate limits of the City of Clay, and not within the corporate limits of another municipality, the territory more particularly described in Exhibit "A" and shown on the map in Exhibit "B," both attached hereto and made a part hereof.
4. 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. If any part, section, or subdivision of this document, Ordinance, map, or Petition to which it may refer shall be held unconstitutional or invalid as to any portion or territory annexed herein, such holding shall not be construed to impair or invalidate the Ordinance as to the territory not included in or affected by such holding.
5. The Applicant shall be responsible for any and all applicable fees, taxes, fire dues, or other charges associated with this annexation or with the Applicant's Petition for Annexation, and the City of Clay shall not be responsible for the payment of any such fees, dues, taxes, or charges that may become payable upon annexation or thereafter.

6. The City Clerk shall file a certified copy of this Ordinance, together with Exhibit "A," Exhibit "B," and a certified copy of the subject Petition for Annexation, with the Probate Judge of Jefferson County, the Jefferson County Department of Revenue, and any other necessary agencies, and shall cause a copy of this Ordinance to be published according to applicable law.

BE IT FURTHER ORDAINED that the Mayor and City staff shall have the full authority to do those things, perform those functions, and sign necessary documentation in order to carry out the actions authorized herein.

ADOPTED AND APPROVED this the ____ day of _____, 2026.

AYES: _____

NAYS: _____

ABSENT FROM VOTING: _____

ABSTAIN: _____

CITY OF CLAY, ALABAMA

Mayor

Date

ATTEST:

City Clerk

I, _____, City Clerk of the City of Clay, Alabama, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Clay at a regular or special meeting held on the ____ day of _____, 2026.

City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION AND PROPERTY IDENTIFICATION

Annexation Case No.	AX2026-05-01
Owner / Petitioner	Glenda S. Howe
Property Address	5744 Cheryl Dr, Pinson, AL 35126-3403
Parcel ID / Tax ID	09-00-34-1-000-012.000
Subdivision	Cosby Hills Amended Map
Lot	Lot 104
Plat Book / Page	115 / 52
Acreage	0.36 acres, more or less

Legal Description:

Lot 104, Cosby Hills Amended Map, as recorded in Plat Book 115, Page 52, in Jefferson County, Alabama.

Together with all rights, privileges, easements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and subject to any easements, restrictions, and rights-of-way of record.

EXHIBIT "B"

MAP OF SUBJECT PROPERTY

Annexation Case No. AX2026-05-01



CITY OF CLAY, ALABAMA

STAFF REPORT

Petition Annexation Request - 5744 Cheryl Drive

Case No.	AX2026-05-01 (confirm final case number before publication/agenda packet; draft checklist references AX2026-05-02)
Applicant / Owner	Glenda S. Howe
Property Address	5744 Cheryl Drive, Pinson, Alabama 35126-3403
Parcel ID / Tax ID	09-00-34-1-000-012.000
Subdivision / Lot	Cosby Hills Amended Map, Lot 104; Map Book 115, Page 52
Parcel Type	Single parcel in a recorded subdivision; single-parcel/single-ownership petition
Existing Jurisdiction	Unincorporated Jefferson County, Alabama
Existing County Zoning	R-1 Single Family
Closest City of Clay Zoning Classification	R-L - Low Density Single Family District
Current Use	Single-family residential household unit
Approximate Site Area	0.36 acre / 15,682 square feet
Date Petition Received	May 4, 2026

Request

The applicant and property owner, Glenda S. Howe, has filed a petition requesting that the City of Clay annex the property located at 5744 Cheryl Drive into the municipal corporate limits. The request is presented as a petition annexation under Ala. Code §§ 11-42-20 through 11-42-24. The subject property is a single residential parcel in the recorded Cosby Hills Amended Map subdivision and is represented as contiguous to the existing City of Clay corporate limits.

Background and Property Description

The subject property is identified by Jefferson County Parcel ID 09-00-34-1-000-012.000 and is described in the property records as Lot 104, Cosby Hills Amended Map, Map Book 115, Page 52. The parcel is improved with one single-family residence. The petition materials identify the property as the applicant's principal residence, with one house, one resident, and one resident over the age of 18.

The parcel record lists the property type/land use as residential household units, with approximately 1,296 square feet of living area, one story, three bedrooms, two bathrooms, and a 1979 construction year. The property record also identifies the lot as approximately 0.36 acre, with a lot size of approximately 15,682 square feet and lot dimensions of approximately 75 feet by 198.6 feet, irregular.

Existing and Corresponding Zoning

Existing County Zoning	R-1 Single Family, unincorporated Jefferson County
Existing Use	Single-family residential
Corresponding City Classification	R-L - Low Density Single Family District
Staff Zoning Analysis	The existing single-family residential use and Jefferson County R-1 designation are generally consistent with the City of Clay R-L low-density single-family classification identified by staff.

Annexation Review Findings

Review Item	Finding	Staff Comment
Owner Petition	Appears satisfied	The petition is signed by Glenda S. Howe, identified as the owner/applicant.
Single Parcel / Ownership	Appears satisfied	The petition identifies the property as a single parcel under single ownership.
Contiguity	Appears satisfied	Staff has represented that the subject property is contiguous to the City of Clay. The packet includes maps showing the parcel adjacent to City limits.
Recorded Subdivision	Appears satisfied	The parcel is identified as Lot 104 of Cosby Hills Amended Map, Map Book 115, Page 52.
Legal Description	Included	The submitted materials identify the legal description as Lot 104, Cosby Hills Amended Map 115/52.
Map / Location Exhibit	Included	The packet includes LocalLook and parcel/location maps showing the property and surrounding City of Clay boundary context.
Existing Jurisdiction and Zoning	Documented	The property is in unincorporated Jefferson County and is zoned R-1 Single Family.
Municipal Zoning Match	R-L indicated	The City of Clay zoning classification most closely matching the existing county residential zoning and use is R-L - Low Density Single Family District.
Other Municipality	To be verified	The petition states that none of the property lies within the corporate limits of another municipality. Staff should confirm police-jurisdiction and corporate-limit status before final action.

Review Item	Finding	Staff Comment
City Attorney Review	Required before final action	The ordinance, petition, legal description, map, publication, and probate filing should be reviewed by the City Attorney.

Staff Analysis

Land Use Compatibility

The annexation would bring an existing single-family residential parcel into the City of Clay. The existing use is compatible with the R-L - Low Density Single Family District classification identified by staff as the most comparable City zoning district. The proposed annexation is not expected to create a new nonresidential use or introduce an incompatible land-use pattern.

Subdivision and Parcel Status

The property is a single parcel located within the recorded Cosby Hills Amended Map subdivision. The parcel is identified as Lot 104 and is not presented as a multiple-parcel annexation or as an unrecorded division. Based on the materials submitted, the annexation request may proceed as a single-parcel petition annexation, subject to legal review and verification of ownership and map/legal description sufficiency.

Public Services and Administration

Following annexation and publication of the ordinance, City staff should update the official City limits map, GIS layers, zoning map, address/jurisdiction records, permitting and inspection jurisdiction records, emergency response records, and relevant tax/revenue records. The City Clerk should complete publication, filing, recording, and notice tasks consistent with the annexation checklist and City Attorney direction.

Staff Recommendation

Staff recommends APPROVAL of the petition annexation request for the property located at 5744 Cheryl Drive, Parcel ID 09-00-34-1-000-012.000, subject to final City Attorney review, confirmation of the final case number, confirmation of contiguity and corporate-limit/police-jurisdiction status, and completion of all ordinance, publication, probate filing, GIS, zoning map, and notice requirements.

Suggested Motion

Recommended approval motion: I move to recommend approval of the petition annexation request for the property located at 5744 Cheryl Drive, identified as Parcel ID 09-00-34-1-000-012.000, and to forward the annexation ordinance to the City Council for consideration, subject to final review by the City Attorney and completion of all required publication, recording, mapping, and notice requirements.

Alternative denial motion: I move to recommend denial of the petition annexation request for the property located at 5744 Cheryl Drive, identified as Parcel ID 09-00-34-1-000-012.000, for the reasons stated in the record.

Required Next Steps After Approval

- Finalize and confirm ordinance number, case number, adoption date, vote totals, and signatures.
- Attach final Exhibit A legal description and Exhibit B map to the ordinance.
- Publish the adopted ordinance in accordance with applicable law.
- File the required property description and certified documents with the Jefferson County Probate Judge.

- Notify Jefferson County revenue/tax offices, GIS, 911/emergency dispatch, public safety, zoning/building staff, and other agencies identified by the checklist.
- Update City limits, zoning, permitting, public safety, and address/jurisdiction records.
- Send applicant closeout notice with ordinance, publication/effective date, and recording information when available.

Attachments / Source Materials Reviewed

- City of Clay Petition Annexation Checklist for this case.
- Petition for Annexation to the City of Clay signed by Glenda S. Howe, dated May 4, 2026.
- LocalLook property record and location/contiguity maps for 5744 Cheryl Drive.
- Jefferson County parcel/tax record for Parcel ID 09-00-34-1-000-012.000.
- Subdivision plat reference for Cosby Hills Amended Map, Map Book 115, Page 52.
- Alabama Code § 11-42-21 and related unanimous-consent annexation procedure references.

Draft for internal staff use. This report is not a legal opinion and should be reviewed by the City Attorney before final Council action.

CITY OF CLAY, ALABAMA

Petition Annexation Checklist

For unanimous-consent annexations under Ala. Code §§ 11-42-20 through 11-42-24

Case No.	AX2026-05-02	Property Address	5744 Cheryl Dr Pinson, AL 35216
Parcel ID / Tax ID	090034100012.000	Applicant / Owner	Howe, Glenda S.
Date Received	05/04/2026	Staff Contact	

Staff note: Use this checklist as an internal processing aid. Have the City Attorney review the final petition, legal description, map, and ordinance package before Council action.

Legal Anchor

For this type of petition annexation, Ala. Code § 11-42-21 generally requires all owners of the property to sign and file a written petition with the city clerk; the property must be contiguous to the municipality; the governing body must adopt an ordinance assenting to annexation; and the annexation becomes effective upon publication of the ordinance. The petition package should include an accurate property description, a map showing the property's relationship to the municipal limits, and owner signatures.

The City of Clay petition form also requires applicant/property information, a legal description and parcel identification, and attachments such as a map or survey, legal description, and recorded subdivision plat or metes-and-bounds documentation.

1. Intake / Application File

- Assign annexation case number: AX20__-__-__.
- Date petition received: _____.
- Received by: _____.
- Applicant name: _____.
- Applicant mailing address: _____.
- Daytime phone: _____.
- Email: _____.
- Property address: _____.
- Jefferson County parcel ID / tax ID: _____.
- Current owner of record verified through county tax / revenue records.
- Confirm whether property is a single parcel or multiple parcels.
- Confirm whether ownership is single ownership, multiple owners, entity ownership, trust, estate, or other.
- Create physical and/or digital annexation file.
- Save petition, exhibits, tax records, correspondence, agenda materials, ordinance, proof of publication, and recording confirmations in the file.

2. Petition Completeness Review

- Petition is addressed to the City of Clay, Alabama.
- Petition cites annexation authority under Ala. Code §§ 11-42-20 through 11-42-24.
- Petition clearly requests annexation into the City of Clay.
- General description of property is provided.
- All parcels proposed for annexation are identified.
- Applicant has provided legal description for the entire subject property.
- Parcel ID / tax ID is included.
- Applicant has provided map, survey, or parcel map.

Draft staff checklist - subject to City Attorney review.

- Map shows the subject property in relation to the current City of Clay corporate limits.
- Recorded subdivision plat, lot/block reference, or metes-and-bounds description is attached where applicable.
- Electronic legal description / metes-and-bounds file received, if needed for ordinance preparation or GIS review.
- Applicant has completed property information section, including residence status, number of buildings, houses, manufactured homes, other buildings, and residents.
- Applicant certification is signed and dated.

3. Ownership / Signature Verification

The Alabama League of Municipalities guidance recommends careful verification when the signer is not the assessed owner, when ownership is held by a corporation or entity, and when life estate/remainder interests may be involved.

- Confirm all owners of record have signed the petition.
- Confirm signatures match owners shown in county tax / deed records.
- If property is jointly owned, confirm all joint owners signed.
- If property is owned by spouses or held by survivorship deed, confirm both spouses signed where applicable.
- If property is owned by an LLC, corporation, church, trust, estate, or other entity, obtain proof of signing authority.
- If owner name on petition differs from tax/deed records, obtain supporting documentation.
- If life estate, remainder interest, mineral estate, or other separate ownership interest appears, flag for legal review.
- Verify petitioner initials or acknowledgments required by Clay petition form are complete.
- Confirm notary acknowledgment is included if required for the petition package or recording.

4. Eligibility / Boundary Review

- Confirm property is contiguous to the current City of Clay corporate limits.
- Confirm property is not already inside another municipality's corporate limits.
- Review whether property lies in another municipality's police jurisdiction or overlapping police jurisdiction.
- If overlapping police jurisdiction applies, determine whether equidistant-boundary issues or consent resolutions from other municipalities are required.
- Confirm annexation does not rely on improper "long-lasso" contiguity.
- Confirm any corridor or right-of-way annexation issue is reviewed by the City Attorney.
- Confirm the proposed annexation area is accurately shown on City GIS.
- Confirm current county zoning. **R-1**
- Determine proposed City of Clay zoning classification or default zoning treatment.
- Determine whether Planning and Zoning review is required before Council action.
- Confirm whether property is residential, commercial, vacant, agricultural, institutional, or other use.
- Confirm public street / road maintenance implications.

5. Staff Review Package

- Prepare staff summary for Mayor / Council.
- Include applicant name.
- Include property address.
- Include parcel ID.
- Include acreage or lot size.
- Include current use.
- Include current county zoning.
- Include proposed City zoning, if applicable.
- Include contiguity explanation.
- Include map showing property and City limits.
- Include legal description.
- Include recommendation or staff comments.
- Route to City Attorney for review.
- Route to zoning / planning staff for review.

- Route to GIS / mapping contact for boundary confirmation.
- Route to Public Works, Fire, Police, and other affected departments as needed.
- Confirm whether any fire district dues, service changes, tax implications, or municipal service issues should be addressed.

6. Ordinance Preparation

- Draft ordinance assenting to annexation.
- Ordinance title references annexation of property into the City of Clay, Alabama.
- Ordinance cites Ala. Code §§ 11-42-20 through 11-42-24.
- Recitals state that petition was filed with the City.
- Recitals state that the property is contiguous to the City of Clay.
- Recitals state that the property is not within another municipality's corporate limits.
- Recitals state that all owners signed the petition.
- Ordinance states Council assents to annexation.
- Ordinance states corporate limits are extended and rearranged to include the property.
- Ordinance includes severability clause.
- Ordinance authorizes Mayor, City Clerk, and staff to perform necessary follow-up actions.
- Exhibit "A" attached: legal description.
- Exhibit "B" attached: map.
- Petition attached or incorporated as supporting document.
- Ordinance reviewed by City Attorney.
- Ordinance placed on Council agenda.

7. Council Action

- Council meeting date: _____.
- Agenda item prepared.
- Staff report included in packet.
- Petition included in packet.
- Legal description included in packet.
- Map included in packet.
- Ordinance included in packet.
- Public comments or hearing handled if required by City procedure.
- Council votes on ordinance.
- Record vote: Ayes ____; Nays ____; Absent from voting ____; Abstain ____.
- Mayor signs ordinance.
- City Clerk attests ordinance.
- City Clerk certifies adoption.

8. Publication / Effective Date

Ala. Code § 11-42-21 states that, after the required petition and ordinance process, the property becomes part of the municipal corporate area upon publication of the ordinance.

- Ordinance submitted for publication according to applicable law.
- Publication date confirmed: _____.
- Proof of publication obtained and filed.
- Effective annexation date entered as publication date, unless City Attorney advises otherwise.

9. Recording / Required Filings

Ala. Code § 11-42-21 requires the governing body to file a description of the annexed property in the office of the county judge of probate.

- Certified ordinance prepared.

- Certified legal description attached.
- Certified map attached.
- Certified petition attached, if required.
- File property description / annexation documents with Jefferson County Probate Judge.
- Confirm recording information: Instrument number _____; Book/Page _____; Recording date _____.
- Save recorded copy in annexation file.

10. Post-Annexation Notifications

The Alabama League of Municipalities recommends notifying affected federal, state, county, and local offices after annexation, including the State Legislative Reapportionment Office within seven days of final action with census block information.

- Jefferson County Probate Office.
- Jefferson County Department of Revenue / tax assessor / tax collector.
- Jefferson County Commission, if applicable.
- Jefferson County Board of Registrars.
- Alabama Legislative Reapportionment Office within seven days of final action, including census block information.
- Alabama Department of Revenue divisions, as applicable.
- Alabama ABC Board, if boundary change may affect licensing jurisdiction.
- State Treasurer / State Comptroller, if applicable.
- Fire district or fire service provider.
- School district contact, if applicable.
- Utility providers, if applicable.
- Emergency dispatch / 911 addressing.
- City GIS / mapping.
- City zoning map administrator.
- City Clerk records.
- Police department.
- Fire department.
- Public Works.
- Building / inspections.
- Revenue / business license staff, if commercial property.

11. Internal City Updates

- Update official City limits map.
- Update GIS parcel layer.
- Update zoning map.
- Update address database.
- Update permitting / inspection jurisdiction records.
- Update police jurisdiction / service area records.
- Update fire response records.
- Update business license jurisdiction, if applicable.
- Update garbage / sanitation service records, if applicable.
- Update road maintenance responsibility list, if applicable.
- Add property to annexation index / log.

12. Applicant Closeout

- Send applicant confirmation letter or email.
- Include ordinance number.
- Include adoption date.
- Include publication / effective date.

- Include recording information, if available.
- Provide copy of adopted ordinance.
- Provide zoning or service information, if applicable.
- Note any next steps for permits, zoning, address, taxes, garbage service, or municipal services.
- Mark case closed after all filings and notifications are complete.

13. Final File Audit

- Completed petition.
- Owner verification.
- Legal description.
- Map / survey.
- Staff report.
- City Attorney review.
- Council agenda item.
- Adopted ordinance.
- Signed ordinance.
- Clerk certification.
- Proof of publication.
- Probate recording confirmation.
- Required notices sent.
- GIS / zoning map updated.
- Applicant closeout sent.
- Digital file saved.
- Physical file archived, if applicable.

Sources / Reference Notes

- [] [Ala. Code § 11-42-21, Annexation Proceedings](https://law.justia.com/codes/alabama/title-11/title-2/chapter-42/article-2/section-11-42-21/) (https://law.justia.com/codes/alabama/title-11/title-2/chapter-42/article-2/section-11-42-21/)
- [] [Alabama League of Municipalities, Annexation and De-annexation of Municipal Property](https://almonline.org/Assets/Files/53.%20Annexation-and-De-annexation-of-Municipal-Property_REVISED-01-2026.pdf) (https://almonline.org/Assets/Files/53.%20Annexation-and-De-annexation-of-Municipal-Property_REVISED-01-2026.pdf)
- [] City of Clay Petition for Annexation form and application packet; use the City's current form and attachment requirements for each case.

Disclaimer: This checklist is an administrative aid and does not constitute legal advice. Confirm all statutory requirements, publication requirements, filing requirements, and notice obligations with the City Attorney for each annexation file.

PETITION FOR ANNEXATION

to

City of Clay, Alabama

2441 Old Springville Road, Birmingham, AL 35215

205-680-1223 (office), 205-681-6266 (fax)

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

Applicant Name	Glenda S Howe
Applicant Address	5744 Cheryl Dr, Pinson AL
Daytime Telephone	309-472-0466
Email	Howe.Glenda@gmail.com

Applicant must attach a legal description and parcel identification number covering the entire subject property. All metes and bounds descriptions must be supplied in a compatible electronic format (Microsoft Word).

GENERAL DESCRIPTION OF PROPERTY (Include Acreage, Subdivision Name, Lot Number, etc.):

Single family home

Property Information

Ownership Configuration: single parcel/single ownership multi- ple parcels/single ownership
 single parcel/multiple ownership multiple parcels/multiple ownership

Is this property your principal residence? Yes No

Total number of buildings on subject property: 1

Number of houses 1 Number of manufactured homes _____ Number of other buildings _____

Total number of persons living on subject property: 1 Number of persons over 18: 1

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge.

Applicant's Signature: Glenda S Howe

Print Name: Glenda S Howe Date: 5/4/2026

---OFFICE USE ONLY---	
Case Number	
Planning and Zoning Hearing Date:	City Council Hearing Date:
County Zoning:	Clay Zoning:
Received By	Date Received

MAY 4 PM 3:46
RECEIVED - CITY OF CLAY

To The City of Clay, Alabama:

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City of Clay this written petition requesting that our property as described be annexed to the City of Clay, Alabama, under authority of §11-42-20 through §11-42-24, Code of Ala. 1975.

We further certify that said property is contiguous to the city limits of the City of Clay, Alabama, and that none of the property lies within the corporate limits of another municipality. A map and written legal description of said property is hereto attached.

Initials: gsh
Initials: _____
Initials: _____

Furthermore we certify that we fully understand that, following annexation, the subject property shall be subject to all laws and codes administered by the City of Clay, including but not limited to, the zoning code, the subdivision regulations, and the municipal code of the City of Clay.

Initials: gsh
Initials: _____
Initials: _____

We do hereby request that the City give such notice, hold such hearings, and adopt such ordinance and do all such things or acts as is required by laws so that the corporate limits of the City of Clay, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the _____ day of _____, 20_____.

Names and Signatures of ALL property owners:

Signature: Glenda S Howe

Print Name: Glenda S Howe

Signature: _____

Print Name: _____

Signature: _____

Print Name: _____

- Map or Survey Attached
- Legal Description Attached
- Recorded Subdivision Plat Attached (or Metes and Bounds in electronic format)

Any property which is found to have been divided in violation of the City of Clay subdivision regulations in effect at the time of said division, will be required to be legally subdivided in accordance with the current regulations prior to, or concurrent with, this petition.

LOCATION

Property Address 5744 Cheryl Dr
Pinson, AL 35126-3403

Subdivision Cosby Hills Amended Map

County Jefferson County, AL

PROPERTY SUMMARY

Property Type Residential

Land Use Household Units

Improvement Type Household Units

Square Feet 1296

GENERAL PARCEL INFORMATION

Parcel ID/Tax ID 09-00-34-1-000-012.000

Alternate Parcel ID

Account Number 221746

District/Ward County

Opportunity Zones No

2020 Census Trct/Bik 111.10/2

Assessor Roll Year 2025



CURRENT OWNER

Name Howe Glenda S

Mailing Address 5744 Cheryl Dr
Pinson, AL 35126-3403

SCHOOL ZONE INFORMATION

Clay Elementary School 1.7 mi
Elementary: K to 5 Distance

Clay-Chalkville Middle School 1.9 mi
Middle: 6 to 8 Distance

Clay-Chalkville High School 1.6 mi
High: 9 to 12 Distance

SALES HISTORY THROUGH 03/20/2026

Date	Amount	Buyer/Owners	Seller	Instrument	No. Parcels	Book/Page Or Document#
2/28/2020	\$147,900	Howe Glenda S	Soblaban Rae E	Warranty Deed		2020021813
6/27/1991		Soblaban Rae E				4054/209

TAX ASSESSMENT

Appraisal	Amount	Assessment	Amount
Appraisal Year	2025	Assessment Year	2025
Appraised Land	\$50,000	Assessed Land	
Appraised Improvements	\$141,000	Assessed Improvements	
Total Tax Appraisal	\$191,000	Total Assessment	\$19,100
		Exempt Amount	
		Exempt Reason	

TAXES

Tax Year	City Taxes	County Taxes	Total Taxes
2025			\$1,269.91
2024			\$1,249.91
2023			\$903.91

2022	\$868.84
2021	\$658.42
2020	\$514.13
2019	\$514.13
2018	\$479.06
2017	\$479.06
2016	\$479.06
2015	\$479.06
2014	\$456.02
2013	\$472.05
2012	\$476.56

MORTGAGE HISTORY

Date	Loan Amount	Borrower	Lender	Book/Page or Document#
02/28/2020	102,900	Howe Glenda S	Progress Bank And Trust	2020021814
04/13/2012	45,813	Soblaban Rae E	Jp Morgan Chase Bank	201213/3927
04/11/2002	63,500	Soblaban Rae E	Chase Manhattan Bank	200205/5945 200205/5945

PROPERTY CHARACTERISTICS: BUILDING

Building # 1					
Type	Household Units	Condition			Units
Year Built	1979	Effective Year	1979	Stories	1
BRs	3	Baths	2 F H	Rooms	5
Total Sq. Ft.	1,296				
Building Square Feet (Living Space)			Building Square Feet (Other)		
Main Level 1080			Open Porches 24		
			Open Porches 120		
			Basement Unfinished 576		
			Basement Finished 432		

- CONSTRUCTION

Quality		Roof Framing	Hip-Gable
Shape		Roof Cover Deck	Asphalt Shingles
Partitions		Cabinet Millwork	
Common Wall		Floor Finish	Hardwood
Foundation	Wood Subfloor	Interior Finish	Drywall(Sheetrock)
Floor System		Air Conditioning	
Exterior Wall	Hardboard-Lap	Heat Type	Heat/Ac Fha/Ac
Structural Framing		Bathroom Tile	
Fireplace	Y	Plumbing Fixtures	

- OTHER

Occupancy	Building Data Source
-----------	----------------------

PROPERTY CHARACTERISTICS: EXTRA FEATURES

No extra features were found for this parcel.

PROPERTY CHARACTERISTICS: LOT

Land Use	Household Units	Lot Dimensions	75 X 198.6 IRR
Block/Lot	/104	Lot Square Feet	15,882
Latitude/Longitude	33.690818°/-86.629751°	Acreage	0.36

PROPERTY CHARACTERISTICS: UTILITIES/AREA

Gas Source	Natural	Road Type	Paved Curb And Gutter
Electric Source	None	Topography	Rolling
Water Source	Public	District Trend	
Sewer Source		Special School District 1	099
Zoning Code	R1	Special School District 2	
Owner Type			

LEGAL DESCRIPTION

Subdivision	Cosby Hills Amended Map	Plat Book/Page	115/52
Block/Lot	/104	District/Ward	County
Description	Lot 104 Cosby Hills Amended Map 115/52		

FEMA FLOOD ZONES

Zone Code	Flood Risk	BFE	Description	FIRM Panel ID	FIRM Panel Eff. Date
X	Minimal		Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level.	01073C0234J	03/21/2019



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Information Deemed Reliable But Not Guaranteed.

PARCEL #: 09 00 34 1 000 012.000
OWNER: HOWE GLENDA S
ADDRESS: 5744 CHERYL DR PINSON AL 35126
LOCATION: 5744 CHERYL DR PINSON AL 35126

[111-C+] Baths: **2.0** H/C Sqft: **1,296**
01-008.0 Bed Rooms: **3** Land Sch: **G5**
 Land: **50,000** Imp: **141,000** Total: **191,000**
 Acres: **0.000** Sales Info: **02/28/2020 \$147,900**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2025 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 2021
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$191,000.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$50,000
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
 BLDG 001 111 \$141,000

TOTAL MARKET VALUE [APPR. VALUE: \$191,000]: \$191,000

Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$19,100	\$124.15	\$4,000	\$26.00	\$98.15
COUNTY	3	2	\$19,100	\$257.85	\$2,000	\$27.00	\$230.85
SCHOOL	3	2	\$19,100	\$156.62	\$0	\$0.00	\$156.62
DIST SCHOOL	3	2	\$19,100	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$19,100	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$19,100	\$97.41	\$0	\$0.00	\$97.41
SPC SCHOOL2	3	2	\$19,100	\$320.88	\$0	\$0.00	\$320.88

TOTAL FEE & INTEREST: (Detail) \$366.00

ASSD. VALUE: \$19,100.00

\$956.91

GRAND TOTAL: \$1,269.91

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
2020021813	2/28/2020
4054-209	06/27/1991

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
1/6/2026	2025	HOWE GLENDA S	\$1,269.91
1/17/2025	2024	GLENDA S HOWE	\$1,249.91
1/9/2024	2023	HOWE GLENDA S	\$1,278.91
12/7/2022	2022	CORELOGIC	\$873.84
12/9/2021	2021	CORELOGIC	\$663.42
12/8/2020	2020	CORELOGIC, INC.	\$519.13
12/10/2019	2019	CORELOGIC	\$519.13
12/7/2018	2018	CORELOGIC INC	\$484.06
11/17/2017	2017	CORE LOGIC INC	\$484.06

11/21/2016	2016	CORELOGIC	\$484.06
12/1/2015	2015	CORELOGIC INC	\$484.06
12/2/2014	2014	CORELOGIC INC	\$461.02
11/19/2013	2013	CORELOGIC INC	\$477.05
11/21/2012	2012	CORELOGIC INC	\$476.56
20111216	2011	***	\$484.06
20101201	2010	***	\$484.16
20091207	2009	***	\$484.06
20081120	2008	***	\$495.60
20071117	2007	***	\$495.60
20061202	2006	***	\$487.58
20051119	2005	***	\$461.53
20041120	2004	***	\$439.97
20031122	2003	***	\$394.88
20021103	2002	***	\$341.29
20011116	2001	***	\$341.29
20001118	2000	***	\$341.29
19991208	1999	***	\$341.29
19981108	1998	***	\$249.55
19971127	1997	***	\$249.55
19961116	1996	***	\$244.55

This instrument was prepared by:
SOUTH OAK TITLE TRUSSVILLE, LLC
5582 APPLE PARK DRIVE
BIRMINGHAM, ALABAMA 35125

Send Tax Notice To:
GLENDA S. HOWE
5744 CHERYL DRIVE
PINSON, ALABAMA 35126

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON) GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of ONE HUNDRED FORTY SEVEN THOUSAND NINE HUNDRED DOLLARS & 00/100 (\$147,900.00) AND ALL GOOD AND VALUABLE CONSIDERATION; the amount of which is verified in the contract between the parties hereto; to the undersigned GRANTOR in hand paid by GRANTEE the receipt whereof is hereby acknowledged, I, RAE E. SOBLABAN, an unmarried woman, whose address is 5744 Cheryl Dr Pinson AL 35126, (hereinafter referred to as GRANTOR), does hereby grant, bargain, sell and convey unto GLENDA S. HOWE, whose address is 5744 Cheryl Drive, Pinson, Alabama 35126, (hereinafter referred to as GRANTEE), his heirs and assigns, the following described Real Estate, lying and being in the County of JEFFERSON, State of Alabama, with an address of 5744 Cheryl Drive, Pinson, Alabama 35126, to-wit:

LOT 104, ACCORDING TO THE AMENDED MAP OF COSBY HILLS, AS RECORDED IN MAP BOOK 115, PAGE 52, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

\$102,900.00 of the above recited purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

SUBJECT TO: (1) Taxes for the year 2020, and subsequent years. (2) Easements, restrictions, reservations, rights-of-way, limitations, covenants and conditions of record, if any. (3) Mineral and mining rights not owned by the Grantors, if any.

TO HAVE AND TO HOLD to the said GRANTEE, her heirs and assigns.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenant with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTOR is lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as herein above set forth, and that GRANTOR will, and GRANTOR'S heirs, executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTOR has hereunto set her hand and seal this the 28th day of February, 2020.

Rae E Soblaban (SEAL)
RAE E. SOBLABAN

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that RAE E. SOBLABAN, an unmarried woman, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance she signed her name voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 28th day of February, 2020.

[Signature]
Notary Public
My Commission Expires: 11/3/2020



2690

THIS SUBDIVISION APPROVED SUBJECT TO APPROVAL OF INDIVIDUAL PLOT PLANS TO BE SUBMITTED TO THE JEFFERSON COUNTY DEPARTMENT OF HEALTH. ALL LOTS IN THIS SUBDIVISION INDICATED BY A * ARE TO BE HELD FOR INDIVIDUAL APPROVAL BY THE JEFFERSON COUNTY DEPARTMENT OF HEALTH AFTER CONSTRUCTION OF STORM DRAINAGE.

NORTHEAST CORNER OF SECTION 34 - T15S - R1W



AMENDED MAP *

COSBY HILLS

SITUATED IN THE NORTH HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER : SECTION 34 - TOWNSHIP 15 SOUTH - RANGE 1 WEST. JEFFERSON COUNTY, ALABAMA.

WE THE UNDERSIGNED, JOHN C. GUSTIN III AS SURVEYOR AND DENNIE W. SHIRLEY AS PRESIDENT OF VULCAN DEVELOPERS, INC. AS OWNER, HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT MAP OR PLAN OF COSBY HILLS, GIVING THE NUMBER OF EACH LOT, TOGETHER WITH THE DIMENSIONS AND ANGLES OF SAME, SHOWING THE NAME, WIDTH, AND LENGTH OF EACH STREET, AVENUE, ALLEY OR OTHER PUBLIC WAY, AND SHOWING THE RELATIONSHIP OF SAID SUBDIVIDED LAND TO THE ADJOINING PROPERTIES AND TO THE GOVERNMENT SURVEY, LYING AND BEING SITUATED IN THE NORTH HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34 - TOWNSHIP 15 SOUTH - RANGE 1 WEST.

IN WITNESS WHEREOF, WE HERETO SET OUR NAMES ON THIS THE 30th DAY OF MARCH, 1978



NOTE: All Easements in this Subdivision are 10m Easements (except those shown otherwise). Unless noted otherwise. All Easements in this Subdivision are for Public Utilities, Sanitary Sewers, and Storm Drainage, and may be used for such purposes to serve property both within and without this Subdivision.



STATE OF ALABAMA
JEFFERSON COUNTY
I, JAMES W. MURPHY, a Notary Public in and for said County in said State, do hereby certify that JOHN C. GUSTIN III, whose name as Surveyor is signed to the foregoing Certificate and is known to me, and DENNIE W. SHIRLEY, whose name as President of Vulcan Developers, Inc. is also signed to the foregoing Certificate and is also known to me, acknowledge before this date that being informed of the contents of said Certificate, did execute the same on the day same bears date.
GIVEN UNDER MY HAND AND SEAL ON THIS THE 30th DAY OF MARCH, 1978

ALSO PAUL SWANE (AS PRESIDENT OWNER OF LOTS 44-46, 104-110)

APPROVED: *[Signature]* 30th day of Aug. 1977
JEFFERSON COUNTY ENGINEER

APPROVED: *[Signature]* 30th day of Aug. 1977
JEFFERSON COUNTY ENGINEER

APPROVED: *[Signature]* 30th day of Aug. 1977
JEFFERSON COUNTY ENGINEER

APPROVED: *[Signature]* 30th day of Aug. 1977
JEFFERSON COUNTY ENGINEER

BETHEL W. WHITSON COMPANY, INC.
810 MASSEY BLDG.
BIRMINGHAM, AL 35205
PHONE 291-0154

JOHN C. GUSTIN III
Surveyor
Alabama Registration #79323

DENNIE W. SHIRLEY
President
Vulcan Developers, Inc.

* APPROVED MARCH 1, 1978 AS FOLLOWS:
1. CORRECTED RECORD, THE SAME, LOT 77.
2. CORRECTED RECORD & CORRECTION, LOT 78, 80 & 81.
3. CORRECTION OF ERROR IN LOT LINE, LOT 79, TO BE CORRECTED.
4. RECORD OF ORIGINAL SUBDIVISION, RECORD NUMBER 20, 1977-1978.

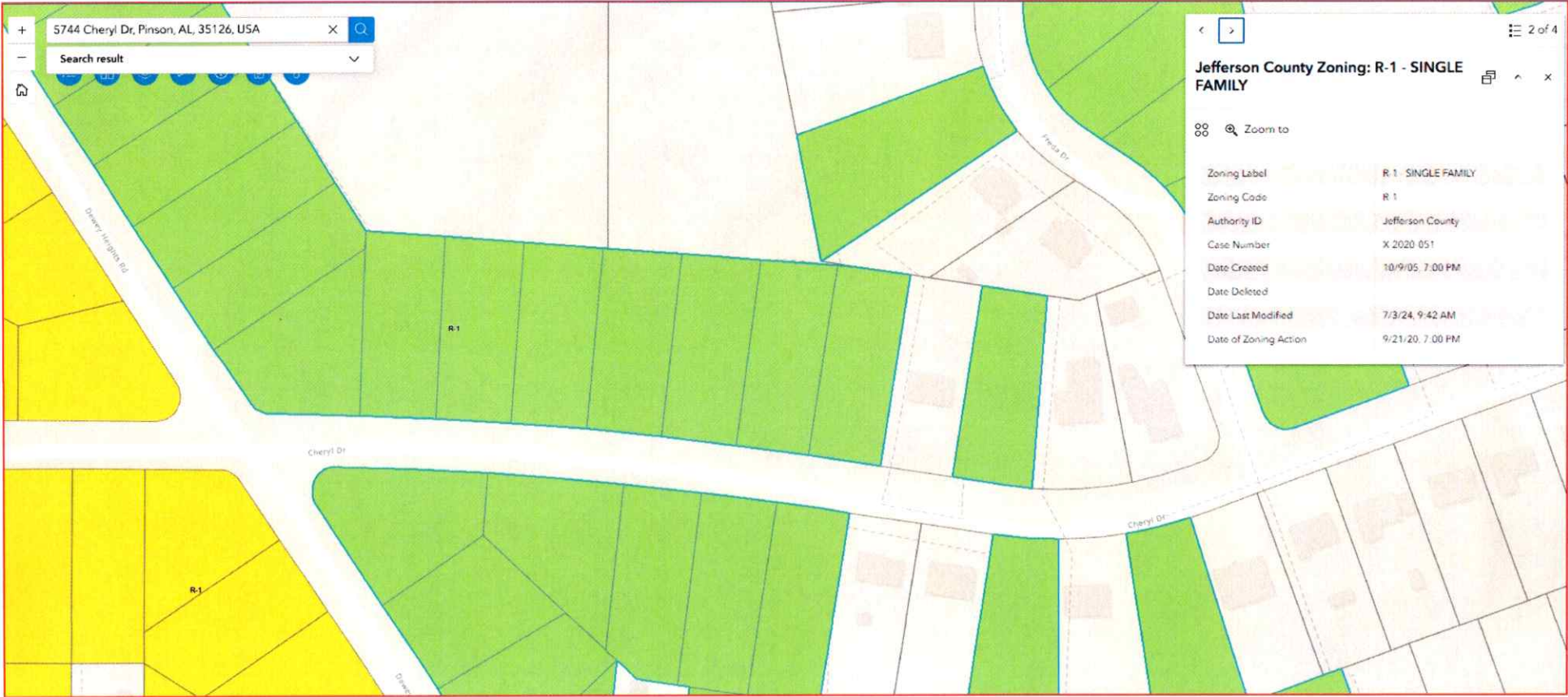
0692

0692

Handwritten notes and signatures on the right margin, including '5/28/78' and '5/28/78'.

528 25

0692



FLOOD DAMAGE PREVENTION ORDINANCE

City of Clay, Alabama
Ordinance No 2026-05-03

ARTICLE 1

Statutory Authorization, Findings of Fact, Purpose And Objectives

SECTION A **STATUTORY AUTHORIZATION**

The Legislature of the State of Alabama has in Title 11, Chapter 19, Sections 1-24, Chapter 45, Sections 1-11, Chapter 52, Sections 1-84, and Title 41, Chapter 9, Section 166 of the Code of Alabama, 1975, authorized local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Clay, Alabama, does ordain as follows:

SECTION B **FINDINGS OF FACT**

- (1) The flood hazard areas of the City of Clay, Alabama are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the occupancy in flood hazard areas of uses vulnerable to floods, which are inadequately elevated, flood proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.

SECTION C **STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (2) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
- (3) control filling, grading, dredging and other development which may increase flood damage or erosion;

- (4) prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and
- (5) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

SECTION D **OBJECTIVES**

The objectives of this ordinance are:

- (1) to protect human life and health;
- (2) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (3) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas,
- (4) to minimize expenditure of public money for costly flood control projects;
- (5) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (6) to minimize prolonged business interruptions, and
- (7) to ensure that potential home buyers are notified that property is in a flood area.

ARTICLE 2
GENERAL PROVISIONS

SECTION A **LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all Areas of Special Flood Hazard within the jurisdiction of the City of Clay, Alabama.

SECTION B **BASIS FOR AREA OF SPECIAL FLOOD HAZARD**

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in its **Flood Insurance Study (FIS), dated March 21, 2019**, with accompanying maps and other supporting data **and any revision thereto**, are adopted by reference and declared a part of this ordinance. For those land areas acquired by a municipality through annexation, the current effective FIS and data for Jefferson County are hereby adopted by reference. Areas of Special Flood Hazard may also include

those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in the FIS.

When Preliminary Flood Insurance Studies and Flood Insurance Rate Maps have been provided by FEMA to the City of Clay, Alabama:

- (1) Prior to the issuance of a Letter of Final Determination (LFD) by FEMA, the use of the preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in the effective flood hazard data provided by FEMA. Such preliminary data may be subject to revision through valid appeals.*
- (2) Upon the issuance of a Letter of Final Determination (LFD) by FEMA, the revised flood hazard data shall be used and replace all previously effective flood hazard data provided by FEMA for the purposes of administrating these regulations.*

Where adopted regulatory standards conflict, the more stringent base flood elevation shall prevail. Preliminary FIS data may be subject to change by a valid appeal.

SECTION C: ESTABLISHMENT OF A FLOODPLAIN DEVELOPMENT PERMIT

A Development Permit shall be required in conformance with the provisions of this ordinance PRIOR to the commencement of any development activities in identified areas of special flood hazard and **community flood hazard areas** within the community.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, extended, converted or altered without **full compliance** with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing ordinance, easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and (3) deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur;

flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damage. This ordinance shall not create liability on the part of the City of Clay, Alabama, or any officer or employee thereof for any flood damage resulting from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION H. PENALTIES FOR VIOLATION

(1) Notice of Violation. If the community determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit or the provisions of this ordinance, it shall issue a written notice of violation by certified return receipt mail to such applicant or other responsible person. Where the person is engaged in activity covered by this ordinance without having first secured a permit, the notice shall be served on the owner or the responsible person in charge of the activity being conducted on the site. The notice of violation shall contain:

- (a) The name and address of the owner or the applicant or the responsible person;
- (b) The address or other description of the site upon which the violation is occurring;
- (c) A statement specifying the nature of the violation;
- (d) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit or this ordinance and the date for the completion of such remedial action;
- (e) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed, and;
- (f) A statement that the determination of violation may be appealed to the community by filing a written notice of appeal within thirty days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hour notice shall be sufficient).

(2) Additional Enforcement Actions. If the remedial measures described in the Notice of Violation have not been completed by the date set forth for such completion in the Notice of Violation, any one or more of the following enforcement actions may be enacted against the person to whom the Notice of Violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Clay, Alabama shall first notify the applicant or other responsible person in writing of its intended action. The City of Clay, Alabama shall provide reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hour notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City of Clay, Alabama may take or impose any one or more of the following enforcement actions or penalties:

- (a) Stop Work Order: The community may issue a stop work order, which shall be served on the applicant or other responsible person. The stop work order shall remain in effect -until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take

- the necessary remedial measures to cure such violation or violations.
- (b) Termination of water service and/or withhold or revoke Certificate of Occupancy: The community may terminate utilities and/or refuse to issue and/or revoke a certificate of occupancy for the building or other improvements and/or repairs conducted or being conducted on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein.
- (c) Suspension, revocation, or modifications of permit: The community may suspend, revoke, or modify the permit authorizing the development project. A suspended, revoked, or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the community may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (d) Civil penalties: Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than {\$500.00} or imprisoned for not more than {30} days, or both, and in addition, shall pay all costs and expenses involved in the case: Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Clay, Alabama from taking such other lawful actions as is necessary to prevent or remedy any violation.
- (e) Section 1316 Declaration: Section 1316 of the National Flood Insurance Act authorizes FEMA to deny flood insurance to a property declared by the State, County, or Municipal government to be in violation of the local floodplain management ordinance. A Section 1316 declaration shall be used when all other legal means to remedy a violation have been exhausted and the structure is noncompliant. Once invoked, the property's flood insurance coverage will be terminated and no new or renewal policy can be issued; no flood insurance claim can be paid on any policy on the property, and disaster assistance will be denied.

The declaration must be in writing (letter or citation), from the community to the property owner and the applicable FEMA Regional Office, and must contain the following items:

- i. The name(s) of the property owner(s) and address or legal description of the property sufficient to confirm its identity and location;
- ii. A clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation or ordinance;
- iii. A clear statement that the public body making the declaration has authority to do so and a citation to that authority;
- iv. Evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and
- v. A clear statement that the declaration is being submitted pursuant to section 1316 of the National Flood Insurance Act of 1968, as amended.

If a structure that has received a Section 1316 declaration is made compliant with the community's floodplain management ordinance, then the Section 1316 declaration can be rescinded by the community and flood insurance eligibility restored.

- (3) Administrative appeal; judicial review. Any person receiving a Notice of Violation may appeal the determination of the community, including but not limited to the issuance of a stop work order, the assessment of an administratively-imposed monetary penalty, the suspension, revocation, modification, or grant with condition of a permit by the community upon finding that the holder is in violation of permit conditions, or that the holder is in violation of any applicable ordinance or any of the community's rules and regulations, or the issuance of a notice of bond forfeiture.

The Notice of Appeal must be in writing and must be received within ten days from the date of the Notice of Violation. A hearing on the appeal shall take place within thirty days from the date of receipt of the Notice of Appeal by the Floodplain Administrator.

- (4) All appeals shall be heard and decided by the community's designated Appeal Board, which shall be the Flood Damage Prevention Variance Board, or their designees. The Appeal Board shall have the power to affirm, modify, or reject the original penalty, including the right to increase or decrease the amount of any monetary penalty and the right to add or delete remedial actions required for correction of the violation and compliance with the community's flood damage prevention ordinance, and any other applicable local, state, or federal requirements. The decision of the Appeal Board shall be final.
- (5) A judicial review can be requested by any person aggrieved by a decision or order of the community, after exhausting his/her administrative remedies. They shall have the right to appeal de novo to the Jefferson County Circuit Court

SECTION I. SAVINGS CLAUSE

If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be noncompliant with 44 Code of Federal Regulation 59-78, such decision shall not affect the validity of the remaining portions of this ordinance.

ARTICLE 3 **ADMINISTRATION**

SECTION A DESIGNATION OF FLOODPLAIN ADMINISTRATOR

The Zoning Administrator is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B **PERMIT PROCEDURES**

Application for a Development Permit shall be made to the Floodplain Administrator on forms furnished by the community **PRIOR** to any development activities, and may include, but not be limited to, the following: Plans in duplicate drawn to scale showing the elevations of the area in question and the nature, location, dimensions, of existing or proposed structures, fill placement, storage of materials or equipment, and drainage facilities.

Specifically, the following procedures and information are required for all projects in the Special Flood Hazard Areas within the jurisdiction of the City of Clay, Alabama:

(1) Application Stage

Plot plans are to include:

- (a) The Base Flood Elevation (BFE) where provided as set forth in Article 2, Section B; Article 4, Section C; or Article 5, Section D;
- (b) Boundary of the Special Flood Hazard Area and floodway(s) as delineated on the FIRM or other flood map as determined in Article 2, Section B;
- (c) Flood zone designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 2, Section B;
- (d) Elevation in relation to mean sea level (or highest adjacent grade) of the regulatory lowest floor level, including basement, of all proposed structures;
- (e) Elevation in relation to mean sea level to which any non-residential structure will be flood proofed;
- (f) Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria of Article 4, Sections B(2) and E(2);
- (g) A Foundation Plan, drawn to scale, that shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include, but are not limited to, the proposed method of elevation (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls) and description of any flood openings required in accordance with Article 4, Sections B(1), B(3), D(7), and E(1) when solid foundation perimeter walls are used.
- (h) Usage details of any enclosed areas below the lowest floor shall be described.
- (i) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
- (j) Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development including current and proposed locations of the watercourse. An engineering report shall be provided on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream. The affected properties shall be depicted on a map or on the plot plan.
- (k) Certification of the plot plan by a licensed professional engineer or surveyor in the State of Alabama is required.

(2) Construction Stage

For all new construction and substantial improvements, the permit holder shall provide to the Floodplain Administrator an as-built certification of the regulatory floor elevation or flood-proofing level **using appropriate FEMA elevation or floodproofing certificate** immediately after the lowest floor or flood proofing is completed. When flood proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

Any work undertaken prior to submission of these certifications shall be at the permit holder's risk. The Floodplain Administrator shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary

The Floodplain Administrator shall make **periodic inspections** of projects during construction throughout the Special Flood Hazard Areas within the jurisdiction of the community to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. Members of his or her inspections/engineering department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

The Floodplain Administrator may **revoke and require the return of the floodplain development permit** by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.

In any lot or lots/areas that will be or have been removed from the special flood hazard area utilizing a Letter of Map Revision Based on Fill (LOMR-F), the top of fill level must meet the community's freeboard elevation at that location. If the top of fill level is below the freeboard elevation, all new structures, additions to existing buildings or substantial improvement must meet the required community freeboard elevation.

(3) Finished Construction

Upon completion of construction, a FEMA elevation certificate (FEMA Form81-31), which depicts all finished construction elevations, is required to be submitted to the Floodplain Administrator prior to issuance of a Certificate of Occupancy. If the project includes a floodproofing measure, a FEMA floodproofing certificate is required to be submitted by the permit holder to the Floodplain Administrator.

The Floodplain Administrator shall review the certificate(s) data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

Documentation regarding completion and compliance with the requirements stated in the permit application and with Article 3, Section B(1) of this ordinance shall be provided to the local Floodplain Administrator at the completion of construction or records shall be maintained throughout the Construction Stage by inspectors for the Floodplain Administrator. Failure to provide the required documentation shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

All records that pertain to the administration of this ordinance shall be maintained and made available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

SECTION C DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Floodplain Administrator shall include, but shall not be limited to:

- (1) Review all development permits to assure that the permit requirements of this ordinance have been satisfied; and assure that development sites are reasonably safe from flooding.
- (2) Review copies of all necessary permits from governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Maintain such permits permanently with floodplain development permit file.
- (3) When Base Flood Elevation data or floodway data have not been provided in accordance with Article 2, Section B then the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources in order to administer the provisions of Article 4.
- (4) Verify and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the regulatory floor level, including basement, of all new construction or substantially improved structures in accordance with Article 3, Section B.
- (5) Verify and record the actual elevation, in relation to mean sea level to which any new or substantially improved structures have been flood-proofed, in accordance with Article 4, Sections B(2) and E(2).
- (6) When flood proofing is utilized for a structure, the Floodplain Administrator shall obtain certification of design criteria from a registered professional engineer or architect in accordance with Article 3, Section B(1)(c) and Article 4, Section B(2) or E(2).

- (7) Notify adjacent communities and the Alabama Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA), and the Alabama Department of Economic and Community Affairs/Office of Water Resources/NFIP State Coordinator's Office.
- (8) For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA and State to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure flood carrying capacity of any altered or relocated watercourse is maintained.
- (9) Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
- (10) All records pertaining to the provisions of this ordinance shall be maintained in the office of the Floodplain Administrator and shall be open for public inspection.
- (11) *In addition, the Floodplain Administrator and his or her designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The Administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.*

(a) Right of Entry

- i. Whenever necessary to make an inspection to enforce any of the provisions of this ordinance, or whenever the Administrator has reasonable cause to believe that there exists in any building or upon any premises any condition or ordinance violation which makes such building, structure or premises unsafe, dangerous or hazardous, the Administrator may enter such building, structure or premises at all reasonable times to inspect the same or perform any duty imposed upon the Administrator by this ordinance.*
- ii. If such building or premises are occupied, the Administrator shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such building or premises.*
- iii. If entry is refused, the Administrator shall have recourse to every remedy provided by law to secure entry.*
- iv. When the Administrator shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Administrator for the purpose of inspection and examination pursuant to this ordinance.*

(b) Stop Work Orders

- i. *Upon notice from the Administrator, work on any building, structure or premises that is being performed contrary to the provisions of this ordinance shall immediately cease.*
- ii. *Such notice shall be in writing and shall be given to the owner of the property, or to his or her agent, or to the person doing the work, and shall state the conditions under which work may be resumed.*

(c) *Revocation of Permits*

- i. *The Administrator may revoke a permit or approval, issued under the provisions of this ordinance, in case there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.*
- ii. *The Administrator may revoke a permit upon determination that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this ordinance.*

ARTICLE 4

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A GENERAL STANDARDS

In ALL Areas of Special Flood Hazard the following provisions are required:

- (1) Require copies of all necessary permits from governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Maintain such permits be on file.
- (2) New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse and lateral movement of the structure.
- (3) New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage.
- (4) New construction and substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage:
 - (a) All subdivision proposals shall be consistent with the need to minimize flood damage;
 - (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
 - (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

- (5) All heating and air conditioning equipment and components, all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (6) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.
- (7) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (9) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (10) Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this ordinance, shall be undertaken only if the non- conformity is not furthered, extended or replaced.
- (11) Proposed new construction and substantial improvements that are partially located in an area of special flood hazard shall have the entire structure meet the standards for new construction.
- (12) Proposed new construction and substantial improvements that are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple base flood elevations shall have the entire structure meet the standards for the most hazardous flood hazard risk zone and the highest base flood elevation.

SECTION B SPECIFIC STANDARDS

In ALL Areas of Special Flood Hazard designated as A1-30, AE, AH, A (with engineered or estimated base flood elevation), the following provisions are required:

- (1) Residential and Non-residential Structures - Where base flood elevation data is available, new construction and substantial improvement of any structure or manufactured home **shall have the lowest floor, including basement, elevated no lower than two feet above the base flood elevation.** Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section B(3).
- (2) Non-Residential Structures - New construction and substantial improvement of any non-residential structure located in A1-30, AE, or AH zones, may be floodproofed in lieu of elevation. **The structure, together with attendant utility and sanitary facilities, must be**

designed to be water tight to two (2) feet above the base flood elevation, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and in Article 3, Section C(6).

Dry floodproofing is allowed only where flood velocities are less than or equal to five feet per second. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. A Flood Emergency Operation Plan and an Inspection and Maintenance Plan must be provided by the design professional for the building. Such certification shall be provided to the Floodplain Administrator.

- (3) **Enclosures for Elevated Buildings** - All new construction and substantial improvements of existing structures that include **ANY fully enclosed area** below the base flood elevation, located below the lowest floor formed by the foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of flood waters. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
- (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding (if a structure has more than one enclosed area below the base flood elevation, each shall have openings on exterior walls);
 - (ii) The bottom of all openings shall be no higher than one foot above grade; and
 - (iii) Openings may be equipped with screens, louvers, valves and other coverings and devices provided they permit the automatic flow of floodwater in both directions.
- (a) So as not to violate the "Lowest Floor" criteria of this ordinance, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area.
 - (b) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms. All interior walls, ceilings and floors below the base flood elevation shall be unfinished and/or constructed of flood resistant materials.
 - (c) Mechanical, electrical or plumbing devices shall not be installed below the Base Flood Elevation. The interior portion of such enclosed area(s) shall be void of utilities except for essential lighting and power as required.
 - (d) *Property owners shall be required to execute a flood openings/venting affidavit acknowledging that all openings will be maintained as flood vents, and that the elimination or alteration of the openings in any way will violate the requirements for enclosures below the base flood elevation. Periodic inspections will be conducted by the Floodplain Administrator to ensure compliance.*
 - (e) *Property owners shall agree, certify, and declare to the following conditions and restrictions placed on the affected property as a condition for granting a permit. A binding agreement, referred to as a Non-conversion Agreement, is required to be*

executed and recorded with the Deed. It shall obligate the Owner to the following terms and conditions:

- (i) That the enclosed area(s) shall remain fully compliant with all parts of the section Enclosures for Elevated Buildings of this Ordinance unless otherwise modified to be fully compliant with the applicable sections of the Flood Damage Prevention Ordinance in effect at the time of conversion.*
- (ii) A duly appointed representative of the City of Clay is authorized to enter the property for the purpose of inspecting the exterior and interior of the enclosed area to verify compliance with the Agreement and Permit.*
- (iii) The community may take any appropriate legal action to correct any violation pertaining to the Agreement and the subject Permit.*

(4) Standards for Manufactured Homes and Recreational Vehicles - Where base flood elevation data are available:

- (a) All manufactured homes placed and substantially improved on:
 - (i) individual lots or parcels,
 - (ii) in new or substantially improved manufactured home parks or subdivisions,
 - (iii) in expansions to existing manufactured home parks or subdivisions, or
 - (iv) on a site in an existing manufactured home park or subdivision where a manufactured home has incurred "substantial damage" as the result of a flood, must have the lowest floor including basement elevated no lower than two feet above the base flood elevation.
- (b) Manufactured homes placed and substantially improved in an existing manufactured home park or subdivision may be elevated so that either:
 - (i) the lowest floor of the manufactured home is elevated no lower than two feet above the level of the base flood elevation, or
 - (ii) where no Base Flood Elevation exists, the manufactured home chassis and supporting equipment is supported by reinforced piers or other foundation elements of at least equivalent strength and is elevated to a maximum of 60 inches (five feet) above grade.
- (c) All Manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- (d) All recreational vehicles placed on sites must either:
 - (i) be on the site for fewer than 180 consecutive days, fully licensed and ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions; or
 - (ii) the recreational vehicle must meet all the requirements for "New Construction," including the anchoring and elevation requirements of Article 4, Section B, provisions (3)(a) and (3)(c).

(5) Require, until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the City of Clay, Alabama FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated

development, will not increase the water surface elevation of the base flood more than **one foot** at any point within the community.

- (6) Accessory Structures (also referred to as appurtenant structures) – This provision generally applies to new and substantially improved accessory structures. When an accessory structure complies with all other provisions of this ordinance (including floodway encroachment), represents a minimal investment (less than \$500.00), and meets the requirements outlined below, these structures may be wet-floodproofed and do not have to be elevated or dry floodproofed.

Accessory structures include, but are not limited to, residential structures such as detached garages, storage sheds for garden tools or woodworking, gazebos, picnic pavilions, boathouses, small pole barns, and similar buildings. The following provisions apply to accessory structures built below the base flood elevation:

- (a) A permit shall be required prior to construction or installation.
- (b) Must be low value (less than \$500.00) and not be used for human habitation.
- (c) Use must be restricted to parking of personal vehicles or limited storage (low-cost items that cannot be conveniently stored in the principal structure).
- (d) Must be designed with an unfinished interior and constructed with flood damage-resistant materials below the BFE.
- (e) Must be adequately anchored to prevent flotation, collapse, or lateral movement.
- (f) Must have adequate flood openings as described in Article 4, Section A (5) and be designed to otherwise have low flood damage potential.
- (g) Shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
- (h) Any mechanical and other utility equipment in the structure must be elevated to or above the BFE or must be floodproofed.
- (i) Under limited circumstances communities may issue variances to permit construction of wet-floodproofed accessory structures. Communities should not grant variances to entire subdivisions for accessory structures, especially detached garages. Variances should only be reviewed and issued on an individual or case-by-case basis and be based on the unique characteristics of the site.
- (j) If located in a V Zone, the structure must be elevated on posts, piles, piers, or columns; consistent with all V Zone building standards.

SECTION C FLOODWAYS

Located within Areas of Special Flood Hazard established in Article 2, Section B, are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

- (1) The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base

flood, without increasing the water surface elevation of that flood more than one foot at any point;

- (2) Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment **shall not result in any increase** in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;
- (3) A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;
- (4) **ONLY** if Article 4, Section C, provisions (1) through (3) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article 4.

OR, if a community wishes to prohibit all development within the floodway, adopt the following language in place of paragraphs (2) through (4) from Section C shown above.

- (2) *Encroachments, including fill, new construction, placement of manufactured homes, substantial improvements, and other development, are prohibited. [added 2/15/2018]*
- (3) *As long as no fill, structures (including additions), or other impediments to flow are added, permissible uses within the floodway may include: lawns, gardens, athletic fields, play areas, picnic grounds, and hiking/biking/horseback riding trails, general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. The uses in this subsection are permissible only if and to the extent that they do not cause any increase in flood levels during the base flood discharge. [added 2/15/2018]*

SECTION D BUILDING STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS (APPROXIMATE A-ZONES)

Located within the Areas of Special Flood Hazard established in Article 2, Section B, where streams exist but no base flood data have been provided (Approximate A-Zones), the following provisions apply:

- (1) Base flood elevation data shall be provided for subdivision proposals and all other proposed development, including manufactured home parks and subdivisions, greater than fifty (50) lots or five (5) acres, whichever is the lesser.
- (2) When base flood elevation data or floodway data have not been provided in accordance with Article 2, Section B then the Floodplain Administrator shall obtain, review, and reasonably

utilize any scientific or historic Base Flood Elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Article 4. ONLY if data are not available from these sources, then Article 4, Section D, provisions (5) and (6) shall apply:

- (3) *No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty-five feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.*
- (4) All development in Zone A must meet the requirements of Article 4, Section A and Section B(1) through B(4).
- (5) In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor (for the lowest enclosed area; including basement) elevated no less than four (4) feet above the highest adjacent grade.
- (6) In the absence of a base flood elevation, a manufactured home must also meet the elevation requirements of Article 4, Section B(4)(b)(ii) in that the structure must be elevated to a maximum of 60 inches (5 feet).
- (7) Openings sufficient to facilitate automatic equalization of flood water hydrostatic forces on exterior walls shall be provided in accordance with standards of Article 4, Section B(3)(a). The Floodplain Administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.
- (8) *Fill within the area of special flood hazard shall result in no net loss of natural floodplain storage. The volume of loss of floodwater storage due to filling in the special flood hazard area shall be offset by providing an equal volume of flood storage by excavation or other compensatory measures at or adjacent to the development site. Any excavation or other measures taken for compensatory storage shall be properly designed to provide protection against erosion or overgrowth of vegetation in order to preserve the storage volume. Proper maintenance measures shall also be undertaken to ensure the intended storage volume remains in perpetuity. **[added 2/15/2018]***

SECTION E STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES)

Areas of Special Flood Hazard established in Article 2, Section B may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet (1'-3') above ground, with no clearly defined channel. The following provisions apply:

- (1) All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified on the Flood Insurance Rate

Map (FIRM) plus two feet of freeboard. **If no depth number is specified, the lowest floor, including basement, shall be elevated at least four (4) feet above the highest adjacent grade.** Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section B(3).

The Floodplain Administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

- (2) New construction and the substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. **The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified flood level in Article 4, Section E(1) or four (4) feet (if no depth number is specified), above highest adjacent grade,** with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and as required in Article 3, Section B(1)(c) and (2).
- (3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

SECTION F

STANDARDS FOR SUBDIVISIONS

[added 2/15/2018]

- (1) *All subdivision proposals shall be consistent with the need to minimize flood damage.*
- (2) *All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.*
- (3) *All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;*
- (4) *Base flood elevation data shall be provided for all new subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than fifty lots or five acres; whichever is the lesser.*
- (5) *All subdivision and other development proposals which involve disturbing more than 180 square feet of land shall include a stormwater management plan which is designed to limit peak runoff from the site to predevelopment levels for the one, ten, and 100-year rainfall event. These plans shall be designed to limit adverse impacts to downstream channels and floodplains. Single residential lots involving less than one acre of land disturbance are not subject to this regulation.*
- (6) *All preliminary plans for platted subdivisions shall identify the flood hazard area and the elevation of the base flood.*

- (7) *All final subdivision plats will provide the boundary of the special flood hazard area, the floodway boundary, and the base flood elevations.*
- (8) *In platted subdivisions, all proposed lots or parcels that will be future building sites shall have a minimum buildable area outside the natural (non-filled) 1% chance annual floodplain. The buildable area shall be large enough to accommodate any primary structure and associated structures such as sheds, barns, swimming pools, detached garages, on-site sewage disposal systems, and water supply wells, where applicable.*

SECTION G. CRITICAL FACILITIES

Construction of new and substantially improved critical facilities shall be located outside the limits of the special flood hazard area (one percent annual chance floodplain). Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available and access to the facilities remains available during a 0.2 percent chance flood.

- (1) *Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above the base flood elevation at the site (or to the 0.2 percent chance flood elevation whichever is greater).*
- (2) *Floodproofing and sealing measures must be implemented to ensure that any and all on-site toxic substances will not be displaced by or released into floodwaters.*
- (3) *Multiple access routes, elevated to or above the 0.2 percent flood elevation, shall be provided to all critical facilities to the maximum extent possible.*
- (4) *Critical facilities must be protected to or above the 0.2 percent chance flood and must remain operable during such an event.*
 - a. *The community's flood response plan must list facilities considered critical in a flood.*
 - b. *Other facilities in low risk flood zones that may also be needed to support flood response efforts must be included on the critical facility list.*
- (5) *The use of any structure shall not be changed to a critical facility, where such a change in use will render the new critical facility out of conformance with this section.*

ARTICLE 5

VARIANCE PROCEDURES

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SECTION A. DESIGNATION OF VARIANCE AND APPEALS BOARD

The Flood Damage Prevention Variance Board, as established by the City Council of the City of Clay, Alabama, shall hear and decide requests for appeals or variances from the requirements of this ordinance.

SECTION B. DUTIES OF BOARD

The Board shall hear and decide appeals when it is alleged that an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance. Any person aggrieved by the decision of the Flood Damage Prevention Variance Board may appeal such decision to the Jefferson County Circuit Court, as provided by applicable Alabama law.

SECTION C. VARIANCE PROCEDURES

In reviewing requests for variance, the Flood Damage Prevention Variance Board shall consider all technical evaluations, relevant factors, and standards specified in other sections of this ordinance, and:

- (1) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, the development is protected by methods that minimize flood damage during the base flood, and it creates no additional threats to public safety.
- (2) Variances shall not be issued within any designated floodway if ANY increase in flood levels during the base flood discharge would result.
- (3) The evaluation must be based on the characteristics unique to that property and not be shared by adjacent parcels. The characteristics must pertain to the land itself, not to the structure, its inhabitants, or its owners.
- (4) Variances should never be granted for multiple lots, phases of subdivisions, or entire subdivisions.
- (5) The danger of life and property due to flooding or erosion damage including materials that may be swept onto other lands to the injury of others.
- (6) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and the community.
- (7) The safety of access to the property during flood conditions for daily traffic and emergency vehicles.
- (8) The importance of the services provided by the proposed facility to the community.
- (9) The necessity of the facility to be at a waterfront location, where applicable.
- (10) The compatibility of the proposed use with existing and anticipated development based on the community's comprehensive plan for that area.
- (11) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.

- (12) The costs associated with providing governmental services to the development during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and community infrastructure such as streets, bridges, and culverts.

Upon consideration of factors listed above, and the purpose of this ordinance, the Flood Damage Prevention Variance Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

SECTION D. VARIANCES FOR HISTORIC STRUCTURES

Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum to preserve the historic character and design of the structure.

SECTION E. CONDITIONS FOR VARIANCES

The provisions of this Ordinance are minimum standards for flood loss reduction, therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

- (1) In the instance of a Historic Structure, a determination is required that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
- (2) A variance shall be issued ONLY when there is:
 - (a) A finding of good and sufficient cause;
 - (b) A determination that failure to grant the variance would result in exceptional hardship; and
 - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (3) Variances shall not be issued “after the fact.”

SECTION E. VARIANCE NOTIFICATION AND RECORDS

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- (1) Specifies the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with an increased risk to life and property resulting from the reduced lowest floor elevation. It could result in rate increases in the hundreds and possibly thousands of dollars annually depending on structure and site specific conditions.

- (2) The Floodplain Administrator shall maintain a record of all variance actions and appeal actions, including justification for their issuance. Report any variances to the Federal Emergency Management Agency Region 4 and the Alabama Department of Economic and Community Affairs/Office of Water Resources upon request.
- (3) A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the City Clerk and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

ARTICLE 6

DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

A Zone means the Area of Special Flood Hazard without base flood elevations determined.

Accessory Structure (also referred to as appurtenant structures) means a structure which is located on the same parcel of property as a principal structure to be insured and the use of which is incidental to the use of the principal structure. They should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. These structures are used solely for parking (two-car detached garages or smaller) or limited storage (small, low cost storage sheds). They are included under the general definition of structure and are consequently subject to all floodplain management regulations pertaining to structures.

Addition (to an existing building) means any improvement that increases the square footage of a structure. These include lateral additions added to the front, side, or rear of a structure, vertical additions added on top of a structure, and enclosures added underneath a structure. NFIP regulations for new construction apply to any addition that is considered a perimeter expansion or enclosure beneath a structure. If it is considered to be a substantial improvement (more than 50% of market value) to a structure, the existing structure will also need to be treated as new construction.

Depending on the flood zone and details of the project, the existing building may not have to be elevated. The determining factors are the common wall and what improvements are made to the existing structure. If the common wall is demolished as part of the project, then the entire structure must be elevated. If only a doorway is knocked through it and only minimal finishing is done, then only the addition has to be elevated.

AE Zone means the Area of Special Flood Hazard with base flood elevations determined.

AH Zone means an area of one percent chance of shallow flooding where depths are between one to three feet (usually shallow ponding), with base flood elevations shown.

AO Zone means an area of one percent chance of shallow flooding where depths are between one to three feet (usually sheet flow on sloping terrain), with depth numbers shown.

Appeal means a request for a review of the Zoning Administrator's interpretation of any provision of this ordinance.

AR/AE, AR/AH, AR/AO, and AR/A Zones means a flood zone that results from the decertification of a previously accredited flood protection system or levee that is in the process of being restored to provide a one percent chance or greater level of flood protection. After restoration is complete, these areas will still experience residual flooding from other flooding sources.

A99 Zone means that part of the special flood hazard area inundated by the one percent annual chance flood to be protected from the one percent chance flood by a federal flood protection system or levee under construction, no base flood elevations are determined.

Area of shallow flooding means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard (also see “Special flood hazard area”) means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in Article 2, Section B.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the “one percent chance flood”).

Base flood elevation means the computed elevation to which floodwater is anticipated to rise during the base flood. It is also the elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. Base Flood Elevations are shown in the FIS and on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, AR/AO, V1–V30 and VE.

Basement means any portion of a building having its floor sub grade (below ground level) on all sides.

Building (also see **Structure**) means (1) A structure with 2 or more outside rigid walls and a fully secured roof, that is affixed to a permanent site; or (2) a manufactured home (a “manufactured home,” also known as a mobile home, is a structure built on a permanent chassis, transported to its site in 1 or more sections, and affixed to a permanent foundation); or (3) a travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community’s floodplain management and building ordinances or laws.

Community means a political entity and/or its authorized agents or representatives that have the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Community Rating System (CRS) means a program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

Critical facility (aka, critical action) means facilities for which the effects of even a slight chance of flooding would be too great. The minimum floodplain of concern for critical facilities is the 0.2 percent chance flood level. Critical facilities include, but are not limited to facilities critical to the health and safety of the public such as: emergency operations centers, designated public shelters, schools, nursing homes, hospitals, police, fire and emergency response installations, vital data storage centers, power generation and water and other utilities (including related infrastructure such as principal points of utility systems) and installations which produce, use or store hazardous materials or hazardous waste (as defined under the Clean Water Act and other Federal statutes and regulations).

D Zone means an area in which the flood hazard is undetermined.

Dam means any artificial barrier, including appurtenant works, constructed to impound or divert water, waste water, liquid borne materials, or solids that may flow if saturated. All structures necessary to maintain the water level in an impoundment or to divert a stream from its course will be considered a dam.

Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

Dry Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate flood damages to real estate or improved real estate property, water, and sanitary facilities, structures, and their contents. Structures shall be floodproofed with a minimum of two (2) feet above the base flood elevation (more is recommended). Dry floodproofing of a pre-FIRM residential structure that has not been substantially damaged or improved is allowed. Dry floodproofing of a post-FIRM residential building is not allowed. Non-residential structures may be dry floodproofed in all flood zones with the exception of the Coastal High Hazard Area or the Coastal AE Zone.

Elevated building means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, pilings, posts, columns, piers, or shear walls.

Elevation Certificate means a FEMA form used as a certified statement that verifies a building's elevation information.

Encroachment means the advance or infringement of uses, plant growth, fill, excavation, buildings, structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing Construction means any structure for which the "start of construction" commenced before July 7, 2003 or before January 1, 1975, for FIRMs effective before that date. Existing construction may also be referred to as existing structures.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before July 7, 2003.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; or
- b. The unusual and rapid accumulation or runoff of surface waters from any source.
- c. Mudslides which are proximately caused by flooding as described in part "b." of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- d. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually highwater level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in part "a." of this definition.

Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been designated as Zone A.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood Insurance Study/ Flood Elevation Study means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide and/or flood-related erosion hazards.

Floodplain means any land area susceptible to being inundated by water from any source.

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural

resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain management regulations mean this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power that control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

Floodproofing means any combination of structural and nonstructural additions, changes or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities or structures with their contents.

Floodway (Regulatory Floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway fringe means that area of the special flood hazard area on either side of the regulatory floodway.

Flood Protection Elevation means the base flood elevation plus the community freeboard, which is two (2) feet for the City of Clay. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations or base flood elevations determined and/or approved by the floodplain administrator plus freeboard.

Freeboard means a factor of safety, established as two (2) feet for the City of Clay, usually expressed in feet above the Base Flood Elevation (BFE) for purposes of floodplain management which tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed. Used to determine the level for a building's lowest floor elevation or level of floodproofing required to be in compliance with the community's floodplain management regulations.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facility that are necessary for the loading and unloading of cargo or passengers, and shipbuilding, and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

Hardship (as related to variances of this ordinance) means the exceptional difficulty that would result from a failure to grant the requested variance. The City Council requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic Structure means any structure that is;

- a. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district:
- c. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

Letter of Map Change (LOMC) is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMC's are broken down into the following categories:

Letter of Map Amendment (LOMA)

An amendment based on technical data showing that a property was incorrectly included in a designated SFHA, was not elevated by fill (only by a natural grade elevation), and will not be inundated by the one percent chance flood. A LOMA amends the current effective FIRM and establishes that a specific property is not located in a SFHA.

Letter of Map Revision (LOMR)

A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the BFE and is, therefore, excluded from the SFHA.

Conditional Letter of Map Revision (CLOMR)

A formal review and comment by FEMA as to whether a proposed project complies with the minimum NFIP floodplain management criteria. A CLOMR does not revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

Levee means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. **[only required in communities with levees]**

Levee System means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices. **[only required in communities with levees]**

Lowest adjacent grade means the point of the ground level immediately next to a building. This may be the sidewalk, patio, deck support, or basement entryway immediately next to the structure after the completion of construction. It does not include earth that is placed for aesthetic or landscape reasons around a foundation wall. It does include natural ground or properly compacted fill that comprises a component of a building's foundation system.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this code.

Manufactured home means a building, transportable in one or more section, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value means the property value (as agreed between a willing buyer and seller), excluding the value of land as established by what the local real estate market will bear. Market value can be established by independent certified appraisal; replacement cost depreciated by age of building (Actual Cash Value); or adjusted assessed values.

Mean Sea Level means the average height of the sea for all stages of the tide. It is used as a reference for the base flood elevations shown on a community's Flood Insurance Rate Map (FIRM). For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum.

National Flood Insurance Program (NFIP) means the federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

National Geodetic Vertical Datum (NGVD) means as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means ANY structure (see definition) for which the "start of construction" commenced after July 7, 2003 and includes any subsequent improvements (including additions) to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after July 7, 2003.

Non-Residential means, but is not limited to; small business concerns, churches, schools, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, mercantile structures, agricultural and industrial structures, warehouses, and hotels and motels with normal room rentals for less than 6 months duration.

North American Vertical Datum (NAVD) of 1988 means a vertical control, corrected in 1988, used as a reference for establishing varying elevations within the floodplain.

Obstruction means, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channel construction, bridge, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One Percent Flood (aka 100-Year Flood) is the flood that has a one percent chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A or V is subject to inundation by the one percent chance flood. Over the life of a 30-year loan, there is a 26-percent chance of experiencing such a flood within the SFHA.

Participating Community is any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

Post-FIRM Construction means new construction and substantial improvements for which start of construction occurred after December 31, 1974, or on or after the effective date of the initial FIRM of the community, whichever is later.

Pre-FIRM Construction means new construction and substantial improvements for which start of construction occurred on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

Probation means an action taken by FEMA to formally notify participating communities of the first of the two NFIP sanctions due to their failure to correct violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

Public safety and nuisance means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Recreational vehicle means a vehicle which is:

- a. Licensed and titled as a recreational vehicle or park model;
- b. Built on a single chassis;
- c. 400 square feet or less when measured at the largest horizontal projection;
- d. Has no attached deck, porch, or shed;
- e. Has quick-disconnect sewage, water, and electrical connectors;
- f. Designed to be self-propelled or permanently towable by a light duty truck; and
- g. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regular Program means the second phase of the community's participation in the NFIP in which second layer coverage is available based upon risk premium rates only after FEMA has completed a flood risk study for the community.

Regulatory floodway see **Floodway**.

Remedy a violation means to bring the structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

Repetitive Loss means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

Repetitive Loss Property means any insurable structure for which two or more claims of more than \$1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling 10-year period, since 1978. At least two of the claims must be more than ten days apart but, within ten years of each other. A repetitive loss property may or may not be currently insured by the NFIP.

Section 1316 means no new flood insurance policy or federal disaster assistance shall be provided for any property which the Administrator finds has been declared by a duly constituted State or local zoning authority or other authorized public body, to be in violation of State or local laws, regulations or ordinances which are intended to discourage or otherwise restrict land development or occupancy in floodprone areas. If the structure is made compliant with the applicable community's floodplain management ordinance, then the Section 1316 declaration can be rescinded by the community and flood insurance and disaster assistance eligibility restored.

Severe Repetitive Loss Structure means any insured property that has met at least one of the following paid flood loss criteria since 1978, regardless of ownership:

- a. Four or more separate claim payments of more than \$5,000 each (including building and contents payments); or

- b. *Two or more separate claim payments (building payments only) where the total of the payments exceeds the current market value of the property.*

In either case, two of the claim payments must have occurred within ten years of each other. Multiple losses at the same location within ten days of each other are counted as one loss, with the payment amounts added together.

Special flood hazard area (SFHA) means that portion of the floodplain subject to inundation by the base flood and/or flood-related erosion hazards as shown on a FHBM or FIRM as Zones A, AE, AH, AO, AR, AR/AE, AR/AO, AR/AH, AR/A, A99, or VE.

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)) means the date the development or building permit was issued (includes substantial improvement), provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation.

“Permanent construction” does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (*NOTE: accessory structures are NOT exempt from any ordinance requirements*). For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a liquid or gas storage tank, that is principally above ground, as well as a manufactured home.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to it before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

[OR replace the “50 percent” and “25 percent” with lower values for stricter standards]

Substantial improvement means any combination of reconstruction, alteration, or improvement to a building, taking place during a 5-year period, in which the cumulative percentage of improvement equals or exceeds 50 percent of the current market value of the structure before the “start of construction” of the initial improvement. Any subsequent improvement project costs shall be added to the initial costs for the initial improvement project. At the end of a 5-year period from the initial improvement project, an updated valuation for the structure can be used for the next time period.

means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “repetitive loss” or “substantial damage”, regardless of the actual repair work performed. The market value of the building should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions (*provided that said code deficiencies were not caused by neglect or lack of maintenance on the part of the current or previous owners*) or;
- b. Any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

Substantially improved existing manufactured home parks or subdivisions is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Suspension means the removal, with or without probation, of a participating community from the NFIP because the community failed to adopt and enforce the compliant floodplain management regulations required for participation in the NFIP.

Variance means a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in the Code of Federal Regulations (CFR) §44, Sec. 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) and corresponding parts of this ordinance is presumed to be in violation until such time as that documentation is provided.

Watercourse means any flowing body of water including a river, creek, stream, or a branch.

Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Wet floodproofing means a method of construction which allows water to enter a structure in such a way that will minimize damage to the structure and its contents. Wet floodproofing is appropriate

for functionally dependent use and uses that facilitate open space use by variance only, structures utilized for parking or limited storage, or when all other techniques are not technically feasible. Wet floodproofing shall not be utilized as a method to satisfy the requirements of this ordinance for bringing substantially damaged or improved structures into compliance. Wet floodproofing is not allowed in lieu of complying with the lowest floor elevation requirements for new residential buildings.

X Zones (shaded) *are areas of 0.2 percent chance flood that are outside of the SFHA subject to the one percent chance flood with average depths of less than one foot, or with contributing drainage area less than one square mile, and areas protected by certified levees from the base flood.*

X Zones (unshaded) *are areas determined to be outside the 0.2 percent chance floodplain.*

Zone *means a geographical area shown on a Flood Hazard Boundary Map or a Flood Insurance Rate Map that reflects the severity or type of flooding in the area.*

ARTICLE 7
SEVERABILITY

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Ordinance adopted on _____.

BY: _____

(Signature of Governing Board)

Certified by: _____

SEAL

Date: _____

CITY OF CLAY, ALABAMA

RESOLUTION NO. 2026-05-01

RESOLUTION AWARDING THE 2026 ANNUAL ASPHALT / PAVING CONTRACT

WHEREAS, the City Council of the City of Clay, Alabama previously authorized and advertised invitations to bid for the City's 2026 Annual Asphalt / Paving Contract; and

WHEREAS, bids were received by the City of Clay for the Annual Asphalt Project on April 29, 2026, at 10:00 a.m. CST, and the certified bid tabulation reflects that two bids were received; and

WHEREAS, the certified bid tabulation prepared and certified by Keith L. Hager, P.E., identifies the bidders and total bid amounts as follows: Central Alabama Asphalt & Construction, LLC - \$389,500.00; and Massey Asphalt Pavement, LLC - \$420,980.00; and

WHEREAS, the City Engineer has reviewed the bid submitted by Central Alabama Asphalt & Construction, LLC and has recommended that the City accept said bid as the lowest and best bid for the Annual Asphalt Contract in the base bid amount of \$389,500.00; and

WHEREAS, the City Engineer has further advised that the City may use the awarded bid and unit prices for asphalt installation and roadway repair work for a period of up to three years, with no obligation for the City to issue work under the contract unless approved by the City; and

WHEREAS, the City Engineer has further advised that requested streets or roadway repair projects may be scoped and priced for presentation to the City Council, and the City Council may elect to proceed with or decline such work at its sole discretion; and

WHEREAS, the City Engineer has noted that the City may consider accepting the second bid submitted by Massey Asphalt Pavement, LLC as an alternate bid, to be used only if advantageous to the City and if the primary bidder is unable or unavailable to complete work under the contract.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Clay, Alabama, as follows:

- 1. Recitals Approved.** The recitals set forth above are true, correct, approved, and incorporated herein as if fully set forth.
- 2. Award of Contract.** The City's 2026 Annual Asphalt / Paving Contract is hereby awarded to **Central Alabama Asphalt & Construction, LLC**, subject to: (a) full execution of the necessary contract documents and agreement; (b) compliance with all terms, conditions, specifications, and requirements of the bid documents; (c) compliance with applicable state law and all applicable public works, purchasing, insurance, bonding, and contractual requirements; and (d) approval by the City Council of individual work orders, projects, streets, or scopes of work before the City is obligated to proceed with any specific paving or roadway repair work.
- 3. Contract Amount and Unit Pricing.** The base bid amount is **\$389,500.00**, based upon the bid quantities and unit prices submitted. Actual amounts payable under the contract may vary depending upon the specific work authorized by the City, actual quantities performed, approved work orders, and applicable unit prices.

4. Alternate Bidder. The City Council hereby accepts **Massey Asphalt Pavement, LLC** as an alternate bidder under the bid documents, to be used only if the City determines that use of the alternate bidder is necessary or advantageous to the City, including circumstances where the primary awarded contractor is unable, unavailable, or otherwise does not complete work as required.

5. Authority of Mayor and Staff. The Mayor, City Clerk, City Engineer, and appropriate City staff are hereby authorized to take such actions, execute such documents, issue such notices, coordinate such work orders, and perform such functions as may be necessary or appropriate to carry out the intent of this Resolution and complete the actions authorized herein.

6. No Obligation for Specific Work Until Approved. Nothing in this Resolution shall require the City to proceed with any particular paving project, roadway repair project, street, work order, or quantity of work unless and until such work is authorized by the City in accordance with the contract documents and applicable City procedures.

ADOPTED AND APPROVED this the 12th day of May 2026.

ATTEST:

CITY OF CLAY, ALABAMA

By: _____

Toushi Arbitelle, City Clerk

Jane Anderton, Mayor

Date: _____

Council Vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

I, the undersigned City Clerk of the City of Clay, Alabama, hereby certify that the above Resolution was duly adopted by the City Council of the City of Clay at a regular meeting held on the 12th day of May 2026.

Toushi Arbitelle, City Clerk

HagerCo, LLC

Keith L. Hager, PE

AL No. 24699

May 02, 2026

Honorable Jane Anderton, Mayor
City of Clay, AL
2441 Old Springville Road
Clay, AL 35215

Re: **CLAY ASPHALT BID
RECOMMENDATION**

Dear Mayor,

I have reviewed the bid submitted by Central Alabama Asphalt & Construction for the above referenced project. The Contractor has submitted a valid bid and meets the requirements for lowest and best bidder to the best of my knowledge, information and belief.

It is my recommendation that the City accept the bid and enter a contract for the Annual Asphalt Contract in the Base Bid Amount of **\$389,500.**

As we discussed, the city may use this bid for installation of asphalt and other Roadway repairs for a period up to three years. The city does not have any obligation to use the bid, if other opportunities are available, or we can bid for any individual project at the City's sole discretion. The project is set up for the contractor to use these unit prices for asphalt and roadway repair projects, and to purchase asphalt materials directly from vendors using the Jefferson County PAC agreement. The city will not have to pay sales tax on materials.

If the council elects to enter a contact, at the direction of the mayor and council, the City Engineer will scope requested streets and present a price for the

Address:
1025 Montgomery Highway, Suite 110
Birmingham, AL 35216

Contact:
205.229.1738
keithlhager@icloud.com

work to the city council, the Council can elect to proceed with the work or decline. The contract does allow for the contractor to charge for mobilization, so there is some value to group streets or projects together, as the economy of scale will be increased as the project increases in scope.

Upon inspection of the bids, both bidders were very close in price, and due to the MAP being very close to the City, (they are based in Argo) the Council may want to consider accepting the 2nd Bid as an alternate. At no risk to the City, if for any reason advantageous to the City, the primary bidder could not complete the contract, the City could elect to use the Alternate bidder. In my opinion, this is the best option for the city with zero risk.

Submitted By:
HagerCo-LLC

A handwritten signature in blue ink, appearing to read "Keith Hager". The signature is stylized and cursive.

Keith L. Hager, PE

HagerCo, LLC

Keith L. Hager, PE
AL No. 24699

May 02, 2026

Honorable Jane Anderton, Mayor
City of Clay, AL
2441 Old Springville Road
Clay, AL 35215

Re: Clay Asphalt Bids
Bids Received

Dear Mr. Mayor,

Per direction of the Council, I am pleased to report that the City of Clay has advertised for qualified bids in accordance with State law, and the City has received (2) bids for the Annual Asphalt Project. I have attached our certified bid tabulation for your review and approval.

As is customary, upon your review and approval I will publish the official Bid results for the record, and provide to each of the bidders.

Submitted By:
HagerCo, LLC



Keith L. Hager, PE

Address:
1025 Montgomery Highway, Suite 110
Birmingham, AL 35216

Contact:
205.229.1738
keithlhager@icloud.com



Clay City Hall
 2441 Old Springville Rd
 Birmingham, AL 35215
 Ph: (205) 680-1223

Central Alabama Asphalt &
 Construction, LLC
 3181 Foster Ferry Road
 Tuscaloosa, AL 35401

1

City of Clay - Asphalt Bids

OFFICIAL BID TABULATION

Description	Approx. Quantity	Unit	Total	
1 Mobilization for each Work order, per each Work Order:	1	LS	\$ 25,000.00	\$ 25,000.00
2 Milling of Existing Asphalt, including milling, Hauling, disposal, and cleanup .	5000	SY	\$ 4.00	\$ 20,000.00
3 Removal of Existing Asphalt at Damaged or potholes, including Saw Cut, Removal, Disposal, and Cleanup	5000	SY	\$ 4.00	\$ 20,000.00
4 Removal of Existing and Damaged Concrete Curb and Gutter, including Saw Cut, removal, and Disposal	2500	LF	\$ 1.00	\$ 2,500.00
5 Replacement of Concrete Curb and Gutter, or Valley Gutter – cast in place, including, Forms, Finishing, and Cleanup LABOR and MATERIAL	1000	LF	\$ 39.00	\$ 39,000.00
6 Replacement of Concrete Curb and Gutter, - Slip Form, Forms, Finishing, and Cleanup LABOR and MATERIAL	1000	LF	\$ 35.00	\$ 35,000.00
7 Removal of Concrete Sidewalk, including Saw Cut, Removal, Disposal, and Cleanup	500	SY	\$ 4.00	\$ 2,000.00
8 Replacement of Concrete Sidewalk, - 4" Thick, including, Forms, Finishing, and Cleanup LABOR and MATERIAL	500	SF	\$ 9.00	\$ 4,500.00
9 Replacement of Concrete Driveway, - 6" Thickness w/ 6x6xNo4 WWF, including, Forms, Finishing, and Cleanup LABOR and MATERIAL	500	SF	\$ 9.00	\$ 4,500.00
10 Asphalt Concrete Binder Layer – ALDOT 424B - 2" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. *Materials to be paid by Owner Directly LABOR and MATERIAL	1000	Ton	\$ 30.00	\$ 30,000.00
11 Asphalt Concrete Binder Layer - Leveling – ALDOT 424B - 2" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. Materials to be paid by Owner Directly	1000	Ton	\$ 30.00	\$ 30,000.00
12 Asphalt Concrete Seal Layer – ALDOT 424A – 1-1/2" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. Materials to be paid by Owner Directly LABOR and MATERIAL	5000	Ton	\$ 27.00	\$ 135,000.00
13 Dense Grade Aggregate Base Course – ALDOT 825B - 6" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. Materials to be paid by Owner Directly LABOR and MATERIAL	2500	Ton	\$ 9.00	\$ 22,500.00
14 Solid White Traffic Stripe, Residential Type reflector Paint, 2 Coats – Shoulder Stripes LABOR and MATERIAL	2500	LF	\$ 1.00	\$ 2,500.00
15 Solid White Traffic Stripe, Residential Type reflector Paint, 2 Coats – STOP BARS (Approx. 12' x 2') LABOR and MATERIAL	50	Ea	\$ 250.00	\$ 12,500.00
16 Solid yellow Traffic Stripe, Residential Type reflector Paint, 2 Coats LABOR and MATERIAL	2500	LF	\$ 1.00	\$ 2,500.00
17 Traffic Stripe, Thermo-Plastic, Furnished and Installed LABOR and MATERIAL	2000	LF	\$ 1.00	\$ 2,000.00
Total Amount of Bid			\$ 389,500.00	

I, Keith L. Hager, PE, hereby certify that this is a true and correct tabulation of bids received by the City of Clay - Asphalt Bids on April 29, 2026, at 10:00 AM CST.



HagerCo, LLC
 1025 Montgomery Highway, Suite 110
 Birmingham, AL 35216
keithhager@icloud.com
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05/02/26



Clay City Hall
 2441 Old Springville Rd
 Birmingham, AL 35215
 Ph: (205) 680-1223

Massey Asphalt Pavement, LLC
 1426 US Hwy 11
 Trussville, AL 35173

2

City of Clay - Asphalt Bids

OFFICIAL BID TABULATION

Description	Approx. Quantity	Unit	Total	
1 Mobilization for each Work order, per each Work Order:	1	LS	\$ 5,000.00	\$ 5,000.00
2 Milling of Existing Asphalt, including milling, Hauling, disposal, and cleanup .	5000	SY	\$ 5.15	\$ 25,750.00
3 Removal of Existing Asphalt at Damaged or potholes, including Saw Cut, Removal, Disposal, and Cleanup	5000	SY	\$ 5.15	\$ 25,750.00
4 Removal of Existing and Damaged Concrete Curb and Gutter, including Saw Cut, removal, and Disposal	2500	LF	\$ 8.50	\$ 21,250.00
5 Replacement of Concrete Curb and Gutter, or Valley Gutter – cast in place, including, Forms, Finishing, and Cleanup LABOR and MATERIAL	1000	LF	\$ 31.50	\$ 31,500.00
6 Replacement of Concrete Curb and Gutter, - Slip Form, Forms, Finishing, and Cleanup LABOR and MATERIAL	1000	LF	\$ 31.50	\$ 31,500.00
7 Removal of Concrete Sidewalk, including Saw Cut, Removal, Disposal, and Cleanup	500	SY	\$ 14.46	\$ 7,230.00
8 Replacement of Concrete Sidewalk, - 4" Thick, including, Forms, Finishing, and Cleanup LABOR and MATERIAL	500	SF	\$ 8.00	\$ 4,000.00
9 Replacement of Concrete Driveway, - 6" Thickness w/ 6x6xNo4 WWF, including, Forms, Finishing, and Cleanup LABOR and MATERIAL	500	SF	\$ 13.90	\$ 6,950.00
10 Asphalt Concrete Binder Layer – ALDOT 424B - 2" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. *Materials to be paid by Owner Directly LABOR and MATERIAL	1000	Ton	\$ 31.50	\$ 31,500.00
11 Asphalt Concrete Binder Layer - Leveling – ALDOT 424B - 2" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. *Materials to be paid by Owner Directly	1000	Ton	\$ 31.50	\$ 31,500.00
12 Asphalt Concrete Seal Layer – ALDOT 424A – 1-1/2" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. *Materials to be paid by Owner Directly LABOR and MATERIAL	5000	Ton	\$ 31.50	\$ 157,500.00
13 Dense Grade Aggregate Base Course – ALDOT 825B - 6" Compacted thickness, LABOR ONLY, including coordination, hauling, placement, compaction, cleanup, and Traffic Control. *Materials to be paid by Owner Directly LABOR and MATERIAL	2500	Ton	\$ 6.72	\$ 16,800.00
14 Solid White Traffic Stripe, Residential Type reflector Paint, 2 Coats – Shoulder Stripes LABOR and MATERIAL	2500	LF	\$ 1.50	\$ 3,750.00
15 Solid White Traffic Stripe, Residential Type reflector Paint, 2 Coats – STOP BARS (Approx. 12' x 2') LABOR and MATERIAL	50	Ea	\$ 125.00	\$ 6,250.00
16 Solid yellow Traffic Stripe, Residential Type reflector Paint, 2 Coats LABOR and MATERIAL	2500	LF	\$ 1.50	\$ 3,750.00
17 Traffic Stripe, Thermo-Plastic, Furnished and Installed LABOR and MATERIAL	2000	LF	\$ 5.50	\$ 11,000.00
Total Amount of Bid				\$ 420,980.00

I, Keith L. Hager, PE, hereby certify that this is a true and correct tabulation of bids received by the City of Clay - Asphalt Bids on April 29, 2026, at 10:00 AM CST.



HagerCo, LLC
 1025 Montgomery Highway, Suite 110
 Birmingham, AL 35216
keithhager@icloud.com
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05/02/26

CITY OF CLAY, ALABAMA
RESOLUTION NO.: 2026-05-02

RESOLUTION AWARDING THE 2026 "LABOR, MATERIAL, AND EQUIPMENT" BID CONTRACT

WHEREAS, the City Council previously advertised invitations to bid regarding what is commonly referred to as the 2026 Labor, Material, and Equipment bid contract; and

WHEREAS, the City did in fact receive two (2) bids in response to the advertised Invitation to Bid; and

WHEREAS, the bids were received by the City of Clay on April 29, 2026, at 10:30 a.m. CST for the Annual Labor and Materials Project; and

WHEREAS, from the bids received, as identified by the attached bid tabulation and the Engineer's recommendation letter, the City Engineer recommended that the city award the bid in the base bid amount of \$286,800.00; and

WHEREAS, given the unstable nature of the market for the subject bid categories, it is the City's practice to award the bid to more than one bidder while naming the lowest responding bidder as the Primary Contractor.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Clay, Alabama, that:

1. The Recitals above are true, correct, approved and included herein as if fully set forth.
2. The City project for the 2026 Labor, Material, and Equipment Contract is hereby awarded as follows:
 - a. Primary Contractor: Massey Asphalt Pavement, LLC O'Cet, Inc., in the base bid amount of \$286,800.00, based on the attached bid tabulation and Engineer recommendation.
 - b. Backup Contractor: O'Cet, Inc, in the base bid amount of \$330,950.00, based on the attached bid tabulation.
3. The approvals granted herein are subject to full execution of any necessary agreement or Owner requirements and full compliance in accordance with all terms and conditions of the Bid Documents.
4. The mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and sign necessary documentation in order to carry out and fully complete the actions so authorized herein.
5. Individual work orders, projects, quantities, or scopes of work under the contract shall proceed only upon authorization by the City in accordance with the Bid Documents and applicable City procedures.

ADOPTED and APPROVED this the 12th day of May 2026.

CITY OF CLAY, ALABAMA:

DATE

JANE ANDERTON, MAYOR

ATTEST:

TOUSHI ARBITELLE CITY CLERK

AYES: _____

NAYS: _____

ABSENT FROM VOTING: _____

ABSTAIN: _____

HagerCo, LLC

Keith L. Hager, PE

AL No. 24699

May 02, 2026

Honorable Jane Anderton, Mayor
City of Clay, AL
2441 Old Springville Road
Clay, AL 35215

Re: Moody Labor & Material Bids
Bids Recommendation

Dear Mayor,

I have reviewed the bid submitted by Massey Asphalt Pavement for the above referenced project. The Contractor has submitted a valid bid and meets the requirements for lowest and best bidder to the best of my knowledge, information and belief.

It is my recommendation that the City accept the bid and enter a contract for the Annual Asphalt Contract in the Base Bid Amount of **\$286,800.**

As we discussed, the city may use this bid for installation and repair of infrastructure such as sidewalks, inlets, culverts and ditches for a period up to three years. The city does not have any obligation to use the bid, if other opportunities are available, or we can bid for any individual project at the City's sole discretion. The project is set up for the contractor to use these unit prices for repair projects, and to purchase materials directly from vendors directly (such as pipe, concrete, gravel). The city will not have to pay sales tax on materials.

If the council elects to enter a contact, at the direction of the mayor and council, the City Engineer will scope requested projects and present a price for

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Birmingham, AL 35216

Contact:
205.229.1738
keithlhager@icloud.com

the work to the city council, the Council can elect to proceed with the work or decline. While some of these items are like the Asphalt work, this allows for the use of labor and equipment to complete projects which are too large for public works, or if PW is too busy with its other business.

The ability to use this contract is particularly useful for projects which may be hazardous for City workers such as work on a busy road. The contractor would be required to provide proof of insurance to cover any accidents or workers to help protect the city against possible liability.

Submitted By:
HagerCo-LLC

A handwritten signature in blue ink, appearing to read "Keith Hager". The signature is stylized and cursive.

Keith L. Hager, PE

HagerCo, LLC

Keith L. Hager, PE
AL No. 24699

May 02, 2026

Honorable Jane Anderton, Mayor
City of Clay, AL
2441 Old Springville Road
Clay, AL 35215

Re: Clay Labor & Material Bids
Bids Received

Dear Mr. Mayor,

Per direction of the Council, I am pleased to report that the City of Clay has advertised for qualified bids in accordance with State law, and the City has received (2) bids for the Annual Labor & Materials Project. I have attached our certified bid tabulation for your review and approval.

As is customary, upon your review and approval I will publish the official Bid results for the record, and provide to each of the bidders.

Submitted By:
HagerCo, LLC



Keith L. Hager, PE

Address:
1025 Montgomery Highway, Suite 110
Birmingham, AL 35216

Contact:
205.229.1738
keithlhager@icloud.com



Clay City Hall
 2441 Old Springville Rd
 Birmingham, AL 35215
 Ph: (205) 680-1223

Massey Asphalt Pavement, LLC
 1426 US Highway 11
 Trussville, AL 35173

1

City of Clay - Annual Labor and Equipment Bid
OFFICIAL BID TABULATION

Bidder					
Description	Approx. Quantity	Unit		Total	
1 Track Hoe	100	hours	\$ 180.00	\$	18,000.00
2 Dump Truck	100	hours	\$ 130.00	\$	13,000.00
3 Mini-excavator	100	hours	\$ 145.00	\$	14,500.00
4 Skid-Steer	100	hours	\$ 135.00	\$	13,500.00
5 Track-Loader	100	hours	\$ 165.00	\$	16,500.00
6 Dozier	100	hours	\$ 175.00	\$	17,500.00
6 General Labor	300	hours	\$ 46.00	\$	13,800.00
7 Concrete Form and pour - Labor ONLY	250	CY	\$ 500.00	\$	125,000.00
8 Single Wing inlet	10	Each	\$ 2,500.00	\$	25,000.00
9 Double Wing inlet	10	Each	\$ 3,000.00	\$	30,000.00
				\$	286,800.00

I, Keith L. Hager, PE, hereby certify that this is a true and correct tabulation of bids received by the City of Clay - Labor and Material Bids on April 29, 2026, at 10:30 AM CST.



HagerCo, LLC
 1025 Montgomery Highway, Suite 110
 Birmingham, AL 35216
keithhager@icloud.com
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Clay City Hall
 2441 Old Springville Rd
 Birmingham, AL 35215
 Ph: (205) 680-1223

O'Cet, Inc.
 P.O. Box 582
 Leeds, 1AL 35094

2

City of Clay - Annual Labor and Equipment Bid
OFFICIAL BID TABULATION

Bidder					
Description	Approx. Quantity	Unit		Total	
1 Track Hoe	100	hours	\$ 197.00	\$	19,700.00
2 Dump Truck	100	hours	\$ 125.00	\$	12,500.00
3 Mini-excavator	100	hours	\$ 112.00	\$	11,200.00
4 Skid-Steer	100	hours	\$ 122.00	\$	12,200.00
5 Track-Loader	100	hours	\$ 210.00	\$	21,000.00
6 Dozier	100	hours	\$ 148.00	\$	14,800.00
6 General Labor	300	hours	\$ 44.50	\$	13,350.00
7 Concrete Form and pour - Labor ONLY	250	CY	\$ 610.00	\$	152,500.00
8 Single Wing inlet	10	Each	\$ 3,245.00	\$	32,450.00
9 Double Wing inlet	10	Each	\$ 4,125.00	\$	41,250.00
				\$	330,950.00

I, Keith L. Hager, PE, hereby certify that this is a true and correct tabulation of bids received by the City of Clay - Labor and Material Bids on April 29, 2026, at 10:30 AM CST.



HagerCo, LLC
 1025 Montgomery Highway, Suite 110
 Birmingham, AL 35216
keithlhager@icloud.com
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05/02/26



CITY OF CLAY, ALABAMA
RESOLUTION NO. 2026-05-03
CASE NO. ALC 2026-02

A RESOLUTION APPROVING THE ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD RETAIL LIQUOR LICENSE APPLICATION OF LIQUOR DISCOUNT CLAY LLC, D/B/A DEERFOOT LIQUOR, FOR THE PREMISES LOCATED AT 6736 DEERFOOT PARKWAY, SUITE 102, PINSON, ALABAMA 35126; AND AUTHORIZING WRITTEN CONFIRMATION OF THE CITY'S DECISION TO THE ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD.

WHEREAS, the City Council of the City of Clay, Alabama (the "City"), is the governing authority of the municipality and is authorized to consider and act upon alcoholic beverage license applications requiring municipal consent or approval under the Alabama Alcoholic Beverage Licensing Code and the rules of the Alabama Alcoholic Beverage Control Board (the "ABC Board"); and

WHEREAS, Alabama law provides that a retail liquor license application for premises located in a municipality must be presented to the governing authority of the municipality and must obtain the municipality's consent and approval before the ABC Board may issue the license; and

WHEREAS, Alabama law further provides that each retail liquor license application must be approved by the governing authority of the municipality, if the retailer is located in a municipality, before the ABC Board has authority to grant the license; and

WHEREAS, the ABC Board's license-application procedure requires the applicant to provide a copy of the completed application to the appropriate local governmental authority for processing and requires the local governmental authority to provide the ABC Board written confirmation of its decision; and

WHEREAS, Liquor Discount Clay LLC, d/b/a Deerfoot Liquor (the "Applicant"), has submitted to the City an Alabama Alcoholic Beverage Control Board Alcohol License Application, identified by the City as Case No. ALC 2026-02 and by the ABC Board as Confirmation Number 20260413113313691, requesting approval for a Type 011 Lounge Retail Liquor - Class II (Package) license for the premises located at 6736 Deerfoot Parkway, Suite 102, Pinson, Alabama 35126 (the "Premises"); and

WHEREAS, the application identifies the Premises as being within city/town limits, identifies police protection as City, describes the proposed operation as primarily a package-store operation, and identifies the Premises as a shopping-center location containing approximately 1,200 square feet; and

WHEREAS, the City Council has considered the application and finds that it is in the best interest of the City to approve the application for purposes of municipal consent and local governing authority action, subject to the conditions, limitations, and continuing compliance obligations set forth below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clay, Alabama, as follows:

SECTION 1. APPROVAL OF APPLICATION

The City Council hereby approves, for purposes of local governing authority consent and approval, the alcoholic beverage license application described below:

City Case No.	ALC 2026-02
ABC Confirmation No.	20260413113313691
Applicant	Liquor Discount Clay LLC
Trade Name	Deerfoot Liquor
Premises	6736 Deerfoot Parkway, Suite 102, Pinson, Alabama 35126
Requested Beverage License	Type 011 - Lounge Retail Liquor - Class II (Package)

SECTION 2. LOCAL GOVERNING AUTHORITY CONSENT

The approval granted by this Resolution is intended to constitute the City's consent, approval, and written local governing authority action required for the ABC Board's consideration of the application. This Resolution does not represent that the Applicant has satisfied every state requirement for issuance of the requested license, and final issuance, renewal, suspension, revocation, or enforcement of the state license remains within the jurisdiction of the ABC Board and other agencies having lawful authority.

SECTION 3. CONDITIONS AND LIMITATIONS

This approval is expressly conditioned upon the Applicant's continuing compliance with all applicable federal, state, county, and municipal laws, ordinances, rules, regulations, licenses, permits, and lawful orders, including but not limited to the following:

1. Final issuance and continued good standing of the applicable ABC Board license;
2. Obtaining and maintaining any required City business license, tax registration, zoning approval, certificate of occupancy, building, fire, sign, health, and other required local or state approvals;
3. Payment of all lawful license fees, taxes, permit fees, charges, and other amounts owed to the City or other governmental authorities;
4. Operation only at the Premises and only under the license type and scope approved by the ABC Board and by this Resolution;
5. No material change in ownership, location, license type, floor plan, business name, or nature of operation without any further approval required by law;

- 6. No possession, sale, service, or dispensing of alcoholic beverages before the effective issuance of the required ABC Board license; and
- 7. Compliance with all applicable public-safety, nuisance, police, zoning, building, fire, and revenue requirements of the City.

SECTION 4. NO WAIVER OR SEPARATE PERMIT APPROVAL

Nothing in this Resolution shall be construed as a waiver of the City's police powers, zoning authority, business-license authority, tax authority, nuisance-abatement authority, inspection authority, or enforcement authority. This Resolution does not approve any separate tobacco, alternative nicotine product, sales tax, health, building, fire, sign, zoning, occupancy, or other license or permit, except to the limited extent that local governing authority approval is required for the alcoholic beverage license application identified above.

SECTION 5. AUTHORIZATION TO TRANSMIT DECISION

The Mayor, City Clerk, City Manager, and other appropriate City officials, employees, and agents are hereby authorized and directed to execute, certify, transmit, and deliver to the ABC Board, the Applicant, or any other appropriate governmental authority any certificate, letter, form, minutes, confirmation, or other written communication reasonably necessary to evidence the City's action and to carry out the intent of this Resolution.

SECTION 6. EFFECTIVE DATE

This Resolution shall become effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this ____ day of _____, 2026.

CITY OF CLAY, ALABAMA

Jane Anderton, Mayor
Mayor

Toushi Arbitelle, City Clerk
ATTEST

VOTING RESULTS:

Yeas: _____	Nays: _____	Abstain: _____	Absent: _____
-------------	-------------	----------------	---------------

CERTIFICATION

I, the undersigned City Clerk of the City of Clay, Alabama, do hereby certify that the foregoing is a true and correct copy of a Resolution lawfully passed and adopted by the City Council of the City of Clay, Alabama, at a regular or special meeting of such Council held on the ____ day of _____, 2026, and that the same is on file in the City Clerk's Office.

I further certify that the City's action on the above-described alcoholic beverage license application has been or may be transmitted to the Alabama Alcoholic Beverage Control Board as the written confirmation of the City's decision.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this ____ day of _____, 2026.

Toushi Arbitelle, City Clerk
City of Clay, Alabama



**CITY OF CLAY, ALABAMA
RESOLUTION NO. 2026-05-04**

**A RESOLUTION AMENDING RESOLUTION NO. 2026-025 TO AUTHORIZE
ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$4,500.00 FOR THE CITY
FEST EVENT ON JUNE 27, 2026; ESTABLISHING COST LIMITATIONS, FUNDING
SOURCE, AND PROVIDING FOR RELATED MATTERS**

WHEREAS, the City of Clay, Alabama (the "City") promotes community events that enhance the public welfare, civic pride, and quality of life;

WHEREAS, the City Council previously adopted Resolution No. 2026-025, which authorized the Mayor and staff to enter into a contract with Pyro Shows Alabama for fireworks display services and established related cost limitations and funding provisions;

WHEREAS, the City desires to conduct and support the City Fest event on June 27, 2026;

WHEREAS, additional funds are necessary to cover City Fest event expenses, including, without limitation, event operations, vendors, rentals, supplies, setup, advertising, public-safety support, logistical needs, and other expenses reasonably related to the event;

WHEREAS, the City Council finds that the City Fest event serves a valid public purpose by promoting community engagement, public recreation, civic participation, and fellowship among residents and visitors;

WHEREAS, the City Council desires to amend and supplement Resolution No. 2026-025 to authorize additional City Fest event expenditures in an amount not to exceed Four Thousand Five Hundred Dollars (\$4,500.00); and

WHEREAS, the Finance Department shall identify and confirm the appropriate budget line item or other lawful funding source before the expenditure of such funds.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CLAY, ALABAMA, AS FOLLOWS:**

SECTION 1. RECITALS APPROVED. The recitals set forth above are true, correct, approved, and incorporated herein as if fully set forth.

SECTION 2. AMENDMENT AND ADDITIONAL FUNDING AUTHORIZATION.

Resolution No. 2026-025 is hereby amended and supplemented to authorize additional funds for the City Fest event to be held on June 27, 2026, in an amount not to exceed Four Thousand Five Hundred Dollars (\$4,500.00). Such funds are separate from and in addition to the amounts previously authorized in Resolution No. 2026-025, unless otherwise directed by the City Council.

SECTION 3. PERMITTED USE OF FUNDS. The additional funds authorized herein may be used only for lawful City Fest event expenses, including event operations, supplies, equipment, rentals, vendor services, advertising, public-safety support, setup, cleanup, logistics, and other expenses reasonably necessary to conduct the event.

SECTION 4. FUNDING SOURCE AND COST LIMITATION. The additional City Fest expenditures authorized by this Resolution shall not exceed \$4,500.00 in the aggregate and shall be paid from budget line item 80106 - Advertising, or from another lawful budget line item or appropriation certified by the Finance Department as available and appropriate for the expense. No expenditure shall be made unless sufficient funds are available and the expenditure is otherwise lawful and properly approved.

SECTION 5. AUTHORITY OF MAYOR AND STAFF. The Mayor, City Clerk, Finance Department, and appropriate City staff are authorized to take all administrative actions reasonably necessary to carry out this amendment, including obtaining quotes, issuing purchase orders, approving invoices, coordinating vendors and services, and executing necessary documents, subject to applicable purchasing requirements, budget limitations, and City procedures.

SECTION 6. NO OTHER AMENDMENTS. Except as expressly amended or supplemented herein, Resolution No. 2026-025 shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this ____ day of _____, 2026.

Mayor Jane Anderton

ATTEST:

City Clerk Toushi Arbitelle

Yays:_____ Nays:_____ Abstain:_____ Absent:_____