

Ordinance 907

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CHILDERSBURG PERTAINING TO DISCHARGING FIREARMS.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Childersburg, Alabama:

FIREARMS; DISCHARGING.

Except as otherwise provided in this section, it shall be unlawful for any person to shoot or discharge within the City Limits of the City or its Police Jurisdiction any firearm, pistol, rifle, shotgun, air gun, air rifle, B-B gun or other like instrument of any nature; provided however, this section shall not apply to the following:

- (1) To the shooting or discharging of shotgun by a duly licensed person in the act of hunting authorized gam in season with the permission of the owner of the property upon which such shooting or discharging takes place at a point not less than 2000 feet from any residential structure business structure, road or street;
- (2) To any show, display, turkey shoot, or other similar event which complies with the rules and regulations established by the Chief of Police, and for which a permit shall have been duly issued by the Chief of Police;
- (3) To duly authorized law enforcement officers acting in the line and scope of their duties as such, or engaged in training or practice at designated firing ranges;
- (4) To any duly authorized and approved indoor pistol ranges established and approved under the following conditions:
 - a. An "indoor pistol range" shall be defined as an indoor firing range where pistols are fired at targets. Nothing in this section shall be construed to permit the firing of rifles and shotguns upon these ranges.
 - b. All indoor pistol ranges shall be subsurface ranges with the target impact area at least five (5) feet below the surface of the ground.
 - c. An employee of the owner/operator must be physically present during any firing on the indoor pistol range and the employee must have:
 - 1. A National Rifle Association of America certificate of appointment as a police firearms instructor conferred by a college or university having an accredited law enforcement academy; or
 - 2. A current police instructor certificate, from any college or university having an accredited law enforcement academy.
 - d. All indoor pistol ranges must be in a building approved by the building director and must meet all requirements and building code regulations for indoor pistol ranges, as provided for elsewhere by this Code, and must meet all requirements of the laws of the state and the city.
 - e. The only pistols which may be fired within an indoor pistol range shall be .22 caliber, .25 caliber, .32 caliber, .38 caliber, .38 caliber special, .45 caliber and .357 magnum.

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Discharge of firearms*

f. no minor shall fire or be physically present on indoor fire range with out appropriate adult supervision

- supervision
- g. During the cleaning operations of an indoor pistol range, as provided for elsewhere by this Code, the person or persons so employed shall wear a respirator provided for use in lead contaminated areas and additional coverall clothing shall also be worn by said person or persons. No eating, drinking or smoking shall be allowed during said cleaning operations.
 - h. All persons and all range officers on the firing line must use ear muffs, ear plugs or both during all firing on an indoor pistol range.
 - i. All indoor pistol ranges shall have at least two (2) containers available, one of which shall be conspicuously marked "trash" and the other shall be conspicuously marked "spent cartridges."
 - j. The empty cartridge receptacle shall be covered after each firing session.
 - k. All indoor pistol ranges shall be equipped with coat racks.
- (5) To any duly authorized and licensed outdoor shooting range, shooting gallery, skeet range, or gun club established and approved under the following conditions:
- (a.) A "outdoor shooting range, skeet range, or gun club" shall be defined, in accordance with 11-51-102 of the Code of Alabama 1975, as a range in which firearms, other than hand guns, are fired at targets for sport or recreation.
 - (b.) No minor shall fire or be physically present on a shooting range without appropriate adult supervision.
 - (c.) No alcoholic beverages shall be consumed or sold on the premises.
 - (d.) A list of all members of any club shall be submitted to the City.
 - (e.) The hours of operation shall be as follows:

Wednesday	-	12:00 p.m. to 6:00 p.m. (ST)
		12:00 p.m. to 8:30 p.m. (DST)
Saturday	-	8:00 a.m. to 6:00 p.m. (ST)
		8:00 a.m. to 8:30 p.m. (DST)
Sunday	-	12:00 p.m. to 6:00 p.m. (ST)
		12:00 p.m. to 8:30 p.m. (DST)

Any variation from this schedule must be approved in advance by the City Council.

(SKEET RANGE WILL BE CLOSED ON CHRISTMAS DAY, EASTER SUNDAY, MOTHER'S DAY AND FATHER'S DAY)
 - (f.) A maximum of eight (8) tournaments per four year may be held.

(30) days prior to any changes.

(6) The authorized discharge of firearms will require a "code of approval" to be obtained from the Childersburg Police Department for the day of the authorized discharge of firearms.

All prior ordinances in conflict with this Ordinance are hereby repealed.

This Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED AND APPROVED this the 7th day of February, 1994.

B. J. Meeks
B. J. Meeks
Mayor

ATTEST:

Frank E. Humber
Frank E. Humber
City Administrator/Planner

CERTIFICATE

I, Frank E. Humber, City Administrator/Planner of the City of Childersburg, Alabama, do hereby certify that this ordinance is an official publication of the laws, ordinances and resolutions passed and adopted by the Mayor and Council of the City of Childersburg, Alabama and that this publication by authority and under the direction of the Mayor and Council is to be and become effective as of the 3rd day of March, 1994 which is five (5) days after the date of posting as provided by law.
Posted this the 25th day of February, 1994.

Frank E. Humber
Frank E. Humber
City Administrator/Planner

g). The property utilized by range must be owned or under the control of the Club or operators.

h). Any variation from this schedule must be approved in advance by the City Council. Council must be notified at least 30 days prior to any changes.

SECTION 5 - AG: AGRICULTURAL ZONING DISTRICT

- 5.1 ***District Intent.*** The purpose of this district shall be to promote and encourage commercial agriculture, forestry, and other land-intensive, natural resource-based industries. The district also provides for a mix of low intensity residential and commercial uses that contribute to the rural economy and maintain the mix of uses that are characteristic of rural areas. Low intensity development patterns are preferred in this district due to the limited infrastructure available to support intensive development and the need to conserve productive soils from excessive erosion from stormwater runoff and competition from developed uses.
- 5.2 ***Permitted Uses.*** The following identifies the uses permitted in the AG - Agricultural Zoning District.
- A. Single-family dwellings. In addition, an active farm operation located on a lot of record that is twenty-five (25) acres or more in size and contains a primary dwelling and at least one accessory structure used to support an ongoing commercial or subsistence agricultural activity conducted on the property shall be permitted to establish at least one (1) additional accessory single family residential dwelling unit for each twenty-five (25) acres of land in the subject lot (or portion thereof), without the need for subdivision of the lot, provided the following conditions are met:
1. The proposed new accessory dwelling is sited in an area of the lot that is not actively used for agriculture or will be sited on the lot in a way that will minimize the impact of the residential use on the farm's operation and agricultural productivity.
 2. The proposed new accessory dwelling unit is served by an independent private septic system approved by the County Health Department.
 3. The proposed new accessory dwelling unit is accessed by a driveway not longer than eight hundred (800) feet in length as measured from the public street serving the dwelling.
 4. The proposed new accessory dwelling unit complies with all applicable setback requirements and is afforded sufficient dedicated yard area that the dwelling can be subdivided in the future from the current lot in full compliance with the applicable requirements of this Ordinance and the Subdivision Regulations without the need for a variance.
 5. The proposed new accessory dwelling unit will be occupied by a member of the family that owns or operates the farm or by an employee of the farm.
- B. Accessory residential dwelling units in compliance with all requirements specified in Article IV, Section 6 of this Ordinance.

- C. Single Family Group homes, subject to the standards established in Article II, Section 2 and Article IV, Section 2 of this Ordinance.
- D. Accessory uses and buildings (including farm stands), subject to the standards established in Article III, Section 4 of this Ordinance, including off-street parking and loading spaces.
- E. Home occupations, subject to the standards established in Article IV, Section 4 of this Ordinance.
- F. Cottage industries, subject to the standards established in Article IV, Section 4 of this Ordinance.
- G. Agricultural, dairying, and poultry and livestock raising in compliance with all applicable Best Management Practices promoted by the Alabama Department of Environmental Management, provided that the subject lot contains not less than five (5) acres of land, and all buildings used for housing fowl or animals, storing grain or feed, or processing products shall not be located closer than two hundred fifty (200) feet to any property line.
- H. Greenhouses and nurseries.
- I. Sale of products and commodities raised on the premises only, provided that any structure used for such sales shall not be closer than thirty-five (35) feet to the front or side property lines.
- J. Non-commercial agriculture, poultry, horse, and livestock raising as an accessory use to a one family dwelling for the principal benefit of the occupant thereof, provided that the subject lot contains not less than three (3) acres of land, and all related accessory buildings are located in the rear yard and not closer than one hundred (100) feet to any property line.
- K. Harvesting of timber, provided that such activities comply with all applicable Best Management Practices promoted by the U.S. Department of Agriculture, and no clear cutting of land shall occur within two hundred (200) feet of the mean high water mark of Lay Lake.
- L. Temporary or portable sawmills for the cutting of timber on the surrounding land, provided that machine operations shall not be located closer than two hundred (200) feet from any property line.
- M. Riding stables and academies, provided that the subject lot contains not less than five (5) acres of land, and any structure, pen, or corral housing animals (but not including grazing areas) shall not be closer than two hundred (200) feet to any property line.

- N. Public or private schools, including pre-schools, day nurseries, and kindergartens, provided that any play area is enclosed on all sides by a fence to a height of at least four (4) feet.
- O. Publicly-owned and operated community structures and lands, including parks.
- P. Public utility structures and lands.
- Q. Public or private fishing clubs, gun clubs, and other similar outdoor recreational activities on parcels containing ten (10) or more acres of land, provided that all outdoor activities involving the discharge of fire arms shall be conducted more than two hundred fifty (250) feet from any property line and directed away from any established adjoining residential uses.
- R. Athletic fields or stadiums, race tracks and speedways, and other recreational areas for public use, including golf driving ranges, swimming pools, fish lakes, and similar recreational uses, provided that the parcel contains at least ten (10) acres of land, that all outdoor lighting provided for night use shall be properly directed and shielded as needed to prevent excessive glare on adjoining properties, and all activities are located at least one hundred (100) feet from any property line.
- S. Public or private golf course.
- T. Churches and other similar places of worship.
- U. Cemeteries.
- V. Boat docks and boat houses, as accessory uses to a residential use.
- W. Bed and Breakfast Inns.
- X. Residential Care Homes, Domiciliary Care Facilities, or Board and Care Homes.
- Y. Hospitals, Clinics, Nursing or Convalescent Homes, and Charitable or Philanthropic Institutions.
- Z. Veterinary Clinic, Commercial Kennels, and the raising of other domestic animals for sale, provided that no portion of a building, structure, outdoor run, or pens used to house or exercise such animals shall not be located closer than two hundred (200) feet from any property line.

5.3 **Dimensional Requirements:**

- A. **Minimum Lot Size:** Twenty Thousand (20,000) square feet for each lot, plus any additional area deemed necessary by the Talladega or Shelby County Health Department for proper siting and installation of on-site sewage disposal facilities. An additional twenty thousand (20,000) square feet of dedicated land area (used only to support a residential use) shall be required to be reserved for each independent accessory single family residential unit allowed.
- B. **Minimum Lot Width:** One Hundred (100) feet. All lots must comply with the minimum lot width to length ratio specified in Article III, Section 5.4.
- C. **Minimum Front Yard Setback:**
 - 1. Forty (40) feet from the edge of the right-of-way line. An additional setback may be required under the conditions specified in Article III, Section 7 of this Ordinance.
 - 2. For any lot with frontage along a street classified as a collector in the Comprehensive Plan, all structures shall be set back at least eighty (80) feet from the centerline of the collector street.
 - 3. For any lot with frontage along a street classified as an arterial in the Comprehensive Plan, all structures shall be set back at least one hundred fifteen (115) feet from the centerline of the arterial street.
- D. **Minimum Side Yard Setbacks:** Twenty (20) feet.
- E. **Minimum Rear Yard Setback:** Fifty (50) feet.
- F. **Maximum Structure Height:** Thirty-five (35) feet or two and one half stories for all structures that are not exempt from height requirements, as specified in Article III, Section 3.1 of this Ordinance.
- G. **Maximum Impervious Surface Area:**
 - 1. For all lots under one (1) acre in size, not more than six (6) percent of the total lot area.
 - 2. For all lots between one (1) and three (3) acres in size, not more than five (5) percent of the total lot area.
 - 3. For all lots greater than three (3) acres in size, not more than four (4) percent of the total lot area.

5.4 *Minimum standards for all dwellings.*

- A. **Minimum Dwelling Unit Gross Floor Area:** Eight hundred (800) square feet.
- B. **Minimum required roof pitch:** 3:12
- C. **Landscaping:** All dwelling sites shall be landscaped in a manner consistent with other adjoining residential home sites in the area or neighborhood. At a minimum, ornamental shrubs shall be applied along the front yard foundation or skirting of each dwelling.