

**ORDINANCE NO. 2026 – 16**  
**TO AMEND THE CITY OF CULLMAN ZONING ORDINANCE**

**SECTION I. PURPOSE.** The purpose of this Ordinance is to modify, amend, or delete portions of the current Zoning Ordinance.

**SECTION II.** The following section of the City of Cullman Zoning Ordinance, Chapter 62, “Zoning,” Section 165, “Reconstruction of damaged buildings or structures,” of the *Code of Ordinances City of Cullman, Alabama*, is hereby deleted in its entirety and replaced as follows:

**Sec. 62-165. - Reconstruction of damaged buildings or structures.**

- a) Any nonconforming dwelling damaged by fire, wind, flood, or other causes, may be repaired or rebuilt within the footprint and square footage of the nonconforming dwelling. The repairs or reconstruction must be initiated within one hundred and eighty (180) days and completed within three hundred and sixty-five (365) days of such damage. Other nonconforming structures damaged by fire, wind, flood or other causes up to sixty (60) percent of their value prior to the damage, may be repaired or rebuilt within the existing footprint and square footage. If the damage exceeds sixty (60) percent of the value of the structure, the structure must be made to conform to applicable zoning regulations, if repaired or rebuilt.
- b) Any accessory structures such as storage buildings, detached garages, and similar buildings which have been damaged by fire, wind, flood, or other causes, must be brought into compliance with the requirements of the zoning district in which they are located.
- c) Any single-family dwelling that has been declared a dangerous structure under Section 10-335 of the Code of Ordinances City of Cullman, Alabama, by the Building Official may be rebuilt within the same footprint provided that setbacks comply with the International Residential Code.
- d) In order to promote economic vitality, community well-being and public safety, any Blighted Property, as determined by the Building Official, that is residential may be demolished and rebuilt within the same footprint provided that setbacks comply with the International Residential Code. Blighted Property is defined as any property and/or structure that exhibits one or more of the following conditions:
  - 1) Structures that are unsafe, uninhabitable, or deteriorated,
  - 2) Abandoned, vacant, or boarded buildings,
  - 3) Repeated criminal activity or nuisance behavior involving said property,
  - 4) Presence of mold, vermin, stagnant water, fire hazards, or other conditions harmful to health or safety,
  - 5) Neglected, run-down and/or unsightly structures,
  - 6) Accumulation of trash, debris, or overgrown vegetation, or
  - 7) Conditions that pose a threat to public health or safety.
- e) **NOTICE.** The Building Department shall notify all Adjacent Property Owners upon application of the Property Owner for approval of a non-conforming use. Adjacent Property Owners are defined as any property contiguous to the subject property, including properties directly across from said subject property. Said notice shall be given by certified mail or hand delivery within seven (7) business days from the submission of the application. The Building Official shall notify the Property Owner and Adjacent Property Owner of decisions regarding applications for non-conforming use. Said notice shall be given by certified mail or hand delivery within seven (7) business days of the decision.

- f) **APPEAL.** The Property Owner shall have the right to appeal any decision of the Building Official. Said appeal shall be made in accordance with Ordinance 2-380, Ordinance 2-381 and Ordinance 62-181 et. seq. Any Adjacent Property Owner shall have the right to appeal any decision of the Building Official decision within fourteen (14) days of said decision and shall be in accordance with Ordinance 2-380, Ordinance 2-381, and Ordinance 62-181 et. seq.

**SECTION III. SEVERABILITY CLAUSE.** Each and every provision of this Ordinance is hereby declared to be an independent provision and that holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held invalid. This Ordinance repeals any prior Ordinance in conflict therewith.

**SECTION IV. EFFECTIVE DATE.** This ordinance shall be effective following its passage, approval and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 26<sup>th</sup> day of January, 2026.

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President of the City Council

ATTEST:

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City Clerk

APPROVED BY THE MAYOR this the 26<sup>th</sup> day of January, 2026.

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Mayor