

ORDINANCE NO. 2026 – 29

AUTHORIZING THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, TO ADOPT RESOLUTIONS PERMITTING THE PROVISION OF SANITARY SEWER SERVICE TO CUSTOMERS OUTSIDE THE CORPORATE LIMITS OF THE CITY

WHEREAS, the City of Cullman, Alabama (the "City"), operates and maintains a sanitary sewer system for the benefit of its residents and businesses within its corporate limits; and

WHEREAS, from time to time, property owners or residents located outside the corporate limits of the City may request connection to and service from the City's sanitary sewer system; and

WHEREAS, extending sanitary sewer service outside the corporate limits may promote public health, environmental protection, economic development, and orderly growth in the region surrounding the City; and

WHEREAS, pursuant to Alabama Code § 11-50-1 et seq., and other applicable laws, municipalities in the State of Alabama are authorized to extend public utilities, including sanitary sewer services, beyond their corporate limits under appropriate conditions; and

WHEREAS, the City Council of the City of Cullman finds it in the public interest to establish a mechanism whereby it may authorize such extensions on a case-by-case basis through the adoption of resolutions, subject to terms and conditions that protect the City's interests, including but not limited to cost recovery, annexation requirements, and compliance with applicable regulations;

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

ARTICLE III. WASTEWATER

DIVISION 2. CONNECTION PROCEDURES OUTSIDE CITY LIMITS

Section 1. Authorization to Provide Service Outside Corporate Limits.

The City Council of the City of Cullman is hereby authorized to adopt resolutions, permitting the City to provide sanitary sewer service to customers located outside the corporate limits of the City. Prior to consideration of the above-mentioned resolution by the City Council, the superintendent over the sanitary sewer system shall provide a written recommendation on "why" or "why not" the city should connect the customer located outside the city limits. Each such resolution shall specify the terms and conditions under which the service shall be provided, which may include, but are not limited to:

- (a) The location and description of the property or properties to be served;
- (b) Requirements for the payment of connection fees, tap fees, impact fees, or other charges to cover the costs of extension and service;
- (c) Conditions related to annexation of the property into the City, if applicable;
- (d) Compliance with all applicable City ordinances, state and federal laws, and regulations governing sanitary sewer systems;
- (e) Provisions for the maintenance, repair, and liability associated with the extension;
- (f) Any other terms deemed necessary by the City Council to protect the public interest and the integrity of the City's sanitary sewer system.

Section 2. No Obligation Created.

Nothing in this Ordinance shall be construed to create any obligation on the part of the City to provide sanitary sewer service outside its corporate limits. All such extensions shall be at the sole discretion of the City Council and subject to the availability of capacity in the City's system.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date.

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

ADOPTED BY THE CITY COUNCIL this the 23rd day of February, 2026.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR this the 23rd day of February, 2026.

Mayor

COUNCIL AGENDA REQUEST

Date: 02/18/2026

Department: Sewer Name: Chris Freeman

Phone: 256-775-7211 Email: cfreeman@cullmanal.gov

Type of request (select all that apply):

- Alcohol License
- Budget Amendment
- Contract Approval
- Public Comment
- Special Event
- Other
- Annexation
- Change Order
- Petition
- Resolution
- Tax Abatement
- Bid Award
- Codification Change
- Proclamations
- Rezoning
- Variance

Reason for Request:

To establish a process to provide sewer service outside the city's limits.

Supporting Documentation:

Attach supporting documentation.

Signature:  Chris Freeman
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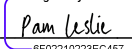
Approval Sequence:

1. Administration – City Clerk’s Office

Verifies form is completed and proper documentation is attached.

Approved to Move Forward Rejected Return to Requestor

Comments:

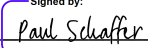
Signature:  Pam Leslie Date: February 18, 2026 | 4:31 PM CST
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2. Council Committee Chairperson - Paul Schaffer

Ensures necessity of the request.

Approved to Move Forward Rejected Return to Admin

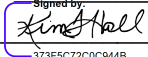
Comments:

Signature:  Paul Schaffer Date: February 18, 2026 | 5:03 PM CST
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3. Council President

Approved for Council Agenda Rejected Return to Committee

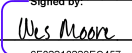
Comments:

Signature:  Kim Hall Date: February 18, 2026 | 7:18 PM CST
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4. Administration – City Clerk’s Office

Added to Council Agenda Date of Meeting: 02/23/2026

Comments:

Signature:  Wes Moore Date: 02/18/2026
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