

December 16, 2013

The Mayor and Council of the City of Calera met on December 16, 2013 at 6:30 p.m. at Calera City Hall with the following present:

Mayor: Jon G. Graham

Council Members: Ernest Montgomery, Alan Watts, David Bradshaw, Chris Bunn, Philip Busby, Bobby Joe Phillips

Department Heads: Roy Hadaway, Finance Director
Sean Kendrick, Fire Chief
Sean Lemley, Police Chief
Reggie Darden, Building Official
David Jones, Public Works Director
Doug Smedley, Sewer Operations
Seth Gandy, Park and Recreation Director
Chris Pappas, City Engineer
Janet Greathouse, Library Director
Matt Worthen, IT Manager

Guests: Harold Cole, Sondra Coley and Butch Ellis

David Allison called the meeting to order and opened with a Word of Prayer and the Pledge of Allegiance.

Council Member Phillips made a motion to approve and dispense with the reading of the following minutes:

Regular Meeting – December 2, 2013
Work Session – December 2, 2013

Council Member Bradshaw seconded said motion which was carried unanimously.

REPORTS OF DEPARTMENT HEADS:

Roy Hadaway, Finance Director presented the attached budget adjustment for approval. (See Attached)

Council Member Bunn made a motion to approve the budget adjustment. Council Member Bradshaw seconded said motion which was carried unanimously.

Seth Gandy, Park and Recreation Director reported a new Welcome to Calera Sign was installed on Highway 22 in front of Calera Middle School. A grant was given by Alabama Power for the installation and construction of the new sign.

Chris Pappas, City Engineer reported paving should begin soon at the Sports Complex. Mr. Pappas advised the city will replant the buffer zone for the Meriweather Ditch Project.

David Jones, Public Works Director reported the new garbage truck will go into service this week.

COUNCIL MEMBER REPORTS:

Council Member Montgomery advised he had received an email from Patrick Reed concerning turnoffs. Mayor Graham advised he has spoken with Mr. Reed.

Council Member Bunn advised Mr. Reamer paid back taxes on 20 vacant lots in Waterford.

MAYOR REPORT:

No report given

OLD BUSINESS:

No Old Business

NEW BUSINESS:

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2013-23

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, AS FOLLOWS:

THAT, Calera Police Department Directives Manual be amended by replacing sections number A-6.1 and A-6.2:

Calera Police Department DIRECTIVES MANUAL

Use of Firearms A-6.1

Date: December 16, 2013

Purpose: To establish policy and procedure for the use of firearms.

Section 1.

A. Use of Firearms

1. The use of deadly force may only be applied when an officer reasonably believes that he is in imminent danger of death or serious physical injury, or when the officer reasonably believes that another person is in imminent danger of death or serious physical injury.
2. Officers shall not fire "warning shots".
3. Officers shall not discharge their firearm at or from moving vehicles, except in self-defense, or the defense of others and only when reasonable to do so under the existing conditions.
4. Officers may use their firearm to cover suspected armed or dangerous offenders or suspects.
5. Officers may use their firearm during the search for suspects, both in public or while clearing structures.

6. Officer may use their firearm in any other situation where the reasonable use of such firearm would defend the officer, or another person, from death or serious physical injury.
7. Officers shall never place their finger on the trigger of a firearm, unless the officer has made the decision and is ready to discharge the firearm.
8. Officers shall always make best efforts to be aware of their surrounds and what is beyond the intended target or deadly threat when discharging their firearm.
9. Firearms shall not be used to intimidate, but shall only be used to search, cover or in self-defense of the officer or others.
10. Firearms may be discharged to kill injured, dangerous or rabid animals. However, officers shall use extreme caution when discharging firearms in populated or residential areas and should consider other alternatives when reasonably possible.

B. Reporting the use of Firearms

1. **Covering or pointing of Firearms** : Whenever a firearm is used to cover a suspect by pointing a firearm at or near a suspect or offender, a "Response-to-Resistance" form shall be completed and submitted through the chain of command.
2. **Killing of Animals Discharge:** Whenever a firearm is used to kill an animal, the officer shall notify their chain-of-command as soon as reasonably possible and complete an Incident-Offense Report before the end of their shift.
3. **Accidental Discharge without Injuries:** Whenever a firearm is accidentally, or unintentionally discharged and no injuries were sustained; the officer shall notify their chain-of-command, up to the Chief of Police as soon as reasonably possible and complete an Incident-Offense report by the end of their shift.
4. **Accidental Discharge with Injuries:** Whenever a firearm is accidentally or unintentionally discharged and injuries were sustained; the officer shall notify their chain-of-command, up to the Chief of Police as soon as reasonably possible and shall provide official statements and complete an Incident-Offense Report within 24-hours. If the officer is physically or mentally unfit to complete an Incident-Offense Report within 24-hours, the Chief of Police, or his designee may extend the time required to complete the report or to give any official statements.
5. **Self-Defense Discharge:** Whenever a firearm is discharged in self-defense or in the defense of others; the officer shall notify their chain-of-command, up to the Chief of Police as soon as reasonably possible and shall provide official statements and complete an Incident-Offense Report and a Response-to-Resistance Report within 24-hours. If the officer is physically or mentally unfit to complete the official reports and statement within 24-hours, the Chief of Police, or his designee may extend the time

required to complete the report or to give any official statements.

C. Investigation of Firearms Discharged:

1. Upon notification of an accidental firearms discharge with injuries, or a self-defense or defense of others firearms discharge, the Chief of Police will notify an outside agency to investigate the incident.
2. If an officer is required to surrender their handgun, the department will issue the officer another handgun, until the investigating agency returns the officer's duty handgun.
3. The Chief of Police will assign a detective to assist with the investigation by providing departmental policies, procedures and other logistical support.
4. An internal investigation will be conducted separately by this agency to determine if departmental policies or procedures have been violated.
5. No member of this department shall discuss the incident with anyone, other than with the assigned investigators; unless approved by the Chief of Police, or his designee.

Calera Police Department DIRECTIVES MANUAL

Carrying of Firearms A-6.2

Date: December 16, 2013

Section 1. Issued Firearms

Section 2. Qualifications of Firearms

Section 3. Maintenance of Firearms

Section 4. Carrying of Firearms

Purpose: To establish policy and standard procedures for the issuing, qualifications, maintenance and carrying of firearms.

Section 1. Issued Firearms

A. Departmental issued Firearms

1. Officers are only authorized to carry departmental issued ammunition, handguns and rifles as their primary duty weapons.
2. Each officer will be assigned one (40) caliber handgun with night sights, three magazines and (50) rounds of duty ammunition.
3. Each officer will be assigned one (AR-15) style rifle, equipped with a sling, light and sighting system, two magazines and (50) rounds of duty ammunition.
4. Duty ammunition for the handgun and rifle will be replaced annually, during APOSTC qualifications.
5. Each officer will be issued a Level II holster, if needed.
6. Each officer will be instructed on, and must learn the proper use, nomenclature, functionality, proper disassembly and reassembly of their issued firearms.
7. No issued firearm may be altered from its original manufactured specifications.
8. The following attachments are approved for issued firearms, but must be installed and inspected by a department armorer;
 - a. Rifle - Collapsible stock. (Issued)

- b. Rifle - Tactical Sling (Issued)
 - c. Rifle - Tactical Light w/pressure switch (Issued)
 - d. Rifle - Flip up Rear Sights (Issued)
 - e. Rifle - Tactical Sights, Digital or Electronic Sighting System (Issued)
 - f. Rifle - Laser (Not Issued)
 - g. Rifle - Fore end Grip (Not Issued)
 - h. Rifle - Handgrip (Not Issued)
 - i. Handgun - Night Sights (Issued)
 - j. Handgun - Tactical Light (Not Issued)
 - k. Handgun - Laser, Recoil Tube laser Only - (Not Issued)
 - l. Any other attachment or accessories must be approved by the Master Firearms Instructor up to the Chief of Police.
9. When officers are placed on administrative leave or suspended from duty; the officer shall surrender their firearm, along with their badge and ID card, until returning for duty.
 10. Upon termination from employment, officers shall surrender their issued firearms, along with the gun case and all other issued equipment.

Section 2. Qualification of Firearms

A. Range Master/Firearms Instructor/Training Officer

1. The Range Master, Firearms Instructor or Training officer may not outrank every officer on the range, or in training; however they are in charge of the training, the range and to a degree are held responsible for the safety and proper training of the officers. Therefore, every employee will follow the trainer's guidelines, direction and commands while in training; unless a serious risk of injury is posed due to the training.
2. The Chief of Police or his designee shall be notified immediately of any training that poses a serious risk of injury.

B. Firing Range Rules and Procedures

1. No one shall enter the firing range while under the influence of alcohol or any other substance that may impair their ability to handle a firearm.
2. No weapons will be brought onto the firing range loaded, when reporting for training.
3. All officers will follow the rules, instructions and commands of the firearms instructor.
4. No horse playing on the firing range.
5. Handguns shall remain holstered, until instructed otherwise by the firearms instructor.
6. Unless on the line of fire, when handguns are approved to be removed from the holster, the magazine shall be removed and the slide locked back to the rear, indicating the handgun is safe.
7. Unless on the line of fire, rifles shall remain pointed down at the ground and the magazine shall be removed and the bolt locked back to the rear, indicating the rifle is safe.
8. Firearms shall never be pointed at anyone during training.
9. Steel targets may not be used closer than 20-yards away from the shooter. Steel targets shall be angled to deflect "slash-back" or bullet fragments away from the shooter.
10. Eye and ear protection are required when on the range during live fire.

11. Firearms may only be loaded when on the line of fire and when instructed to do so by the firearms instructor.
12. Officers shall always keep their finger outside of the firearm's trigger-guard and shall never place their finger on the trigger, until they have acquired a target and have decided to pull the trigger and discharge the firearm.
13. Sworn officers of this department may enter and use the firing range to perfect their shooting skills while off duty. Furthermore, sworn officers may bring up to two other responsible people onto the range with them. The officer is responsible for following the range rules and procedures and for ensuring anyone who enters the range with them follows the posted rules and established procedures. Officers will be held to this policy on or off duty, while on the firing range.

C. Handgun Qualifications

1. Every sworn officer must qualify with their departmental issued handgun.
2. Officers must qualify annually with a minimum score of (80) on the APOSTC qualification course during the daylight or lit courses.
3. Officers must qualify annually with a minimum score of (80) on the APOSTC qualification course during the night, or low-light courses.
4. Officers must participate in a tactical or combat style course annually.
5. Officers must participate in a scenario based training course, or class annually.
6. Officers who are approved to miss training must work with the firearms instructor or training officer and their supervisor to make up the training within (30) days of the original training date.

D. Rifle Qualifications

1. Every sworn officer must qualify with their department issued rifle.
2. Officers must qualify annually with a minimum score of (90) on the approved qualification course during the daylight or lit courses.
3. Officers must qualify annually with a minimum score of (90) on the approved qualification course during the night or low-light courses.
4. Officers must participate in a tactical or combat style course annually.
5. Officers must participate in a scenario based training course, or class annually.
6. Officers who are approved to miss training must work with the firearms instructor or training officer and their supervisor to make up the training within (30) days of the original training date.

E. Failure to qualify with Handgun

1. During handgun qualifications, officers must qualify with the minimum approved score.
2. First attempt: Officers who fail to qualify with a minimum score of (80) on the first attempt will be allowed a second attempt to qualify.
3. Second attempt: Officers who fail to qualify with a minimum score of (80) on a second attempt must be given on-site practical remedial training by the firearms instructor, covering the basics and fundamentals of trigger control, sight alignment, stance and breath control.
4. Third attempt: After completing on-site remedial training, officers will be allowed to attempt to qualify a third time. Per APOST standards, the

officer will be required to qualify with a minimum score of (70). If the officer fails to qualify with a (70) on the third attempt;

- a. The officer must report to the Chief of Police, or his designee, where the officer's assigned handgun will be relinquished.
 - b. The officer will be placed on plain clothes administrative duty for no less than 24 hours, but not more than one week.
 - c. Within one-week, the officer must attend a full remedial training class by the firearms instructor, consisting of classroom and practical exercises on the basics and fundamentals of firearms handling and shooting skills.
5. Fourth Attempt: After a full remedial training class, the officer will be allowed two more attempt to qualify with a minimum score of (70). If the officer fails to qualify;
- a. The officer may be reassigned to a civilian or non-sworn law enforcement position, if available and will assume the pay-rate of the new position.
 - b. If the officer refuses the civilian or non-sworn position, or if there are no open positions available, or if the officer is not qualified for the open position; the officer will be placed on paid administrative leave, pending the outcome of a termination hearing; for being unable to perform the assigned and required duties of a law enforcement officer.

F. Failure to Qualify with Issued Rifle

1. Officers who fail to qualify with the issued rifle on the first attempt will be allowed a second attempt.
2. Second Attempt: Officer who fails to qualify on the second attempt will be given on-site and practical remedial training, covering the basics and fundamentals of stance, grip, sight alignment, sight picture, trigger control and breath control.
3. Third attempt: After remedial training, officers will be allowed a third attempt to qualify.
4. Four Attempt: If an officer fails to qualify after a third attempt, the officer will relinquish their rifle to the firearms instructor and shall be restricted from carrying a rifle for a minimum of 24 hours.
 - a. The firearms instructor shall forward a report to the Chief of Police of the temporary suspension of the rifle.
 - b. Within thirty days, the officer must schedule to attend a full firearm's basics and fundamental training class, consisting of classroom and practical firearms skills.
5. Fifth Attempt: After attending a full firearm's training class, the officer will be allowed to attempt a qualification.
 - a. If the officer fails to qualify then the officer will be suspended from carrying a rifle until the next annual rifle qualifications.
 - b. The firearms instructor shall forward a report to the Chief of Police of the annual suspension of the rifle.

- c. The officer may attempt to qualify one time annually to carry the rifle.
- d. If the officer fails to qualify on the annual qualification course, the officer must wait until the next annual rifle qualifications to attempt to qualify again. This will be repeated annually until the officer can qualify.

Section 3. Maintenance & Inspections of Firearms

A. Weapons Cleaning

1. Firearms shall be properly cleaned immediately after firearms qualification or training.
2. Firearms shall be properly cleaned after carrying the weapon in adverse or hostile conditions.
3. Officers may only break-down or "field strip" their issued firearms as instructed when issued the firearm. Only certified Armorers may disassemble the firearms beyond the normal "field strip".
4. Officers shall immediately report to their supervisor and the Firearms Instructor, any worn, broke or malfunctioning parts or firearms. The firearm will be taken out of service and replaced. The department armorer shall be notified and the weapon repaired and reissued.
5. When cleaning, or clearing a handgun at the police department; the officer shall stand in front of the "Shot Trap" located in the patrol room; upholster their handgun, placing the barrel into the shot trap and release the magazine; then slide the upper receive "slide" to the rear, clearing the round from the chamber and locking the slide to the rear.
6. When loading a handgun at the police department; the officer shall stand in front of the "Shot Trap" and place a magazine into the firearm; then place the barrel of the firearm into the Shot Trap and charge the weapon with a live round. The officer shall wait approximately three seconds before removing the barrel from the Shot Trap after chambering and then secure it into the holster.
7. Rifles shall not be carried with a live round in the chamber, unless deployed for duty use; therefore rifles should usually not have to be cleared of ammunition in the chamber while at the police department. However, if a rifle is chambered with a live round at the police department, the officer shall place the barrel of the rifle into the Shot Trap, remove the magazine and pull the charging handle to the rear, locking the chamber open.

B. Inspection and Armoring of Departmental Firearms

1. All officers shall routinely inspect their firearms for worn or broken parts and shall immediately report any problems through their immediate supervisor to the Firearms Instructor.
2. Broke, worn or unreliable firearms shall be taken out of service and repaired by the departments Armorer(s), or sent to the manufacturer or authorized dealer for repair. The officer shall be reissued another firearm as a replacement, or until their issued

firearm has been repaired and tested for reliability. The armorer shall prepare a report to the Chief of Police indicating the condition of the firearm and its status for repairs or replacement.

3. The department's certified Armorer(s) shall inspect and service all departmental firearms annually. The Armorer shall;
 - a. Completely disassemble and inspect the firearm's reliability.
 - b. Disassemble and inspect the firearm's magazines.
 - c. Repair or replace worn or broken parts.
 - d. Clean internal and external parts.
 - e. Function-test the firearm.
 - f. Maintain records of firearm inspections and service.
 - g. Report any mistreatment or unusual abuse of the firearms.
 - h. Report and recommend when firearms should be taken out of service and replaced.

Section 4. Carrying of Firearms

A. Carrying of Issued Handgun On-Duty

1. Officers are only authorized to carry the departmental issued handgun as their primary duty firearm.
2. The departmental handgun and badge must be displayed together. Officers shall not carry a firearm without displaying the badge and the badge shall not be displayed without carrying the firearm.
3. Officers shall carry their handgun fully loaded with departmental issued ammunition and a round loaded in the chamber.
4. The patrol division shall carry the primary duty handgun secured in a minimum of a Level-II Holster.
5. Plain clothes officers shall carry the primary duty handgun secured in a minimum of a Level-I Holster.
6. The patrol division shall carry a minimum of two extra magazines, fully loaded with departmental issued ammunition and secured in a magazine pouch on the officer's duty belt.
7. While it is recommended that plain clothes officers carry extra magazines on their person; they shall insure they have fully loaded extra magazines in their police vehicle and kept readily available for deployment.
8. Officers shall never remove their firearm from the holster in public, other than for duty use.
9. Officers shall carry their primary handgun holstered on the strong side of their duty belt and shall not carry the primary handgun so that it must be "cross drawn" from the weak side.
10. Officers shall not carry a firearm into the booking room or jail area while processing inmates. Firearms shall be secured in the firearm lock-box before entering the jail area.
11. Upon entering any area of a jail or processing facility, officers shall follow all rules of the controlling agency as to the deposit of their weapons upon immediately entering the facility.
12. Officers shall not carry firearms into court, unless at court for official reasons, such as testifying in court on a duty related case or working court security.

13. Officers shall immediately report any lost, stolen or damaged departmental issued handguns.

B. Carrying of Issued Rifle On-Duty

1. Officers are only authorized to carry the departmental issued rifle as the secondary firearm.
2. Rifles shall be kept secured in the vehicles rifle rack and locked into place, or secured in the rifle carrying case secured and locked in the police vehicle trunk.
3. Officers shall carry their rifle fully loaded with departmental issued ammunition. Officers **shall not** keep a round chambered in the rifle when left secured in the vehicle; but may chamber a round when deploying the rifle for duty use.
4. When the rifle is stored or secured in the vehicle, the “bolt” shall be kept closed as not to wear out the “buffer spring.”
5. Officers may deploy the rifle when responding to;
 - a. Situations where an officer reasonably believes to meet active shooter criteria
 - b. Robbery in progress
 - c. Stand-offs
 - d. Known or reasonably suspected armed gunmen
 - e. Multiple suspects or offenders
 - f. Suspects are reasonably believed to be wearing protective body armor
 - g. When a suspect is out of range for a handgun to be effective
 - h. When the use of the patrol rifle provides a tactical advantage
 - i. Any other situation the officer reasonably believes the deployment of the rifle is necessary to protect the officer or others from death or serious physical injury.
6. When deploying the rifle and when reasonably safe to do so, the officer shall announce “Secondary Deployed” on the department radio. This will inform other responding officers of your situation on scene.
7. Once the rifle has been deployed, the officer should as quickly as possible, “sling” the rifle, attaching it to their torso. This will help prevent the rifle from being taken away from the officer and will allow the officer to be able to go “hands-on” with an offender without having to sit the rifle down, leaving it unsecured.
8. Officers shall maintain custody of their rifle when deployed and shall never leave it unsecured.
9. The rifle’s selector switch shall remain in the “safe” position, until the officer has acquired a threat and has decided to engage the deadly threat.
10. Officers shall immediately report any lost, stolen or damaged departmental issued rifles.

C. Carrying of Personal Back-up Handgun On-Duty

1. Officers are authorized to carry departmentally approved handguns as a back-up handgun.
2. Back-up handguns shall not be smaller than a 380 caliber handgun or larger than a 45 caliber handgun.
3. Officers shall submit a written request through the chain of command to the Chief of Police requesting approval to carry a back-up handgun. The request shall provide the following information;
 - a. Name, date and signature of the requesting officer.
 - b. Make, model and caliber of the back-up handgun.
 - c. Complete Serial number of the back-up handgun.
 - d. Ammunition type requested to carry.
 - e. Firearms Instructor's signature of approval; indicating the firearm has also been documented in the firearm instructor's records.
4. Officers must qualify with their back-up handgun on the approved departmental back-up handgun qualification course before they are approved to carry the back-up handgun.
5. Officers must qualify with the back-up handgun annually.
6. Officers must qualify with a minimum score of (70) on the approved back-up handgun qualification course.
7. Officers shall provide their own ammunition for back-up handguns; however the ammunition must be approved by the firearms instructor.
8. No armor piercing ammunition will be approved.
9. Back-up handguns shall be carried out of sight on the officer's person and shall be secured in a holster designed for the back-up firearm.
10. Back-up firearms that hinder an officer's movement or is easily observed protruding from the officer will not be authorized to carry.
11. Approved locations to carry a back-up firearm is in an ankle holster or in a holster attached to the torso area or bullet proof vest, under the officer's uniform shirt.

D. Carrying of Handgun Off-Duty

1. Officers are authorized to carry the departmental issued handgun off duty.
2. When carrying the departmental issued handgun off duty and in plain clothes; the officer shall not carry the handgun displayed, but shall carry it covered by a shirt, jacket or other means as to not be publicly displayed.
3. When carrying the departmental handgun, officers shall also carry the departmental badge and ID card.
4. Officers carrying the departmental handgun off duty shall abide by the department's firearm policies.
5. Officers shall not carry any firearm while under the influence of alcohol or any other substance that may impair their ability to handle a firearm.

6. Officers shall immediately report through the chain of command any lost, stolen or damaged departmental firearm.
7. If a firearm is stolen or lost outside of the city of Calera, the officer shall immediately file a police report with the law enforcement agency where they are located.

Council Member Bunn moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2013-23. Council Member Busby seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Council Member Bradshaw moved that Resolution No. R-2013-23 be adopted. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2013-23 adopted.

Adopted this 16th day of December 2013.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2013-20

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA:

(1)**WHEREAS**, the Code of Ordinances of the City of Calera, Alabama is hereby amending the Sign Ordinance Section 1.12 Regulations for Off-Premises Signs:

Deleting:

1. Display area:
 - a. Along US Highway 31, shall not exceed 400 sf per face; however, if located within 500 ft of any residential district, as measured from the nearest property line within the adjacent residential district to the base of the proposed sign, display area per face shall not exceed 200 sf.

Adding:

1. Display area:

- a. Along US Highway 31, shall not exceed 672 sf per face; however, if located within 500 ft of any residential district, as measured from the nearest property line within the adjacent residential district to the base of the proposed sign, display area per face shall not exceed 200 sf.

Council Member Phillips moved that unanimous consent of the Council be given for the immediate action upon said Ordinance. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

The Mayor declared said motion carried and unanimous consent given. Council Member Bunn moved that Ordinance No. 2013-20 be adopted, which motion was seconded by Council Member Watts and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Adopted this 16th day of December, 2013.

Mayor Graham declared Ordinance No. 2013-20 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2013-21

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA:

(1)**WHEREAS**, the Code of Ordinances of the City of Calera, Alabama is hereby amending the Zoning Ordinance Section 4.14 Temporary Living Quarters, Recreational Vehicles:

Deleting:

Recreational Vehicles shall not be used as dwellings in any district but may be used for lodging within recreational vehicle campgrounds, where permitted. However, the use of recreational vehicles for temporary living quarters may be approved by the Zoning Administrator following natural disasters, fires and

similar emergency circumstances. Such administrative approval shall be limited to seven (7) days. An extension may be approved only by the ZBA. Any such extension shall expire as determined by the ZBA based on the particular findings related to the request.

Adding:

Recreational Vehicles, tents and similar facilities intended for camping and similar recreational purposes, but that are not considered “structures” as defined in this Ordinance, shall not be used as dwellings in any district but may be used for lodging within recreational vehicle campgrounds, where permitted. However, the use of recreational vehicles for temporary living quarters may be approved by the Zoning Administrator following natural disasters, fires and similar emergency circumstances. Such administrative approval shall be limited to seven (7) days consecutive or non-consecutive in a twelve (12) month period. An extension may be approved only by the ZBA. Any such extension shall expire as determined by the ZBA based on the particular findings related to the request.

Council Member Bradshaw moved that unanimous consent of the Council be given for the immediate action upon said Ordinance. Council Member Phillips seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

The Mayor declared said motion carried and unanimous consent given. Council Member Busby moved that Ordinance No. 2013-21 be adopted, which motion was seconded by Council Member Bradshaw and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Adopted this 16th day of December, 2013.

Mayor Graham declared Ordinance No. 2013-21 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2013-22

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA:

(1) **WHEREAS**, the Code of Ordinances of the City of Calera, Alabama is hereby amending Table 5.2 Permitted Uses for Non-Residential Districts of the current Zoning Ordinance by inserting the following:

Amending:

Manufactured from A-1 allowed to A-1 SE (Special Exception)

Council Member Bunn moved that unanimous consent of the Council be given for the immediate action upon said Ordinance. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

The Mayor declared said motion carried and unanimous consent given. Council Member Phillips moved that Ordinance No. 2013-22 be adopted, which motion was seconded by Council Member Busby and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Adopted this 16th day of December, 2013.

Mayor Graham declared Ordinance No. 2013-22 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Council Member Phillips made a motion to adjourn the meeting at 6:44 p.m.

Approved this 6th day of January, 2014.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk