

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA, HELD JUNE 4, 2024**

10:00 a.m. - The meeting was called to order by Presiding Officer Jenny Brown Short in the Council Chambers, City Hall, 400 19th Street West, Jasper.

Present: Presiding Officer Jenny Brown Short, Councilmembers Gary Cowen, Danny Gambrell, Jennifer W. Smith, Willie Moore, III, Mayor David P. O'Mary, City Clerk/Administrator Kathy Chambless, City Attorney Russ Robertson

Absent:

Invocation: City Planner Brent McCarver

Pledge of Allegiance: Police Chief J.C. Poe

Approval of Minutes:

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell that the minutes of the regular meeting May 21, 2024, be approved.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Absent
Presiding Officer Jenny Brown Short	Yes

Consider amendments to the agenda. There were no amendments to the agenda.

Consider approval of the agenda.

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen that the agenda be approved.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Absent
Presiding Officer Jenny Brown Short	Yes

Consider a request for permission to send bid invitations for Crushed Stone.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Smith to send bid invitations for Crushed Stone.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Absent
Presiding Officer Jenny Brown Short	Yes

Consider approval of overnight travel for City Clerk Kathy Chambless to attend the AL Association of Municipal Clerks & Administrators Summer Conference, July 10-12, 2024, in Point Clear, AL.

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to approve overnight travel for City Clerk Kathy Chambless to attend the AL Association of Municipal Clerks & Administrators Summer Conference, July 10-12, 2024, in Point Clear, AL.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Absent
Presiding Officer Jenny Brown Short	Yes

Consider adoption of Budget Amendment #2023/2024-13 to provide funding for an HVAC unit for the Jasper Civic Center, additional garbage containers, Viking Drive and 20th Avenue traffic signal design, and Capstone Health’s Back to School Health Care event.

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to adopt Budget Amendment #2023/2024-13 to provide funding for an HVAC unit for the Jasper Civic Center, additional garbage containers, Viking Drive and 20th Avenue traffic signal design, and Capstone Health’s Back to School Health Care event.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Absent
Presiding Officer Jenny Brown Short	Yes

Consider an appointment to the Jasper Housing Authority for District Two. Councilmember Gambrell requested to table this item until the next meeting.

Consider an appointment to the Jasper Housing Authority for District Three. Councilmember Cowen requested to table this item until the next meeting.

Councilmember Moore arrived at approximately 10:06 a.m.

Recognize A.P. Howell Jr. to discuss property at 1309 19th Street West as it relates to a nuisance abatement. A.P. Howell Jr. was present and addressed the council. He asked the council to consider giving him an extension of approximately 60 days in order to pay for repairs for an unsafe structure at 1309 19th Street West (District 5).

Motion

Moved by Councilmember Moore, seconded by Councilmember Cowen to grant a 60-day extension.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jenny Brown Short	Yes

Conduct a public hearing and consider adoption of an Ordinance, by unanimous consent, to rezone a .3 acre +/- tract of land located at or near 1409 5th Ave S from the R-1 (Residential Single Family) Zoning District to the B-T (Business Transition) Zoning District to allow for event rental business in District Four. Following a public hearing during which no comments were made concerning the Ordinance, a motion was considered.

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen that the rules be suspended, and unanimous consent be given for immediate consideration of and action on said Ordinance.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jenny Brown Short	Yes

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to adopt an Ordinance to rezone a .3 acre +/- tract of land located at or near 1409 5th Ave S from the R-1 (Residential Single Family) Zoning District to the B-T (Business Transition) Zoning District to allow for event rental business in District Four.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jenny Brown Short	Yes

(See following pages)

ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF JASPER, ALABAMA
Ordinance No. 2024 - 06
TO AMEND THE CITY OF JASPER ZONING ORDINANCE

Be it hereby Ordained by the City Council of the City of Jasper, Alabama, as follows:

Section 1. That the Jasper Zoning Map as described in Article II, Sections 30-32, of the Jasper Zoning Ordinance, which was adopted by the City Council of the City of Jasper on or about January 2, 1990, and amended, inter alia, and further amended Tuesday, June 4, 2024, be and is hereby amended by the rezoning or redistricting of the parcel(s) of land hereinafter described so as to change such parcel(s) from one class or district to another class or district, to wit:

From R-1 (Single Family Residential) District to B-T (Business Transition)
Zoning District.

Section 2. Said parcel is described as follows:

Lot 5 and the South ½ of Lot 6 in Block 139, according to the Jasper Land Company's survey of the City of Jasper made in 1891 by John S. Foster, Engineer, and said parcel of land more particularly described as follows: Begin at the intersection of 15th Street with 5th Avenue and proceed North a distance of 75 feet along the East boundary of 5th Avenue; thence East and parallel with the North boundary line of 15th Street, proceed 150 feet to the middle of an alley running North and South of the uniform width of 20 feet, which said alley has been vacated by the City of Jasper, Alabama and contiguous property owners as recorded in Volume 440, Page 327; thence from the NE corner of the property run South and parallel with the East line of 5th Avenue a distance of 75 feet to the North boundary line of 15th Street; thence proceed West along said North line of 15th Street 150 feet to the intersection of 5th Avenue with 15th Street, the point of beginning. Minerals and mining rights and privileges excepted.

Tax parcel ID #64-17-02-09-3-304-028.000 – 1409 South 5th Avenue, Jasper, AL 35501

Section 3. This ordinance shall become effective upon its passage and publication in the manner required by law.

ADOPTED this the 4th day of June, 2024.

CITY COUNCIL OF THE CITY
OF JASPER, ALABAMA

By: Jenny Brown Short
Hon. Jenny Brown Short
Presiding Officer

ATTEST:

APPROVED/VETO
By: [Signature]
Hon. David P. O'Mary
Mayor

By: Kathy Chambless
Kathy Chambless
City Clerk

Conduct a public hearing and consider adoption of an Ordinance, by unanimous consent, to permit and regulate the operation of short-term rental of buildings. Following a public hearing during which no comments were made concerning the Ordinance, a motion was considered.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Smith that the rules be suspended, and unanimous consent be given for immediate consideration of and action on said Ordinance.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jenny Brown Short	Yes

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to adopt an Ordinance to permit and regulate the operation of short-term rental of buildings.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jenny Brown Short	Yes

(See following pages)

**ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF JASPER, ALABAMA**

Ordinance No.: 2024 - 07

**AN ORDINANCE TO PERMIT AND REGULATE THE OPERATION OF SHORT-
TERM RENTAL OF BUILDINGS WITHIN THE CITY OF JASPER, ALABAMA**

WHEREAS, the City of Jasper, Alabama, has the authority to promote the general welfare of the community and to protect the value of building(s) and property(ies), to enhance the image and character of the community, and to preserve and, where possible, enhance property values through its zoning ordinance; and

WHEREAS, the City of Jasper, in pursuit of said goals, is currently considering the permitting and regulation through its zoning and land use classifications and regulations, the developing activity of “short-term rentals” of properties within the City of Jasper, Alabama, and specifically within residential and the B-3 downtown business/commercial district; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Jasper to adopt an Ordinance that establishes regulations for the operation of properties used for such activities;

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

SECTION 1: Definition.

There is hereby added to Section 334(2) of the Zoning Ordinance of the City of Jasper, Alabama, the following definition:

Short-Term Rental. A building that is leased in exchange for a fee or charge as overnight accommodations for occupation by a person or persons for a period of thirty (30) days or fewer consecutive days.

SECTION 2: Permitted Use.

There is hereby added to the Table of Permitted Uses, the use of Short-Term Rental, which shall be listed as “Permitted” in all Residential Districts, as well as in the AG, B-T and B-3 Districts, and which shall be listed as “Not Permitted” in the B-1, B-2, B-4 and all Industrial Districts.

SECTION 3: Supplemental Regulations.

There is hereby added to the Zoning Ordinance of the City of Jasper, Alabama, Section 95, providing as follows:

Sec. 95. - Short-Term Rentals.

- (1) The building utilized for a short-term rental must be a permanent structure located on the site.
- (2) The building utilized for a short-term rental must meet all applicable building codes, fire codes, rental codes, and this Zoning Ordinance (such as for setbacks, off-street parking, etc.).
- (3) The building may be used for purposes other than residential only if located within a district in which such activity is otherwise permitted.
- (4) No on-site signage identifying the property as a short-term rental is permitted.
- (5) Properties may not be leased for a period of time less than twenty-four (24) hours.
- (6) Occupancy of a property is limited to two (2) persons per bedroom, plus two (2) additional persons.
- (7) The licensee may not prepare/serve food to rental guests.

SECTION 4: Repealer.

All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Jasper, Alabama which are inconsistent with the provisions of this Ordinance are hereby expressly repealed.

SECTION 5: Severability.

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.

SECTION 4: Effective Date.

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

DONE and ORDAINED this the 4th day of June, 2024.

CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA

By: Jenny Brown Short
Hon. Jenny Brown Short
Council Presiding Officer

ATTEST:

APPROVED/VETO

By: Kathy Chambless
Hon. Kathy Chambless
City Clerk

By: David P. O'Mary
Hon. David P. O'Mary
Mayor

Consider adoption of an Ordinance to provide business license regulations of short-term rental of buildings.

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to adopt an Ordinance to provide business license regulations of the short-term rental of buildings.

Vote

Councilmember Danny Gambrell	Yes
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jenny Brown Short	Yes

(See following pages)

**ORDINANCE OF THE CITY OF CITY COUNCIL OF THE
CITY OF JASPER, ALABAMA**

Ordinance No. 2024 – 08

AN ORDINANCE TO PROVIDE BUSINESS LICENSE REGULATIONS OF SHORT-TERM
RENTAL OF BUILDINGS WITHIN THE CITY OF JASPER, ALABAMA

WHEREAS, THE City of Jasper, Alabama, has the authority to provide regulations related to the operation of businesses within its boundaries to protect its residents from potential harmful and

WHEREAS, THE City of Jasper zoning regulations have permitted businesses that desire to operate short term rentals specifically within residential areas and the B-3 downtown business/commercial district, and

WHEREAS, THE City Council has determined that it is in the best interests of the City of Jasper to adopt an Ordinance that establishes regulations for the operation of properties used for activities.

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

Chapter 6 of the Code of Ordinances of the City of Jasper, Alabama, is hereby amended to add the following section.

Sec. 6-225 – Short-term rentals.

The following regulations apply to short-term rental of dwellings in all residential districts, as well as in the AG, B-T, and B-3 districts. For purposes of this section, “Short-Term Rental (STR)” means the rental of a permanent dwelling unit for less than 30 days per rental period.

- 1) *Licensing (License Code 721191, Schedule D)*. The property owner must have a valid short-term rental license from the city before a property can be advertised or operated for short-term rental. An individual license must be obtained for each STR property.
 - a. The property owner must provide with the STR license application the name and telephone number of an emergency contact that will respond within one hour to complaints about the condition or operation of the STR or conduct of renters or their guests. The emergency contact must be able to respond on-site within 12 hours if requested by the city. The emergency contact must answer calls 24 hours a day, seven days a week for the duration of each short-term rental period. Prior to

any change to the emergency contact, the owner must submit the revised contact information to the police and fire departments.

- b. Insurance. All STR licensees must obtain and maintain vacation rental property insurance that covers the commercial lodging use of the site. Proof of insurance must be provided within 30 days of approval of the STR license. Proof of insurance must be resubmitted each year for renewal of the STR license.
- c. Notice. Each owner must, upon issuance of an STR license, provide written notice to the City Clerk and to all owners or property with a radius of 500 feet of the STR property, which includes the following information:
 - i. The names of the owner and emergency contact (if not the owner), including telephone numbers.
 - ii. The city's code enforcement telephone number by which members of the public may report violations.
 - iii. The maximum number of renters permitted to stay in the unit.
 - iv. The maximum number of vehicles allowed to be parked at the property.
- d. Properties may not be rented for a period of time less than twenty-four hours.
- e. Taxation. The licensee is responsible for collecting and reporting taxes from any rental arrangement.

2) *Standards.*

- a. The dwelling may only be rented for lodging use. It may not be rented for weddings, parties, concerts, or similar events or used for such events during any short-term rental period.
- b. Occupancy. The dwelling may not be rented to more than one guest party simultaneously. Occupancy is limited to the most restrictive of the following:
 - i. No more than two persons per bedroom plus two persons.
 - ii. No more than four persons per parking space.

The number of bedrooms and parking spaces are determined by the building official as part of the STR license. The building official may inspect the dwelling to verify information submitted with the STR license application.

The owner must, by written agreement with the renter, limit overnight occupancy of the STR to the maximum occupancy approved with the STR license.

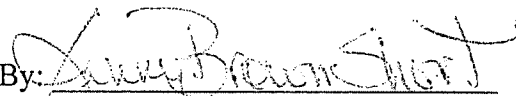
- c. No on-premises signage legible from any right-of-way may advertise the STR.
- d. The short-term rental must comply with all applicable city regulations including but not limited to building construction, fire safety, noise, and garbage collection and disposal.

- e. There must be adequate off-street parking to accommodate all guest parking needs. No recreational vehicles, buses, or trailers may be stored on the street or forward of the front building line.
 - f. No food may be prepared or served to rental guests by the licensee.
 - g. A copy of the STR license, emergency contact information, and house rules that comply with this section must be posted in a conspicuous place in the dwelling.
 - h. Upon notification that a renter or renter's guest has violated any provisions of this section or any noise, garbage, or other applicable provision of the City Code of Ordinances, the owner or emergency contact must promptly notify the renter of the violation and take such action as is necessary to prevent a recurrence.
- 3) *Violations.* If, after investigation, the building official determines that any provisions of this section have been violated, the building official will notify the owner in writing stating the provisions violated, necessary corrective action, and a compliance due date, as applicable.
- a. Fines. In addition to the other remedies set out in this subsection, violations will be subject to fines as follows:
 - i. *Violation warning.* The building official may, in an exercise of discretion, issue a warning to the person responsible for the violation if that person has not been previously warned or cited for violating a provision of this section.
 - ii. *First violation.* The first time a person is found to have violated one of the provisions of this section, the person is subject to a fine of \$150.00.
 - iii. *Second and subsequent violations.* Any second or subsequent time a person is found to have violated the provisions of this section, the person will be subject to a fine of \$500.00 for each subsequent violation.
 - b. If a violation of building, fire safety, or property maintenance regulations has not been corrected by the compliance date, the building official may cause the STR license to be temporarily suspended. When the violation has been corrected, the license is re-instated for the remainder of its current approval period. The building official may approve an extension of the compliance date if substantial progress toward compliance has been made and provided that the public will not be adversely affected by the extension.
 - c. Recurring violations. When noise, occupancy, parking, or other violations concerning the conduct of the STR or its renters or their guests are found to have occurred during more than one rental period in the same license year, or within any six-month period, the building official will request a hearing before the council. Following a public hearing on the matter, the council may revoke the STR license for the remainder of its current approval period and suspend the ability of the owner to renew the license for an additional year. No STR license


may be renewed unless all outstanding penalties assessed against the licensee are paid in full to the city.

Adopted and approved this the 14 day of June 2024.

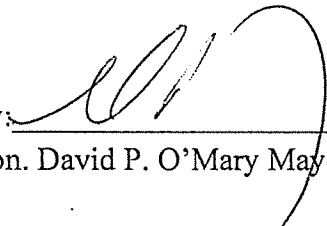
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA

By: 
Hon. Jenny Brown Short
Council Presiding Officer

ATTEST:

By: 
Kathy Chambless City Clerk

APPROVED/VETO

By: 
Hon. David P. O'Mary Mayor

Jenny Brown Short, Presiding Officer

A T T E S T:

Kathy Chambless, City Clerk/Administrator