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– LOCAL GOVERNMENT –

Berlin to expand Wi-Fi services around farmers' market, community center



W.C. MANN/THE CULLMAN TRIBUNE

Members of the Berlin Town Council are seen Monday evening, Jan. 18, 2021. » PAGE 3

'THIS TRULY IS A HISTORIC MOMENT'

First customers connected to Cullman Electric Cooperative's Sprout Fiber Internet

CHRISTY PERRY/THE CULLMAN TRIBUNE

Representatives from the Cullman Electric Cooperative, Town of Berlin and Cullman County's legislative delegation attended a ceremony Monday celebrating the first members connected to the co-op's Sprout Fiber Internet.

Christy Perry
christy@cullmantribune.com

CULLMAN, Ala. – Seven months to the day after the Cullman Electric Cooperative announced Sprout Fiber Internet, the first customers were connected to the service- gigabit-speed internet- Monday morning.

"This is an exciting day for (the) Cullman Electric Co-op," beamed Manager of Communications and External Affairs Brian Lacy at a ceremony celebrating the milestone.

The event was held outside the Simcoe Community Center on Alabama Highway 69 where the Cullman EC's historic marker is located, celebrating the co-op's role in rural electrification of Cullman County in 1936. A stone marker was placed next to the plaque, noting that residents in the Berlin and Simcoe areas are the first co-op members to be connected to Sprout Fiber Internet.

Lacy acknowledged those in attendance for their various contributions to making the Sprout network possible. In particular, he thanked Rep. Randall Shedd, R-Fairview, saying, "He was instrumental in getting legislation passed to make this day possible. Then, Senator (Garlan) Gudger (R-Cullman) did his part on the other side of the legislative house to get that passed for us."

In 2019, Shedd sponsored House Bill 400, which, according to him, "authorizes electricity providers to use their existing and future power lines, rights-of-way and infrastructure to partner with companies to provide or expand broadband/telecommunications services or actually be in the business themselves." The Broadband Using Electric Easements Accessibility Act was signed into law by Gov. Kay Ivey the same year.

"This truly is a historic moment, much like when the first residents in the region received electricity," said Cullman EC CEO Tim Culpepper. "This technology carries the same potential to improve the quality of life for our members.

"There were times when I didn't know that this day would ever come. We've written a lot of checks. Everybody told me that when you start a project like this that the scariest thing about it is you are spending money, but you aren't making any money, so I am glad to see this day come."

The installation began in the Berlin area near where Monday morning's ceremony was held.

Culpepper added, "A co-op is a special kind of business. We're not in it to make a profit. We are in it to provide services to our members. We saw the need for high-speed internet, and we saw how crucial that really was. I think this whole COVID mess has proven to us how crucial it is for our schools, work and everything." He thanked the Co-op board for voting to take the risk.

Cullman EC has started building a fiber network that will connect all the co-op's substations and offices to further enhance the quality of its electri- » PAGE 2

LOCAL GOVERNMENT

West Point to welcome new parks director; spring sports uncertain



CHRISTY PERRY/THE CULLMAN TRIBUNE

Pictured left to right are Councilman Frankie Jones, Councilwoman Ashlee Phillips and Town Attorney Dan Willingham at Monday night's meeting of the West Point Town Council. » PAGE 2

FEATURE

'Mission complete'

Col. Fallin, Team Johnny Mac reach Kilimanjaro summit, pass fundraising goal



DON FALLIN

Col. Don Fallin stands at the peak of Mt. Kilimanjaro.

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TANZANIA – Col. Don Fallin, retired Army special operations aviator and Fairview High School alumnus, along with fellow United States Military Academy (USMA/West Point) graduates John Magness and Jamie Brennan, set off last week to reach the summit of Tanzania's Mt. Kilimanjaro and raise both awareness and funds for the Johnny Mac Soldiers Fund, which provides scholarships to veterans and veterans' families, especially the children of fallen or disabled warriors. Early Saturday morning, The Tribune received this short but welcome note from the Colonel: "Mission complete."

Team Johnny Mac faced a list of challenges along the way. According to Fallin, just getting from the Middle East- where he was working as an advisor while preparing for the climb- to Tanzania proved to be a struggle, thanks to COVID-19 restrictions and other delays. Along the way, an intended fourth team member had to step away from the climb after he tested positive for COVID-19. Packing for what should have been a fairly warm weather trek until it got near the summit, the team endured four days of cold and rain, punctuated by occasional sleet and hail.

Fallin told The Tribune, "It was cold. Even with all the cold weather gear I had, I was pretty frozen. But then it all worked out the couple of days. The team was doing good. We had » PAGE 2

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West Point (from Front)

Christy Perry
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WEST POINT, Ala. – West Point Parks and Recreation Director Wesley Laney will step down at the end of January. Laney, who has been the director since 2011, will be replaced by Wesley Freeman. Freeman will start immediately, allowing him time to work alongside Laney to facilitate a smooth transition. The announcement was made at Monday night's meeting of the West Point Town Council

According to Mayor Gerald Schafer, Laney resigned his position due to "having too much on his plate right now." Added the mayor, "He's done a great job."

Councilman Frankie Jones said of Laney's tenure as parks director, "He brought us a long way."

The 2021 parks and recreation baseball/softball season is on hold due to the ongoing COVID-19 pandemic.

The council said no final decisions have been made yet about spring sports.

The council approved a $250 donation to the West Point High School baseball program.

The West Point Town Council meets on the third Monday of each month at 6 p.m. at West Point Town Hall.

Fallin (from Front)

an excellent guide that was helping us, and we knew we were finishing a day ahead of schedule."

Once atop the summit, the team was ready for the mission to be completed, so it pushed hard down the mountain: a five and one-half day journey up concluded with a trip down of less than half a day.

Said Fallin, "The day was pretty brutal. We were moving because the guide said, 'If you hurry, we can get you back down, get you to a hotel room.' I'm like, 'We're all in!'"

The real triumph: fund-raising goal surpassed

The team undertook the climb to raise awareness and funds for the Johnny Mac Soldiers Fund, whose website offers this description:

Giving Back Through Education: The Johnny Mac Soldiers Fund honors military service and sacrifice by providing scholarships to veterans and military family members, particularly children of our nation's fallen and disabled. Time and again, our soldiers and their families are asked to give of themselves for the rest of us. While they ask little in return, we owe them so much. Through education, we give back to those who gave. We give back to "Our Own." It's the least we can do.

The fundraising goal for the climb was $50,000. Johnny Mac set up a campaign page at https://give.johnnymac.org/campaign/team-johnny-mac-summits-kilimanjaro/c313175 for supporters to make tax-deductible donations. As of Monday afternoon, the campaign total sat at $62,029 and still counting!

Supporters can still contribute, and one of Fallin's USMA class of 1988 classmates challenged other classmates to contribute by offering to match their donations.

Col. Fallin and family are now in the process of relocating back home to the Cullman area.

Get involved

The Johnny Mac Soldiers Fund is still accepting donations for this campaign. To contribute, visit the Johnny Mac site at www.johnnymac.org.

Johnny Mac Soldiers Fund is a 501(c)(3) nonprofit organization; donations are tax-deductible. All funds go directly to the Johnny Mac Soldiers Fund and a receipt is sent via email.

Sprout (from Front)

cal service. In the process, Sprout Fiber Internet will make gigabit speeds available to more than 12,000 co-op members.

So far, 120 miles of the main-line fiber ring have been constructed, completing the first of five steps in the construction process for approximately 2,400 co-op members.

"We haven't really advertised it yet because we wanted to make sure we had a good solid system and everything was working," said Culpepper.

"You'll probably see some advertising coming in the future, but we are going to do a slow rollout to make sure we get it right and are able to provide good service."

Shedd said of the special day, "I literally had chills about it today and seeing this come to realization.

"We are supposed to have a report ready for the (Legislative) Session, so I am looking forward to seeing the report the first part of the session to give to our colleagues about the progress that's been made since the bill passed."

"The impact of rural electrification was one of the most significant events in the history of Cullman County," Culpepper said. "Making reliable, high-speed fiber internet service available to the communities we serve will be just as significant today and into the future."

Fiber optic technology is the fastest, most advanced internet technology available, and Cullman EC is the only provider in the region building a state-of-the-art, utility-grade fiber network for its members.

Culpepper said the co-op anticipates having approximately 200 subscribers in the Berlin area active by the end of February, with plans to increase the pace of subscriber connections throughout the spring and summer.

"Sprout is an important project, and all of us on the board are very excited to see it come to fruition," said Robert Tidwell, chairperson for the Cullman EC board of trustees.

"It's amazing to see how much progress has been made since the board approved this project in December 2019. The reality of how big and important this project is starts to sink in now that we've reached the point of having co-op members with Sprout Fiber Internet service in their home."

Sprout Fiber Internet will offer Cullman EC members upload and download speeds starting at 300 Mbps and going as high as a gigabit per second.

Cooperative members are encouraged to take an online speed test at www.speedtest.net to check their current internet speed and learn how much of a difference Sprout Fiber Internet can make for their homes or businesses.

Using other Alabama Co-op's as a guide, building out internet service to the entire county could take five to six years with Phase 1 expected to be complete by spring 2022. As the name "Sprout" implies, the Co-op's internet service is new and growing.

Said Lacy, "People understand the idea that things don't happen overnight. You've got to plant seeds and it takes a while, not just on the front end, if we eventually get to a point that we have something beyond our Phase 1.

"That's our hope and our dream that we can build it out to our entire system; that's going to be a long-term project and it's going to take time to grow."

Visit www.cullmanec.com/sprout or call 256-737-3200 for more information.

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COMMUNITY CALENDAR

Submit your calendar items or public notices to wendy@cullmantribune.com

PUBLIC NOTICE from Cullman County Courts
Cullman County jury trials currently scheduled for Jan. 25, 2021 have been postponed until February.... Cullman Circuit and District courts will remain open and motions may still be filed in all cases either electronically or directly through the Circuit Court Clerk's Office. Virtual court hearings will be held for the remainder of January as a substitute for in-person proceedings, where feasible. In-person judicial proceedings will be held utilizing previously adopted COVID-19 safety measures, in cases where it is necessary to provide immediate relief in emergency circumstances and for all court hearings deemed so essential that a postponement is not appropriate.

Alcoholics Anonymous
The Grace of God group of Alcoholics Anonymous has open AA meetings (all are welcome) Monday and Thursday nights from 7-8 p.m. at the Carriage House, located next to Grace Episcopal Church, 305 Arnold St. NE Cullman. Contact phone numbers: 256-347-1097, 256-841-2209 or 256-708-1340

Church Services- Spirit Life Church of GOD
• Spirit Life Church of GOD, 1650 St. Joseph Dr. NW, Cullman
• Prayer meetings- Tuesdays at 10 a.m. Come and pray with us or come to receive prayer.
• Classes Wednesdays at 7 p.m. "Events of the End Time Series- 2nd Half of the Tribulation" by Pastor Bobby Dodd
• Sundays at 9 a.m. Van runs in 5 Points area. Call 256-841-2060 for pickup. Small group classes for adults, children and youth at 10 a.m. Praise and worship and message at 11 a.m.
• Sunday, Jan. 24 message- "These Come by Fasting and Prayer" by Pastor Bobby Dodd

Free Community Dinner at Center Hill Baptist Church
• 5-6 p.m.- The first Wednesday of every month we will be offering a Free Community Dinner. Church members, community members, neighbors and friends are welcome. This will be takeout only. Please message or comment with how many plates you will need to help us prepare enough food for everyone. RSVP at http://bit.ly/centerhill.
• 13108 County Road 747, Hanceville, AL 35077

Miércoles de Despensas
• 6-7 p.m. ler. miercoles del mes, En Su Tierra Cullman FUMC
• Despensas para la comunidad. No requiere ID. Entrega en su vehículo. Por favor use mascarilla.

Cullman County School Board Meeting
Tuesday, Jan. 19 at 3:30 p.m. at the central office boardroom

Cullman City School Board Meeting
Tuesday, Jan. 19 at 5 p.m. in the central office boardroom

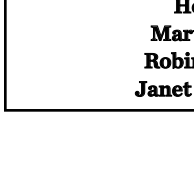
Cullman County Commission Meeting
Thursday, Jan. 21 at 6 p.m. in the Commission office conference room, first floor, Cullman County Courthouse

2021 Polar Bear Plunge
• Saturday, Jan. 30 at 10 a.m. at the Cullman Wellness & Aquatic Center
• Everyone that jumps will be entered to win a family membership to the facility, and aquatics admission on that day will be free from 9-11 a.m.
• If you plan to participate in this year's Polar Bear Plunge, online registration is available now at https://forms.gle/yTbKNvS4Zk1LU7rn7 or by going to cullmanwellness.com and clicking on "Polar Bear Plunge."

LifeSouth Community Blood Drive
Saturday, Jan. 30 from 10 a.m.-4 p.m. at Vinemont Town Hall

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COVID-19 BY THE NUMBERS

Monday, Jan. 18, 2021 COVID-19 update from the Alabama Department of Public Health's COVID-19 Data and Surveillance Dashboard

• Total confirmed cases in AL: 337,180 (+1,127 since yesterday)
• Probable cases in AL: 86,848 (+303 since yesterday)
• Total confirmed deaths in AL: 5,099 (+1 since yesterday)
• Probable deaths in AL: 1,022
• Total confirmed cases in Cullman Co.: 5,569 (+13 since yesterday)
• Probable cases in Cullman Co.: 2,467 (+0 since yesterday)
• Total confirmed deaths in Cullman Co.: 71 (+0 since yesterday)
• Probable deaths in Cullman Co.: 34
• Total tested in Cullman Co.: 33,631
• Total tested in the last 14 days in Cullman Co.: 4,467
• Cases in the last 14 days in Cullman Co.: 816
• Total tested in Alabama: 2,034,195
• Cases in the last 14 days in Alabama: 52,829
• Total tested in the last 14 days in Alabama: 273,706
• Currently hospitalized in Alabama: 2,798
• Cumulative no. of hospitalizations in Alabama: 39,504
• Presumed recoveries in Alabama (reported weekly): 221,961

See more details at https://bit.ly/2VjCQbP.

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CRIME

Arrests and incidents reported Jan. 18

Cullman Tribune staff
Contributor

CULLMAN, Ala. – Below are the arrests and incidents reported Jan. 18, 2021. All persons are innocent until proven guilty.

GJ = grand jury; **FTA** = failure to appear

CULLMAN COUNTY SHERIFF'S OFFICE

No incidents or arrests reported.

CULLMAN POLICE DEPARTMENT

INCIDENTS

Jan. 14

- harassing communications; person
- first-degree theft by deception; person; cash; $3,600
- third-degree burglary; person; Scott St. NW; purse and contents, gun
- harassing communications; person
- duty upon striking an unattended vehicle; person; 2nd Ave. SW; damage to '18 Chevrolet Cruze; $800
- third-degree criminal trespassing; Wal-Mart; Hwy. 157
- third-degree domestic violence; person; Donauer Dr. SW

Jan. 16

- third-degree domestic violence- harassment; person; Lincoln Ave. SW

ARRESTS

Jan. 15

Hanners, Loretta J., 52
- FTA- possession of drug paraphernalia

Sanders, Gary K., 59
- unlawful possession or receipt of a controlled substance
- second-degree unlawful possession of marijuana
- possession of drug paraphernalia
- FTA- driving while revoked
- FTA- insurance violation
- FTA- driving without a license

Garner, Buddy J., 32
- FTA- insurance violation
- FTA- driving without a license

Wise, Dustin R., 28
- FTA- public intoxication
- FTA- possession of drug paraphernalia

Hill, Christopher S., 45
- fourth-degree theft of property
- third-degree criminal trespassing

Jan. 16

Bogart, Faith M., 38
- DUI
- carrying a pistol without a license
- second-degree unlawful possession of marijuana
- possession of drug paraphernalia
- FTA- driving while revoked
- FTA- insurance violation
- FTA- driving without a license

Key, Seth P., 38
- possession of drug paraphernalia

Nethery Jr., Delver A., 31
- FTA- third-degree criminal trespassing
- FTA- fourth-degree theft of property

Jan. 17

Oliver, Michael A., 43
- unlawful possession or receipt of a controlled substance
- FTA- public intoxication
- FTA- giving false information to law enforcement
- FTA- driving without a license
- FTA- insurance violation

Penn, Crystal W., 38
- FTA- insurance violation
- FTA- failure to register vehicle
- FTA- driving without a license
- FTA- switched tag
- FTA- second-degree unlawful possession of marijuana
- FTA- driving while suspended
- FTA- possession of drug paraphernalia (2 counts)
- FTA- expired tag
- FTA- insurance violation

Powell, Brittany L., 30
- unlawful possession or receipt of a controlled substance
- possession of drug paraphernalia

HANCEVILLE POLICE DEPARTMENT

No incidents or arrests reported.

Find arrest reports online Monday-Friday at www.CullmanTribune.com.

Berlin (from Front)

W.C. Mann
craig@cullmantribune.com

BERLIN, Ala. – The Berlin Town Council on Monday evening approved measures that will expand Wi-Fi access around the community center/farmers' market/town hall complex and create a backup system to help safeguard that access.

Mayor Patrick Bates reported that public Wi-Fi has been installed at the farmers' market and seems to be working well. He presented a proposal that would, using a combination of his own equipment and additional equipment that could be purchased for a price not exceeding $500, link the farmers' market Wi-Fi to the community center and allow public internet access there. The motion passed unanimously.

The council also voted to subscribe to Sprout Fiber Internet access when the service becomes available to local government entities Feb. 1, but also voted to keep its existing service through Spectrum.

The combination of the two services, according to Bates, will create a redundant system that could help provide uninterrupted internet access in the event that either service should temporarily go offline.

The approved annual amount for both services will still be less than half the amount allotted in the town budget for internet access.

Farmers' Market fees set

The council approved an annual fee schedule for farmers wishing to sell produce at the farmers' market, as follows:

- Berlin residents - $100 per year
- Farmers in the Berlin district - $150 per year
- All other farmers - $200 per year

These fees were reported to be half the amount of those set last year.

Other council business

The council approved the purchase of two security cameras for use at the municipal complex for an amount not to exceed $300.

The council reported that weather radios approved for purchase at the last council meeting have been ordered and should arrive late this week or early next week.

The radios, intended to replace the non-functioning tornado siren at the municipal complex, are to be distributed to households within the coverage area of the Berlin Volunteer Fire Department.

The Berlin Town Council meets at 7 p.m. on the first and third Monday evenings of each month at the Berlin Community Center. The public is invited to attend, subject to occupancy restrictions.

Obituary Announcements: Jan. 19

Dennis Edward Hankey, 84, of Cullman
Dennis Edward Hankey, 84, of Cullman died Thursday, Jan. 14, 2021. He is survived by his wife of 50 years, Ruby Mooney Hankey; daughter Donna Arndt (John, Sr.); son Dwight Hankey; sister Esther Turner (Wells); three grandchildren John Arndt Jr. (Katie), Joshua Arndt, and Veronica Arndt; great-grandchildren Lucy, Maggie, and Jack Arndt; and a host of cousins, nieces, nephews, and other family members. The celebration of Dennis' life was Sunday, Jan. 17, 2021 at 2 p.m. at Moss Service Funeral Home Chapel. The family received friends beginning at 12:30 p.m. Burial followed in Center Grove Cemetery. Please visit www.mossservicefh.com to leave condolences for the family. Moss Service Funeral Home directed.

Ralph Allen Hawkins, 72
Funeral services for Ralph Allen Hawkins, who passed away Thursday, Jan. 14, 2021 at the age of 72, were at Beech Grove Baptist Church Monday, Jan. 18, 2021 at 2 p.m. Burial followed at Bethesda Church of Christ Cemetery. Visitation was prior to the service beginning at noon. Moss Service Funeral Home directed. Allen was preceded in death by his parents Ralph Farris and Maude Sanders Hawkins, first wife Judy Hawkins, and brother Joe Hawkins. He is survived by his wife Charlene Hawkins; children Gary Wayne (Lyn) Hawkins, Carol Elizabeth (Bruce) Harris, Dewayne (Gina) Godfrey, Chris (Julia) Godfrey, Misty (Ken) Milam, Laycie Hawkins, Destiny Hawkins and Shiann Hawkins; grandchildren Ashton Jace Milam, Evan Harris, Ryan (Jordan) Harris, Ali (Ben) Wilson, Madison Harris, LaSha Lynn, Hannah Hawkins Rice, Malachi Harris, Allen Jackson Hawkins, Juan Hawkins, Judy Hawkins, Caleb Godfrey, Elijah Milam, Jacob Milam, Alyssia Godfrey and Elin Godfrey; four great-grandchildren; and siblings Gail Gorham, Marlin Hawkins, and Charles Hawkins. In lieu of flowers, donations may be made to the family to assist with expenses. Condolences and special memories may be shared with the family at www.mossservicefh.com.

Tarrant Jordon White, 25, of Holly Pond
Tarrant Jordon White, 25, of Holly Pond passed away Jan. 14, 2021. He was born Feb. 26, 1995 in Cullman County to Joshua Brett White and Jamie Kim May. Tarrant was a special young man who loved an adventure. He liked to go camping and he enjoyed hiking, but Tarrant was always looking for the next adventure. Traveling became a passion for Tarrant, and his feet rarely stayed planted in one place very long. Tarrant's love of travel and adventure, along with his desire to help people, led him into a career as a travel nurse. Tarrant was a skilled nurse, and his passion for life and his compassion for others made him loved by his patients. Tarrant was blessed with a large family and was adored by each of them. He was a precious son, grandson, brother, nephew, cousin, and friend to so many. Many lives have been changed by the impact this young man had on those he knew. Tarrant is preceded in death by his grandparents Warren May and Joe Duke and great-grandparents Don and Joyce Hill, Christine and Ralph Coppedge, Lavern May, and Aubrey and Anna Ree White. He is survived by his father Joshua Brett and Jennifer White; mother Jamie Kim May and Larry Wesley Cofield; brother Weston and Tara Cofield; sisters Lexi White and Jake McQuilin, Emmy Reynolds, Kaitlyn Cofield, and Kim and Zeph Welsh; grandparents Teresa Kim Glenn, Travis and Linda White, Pam Reid, Patricia Duke, Judy Barker, and Larry and Debbie Cofield; aunts and uncles Lacey and Zach McGriff, Jesica and Jason Bynum, Janna and Presston West, Jeremy and Nandi Schultz, and Shannon Schultz; and a host of family and friends. Funeral services for Mr. White were at 2 p.m. Monday, Jan. 18, 2021 in the Brown Stone Centre located at Stone Bridge Farms in Cullman, Alabama, with Brother Sam Johnson officiating. Burial followed in Union Grove Cemetery, Holly Pond, Alabama. Friends were invited to visit with the family at Brown Stone Centre from 10 a.m. until services began at 2 p.m. Holly Pond Funeral Home was honored to serve the family of Mr. White.

Erlene Shannon Haynes, 82, of Cullman
Erlene Shannon Haynes of Cullman passed away Jan. 16, 2021 at the age of 82. She was born July 27, 1938 to William and Mattie Bowen Shannon. She is preceded in death by her parents; husband Leonard Haynes; daughters Brenda Sizemore and Janet Haynes; grandson Brandon Ausban; sister Viola Cook; and brother Thomas Shannon. Funeral services are Wednesday, Jan. 20, 2021 at 11 a.m. at Moss Service Funeral Home Chapel with Stephen Payne officiating. Interment will be in Oak Grove Cemetery on Co. Hwy. 9 in Blount County. Survivors are children Melinda (Brad) Gilley, Kenneth Haynes, Kathy (Randy) Sweatmon, Keith (Juanita) Haynes, Teresa Burns, Kelvin Haynes, Chris Haynes, Stephanie Haynes, and Sandra (Robert) Bryson; grandchildren Sabrina, Josh, Beth, Laura, Matt, Jeremy, Brittany, Adam, Bryan, Nick, Aaron, Anthony, Zac, Cody, Heather, Austin, Courtney, Stephen, and Miranda Trotter; sister Mary (Jerry) Barnes; and a host of great-grandchildren, nieces, and nephews. Visitation will be Tuesday, Jan. 19, 2021 at Moss Funeral Home from 5:30-8 p.m. Please share memories and condolences with the family at www.mossservicefh.com. Moss Service Funeral Home directing.

Quinton Harold Whatley, 85, of Hanceville
Graveside services for Quinton Harold Whatley of Hanceville will be at 2:30 p.m. Tuesday, Jan. 19, 2021 at Hopewell Cemetery in Hanceville. Reverend Tim Aris will be officiating. Mr. Whatley was born to Robert and Clarice (Shaddrix) Whatley Aug. 24, 1935 in Cullman. He died at the age of 85 at Hanceville Nursing and Rehab Center in Hanceville Jan. 17, 2021. Mr. Whatley was also a member of The United States Air Force. Quinton is survived by his wife Jean Whatley; children Clark Whatley, Danny (Melissa) Ford, Cindy (Fred) Penn, and Tim Ford; grandchildren Ivy (James) Wright, Teague Whatley, Easton Whatley, Whit (Amy) Ford, Corey Ford, Zack Ford, Dylan Ford, and Riley Ford; great-grandchildren Maisley Ford, Brayden Ford, Willa Ford, and Wellsley Ford; and sister Sybil Baker. In addition to his parents, Mr. Whatley was also preceded in death by his grandson Jackson Colt Whatley.

Terry Wayne Adams, 66, of Hayden
Graveside services for Terry Wayne Adams of Hayden will be at 1 p.m. Saturday, Jan. 23, 2021 at Oak Grove Cemetery in Hayden. Mr. Adams was born March 8, 1954 in Blount County. He died at the age of 66 Jan. 17, 2021 at Cullman Regional Medical Center. Terry worked with CSX for several years and was a number one fan of Alabama Football. He is loved by his family and friends and will be missed dearly. The memories they shared will never be forgotten. Mr. Adams is survived by his son Timothy Adams; brothers and sisters Edna (Billy) Giddy, Linda (Jerry) Hix, Bud (Barbara) Adams, Bonnie Bailey, Mary Johnson, and Darlene (Pat) Adamson; and a host of nieces, nephews, and friends. He was preceded in death by his parents Ellie James and Dorothy (Johnson) Adams.

Barbara (Moore) Scott
Barbara (Moore) Scott entered her fabulous reward with her Savior Jan. 5, 2021. She was born April 5, 1939 in Cullman County, Alabama to Malcomb Van Moore, Sr. and Mary Elizabeth (Gracy) Moore. She was preceded in death by her father and mother, her brother Malcomb Van Moore, Jr., and her beloved 4-year-old grandson Joseph Austin Scott. Barbara leaves behind a grieving husband Don of 57 years and two sons Donovan Patrick and Jonathan Alan and their wives Julie (Shamblin) Scott and Joy (Younger) Scott, respectively, who loved her dearly. She will be sorely missed. She loved her granddaughters Chelsea and Avery and her grandsons Josiah and Joshua, along with a host of nieces and nephews and friends. She loved life and those who knew her knew how she loved to laugh! She has been asked on numerous occasions to compile a list of her axioms and quotes, (such as "That would make a freight train take a dirt road!" and "She's so ugly she'd bump thunder and snag lightning!"). As long as her health allowed, she loved working in the yard as well as repairing and painting birdhouses (often using miniature artist brushes.) Until COVID closed our senior center, one of her favorite activities was singing in the Senior Spirit Singers choir. (Every member of the choir remembers Barbara's favorite hymn and it was sac- religious to conclude the session without singing it, and they usually accommodated her.) She skillfully wove a career in education with raising her two boys, teaching in various schools and working in education administration in various capacities in Alabama, Tennessee, Kentucky, and Texas. (Her husband, Don, worked for IBM, which stands for "I've Been Moved"). She particularly loved Texas, having lived there 27 years, raising her boys there, before moving back to Alabama in 2001 to help care for aging parents and retiring back home. As long as her health permitted, she enjoyed participating in church missions trips and disaster relief activities. She made many trips with Don during the Katrina Hurricane, pulling shower trailers all over the Gulf coast for Alabama Baptist Disaster Relief. Until a disabling accident in August last year, she was very faithful in attendance at her church, Northbrook Baptist. (She once claimed it took a good Methodist to make a good Baptist, having been a Methodist, and choir director at what was West, now St. Andrews Methodist Church in Cullman at the time of her marriage in 1963). The funeral will be conducted at Northbrook Baptist Church at 2 p.m. Saturday, Jan. 23, 2021; viewing to take place one hour preceding the service. Rev. Keith Warden and Rev. Perry Brown will lead the memorial service with special music by Jerry Wooten. Interment will be in the Flint Creek Baptist Cemetery immediately following. Cullman Heritage Funeral Home is in charge of the arrangements. The family requests all donations be made to Gideon's International in lieu of flowers.

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PREP BASKETBALL

Raiders, Lady Raiders collect area wins at Oneonta

Sammy Confer
sammy@cullmantribune.com

ONEONTA, Ala. – Good Hope traveled to take on Oneonta in a pair of huge Class 4A, Area 11 games as they looked to bounce back after getting swept by the Redskins in December. The Lady Raiders dominated the Lady Redskins from start to finish, winning the game 53-39 while the Raiders squeaked past the Redskins in a tightly contested matchup, 57-52.

Good Hope 53 - Oneonta 39 (varsity girls)
All of Good Hope's starters found the scoring column in the opening period and they held Oneonta to just seven points as the Lady Raiders took an 18-7 lead into the second quarter.

It was a low-scoring period for Good Hope, but they still held a 25-18 lead at the half.

The Lady Raiders saw six different players score in the third period as they put up 19 in the quarter and wound up going into the fourth up, 44-32.

It was more of a defensive battle in the final period, but Good Hope kept Oneonta at arm's length the rest of the way as they wound up taking the game, 53-39, to force a tie with the Lady Redskins for first place in the region.

Ivey Maddox led Good Hope (15-6, 3-1) with 14 points. Rudi Derrick added 12, Bailey Tetro ended up with nine, Kyndall Seal finished with eight, Heather Tetro added five and Charly Johnson chipped in with three.

Good Hope 57 - Oneonta 52 (varsity boys)
Oneonta jumped out to a quick 11-0 lead early on in the game as Good Hope couldn't get anything to fall, but they started to get it going offensively as a Colton Lindsey three started a 7-0 run for the Raiders as they made it an 11-7 game.

A K'mal Bell jumper made it 13-9, but the Redskins added a pair from the line to increase the Good Hope deficit to 15-9 after one.

A huge steal and three-point play by Tanner Malin made it a three-point game, but Oneonta went on an 8-2 to stretch its lead to 23-14 and they later made it 27-16. Another Lindsey trey cut it to eight with 3:12 to go in the first half.

Oneonta increased its lead to 12, but Malin scored the final five points of the half, including a huge three-point play, as Good Hope cut the deficit to 31-24 at the half.

A Lindsey three-point play was followed by a Lawton Farr trey from the left corner to make it a 31-30 game and they later took a 34-33 lead on a Lindsey basket down low. A Bell trey broke a 35-all tie and Malin broke a 38-all tie with a layup as the Raiders went into the final period up 40-38.

Malin hit a pair from the line to make it a four-point advantage and Good Hope later stretched its lead to 47-41 after a pair of Lindsey free throws and a Malin three-point play off a Noah Barnette steal.

But a four-point play by the Redskins made it a two-point game with 4:20 remaining in the contest.

Oneonta drilled a shot from deep to make it a 51-50 contest with a minute to go, but Farr drilled a big-time trey on the Raiders' next possession to push the lead up to four with 49 seconds to go.

Oneonta drilled a pair from the line to swivel the Good Hope lead to 55-52, but Malin nailed a pair from the charity stripe to help seal the 57-52 road win for the Raiders, which will put them in a first-place tie with the Redskins in the loss column.

Malin finished with 23 points for Good Hope (14-4, 4-1). Lindsey added 14 points, Farr ended up with eight points, Bell ended up with six, Barnette added four and Michael Owens chipped in with two.

Good Hope will head back home to take on West Point in a pair of afternoon games on Monday.

PREP BASKETBALL

Bulldogs, Lady Bulldogs split road matchups at Winston County

Todd Walker
Tribune Correspondents

DOUBLE SPRINGS, Ala. – The Addison Bulldogs traveled to the county seat to take on their archrival foes, the Yellow Jackets of Double Springs. The girls lost another nail biter 55-52 while the boys pulled out a tough 47-42 victory.

Winston County 55 – Addison 52 (varsity girls)
The Addison Lady Bulldogs need to learn to start faster as it seems that at the end of the first period of every game, they find themselves down double digits. We all know it takes alot of energy to come from behind and this young team never gives up, but it would be nice to see what they could accomplish if they came out of the gate quicker. As usual Addison was sluggish to start and the Lady Yellow Jackets led 18-10 at the end of the first period. The hometown crowd was in rare form as they cheered on the Lady Jackets. Senior Makayla Lindsey led the jackets with five points in the period. Bracey "Tiny" Rodgers led Addison with four.

The second period also began what should be called foul gate as both teams combined for over 16 fouls in the period and this had to be the longest basketball period I have ever witnessed in person.

Both teams were affected but it really stung the Lady Dawgs as Gracie "Bug" Manley and Anna Grace "The Glove" Luker picked up three fouls apiece and had to sit. The Lady Jackets took advantage by outscoring the Lady Dawgs 16-12 to take a 34-22 lead into the half. The Lady Jackets were led by Lindsey with 11 points in the half. Rodgers led the Lady Dawgs with 10 points of her own.

The second half opened with Addison pressing the Lady Jackets into numerous mistakes. "Magic" Molly Gilbreath led the Lady Dawgs with five points in the period but also had two steals and two boards to go along with her points. Hadley "Shooter" Butler was a star on defense as she had five steals. The Lady Dawgs took a slim 42-41 lead into the fourth period. Addison never quits and it showed in that third period.

The fourth started and it appeared that the young ladies of Addison ran out of gas as the fouls kept piling up and the Lady Jackets outscored them 14-10 to take the win, 55-52. The Lady Jackets settled down with junior Olivia Wright and Lindsey taking control down the stretch.

Addison was led by "Tiny" Rodgers with a game high 18 points and five rebounds. "Magic" Gilbreath had 13 points, four boards and five steals. "Bug" Manley had nine points, five boards, two assists and four steals. "The Glove" Luker had seven points, four boards and two steals. "Shooter" Butler only had one point but five boards and five steals. Addisyn Smothers had three points and five boards.

Double Springs was led by Lindsey with 17 points and eight boards. Izzy Cofer had 10 points and 10 boards. Brenna Wakefield had five points, seven boards and a block. Wright had four points, four boards, two assists and two steals.

Addison will not play again till next week when Addison hosts the Winston County Tournament.

Addison 47 – Winston County 42 (varsity boys)
The boys were looking to finish up undefeated in Winston County games and win the regular season County title. It promised to be an excellent game. Addison's Logan "Baby Shaq" Wilkins came to play as he scored all twelve of the bulldogs points in the first period as Addison led 12-11 after one. Double Springs' "Mr. Everything" Austin Owens came out fired up as well. Owens had four points in the period to go along with two assists and three boards.

The second period was another back and forth affair as it had each team going ahead and the other answering right back. The scoring cooled down as the defensive intensity heated up. Both teams could only muster seven points apiece as Addison took an ever so slim 19-18 lead into the half. Wilkins scored 16 of Addison's 19 first half points. Owens led the Jackets with seven.

The third period was intense as both teams fought for rebounds, dove for loose balls and generally pounded on one another. The score after three was Addison 32 Double Springs 31.

No team could muster more than a 4-point lead. Xavier "Mr. Smooth" Barley had four points, four boards and Eli "Baby Hornet" Howse had three with two assists and two steals in the third. The Jackets were led by Sophomore Sy Blanton with three points.

The fourth saw Addison pull slightly ahead but the Bulldogs could never pull away as there was no quit in the jackets on this night. Addison sealed the game at the free throw line with Christian "Ice Man" Roberts hitting two and the game ended with Addison 47 Double Springs 42.

The Jackets were led by Senior Brooks Bonds with 12 points. Freshman Braden Hudson had nine points, two rebounds and two steals. Senior Austin "Mr. Everything" Owens had eight points, five boards and three assists. Sophomore Sy Blanton had nine points and eight boards.

Addison was led by Wilkins with a game high 19 points, four rebounds, two assists and four steals. "Baby Hornet" Howse had eight points, two boards, three assists and two steals. Roberts had four points and seven boards. "Smooth" Barley had six points and six boards. Cannon "TNT" Hiller had eight points.

The win earns Addison the regular season Winston County Championship and the first seed in the tournament after finishing 6-0 in county play. Addison improves to 13-10 on the year.

PREP BASKETBALL

Lady Aggies edge Guntersville 62-60 in OT, Aggies fall to Wildcats 74-43

Nick Griffin
nick@cullmantribune.com

FAIRVIEW, Ala. – Both the Aggies and Lady Aggies were on their home floor to host Guntersville in a pair of area matchups Friday night and the Fairview squads split the results of two very different games. The Lady Aggies trailed by 12 at the half against the Lady Wildcats but rallied to tie things up at the end of regulation and outlast Guntersville in overtime 62-60. The boys' contest was settled a lot faster as the Wildcats jumped out to a 22-point halftime lead before pulling away to defeat the Aggies 74-43.

Fairview 62 – Guntersville 60 (varsity girls)
Baskets by Molly McKelvy and Emma Garcia gave Fairview an early, 4-2 lead and after Guntersville managed to pull ahead, another McKelvy layup tied the game at 7 midway through the first. A Jacy Gorham jumper put the Lady Aggies in front 9-7 but back to back three-pointers from the Lady Wildcats on the other end gave them a 13-9 advantage with two minutes remaining in the opening period. Daisy Manasco was able to score inside to stop the run but Fairview trailed Guntersville 19-12 going into the second quarter.

Gorham knocked down a three-pointer and then laid one in to score the first five points of the quarter and cut the lead to 21-18. However, the Lady Wildcats once again responded with a pair of treys to move back in front 27-18. The run continued, and Guntersville built a 34-21 lead with two minutes to play in the half. Five straight points from Garcia helped Fairview cut into the lead late in the second but the Lady Wildcats led the way 38-26 at the break.

Fairview tightened up defensively in the third quarter and began to close the gap. Manasco laid one in and buried a three-pointer to score five straight for the Lady Aggies and make it a 39-31 game and Garcia followed with five points of her own to trim the lead to three with just over three minutes remaining in the quarter.

Manasco turned a steal on an inbounds pass into two points for Fairview to make it a 39-38 game and she scored through a foul on the next possession to give the Lady Aggies their first lead since the first quarter. The Lady Wildcats were able to get back on top by the end of the period, but Fairview trailed just 44-40 going into the fourth.

Baskets by McKelvy and Manasco cut the lead to 46-44 early in the period and another Manasco layup put the Lady Aggies back in front 48-46 midway through the fourth.

A three-pointer gave Guntersville a 51-48 lead with three minutes to play but Maddie Yeager answered with a three on the other end to tie the game with less than two minutes remaining.

A pair of McKelvy free throws kept the game tied at 53 with 25 seconds on the clock but neither team was able to get on the board after that and we went to overtime knotted at 53.

A Yeager basket gave Fairview a 2-point lead early the overtime period and McKelvy drilled a three to make it a 58-53 game with less than three minutes to play. Yeager added a free throw to sretch the lead to six, but the Lady Wildcats were able to trim the lead to 59-56 with just over a minute remaining.

Morgan Lindsay's first basket of the game couldn't have come at a better time and gave Fairview a 61-56 advantage with less than a minute to play.

Guntersville cut the lead all the way down to 61-60 with 30 seconds on the clock and after a McKelvy free throw made it a 2-point game, the Lady Aggies came up with the final defensive stop that they needed and held on to defeat the Lady Wildcats in overtime, 62-60.

Manasco led Fairview with 16 points in the win, followed by Garcia with 15 and McKelvy with 13. Gorham and Yeager each added seven points for the Lady Aggies.

Guntersville 74 – Fairview 43 (varsity boys)
Owen Yarbrough and Preston Ryan each scored early in the opening period to give Fairview an early, 4-3 lead but Guntersville quickly took control of the momentum and the lead with a 9-0 scoring run.

Ryan knocked down a three-pointer to stop the run and make it a 12-7 game midway through the first, but the Wildcats were able to build a 20-12 lead going into the second.

Guntersville continued to score in the paint and add to its lead but another Yarbrough bucket, followed by a three-pointer by Parker Martin, made it 30-17 with five minutes to play in the half.

A pair of Peyton Bailey and Aaron Carpenter free throws held the lead to 41-21 late in the second quarter but the Wildcats led the way 45-23 going into the halftime break.

Guntersville started the third quarter with a 9-0 run to pull ahead 54-23 but Ryan laid one in and Martin drilled another three to make it a 58-28 game midway through the period.

Another scoring run from the Wildcats helped them extend their lead to 68-32 going into the final frame and with the hot clock running throughout the fourth, Guntersville pulled away to collect the area win on the road 74-43.

Yarbrough led the Aggies with 18 points in the loss, followed by Ryan with seven and Martin with six. Fairview will be back home Tuesday night to take on Hartselle.







LEGALS

PB MIN BK 193 PG 240 - 01/08/2021 02:33 PM
Tammy Brown, Judge of Probate, Cullman County, AL

IN THE PROBATE COURT OF CULLMAN COUNTY, ALABAMA

IN RE: THE ESTATE OF)
WARNER M. MERCER,) CASE NO PC2018-197
Deceased.)

NOTICE OF HEARING
PETITION OF PERSONAL REPRESENTATIVE FOR FINAL SETTLEMENT AND DISTRIBUTION
AND
AMENDED PETITION OF PERSONAL REPRESENTATIVE FOR FINAL SETTLEMENT AND DISTRIBUTION

TO: **EDWARD WEBB, TOM WEBB, RENEE RYDER MORTON, RHETT RYDER, THOMAS RYDER, PHILLIP ALLEN MORRIS AND ANY KNOWN OR UNKNOWN NEXT OF KIN OR INTEREST PARTIES**

Please take notice that a hearing on the Petition of Personal Representative for Final Settlement and Distribution and Amended Petition of Personal Representative for Final Settlement and Distribution filed by Pamela E. Nail, Attorney for John Cruce, Personal Representative of the Estate of Warner M. Mercer, is set for hearing on the **25th day of February, 2021, at 9:30 A.M.**. Before Tammy Brown, Judge of Probate, Cullman County Courthouse, 500 2nd Avenue SW, Room 101, Cullman, Alabama 35055.

Done this the 8th day of January, 2021.

Tammy Brown
TAMMY BROWN, JUDGE OF PROBATE
CULLMAN COUNTY, ALABAMA

Pamela e. Nail
Attorney for Personal Representative
200 Second Avenue SW
Cullman, AL 35055

City of Cullman
Building Inspection Department

201 SECOND AVENUE, NORTHEAST
P. O. BOX 278
CULLMAN, ALABAMA 35056-0278
(256) 775-7203

City of Cullman
Planning Commission

On Monday, February 1, 2021, at Cullman City Hall Auditorium at 5:30 P.M, at the regular meeting of the City of Cullman Planning Commission, a public hearing will be held to allow affected parties to voice their concerns related to the following items:

1. Short form Subdivision – Meadowbrook Subdivision & Carroll Acres – move lot lines
2. Preliminary Subdivision – The Magnolia's Subdivision – off Bolte Road SE (County Road 700)

For further information contact Brian Landreth or Amber Duke at the City of Cullman Building Department at 256-775-7203.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Cullman, Alabama, will hold a public hearing on February 8th, 2021 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium at City Hall, 204 Second Avenue NE, Cullman, Alabama 35055. At this time anyone wishing to be heard in favor of or in opposition to the adoption of Ordinance No. 2021-21 (set forth in full below) will be given an opportunity to be heard:

ORDINANCE NO. 2021 – 21
AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

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

Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Apel Enterprises, LLLP, the following describe the tract or parcel of land, to-wit: PPIN: 1012 PARCEL: 17-07-26-1-001-001.000. Legal Description: *The Northeast Quarter of the Northeast Quarter of Section 26, Township 10 South, Range 3 West, Cullman County, Alabama, containing 40 acres more or less.* within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as PUD for PR-1 Planned Unit Development for Limited Residential District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from R-1 Residential District to PR-1 Planned Unit Development for Limited Residential District.

2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsized, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

3. That a public hearing be held relative to the passage of this ordinance on the 8th day of February, 2021 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance are hereby changed and amended to reflect the changes and amendments herein.

6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this Ordinance.

7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

Wesley Moore – Cullman City Clerk

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Cullman, Alabama, will hold a public hearing on February 8th, 2021 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium at City Hall, 204 Second Avenue NE, Cullman, Alabama 35055. At this time anyone wishing to be heard in favor of or in opposition to the adoption of Ordinance No. 2021-19 (set forth in full below) will be given an opportunity to be heard:

ORDINANCE NO. 2021 – 19
AMENDING ORDINANCE NO. 2004-03 AND THE ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN

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

1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, Minuteman Construction, the following describe the tract or parcel of land, to-wit: Address: Vacant lot located on Beech Avenue and Bolte Road SE. PPIN: 21550. PARCEL: 17-07-26-2-001-002.000. Legal Description: *Commence at the Northwest corner of Section 26, Township 10 South, Range 3 West, thence South 03 degrees 00 minutes East along the section line a distance of 15 feet; thence North 87 degrees 00 minutes East a distance of 15 feet to the point of beginning; thence continue North 87 degrees 00 minutes East a distance of 210 feet; thence South 03 degrees 00 minutes East a distance of 420 feet; thence West and parallel to the North line of said Section 26 a distance of 210 feet; thence North 420 feet to the point of beginning. Containing two (2) acres, more or less.* within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as M-2 Manufacturing District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from M-2 Manufacturing District to B-2 Business District.

2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsized, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

3. That a public hearing be held relative to the passage of this ordinance on the 8th day of February, 2021 at 7:00 o'clock p.m., at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance are hereby changed and amended to reflect the changes and amendments herein.

6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this Ordinance.

7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

Wesley Moore – Cullman City Clerk

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Cullman, Alabama, will hold a public hearing on February 8th, 2021 at 7:00 o'clock p.m. in the Lucille N. Galin Auditorium at City Hall, 204 Second Avenue NE, Cullman, Alabama 35055. At this time anyone wishing to be heard in favor of or in opposition to the adoption of Ordinance No. 2021-20 (set forth in full below) will be given an opportunity to be heard:

ORDINANCE NO. 2021 - 20

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. (1) of Section 62-8. – Transitional Rules of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

(1) If development, for which a subdivision plat or building permit was approved prior to the effective date of this Ordinance, fails to meet any time frames in effect for that development at the time of approval, then the approval expires (unless a subdivision has received final plat approval and the final plat has been recorded prior to the passing of this Ordinance); and future development is subject to these Regulations.

SECTION III. The following definitions of Section 62-23. - Definitions of the Code of Ordinances City of Cullman, Alabama, are added as follows:

Place of Worship means a dedicated area for religious worship or meditation.

SECTION IV. The following definitions of Section 62-23. - Definitions of the Code of Ordinances City of Cullman, Alabama, are hereby deleted and replaced with as follows:

Drive-In Restaurant means an establishment where food and drink may be ordered from and delivered to an automobile for consumption primarily on-premises.

Drive-Thru Restaurant means an establishment where food and drink may be, both, ordered from and delivered to an automobile for consumption off-premises or ordered and consumed within the principal building.

SECTION V. (2)(b) Dumpsters of Section 62-40 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

(2) The dumpster must be placed on a concrete pad at least 12 feet wide, 12 feet long and six inches thick and must be screened in accordance with §9.03 Screening. Pad must also have appropriate backstop in place (minimum of 8" curb along back perimeter) to protect from damages. If fencing is installed, a minimum opening width of 12 feet is required.

SECTION VI. Table 4-1: Uses Permitted in Residential Districts (Article IV) of Section 62 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 4-1: Uses Permitted in Residential Districts

	R-1	R-2	R-3	R-4
Residential Uses				
Accessory dwelling, see section 62-94		SE	P	P
Caretaker dwelling	SE	SE	SE	SE
Duplex			P	P
Single-family dwelling, attached, see section 62-93			P	P
Single-family dwelling, detached	P	P	P	P
Multifamily dwelling, more than 4 units per building				P
Quadplex				P
Triplex				P
Day care facilities				
Child or adult day care center		C	C	C
Child day care group home (7—12 children)		C	C	C
Child day care home (up to 6 children)	C	P	P	P
Residential care facilities				
Assisted living facility				C
Emergency care home (see section Code of Ala. 1975, § 11-52-75.1)				P
Family care home (see section Code of Ala. 1975, § 11-52-75.1)			C	P
Independent living facility (up to 6 residents)			C	P
Independent living facility (more than 6 residents)				P
Nursing care facility				C
Transitional care home				C
Other nonresidential uses				
Amateur radio tower	P	P	P	P
Bed and breakfast, see section 62-95	C	C	C	C
Boarding house, see section 62-96			C	P
Cemetery	C	C	C	C
Golf course	C	C	C	C
Home occupation, see section 62-99	SE	SE	SE	SE
Institutional use, low intensity	C	C	C	C
Institutional use, medium intensity	C	C	C	C
Place Worship, Low Intensity	C	C	C	C
Place of Worship, Medium Intensity	C	C	C	C
Parks, playgrounds and nature preserves	C	C	C	C
Public buildings	C	C	C	C
Public utility facility	P	P	P	P
Recreation facility, public	C	C	C	C
Residential (country) club	C	C	C	C

Short-term rentals, subject to section 62-103		P	P	P
Small cell facilities	SE	SE	SE	SE
Telecommunications tower, see section 62-105	C	C	C	C

P — The use is permitted by right.

SE — Special exception, requires approval by the zoning board of adjustments per section 62-184.

C — Conditional use, requires approval by the planning commission per section 62-172.

A blank cell indicates the use is not permitted.

SECTION VII. Table 5-1: Uses Permitted in Nonresidential Districts (Article V) of Section 62 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 5-1: Uses Permitted in Nonresidential Districts

P —The use is permitted by right.

E —The use is permitted by right, if existing as of the effective date of the ordinance from which this chapter is derived. New construction of the use is prohibited.

SE —Special exception, requires approval by the ZBA per section 62-184.

C —Conditional use, requires approval by the commission per section 62-172.

A blank cell indicates the use is prohibited in the district.

Uses	B-1	B-2	B-3	CBD	INST	M-1	M-1P	M-2
Commercial Uses								
Ambulance service	P	P	P	C				
Alternative financial service (with no outdoor storage), see section 62-91	P	P	P	P				
Alternative financial service (with outdoor storage), see section 62-91		P	P					
Automobile repair, major	C	P	P					
Automobile repair, minor	P	P	P	P				
Business or professional office	P	P	P	P				
Business support service	P	P	P	P				
Car wash	P	P	P					
Construction service, major		P	P			C	C	C
Construction service, minor		P	P			C	C	C
Farm support business	C	P	P					
Funeral home	C	P	P	C	C			
Home occupation	P	P	P	P				
Maintenance service	C	P	P					
Medical clinic	P	P	P	P	C			
Mini-storage facility		C	C					
Outdoor storage			C			P	P	P
Parking, commercial	P	P	P	P	C	P		P
Pawn shop	P	P	P	P				
Printing service	P	P	P	P				
Repair service		P	P	P				
Research laboratory	C	P	P	P		P	P	P
School, commercial		P	P	P	C			
Studio	P	P	P	P				
Truck stop			C					
Wholesaling, beer or wine			P			P	P	P
Wholesaling establishment		P	P	P				
Day Care Facilities								
Child or adult day care center	P	P	P	P	P			
Child day care center accessory to a permitted business	P	P	P	P	P	P	P	P
Adult day care home	P							
Child day care group home	P							
Child day care home	P							
Institutional Use								
Low intensity	P	P	C	P	P	C	C	C
Medium intensity	P	C	C	C	P	C	C	C
High intensity	C	C	C	C	P	C	C	C
Place of Worship	P	P	P	P	C	C	C	C
Animal shelter			C		C			
Cemetery		C	C		C			
Hospital		C	C	C	C			
Lodging Uses								
Bed and breakfast, subject to section 62-95	P			P				
Hotel		P	P	P				
Motel		P	P					
Short-term rental, subject to section 62-103	P	P	P	P				
Manufacturing and Industrial Uses								
Bakery, major						P	P	P
Heavy industry						C	C	C
Industrial training center						C	C	C
Junkyard, subject to section 62-100		C	C					
Laundering plant						C	C	C
Manufacturing, general						C	C	C
Manufacturing, light						P	P	P
Recycling center		C	C					
Recycling plant						C	C	C
Warehousing and distribution center						P	P	P
Personal Services								

Laundry services	P	P	P	P				
Personal services	P	P	P	P				
Tattoo facilities, subject to section 62-104			P					
Veterinary hospital, with no outside boarding	C	P	P	C				
Recreation and Entertainment								
Entertainment, indoor	P	P	P	P				
Entertainment, outdoor	C	C	C	C				
Golf course	P	P	P					
Parks, playgrounds and nature preserves	P	P	P	P	P			
Recreation, commercial	C	C	C	C				
Recreation facility, public	C	C	C	C	C			
Residential Care Facilities								
Assisted living facility	P	P	P		C			
Independent living facility	P	P	P					
Nursing care facility	P	P	P		P			
Residential Uses								
Caretaker dwelling	P	P	P	P				
Duplex	E	E	E	E		E		E
Multifamily dwellings (more than 4 units per bldg.)	C	C	C	C				
Quadplex	E	E	E	E		E		E
Single-family attached, subject to section 62-93	E	E	E	E		E		E
Single-family detached	E	E	E	E		E		E
Triplex	E	E	E	E		E		E
Upper-story dwellings, subject to section 62-106	P	P	P	P				
Restaurant								
Brew pub, see chapter 4, City Code, Alcoholic Beverages				P				
Fast food restaurant	P	P	P	C				
Pick-up and delivery only restaurant	P	P	P	P				
Standard restaurant	P	P	P	P				
Standard restaurant with accessory alcohol sales, see chapter 4, City Code, Alcoholic Beverages	C	P	P	P				
Retail								
General, up to 10,000 s.f.	P	P	P	P				
General, larger than 10,000 s.f.	E	P	P	P				
Bakery, minor	P	P	P	P				
Bank	P	P	P	P				
Building supply	C	P	P	C				
Gas station	C	P	P	C				
Heavy equipment and vehicle sales, rental and service						C	C	C
Liquor sales for off-premises consumption, see chapter 4, City Code, Alcoholic Beverages	C	P	C	C				
Specialty beverage store, see chapter 4, City Code, Alcoholic Beverages	P	P	P	P				
Specialty wine and beer establishment, see chapter 4, City Code, Alcoholic Beverages	P	P	P	P				
Tobacco, vape store	P	P	P	P				
Unenclosed retail		C	C					
Vehicle and equipment sales, rental and service		C	P	C				
Vehicle sales, rental and service	C	C	P	C				
Telecommunications and Utilities								
Public utility facility	P	P	P	P	P	P		P
Small cell facilities	P	P	P	P	P	P		P
Telecommunication tower, see section 62-105	C	C	C	C	C	P		P

SECTION VIII. Table 6-1: Uses Permitted in Agricultural Districts of Section 62-82 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 6-1: Uses Permitted in Agricultural Districts

	AG-1	AG-2
Residential Uses		
Accessory dwelling units, subject to section 62-94	P	P
Caretaker dwelling	P	P
Manufactured home park	C	C
Single-family, detached	P	P
Day Care Facilities		
Child day care group home	P	P
Child day care home	P	P
Residential Care Facilities		
Emergency care home	P	P
Family care home	P	P
Transitional care home	C	C
Agricultural and Other Nonresidential Uses		
Amateur radio tower	P	P
Bed and breakfast, subject to section 62-95	C	C
Boarding house, subject to section 62-96	C	C
Campgrounds	C	C

Cemetery	C	C
Golf course	C	C
Home occupation, subject to section 62-99	P	P
Farm support business	C	C
Fish hatcheries	P	P
Kennel	C	C
Institutional use, low intensity	C	C
Institutional use, medium intensity	C	C
Place of Worship	C	C
Livestock farm	P	P
Parks, playgrounds and nature preserves	C	C
Public buildings	C	C
Public utility facility	P	P
Recreation facility, public	C	C
Residential (country) club	C	C
Short-term rentals, subject to section 62-103	C	C
Slaughterhouse	C	C
Stockyard	C	C
Small cell facilities	P	P
Telecommunications towers, subject to section 62-105	P	P
Veterinary hospital, with inside or outside boarding	C	C

P — The use is permitted by right.
E —The use is permitted by right, if existing as of the effective date of the ordinance from which this chapter is derived. New construction of the use is prohibited.
SE — Special exception, requires approval by the zoning board of adjustments per section 62-184.
C — Conditional use, requires approval by the planning commission per section 62-172.
A blank cell indicates the use is not permitted.

SECTION IX. (f) (1) c. Additional Provisions of Section 62-85 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

c. A reduction in the amount of open space or land designated for commercial use by more than five percent but less than 10% but in no case shall be less than the minimum amount defined in Table 6-5 of PUD Development Standards.

SECTION X. Table 6-5: PUD Development Standards of Section 62-85 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 6-5: PUD Development Standards				
Min. Setback from PUD Boundary		15 ft		
PR-1	PR-2	PM-1	PM-2	
Max. Residential Density	6 du/acre	9 du/acre	12 du/acre	16 du/acre
Min. Common Open Space	10%	15%	20%	15%
Min. Land Area Designated for Commercial Uses	n/a	n/a	40%	50%
Min. front yard setback Along arterial Along collector Along local street	25 ft 15 ft 15 ft	25 ft 15 ft 10 ft	25 ft 10 ft 0 ft	25 ft 10 ft 0 ft
Minimum Building Separation for Attached and Multifamily Dwellings				
Front to front; Front to back; back to back	40 ft			
Front to end, Back to end	20 ft if end wall is unpierced 30 ft if end wall is pierced			
End to end	15 ft if end wall is unpierced 25 ft if end wall is pierced			
Any other situation	15 ft			

SECTION XI. (j) Open Space Standards of Section 62-85 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

(j) *Open space standards.* Common open space must be provided in each PUD land use district in the amounts shown in Table 6-5. No designated common open space may be subdivided in the future, nor may it be reduced in area or used for any purpose other than those permitted as listed above unless approved through an amendment to the MDP.

(1) The following are excluded from calculation of common open space:

a. Land within individual lots.

b. Land encumbered by any substantial structure, enclosure or parking facility.

c. Land within eight feet of any building.

d. Land within a roadway, except a median that is at least 50 feet wide at its narrowest point and is designed for use as a recreational space.

e. Land to be used as or be in any required drainage area or easement.

(2) Maintenance provisions must be included in the PUD's Declaration of Covenants, Conditions and Restrictions, consistent with §3.07 Common Open Spaces and Facilities, for all common open spaces not left in a natural state. This includes, but is not limited to, circumstances where the developer no longer has ownership or an association of homeowners has disbanded. Common open space dedicated to the City or other governmental agency for operation and maintenance may not be for the exclusive use of the residents or patrons of the PUD.

(3) The area of common open spaces in each development phase must meet the requirements in Table 6-5 unless otherwise expressly approved as part of the MDP.

SECTION XII. (b) (4) of Section 62-112. – Off-Street Parking of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Shared and Joint Parking. A joint parking area may contain required parking spaces for more than one use, provided the combined number of spaces complies with the parking for all uses. If the combined uses will use the same spaces at different times, the spaces may be credited to each separate use. The applicant must present a joint parking agreement; and, if sharing the same spaces, a time schedule for allocation of the spaces.

SECTION XIII. Table 8-1: Required Off-Street Parking Spaces by Use of Section 62-112 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 8-1: Required Off-Street Parking Spaces by Use	
Agricultural Uses	
Farm	1 per 1.5 employees
Farm Stand	1 per 350 sf of retail floor area
Farm Support Business	1 per 1.5 employees, plus 1 per company vehicle
Stable	1 per 4 persons of occupancy load plus 1 per 1.5 employees
Residential Uses	
Accessory Dwelling	1 per DU
Assisted Living Facility	1 per 4 residents plus 1 per employee
Boarding House	1 per BR
Duplex	2 per DU
Independent Living Facility	1 per 2 DUs plus 1 space per employee
Manufactured Home	2 per manufactured home in a manufactured home park
Multifamily Dwellings	1 per studio or 1-BR unit; 1.5 per 2-BR unit; 2.0 per 3+ BR unit
Single-family Dwelling	2 per DU
Institutional Uses	
Club, Private	1 per 200 sf of non-storage and non-service floor area
Community Center	1 per 400 sf of GLA
Country Club	1 per 4 persons of occupancy load
Day Care Center	1 per employee, plus 1 stacking or parking space per 8 persons enrolled of occupancy load
Group Care Home	1 per 4 beds plus 1 per employee
Hospital	1 per 2 patient beds plus 1 per emergency room bed plus 1 per employee
Library	1 per 500 sf of GLA
Nursing Care Facility	1 per 4 beds plus 1 per employee
Place of Assembly	1 per 4 seats in the main assembly space
Public Facility	1 per 400 sf of GLA
Rehabilitation Facility	1 per 4 beds plus 1 per employee
School, College or University	as determined by the Commission
School, Elementary or Junior High/Middle	1 per classroom, plus either 1 per employee or 1 per 4 seats in the main assembly space (whichever is greater)
School, High	1 per 8 students of occupancy load, plus either 1 space per classroom or 1 per 4 seats in the main assembly space (whichever is greater)
Commercial Uses	
Automobile Dealership	1 per 200 sf of interior sales area plus 1 per 4,000 sf of outdoor display area plus 1 stacking space per service bay
Automobile Parts Store	1 per 400 sf of GLA plus 1 per employee
Automobile Rental Establishment	1 per 400 sf of GLA plus 1 per rental vehicle
Automobile Repair Service	1 per employee plus 2 stacking spaces per service bay plus 1 per company vehicle
Bank (no drive-thru)	1 per 350 sf of GLA
Bank (drive-thru only)	1 per 2 employees plus 3 stacking spaces per teller
Bank (with drive-thru)	1 per 350 sf GLA plus 3 stacking spaces per teller
Barber or Beauty Shop	1.5 per chair
Bed and Breakfast	1 per guest bedroom plus 2 spaces
Bowling Alley	2 per bowling lane
Call Center, Telemarketing Office	1 per 150 sf of GLA or 1 per employee, whichever is greater
Car Wash (full service or automated)	1 per employee plus 4 stacking spaces per bay
Car Wash (self-service)	3 stacking spaces per approach lane plus 2 drying spaces per stall
Clinic	6 per practitioner
Commercial School	1 per 3 students of occupancy load plus 1 per employee
Dry Cleaning Pick-Up	1 per 300 sf of GLA
Funeral Home	1 per 1 employee plus 1 per 4 seats of occupancy load plus 1 per company vehicle
Furniture Store	1 per 600 sf of GLA
Service Station	2 per service bay plus 1 per company vehicle plus 1 per employee plus 1 stacking space per fuel island
Gas Station / Convenience Store	1 per 300 sf of GLA plus 1 stacking space per fuel island
General Retail Business	1 per 300 sf of GLA
Home Improvement or Appliance Store	1 per 500 sf of GLA
Hotel or Motel	1 per room plus 1 per employee

Laundromat	1 per 2 washing machines
Mini-warehouse	5 spaces (adjacent to leasing office, if any)
Office, business or professional	1 per 400 sf of GLA
Movie Theater	1 per 3 seats
Outdoor Recreation Golf Course: Miniature Golf: Golf Driving Range: Other:	3 per hole 1 per hole 1 per tee 1 per 4 persons of occupancy load
Pool Hall	2 per 3 tables
Restaurant, Pick-up and delivery only	1 per employee plus 1 per 350 sf of GLA
Restaurant, Drive-in	1 per ordering station plus 1 per employee
Restaurant, Drive-thru	1 per 2 seats of occupancy load plus 4 stacking spaces per drive-thru window
Restaurant, Standard	1 per 2 seats of occupancy load
Shopping Center Complex	6 for each 1,000 sf of total floor area of all buildings in the complex, excluding mechanical and storage areas
Unenclosed Retail	1 per 600 sf of display area plus 1 per employee
Veterinary Hospital	1 per 300 sf of GLA
Industrial Uses	
General Industry and Manufacturing, Research Laboratory and similar uses	1 per 1,000 sf of GLA
Warehouse, distribution and wholesale Business	1 per 1 employee plus 1 per company vehicle but not less than 1 per 500 sf of GLA
Any use otherwise not specified	1 per 200 sf of floor area

SECTION XIV. Table 8-2: Typical Shared Parking Demand by Use and Time of Day of Section 62-112 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety.

SECTION XV. Table 9-1: Buffer Requirements by Use of Section 62-122 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 9-1: Buffer Requirements By Use

Developing Land Use	Existing Abutting Use						
	Single-family		Multi-family	Lodging	Institutional	Business	Parks & green-ways
	detached	attached			low/medium/high		
Residential and Lodging	Buffer Class Required						
Detached, single-family	n/a	n/a	A	A	A	A	n/a
Attached, single-family	A	n/a	A	A	A	A	n/a
Multifamily	B	A	n/a	n/a	n/a	n/a	n/a
Lodging	B	B	A	n/a	n/a	n/a	n/a
Manufactured home parks	B	B	B	B	A	B	A
Institutional							
Low intensity	A	A	n/a	n/a	n/a	n/a	n/a
Medium intensity	A	A	A	n/a	n/a	n/a	A
High intensity	B	B	B	A	A	n/a	A
Business/Commercial							
Offices up to 50,000 sf	A	A	A	n/a	A	n/a	A
Offices greater than 50,000 sf	B	B	B	A	B	n/a	A
Amusement; outdoor entertainment	B	B	B	A	B	n/a	A
Retail, shopping centers, and restaurants up to 50,000 sf	B	B	A	A	A	n/a	A
Retail, shopping centers, and restaurants greater than 50,000 sf	B	B	B	A	B	n/a	A
Heavy commercial, including repair, contractor and automotive uses	B	B	B	A	B	n/a	A
Industry							
Warehousing, storage, and public utility facilities	C	C	C	C	C	B	B	A	B
Other industrial uses	C	C	C	C	C	C	C	B	B

Planting Requirements by Buffer Class

Buffer Class	Width		Required trees per 120 lf (without fence)
	With fence/wall	Without fence/wall	
A	10 ft	15 ft	6
B	10 ft	15 ft	8
C	25 ft	30 ft	10

SECTION XVI. Section 62-124. – Landscaping for Vehicular Areas of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Section 62-124. – Landscaping for Vehicular Areas.

Landscaping must be provided in vehicular areas of nonresidential, multifamily and mixed-use developments that are used for off-street parking and loading; vehicular storage, display, maneuvering and washing; and the dispensing of motor fuels. Such landscaping shall be provided in such a manner as to break up the expanse of paving, facilitate the safe circulation of pedestrian and vehicular traffic and provide valuable shade for pedestrians and/or vehicles.

(1) Requirements.
   a. Required trees must be a species that reaches a mature height of at least 20 feet.
   b. Interior Landscaping. Five percent of the area of any surface parking lot that has over twenty spaces must be interior landscaping, such as islands and peninsulas. Trees must be included within interior landscaped areas and evenly distributed in combination with other landscaping.
   c. Perimeter Landscaping, including street frontage. Vehicular areas must be separated from lot lines by a landscaping strip at least five feet wide planted with shrubs and one tree per 100 ft. of lot line.
      1. Where this conflicts with buffer or other landscaping requirements, the greater requirement governs.
      2. Driveway connections between adjacent businesses and other compatible uses are encouraged and are not included in calculation of perimeter tree requirements.
      3. Shrubs used must be detailed on site plan submittal.

(2) City and state rights-of-way. All landscaping within city or state rights-of-way, other than that performed by the city or state, is the sole responsibility of the adjoining property owner to maintain. The property owner should secure a written agreement with the proper authority prior to landscaping any portion of a right-of-way. The city or state will not be responsible for damages to landscaping materials in rights-of-way, during street or utility repairs or maintenance activities.

SECTION XVII. Section 62-125. – Design Standards for Fences of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Section 62-125. – Design Standards for Fences.

Fences must be masonry, durable wood, or a combination thereof. Chain-link can be used to meet landscaping requirements but has to have prior approval from the building official as it should only be used for particular instances. Untreated wood, plastic or wire fencing cannot be used to meet landscaping requirements. No more than 25% of the fence surface may be left open. The finished side of the fence must face abutting property or public views.

SECTION XVIII. Section 62-144. Signs and advertising structure permits of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Section 62-144. Signs and Advertising Structure Permits.

A. Except where this ordinance explicitly exempts a sign, all signs erected shall require a sign permit issued by the Building Inspections Department.

B. Permit exceptions: The repairing, cleaning, touch-up painting, or bulb replacement and other normal maintenance to prolong the life of a sign shall not require a sign permit. Any maintenance to improve the structural integrity of the sign must be permitted. Changing the logo or name of any sign face shall not require a permit.

C. Any sign or advertising structure shall be subject to a building permit being issued. The fee for said permit shall be governed by the permit fee schedule adopted by the City of Cullman. Each permit application shall be accompanied by plans which show the following:

D. Application; contents. Each permit application shall be accompanied by plans which show the:

1) Indicate the proposed site by identifying the property owner, location, present use, and zoning district.

2) Show location of the sign on the lot in relation to the property lines, existing signs and structures.

3) Show complete structural specifications for all signs including footings, anchoring, and support for projecting signs and outdoor advertising structures. Such structural specifications must comply with the latest building related codes adopted by the City of Cullman. Signs exceeding 60 sf or any sign in excess of 20 ft in height shall be designed by an engineer registered in the State of Alabama, and said engineer shall place his official seal and signature to said structural specifications.

4) No permit shall be required for signs measuring seven square feet or less in area.

5) Additional information needed to determine if such sign is to be erected in conformance with this ordinance.

E. Sign area shall be the total of all signs on site (including wall signs, ground/monument signs, pole/pylon sign, etc.) If double-sided sign, only one face is calculated in the sign area.

F. Individual Businesses. signs shall be limited to an area equal to 2 square feet of sign for every 1 linear foot of building face OR 1 square foot of sign for every 1 linear foot of lot frontage, whichever is greater. If a corner lot, the building face and lot frontage may be measured along all facing streets.

G. Shopping Centers. allowed to have an additional locator sign at entrance(s) to development. These signs shall be limited to an area equal to 2 square feet of sign for every 1 linear foot of building face.

H. Residential developments. Includes single-family dwellings, duplexes, apartments, etc. Signs are permitted at each side of main entrance(s) Individual signs shall be limited to 120 square feet of area and shall be of ground or monument type only.

I. Projecting signs with two or more faces extending perpendicular from the building wall shall not project more than six feet from the wall.

J. Projecting signs shall not exceed 24 square feet in area and shall provide at least nine feet clearance underneath the sign.

K. Canopy or marquee signs may be attached to roof-like structures extending from a building wall or covering a fuel service island provided such signs are made a part of the canopy or marquee and do not extend beyond its face.

L. Attached signs shall not be placed upon any roof surface unless such roof has a pitch or 45 degrees or more.

M. The height of any attached sign shall not extend above the highest point of the roof line.

N. Wall signs with a single face mounted parallel to a building face shall not project more than 12 inches from the building wall and shall not extend beyond the limits of the building face.

SECTION XIX. Chapter 44, Signs and Billboards, of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety.

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

Wesley Moore – Cullman City Clerk