

# RESOLUTION 06122023-444

## A Moratorium on Certain New Business Licenses

WHEREAS, it is the responsibility of the governing body of the City of Montevallo to set policies and enact regulations which improve the quality of life for everyone who lives, works or does business in the City and to attract new residents and new and diverse businesses and industry to become a part of the community; and

WHEREAS, it is an inherent function of the City of Montevallo to facilitate growth and diversification of the City's economic platform through business recruitment, retention and expansion; and

WHEREAS, the City of Montevallo, in anticipated consultation with the Montevallo Development Cooperative District and the Historic Preservation Commission, needs to study the short and long term impact of the mix of businesses within the Urban Core District including but not limited to those which are licensed and authorized to operate under Title 5 of the Alabama Code, Chapter 18A Deferred Presentment Services Act and Title 5 of the Alabama Code, Chapter 19A Alabama Pawn Shop Act (also known as) Title Pawn Loan business, Payday Loan business, Payday Advance business, and Car Title Loan business; and

WHEREAS, the Council finds that the further immediate development of massage parlors, payday loans, car title loans, check cashing, gold and silver broker, tattoo parlors, pawn shops, vape shops, tobacco shops, retail package liquor sales, cannabidiol (CBD) product sales, within the territorial confines of the Montevallo Urban Core District would be detrimental to the City's development and effectively limit the ability of the City to attract diverse types of business; and

WHEREAS, it is in the best interest of the overall economic development of the City of Montevallo to provide for orderly growth and balance the development of these businesses in order to have a diverse and stable economy; and

WHEREAS, the City of Montevallo finds it necessary, proper and in the public interest to reassess its present zoning ordinance, policies and procedures concerning the location of massage parlors, payday loans, car title loans, check cashing, gold and silver broker, tattoo parlors, pawn shops, vape shops, tobacco shops, retail package liquor sales, cannabidiol (CBD) product sales; and

WHEREAS, the Montevallo City Council finds that it is necessary and proper for the promotion of the prosperity and welfare of the citizens and in the best interest of the City, to declare a moratorium on the issuance of business licenses for massage parlors, payday loans, car title loans, check cashing, gold and silver broker, tattoo parlors, pawn shops, vape shops, tobacco shops, retail package liquor sales, cannabidiol (CBD) product sales, while the City researches, studies and develops an appropriate zoning and commercial development plan; and

WHEREAS, the Montevallo City Council requests the assistance of the Shelby County Planning Commission, the Historic Preservation Commission, Montevallo Main Street and the Montevallo Development Cooperative District to review the City of Montevallo Comprehensive Plan to help evaluate

the current mix of businesses in Montevallo's Urban Core District and comprehensive plan for the related needs of the city.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Montevallo, Alabama, that there is hereby declared a moratorium on the issuance of business licenses under the City of Montevallo's Business License Code adopted by Ordinance for any enterprise whose primary business activity is massage parlors, payday loans, car title loans, check cashing, gold and silver broker, tattoo parlors, pawn shops, vape shops, tobacco shops, retail package liquor sales, cannabidiol (CBD) product sales. During the period of the moratorium, applications, other than for renewal of licenses for the aforementioned businesses, shall not be accepted and no new licenses for such businesses shall be issued. Unless renewed by the City Council, this moratorium shall expire no later than six (6) months after passage of the resolution.

This moratorium is not intended to impact those businesses currently operating within the City of Montevallo, unless such businesses cease operation and thereafter seek a renewed business license or apply for an additional business license.

**BE IT FURTHER RESOLVED** that businesses with a current Montevallo business license may request the Montevallo City Council grant, after having followed the variance request procedures, to allow them to move the existing business to another location within the City as long as they meet all building codes, fire codes, zoning and overlay district requirements and restrictions.

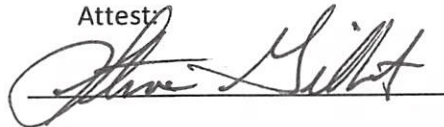
ADOPTED this 12th day of June 2023

Signed:



Rusty Nix  
Mayor

Attest:



Steve Gilbert  
City Clerk / Treasurer



I, the undersigned qualified City Clerk/Treasurer of the City of Montevallo, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 12th day of June, 2023 and that such Resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 12th day of June 2023.



City Clerk/Treasurer