

**CITY OF DAPHNE  
ORDINANCE NO. 2017-04**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE, ALABAMA  
LAND USE AND DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE  
CITY COUNCIL ON JULY 18, 2011**

**ARTICLE XIV, OLDE TOWNE DAPHNE DISTRICT, SECTION 11, SIGNAGE  
MENU TYPE SIGN PROVISIONS**

**WHEREAS**, the City Council of the City of Daphne, after due consideration believes that certain revisions to the City of Daphne Land Use & Development Ordinance are necessary for the proper administration of said Ordinance; and,

**WHEREAS**, at the City of Daphne Planning Commission regular meeting on November 17, 2016 the Commission considered certain proposed amendments to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, and any amendments to the same and set forth a unanimous favorable recommendation to the City Council of the City of Daphne; and,

**WHEREAS**, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on January 3, 2017; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** as follows:

**SECTION I: THIS SECTION HEREBY AMENDS THE LAND USE AND DEVELOPMENT ORDINANCE ARTICLE XIV, OLDE TOWNE DAPHNE DISTRICT SECTION 11, SIGNAGE TO ADD PROVISIONS FOR MENU TYPE SIGNS AS SUBSECTION (d) AND RE-ENUMERATE SUBSEQUENT SECTIONS AS FOLLOWS:**

(d) Menu Type Signs:

(1) Drive-thru service:

One menu type sign shall be permitted not to exceed twenty-one (21) square feet in area, five (5) feet in height and two (2) faces.

(2) Wall mounted menu for walk-up service:

One wall mounted menu board shall be permitted for walk-up service not to exceed twelve (12) square feet in area.

~~(d)~~ (e) Fees:

All other sections, articles and/or content of the City of Daphne Land Use and Development Ordinance shall remain the same and shall be unchanged by this ordinance.

**SECTION II: CONFLICT WITH OTHER ORDINANCES**

That any Ordinance heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance, be and is hereby replaced to the extent of such conflict.

**SECTION III: SEVERABILITY**

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

**SECTION IV: EFFECTIVE DATE**

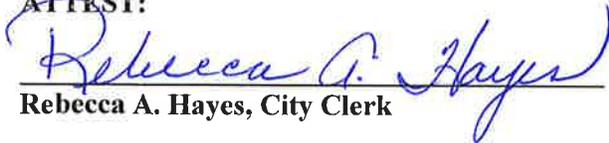
This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 17<sup>TH</sup> DAY OF JANUARY, 2017.**



**Dane Haygood, Mayor**

**ATTEST:**



**Rebecca A. Hayes, City Clerk**