

An Ordinance to Repeal and Replace Sections of the Code of Ordinances of the City of Trussville, Alabama, Concerning the Regulation of Home Occupations within Residential Areas of the City of Trussville and to Provide Penalties for the Violation Thereof

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TRUSSVILLE, ALABAMA, as follows:

Section 1. **Repeal and Replacement of Appendix A – Zoning, Article VII, Section 3.0.** Appendix A – Zoning, Article VII, Section 3.0 shall be repealed in its entirety and replaced with the following:

Sec. 3.0. - Special exception uses. Except for the provisions of Article IV, sections 6.0 and 7.0, no other use other than the types specified as "permitted" or "special exception uses", shall be allowed. Except for the approval of home occupations under Article VIII, Section 5.0, uses specified as "special exception uses" are exceptions and no permit shall be issued for such uses except with the written approval of the board of zoning adjustment and subject to such conditions as said board may require to preserve and to protect the character of the district.

Section 2. **Repeal and Replacement of Appendix A – Zoning, Article VIII, Section 5.0.** Appendix A – Zoning, Article VIII, Section 5.0 shall be repealed in its entirety and replaced with the following:

Section 5.0 – Home Occupations

5.1 Home occupations are permitted as special exception uses in residential districts subject to stipulations in each district and to the following conditions:

A. Requirements.

1. The home occupation shall be clearly incidental to residential use of the dwelling and shall not change the essential character of the dwelling or adversely affect the use permitted in the district of which it is a part. Such use shall not adversely affect the general welfare of the surrounding residential area due to potential noise, electrical interference, increased pedestrian and vehicular traffic or any other conditions which would constitute an objectionable use of residentially zoned property. See Appendix A – Zoning, Article VI, Section 23.0 (C).

2. The home occupation shall be confined to 25 percent of the principal building and shall not be conducted in any accessory building located on the same lot as the principal dwelling. No outside storage shall be used in connection with a home occupation.

3. No display of products or signage related to the business shall be visible from the street and only articles made on the premises may be sold.

4. Instruction of music, art, dancing and similar subjects shall be limited to no more than two students at a time.

5. The activity carried on as a home occupation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.

6. No more than one business-related vehicle, of passenger vehicle size (as defined in 26 USC 280F(d)(5)) shall be allowed at any time.

7. Employment in the business, profession, occupation, or trade that is the home occupation shall be limited to only occupants of the home.

8. No advertising shall include or use the home occupation address.

9. The special exception use for home occupations shall not be transferred to another residence nor shall it transfer to another business, profession, occupation or trade. If the occupant who applied and received a home occupation use moves to another residence, the occupant must submit a new home use occupation application with the Building Official which shall follow all procedures herein. An application receiving a previous home occupation use approval does not guarantee any subsequent application for home use occupation will be granted.

B. Review Procedure: The following review procedure shall be adhered to concerning the review and approval of home occupations within all residential zoning districts within the City of Trussville:

1. The applicant shall pay a fee of \$_____ to defray the cost and expense of the City's processing cost of the application for a home occupation.

2. A resident of the City shall file an application with the Building Official's office on a form created by the Building Official which contains, at minimum, the following information:

a. copy of photo ID of applicant;

b. description of business activities;

c. make, model, and license plate information for the business vehicle stored at the residential address;

d. number of employees of business and the address of those employees, and;

e. an acknowledgement and agreement that the home occupation shall and will comply in all respects with the requirements of the current zoning district and this section of the Zoning Ordinance.

3. Inspection & Administrative Review. Upon receipt of the application and after an on-site inspection of the applicant's residence by the Building Official's or a designated representative thereof, the Building Official may administratively approve the applicant's application and notify the revenue officer of the City of the approval of the home occupation application. The Building Official or his or her representative shall notify the applicant in writing of the approval and that the City's revenue officer has been notified.

4. In the event the Building Official determines that the application should be denied, the Building Official or his or her representative shall provide written notice of the denial along with the reasons for the denial of the application, and notice to the applicant of the right to appeal the Building Official's decision to the Board of Zoning Adjustment in accordance with Article IV, Section 12.0 of the Zoning Ordinance of the City of Trussville.

C. Enforcement and Compliance: To ensure continued compliance with this ordinance and as a continuing condition of the home occupation use being approved by the City, the City shall require the following:

1. A representative of the Building Official's department shall have the right to conduct periodic inspections and inspections in response to complaints to ensure ongoing compliance with home occupation conditions. Refusal to permit inspections may result in revocation of the home occupation approval and business license.

2. Failure to obtain a new or renew a business license will void the prior home occupation use approval and will result in a reapplication fee.

3. If the Building Official finds the applicant to be in non-compliance with home occupation requirements under this or any other section of the Trussville Zoning Ordinance or any other ordinance of the City, the Building Official shall have the authority to administratively suspend or revoke the home occupation approval and recommend to the Mayor that the associated

business license be revoked under the provisions of Section 18-52 of the Code of Ordinances of the City.

4. Suspended or revoked home occupation applicants shall be notified in writing and notified of their right to appeal to the Board of Zoning Adjustment for review of the determination of the Building Official.

Section 3. **Repeal and Replacement of the definition of Home Occupation under Section 18-32 of the Code of Ordinances.** The definition of Home Occupation under Section 18-32 shall be repealed in its entirety and replaced with the following:

Home occupation. A business operating in compliance with Appendix A – Zoning, Article V, Section 3.0, and Appendix A – Zoning, Article VIII, Section 5.0, and appropriately licensed by the city.

Section 4. **Repeal and Replacement of Section 18-34(a) of the Code of Ordinances.** Section 18-34(a) shall be repealed in its entirety and replaced with the following:

(a) All licenses shall be issued in compliance with the zoning ordinance of the City of Trussville. Businesses to be licensed at a residential address must fully comply with the regulations governing home business operations as set forth in Appendix A – Zoning, Article VIII, Section 5.0 of the Trussville Zoning Ordinance.

Section 5. **Repeal and Replacement of Appendix A – Zoning, Article VI, Section 23.0 (C).** Appendix A – Zoning, Article VI, Section 23.0 (C) shall be repealed in its entirety and replaced with the following:

No business or home occupation shall be operated in a Single-family or Multi-family district without compliance with the requirements as set out in article VIII, section 5.0 of the Trussville Zoning Ordinance. No business or home occupation shall be operated from an accessory structure.

Section 6. **Repeal and Replacement of Appendix A – Zoning, Article VI, Section 24.3.** Appendix A – Zoning, Article VI, Section 24.3 shall be repealed in its entirety and replaced with the following:

Special exception uses. The following uses may be permitted subject to a special exception use permits being granted by the board of zoning adjustment and further subject to appropriate permits and/or licenses being issued:

- Day care home.
- Family care home, subject to article VIII, section 11.0.
- Hobby farm, subject to article VII, section 13.0.
- Home day care/daycare home, subject to article VIII, section 4.1.
- Home occupation, subject to article VIII, section 5.0.
- Park.
- Public utility facility.

Section 7. **Repeal and Replacement of Appendix A – Zoning, Article VI, Section 31.3.** Appendix A – Zoning, Article VI, Section 31.3 shall be repealed in its entirety and replaced with the following:

Special exception uses. The following uses shall be permitted subject to a special exception use permit being granted by the board of zoning adjustment and further subject to appropriate permits and/or licenses being issued:

– Public utility facility.

– Home occupation, subject to article VIII, section 5.0., excluding day care homes and family care homes.

Section 8. **Repeal and Replacement of Appendix A – Zoning, Article VI, Section 21.5(A)(3).** Appendix A – Zoning, Article VI, Section 21.5(A)(3) shall be repealed in its entirety and replaced with the following:

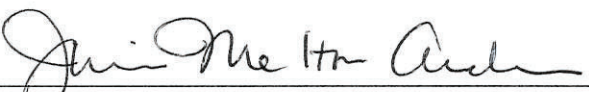
3. Permitted with special approval.

– Home occupations, subject to subject to article VIII, section 5.0.

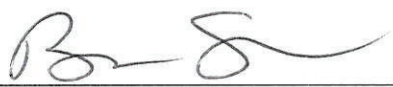
Section 9. **Severability.** Should any court of competent jurisdiction declare any of sections, paragraphs, sentences, or clauses invalid, the remainder of the ordinance shall be unaffected and remain in full force and effect.

Section 10. This Ordinance shall become effective immediately upon its passage, approval, and publication as required by law.

ADOPTED AND APPROVED THIS THE 28TH OF APRIL 2026



Jaime Melton Anderson, Council President



Ben Short, Mayor
City of Trussville

Attest: 

Dan Weinrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Trussville, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Trussville, Alabama, on the 28th day of April 2026.

The above and foregoing ordinance was published on the 29th day of April 2026 by posting copies thereof in three public places within the City of Trussville, one of which was at Trussville City Hall.

Witness my hand and seal of office this 29th day of April 2026


Dan Weinrib MMC, City Clerk

