# Chapter 64 Unified Development Code

## Contents

- Article XI  Legal Provisions

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>64-180</td>
<td>Minimum Requirements</td>
<td>268</td>
</tr>
<tr>
<td>64-181</td>
<td>Relationship to Other Provisions of Municipal Code</td>
<td>268</td>
</tr>
<tr>
<td>64-182</td>
<td>Private Restrictions</td>
<td>268</td>
</tr>
<tr>
<td>64-183</td>
<td>Severability</td>
<td>268</td>
</tr>
<tr>
<td>64-184</td>
<td>Repeal of Existing Ordinance</td>
<td>268</td>
</tr>
<tr>
<td>64-185</td>
<td>Effective Date</td>
<td>268</td>
</tr>
<tr>
<td>64-186</td>
<td>To</td>
<td>269</td>
</tr>
<tr>
<td>64-190</td>
<td>Reserved</td>
<td>269</td>
</tr>
</tbody>
</table>

**DRAFT – FOR DISCUSSION ONLY (1/11/19)**
Purpose: This Article establishes basic requirements for the legal application of this Chapter.

Sec. 64-180 Minimum Requirements
This chapter shall be interpreted and applied to be the minimum requirements to promote the public health, safety and general welfare.

Sec. 64-181 Relationship to Other Provisions of Municipal Code
A. Stricter Standards in this Chapter
If this chapter requires a greater width or size of yards or other open spaces, a lower height of buildings, a greater percentage of lot be left unoccupied, or other higher standards than are required in any other applicable statute, chapter or regulation, the provisions of this chapter govern. This section does not apply to the extent that an Alabama or federal statute preempts local regulation.

B. Stricter Standards in Other Statutes, Ordinances or Regulations
If another applicable statute, ordinance, or regulation requires a higher standard than a provision of this chapter, the other applicable statute, chapter or regulation governs.

Sec. 64-182 Private Restrictions
A. Stricter Provisions Apply
This Chapter does not abrogate any deed restriction, covenant, easement or any other private agreement or restriction on the use of land. However, where this Chapter is more restrictive or imposes higher standards than a private restriction, this Chapter controls. Where a private restriction is more restrictive or imposes higher standards than this Chapter, the private restriction controls if properly enforced by a person having the legal right to enforce the restrictions.

B. Enforcement
The City does not enforce private restrictions.

Sec. 64-183 Severability
The requirements and provisions of this chapter are severable. If any section or part of this Chapter is declared by any court of competent jurisdiction to be unconstitutional or invalid, the court’s decision does not affect the validity of the chapter as a whole or any section or part of this Chapter other than the section or part declared unconstitutional or invalid.

Sec. 64-184 Repeal of Existing Ordinance
The zoning ordinance of the City of Mobile adopted by Ordinance No. 80-030 on the 4-2-68 the second day of April, 1968, and all amendments thereto are hereby repealed, effective the _____ day of ____., 2019.

Sec. 64-185 Effective Date
This Chapter shall take effect on the _____ day of _____, 2019.
Sec. 64-186  To

Sec. 64-190  Reserved.