

ORDINANCE NUMBER 09-2026-08

AN ORDINANCE ESTABLISHING MINIMUM RESIDENTIAL DWELLING SIZE REQUIREMENTS AND PROHIBITING CERTAIN STRUCTURES FROM BEING USED AS HABITABLE DWELLINGS WITHIN THE CITY LIMITS OF GENEVA, ALABAMA

WHEREAS, pursuant to the authority granted under , Code of Ala. § 11-52-70. the City of Geneva is empowered to regulate the kind, character, and use of structures and improvements within its corporate limits to promote the public health, safety, morals, and general welfare; and

WHEREAS, the City of Geneva seeks to ensure that residential dwellings within its jurisdiction meet minimum standards for safety, habitability, and compatibility with the character of the community, as provided under ; Code of Ala. § 11-52-72. and

WHEREAS, the City of Geneva recognizes the need to address the growing trend of tiny homes, portable buildings, cargo containers, and other unconventional structures being used as habitable dwellings, which may not meet the standards necessary to protect the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, ALABAMA, AS FOLLOWS:

Section 1. Minimum Residential Dwelling Size Requirement

No residential dwelling shall be constructed, erected, or placed within the corporate limits of the City of Geneva unless the dwelling has a minimum floor area of 1,000 square feet of heated and enclosed living space, exclusive of garages, carports, porches, and other non-living areas.

This requirement shall apply to all new residential construction, including single-family homes, and modular homes.

Section 2. Prohibition on Certain Structures as Habitable Dwellings

The following structures are prohibited from being used as habitable dwellings within the corporate limits of the City of Geneva:

Tiny homes with a floor area of less than 1,000 square feet.

Cargo containers, shipping containers, portable buildings, or similar structures being converted into dwellings.

Sheds, barns, or other accessory structures not originally designed or constructed for residential use.

Any structure intended for use as a habitable dwelling must comply with all applicable building codes, zoning regulations, and safety standards as adopted by the City of Geneva under (Code of Ala. § 11-45-8. c).

Section 3. Enforcement and Penalties

The City of Geneva Building Inspector or other designated official shall have the authority to enforce the provisions of this ordinance.

Any person, firm, or corporation found in violation of this ordinance shall be subject to a fine not exceeding \$500 for each offense. Each day a violation continues shall constitute a separate offense.

Section 4. Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

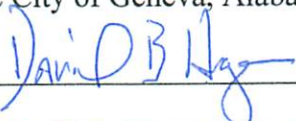
Section 5. Effective Date

This ordinance shall take effect immediately upon its adoption and publication as required by law.

The City Clerk is hereby directed to cause this ordinance to be published one time in the Geneva County Journal, a newspaper of general circulation in the City of Geneva, Alabama.

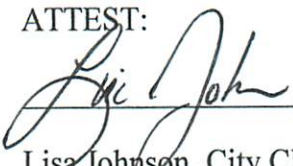
ADOPTED AND APPROVED on this 8th day of September, 2026.

The City of Geneva, Alabama

By: _____

David B. Hayes, Mayor

ATTEST:

_____
Lisa Johnson, City Clerk