

City of Auburn

RESIDENTIAL OCCUPANCY



City of Auburn

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May 2007

What is Unrelated Occupancy?

The Auburn City Zoning Ordinance defines the term family in the following manner:

Section 203. Family: Two (2) or more persons residing in a single dwelling unit where all members are related by blood, marriage, adoption or guardianship up to the second degree of consanguinity, plus one unrelated person in the Limited Development District, Neighborhood Conservation District, or the Development District Housing. For the purpose of this definition "consanguinity" means husbands and wives, brothers and sisters, parents and children, grandparents and grandchildren, uncles and aunts, nephews and nieces, and first cousins. In all other zoning districts where residential units are permitted the term "family" may include up to five (5) unrelated persons occupying a single dwelling unit.

Therefore, occupancy in the Development District Housing, Neighborhood Conservation and Limited Development Districts is limited to no more than two unrelated individuals. Dwellings in the Comprehensive Development, Redevelopment, Urban Core and University Service Districts are limited to no more than five unrelated individuals. Occupancy beyond these limits in these areas constitutes illegal occupancy.

Anyone who does not know in what zone he or she resides may call the Planning Department at 501-3040 to obtain that information or click the following link to view the map of occupancy limitations. www.auburnalabama.org,

Why are there occupancy limitations?

Occupancy limitations are not unique to Auburn. In fact, most city zoning ordinances around the country contain similar language.

The reasons for such limitations are really twofold. The first is a concern for potential overcrowding of particular areas. Excessive occupation can lead to problems including health and public safety concerns. There are also potential nuisances associated with overcrowding

Secondly, as Auburn continues to grow and develop, there is concern for the preservation of existing neighborhoods. Occupancy limitations help to preserve neighborhood character and quality of life for Auburn citizens.

How are suspected unrelated occupancies dealt with?

Unrelated Occupancy has been an issue in Auburn for some time and City staff is charged with taking action for those properties that are in violation of this Ordinance. Residential occupancy had been challenging to enforce in the past, but now the City of Auburn has formal procedures in place, which has resulted in appropriate enforcement of these regulations.

The City of Auburn has always pursued occupancy complaints. The current enforcement procedures entail investigation and observation of alleged violators. Information gathered includes, but is not limited to: vehicle tag identification along with the make and model, number of vehicles on site on each day during the weeks of investigation, and any other violations

that will help reinforce the case. If after 10 days of investigation and observation, City staff feels comfortable with the probable cause evidence available, an affidavit will be submitted to the Municipal Court in support of a search warrant for the property in question.

If I suspect an occupancy violation in my neighborhood, what can I do?

Citizens may present occupancy complaints directly to the Planning Department. A complaint form is also available on the City's website, www.auburnalabama.org. The form can be downloaded, completed, and faxed to the Planning staff, who will then begin the enforcement procedures.

Still have Questions? Please call the Auburn Planning Department at 501-3040.