ORDINANCE NO. 15-2020

Whereas, Ala. Code § 11-45-1 (1975) authorizes municipalities to adopt ordinances that allow the municipality to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of its inhabitants; and

Whereas, the adoption of a unified, model code regulating and governing the construction and erection of buildings and structures serves to preserve the public safety, welfare, and promotes the order and convenience of the citizens of Montgomery; and

Whereas, The City of Montgomery, Alabama desires to adopt the 2018 Editions of the "Technical Codes of the City of Montgomery" to regulate and govern the construction and erection of buildings and structures and provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use within the corporate limits and police jurisdiction of the City of Montgomery, Alabama.

BE IT ORDAINED BY THE CITY OF MONTGOMERY, ALABAMA that Ordinance Number 42-2018 along with City of Montgomery Code of Ordinances Chapter 5, Articles I, III, V, VI, VII and IX are hereby repealed and the following ordinance is hereby adopted:

Section I. Adoption of the Technical Codes.

The "Technical Codes of the City of Montgomery", consisting of "International Building Code 2018, International Fuel Gas Code 2018, International Mechanical Code 2018, International Plumbing Code 2018, International Property Maintenance Code 2018, International Residential Code 2018, International Energy Conservation Code 2018, International Existing Building Code 2018, and International Swimming Pool and Spa Code 2018," all of which are published by the International Code Council, (located at 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401) of which three (3) copies of each are filed in the Office of City Clerk of the City of Montgomery, Alabama, be and are hereby adopted, in the respective sections below, as the "Technical Codes of the City of Montgomery." These codes are adopted for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards to insure structures are safe, sanitary, and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Technical Codes", to include related portions of City of Montgomery Code of Ordinances, on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions, and exchanges prescribed in this section.

Section II Deletions and amendments to the International Building Code (IBC) as adopted:

A) The "International Building Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Building Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Building Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection 101.1 of the IBC is amended to read as follows:

Subsection 101.1 Title. These regulations shall be known as the Technical Code of the City of Montgomery, Alabama hereafter referred to as "this code."

2. Subsection 101.2.1 of the IBC is amended to read as follows:

(a) Subsection 101.2.1 Appendices. Provisions of the following appendices are hereby adopted:

1. Appendix A " Employee Qualifications"
2. Appendix C "Group U-Agricultural Buildings"
3. Appendix F "Rodent proofing"
4. Appendix H "Signs"
5. Appendix I "Patio Covers"

(b) Subsection 101.2.1 Appendix B is amended to read as follows:

I. Subsection B101.2 of the IBC is amended as follows:

B101.2 Membership of board. The board of appeals shall consist of persons appointed by the chief appointing authority as follows:

1. One for 5 years; Two for 4 years; Two for 3 years; two for 2 years; and two for 1 year.

2. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

The *building official* shall be an ex officio member of said board but shall have no vote on any matter before the board.

Note: Membership will remain in accordance with Resolution no. 164-2018 ordinance 42-2018 notwithstanding.

II. Subsection B101.2.1 is deleted.

III. Subsection B101.2.2 of the IBC is amended as follows:

B101.2.2 Qualifications. The board of appeals shall consist of nine individuals five of the members are to have experience in the following professions or disciplines:

1. Registered design professional with architectural experience or a builder or superintendent of building construction with at least 10 years' experience, 5 of which shall have been in responsible charge of work.

2. Registered design professional with structural engineering experience or general contractor with at least 10 years' experience, 5 of which shall have been in responsible charge of work.

3. Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least 10 years' experience, 5 of which shall have been in responsible charge of work.

4. Registered design professional with electrical engineering experience or an electrical contractor with at least 10 years' experience, 5 of which shall have been in responsible charge of work.

5. Registered design professional with fire protection engineering experience or a fire protection contractor with at least 10 years' experience, 5 of which shall have been in responsible charge of work.

IV. Subsection B101.2.7 is deleted.

V. Section B101.4 of the IBC is amended as follows:

B101.4 Quorum, Voting and Decisions: The presents of five board members shall constitute a quorum. In order to modify or reverse a decision of the Building Official the members present must concur by two-thirds vote.

In every case, the board shall reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept for two weeks after filling. Every decision of the board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

VI. Subsection B101.4.1 is deleted.

3. Subsection 101.4.3 of the IBC is amended to read as follows:

Subsection 101.4.3 Plumbing. The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions for private sewage disposal are required to comply with Montgomery County Health Department regulations.

4. Subsection 101.4.5 of the IBC is amended to read as follows:

Subsection 101.4.5 Fire prevention. The provisions of the International Fire Code, as adopted by the City Council and enforced by the Montgomery Fire Department, shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

5. Subsection 105.2 of the IBC is amended to read as follows:

Subsection 105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. Deleted

2. Fences not over 3 feet high.

6. Subsection 109.2 of the IBC is amended to read as follows:

Subsection 109.2 Schedule of permit and other required fees. On all buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee shall be paid as required at the time such permit is issued, in accordance with the following schedule:

Construction cost (Referred to in schedule as Cost) shall include all fees paid to architects, surveyors, engineers, contractors, sub-contractors and others for services rendered or to be rendered in connection with construction activities.

Building Permit Related Fees	
License fee (applies to properties inside city limit)	Cost (.0025)
Base Permit Fee (applies to Res/Comm Building Permits)	$50
Commercial Building Permit	Cost (.0025)
Residential Building Permit	Cost (.0025)
Modular/Manufactured Structures Sngl Wide	$50
Modular/Manufactured Structures Dble Wide +	$100
Erosion control (Residential)	n/c
Erosion control (Commercial)	$400
Demolition 1 and 2 family	$50
Demolition (R3 accessory structure)	$25
Demolition (Commercial)	Cost (.0025) min $50
Moving of Structures	$100
Fences greater than 3'	Cost (.0025) min $25
Retaining walls greater than 4' high(Not part of project)	Cost (.0025) min $25
Signs (Permanent)	Cost (.0025) min $25
Signs (Temporary-up to 365 days)	$25
Swimming Pool (Residential)	$100
Swimming Pool (Commercial)	$100
Driveway Curb Cuts (set as minimum permit fee)	$25
Tents	Fire Dept. Permit
Cert. of Occupancy (existing bldngs)(No Change of Use)	$25
Change of Occupancy/Use (Cost of $0-$20,000)	$100
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$50
Third and any Subsequent Re-Inspections Fee (4th Trip)	$100
Plan Review Fee (One and Two Family Dwellings)	n/c
1st Resubmittal	n/c
2nd Resubmittal	n/c
3rd Resubmittal	n/c
4th Resubmittal	n/c
Plan Review Fee (PRF) (Commercial as follows)	See Below
PRF Greater than 2500 sf. (New Construction)	$100
PRF Greater than 5000 sf. (New Construction)	$200
PRF Greater than 12,000 sf. (New Construction)	$300
PRF Greater than 24,000 sf. (New Construction)	$400
PRF Greater than 50,000 sf. (New Construction)	$500
PRF Estimated Cost Greater Than $100,000. (Existing)	$100
PRF Estimated Cost Greater Than $250,000.(Existing)	$200
PRF Estimated Cost Greater Than $600,000.(Existing)	$300
PRF Estimated Cost Greater Than $1,000,000.(Existing)	$400
PRF Estimated Cost Greater Than $2,500,000.(Existing)	$500
1st Resubmittal	n/a

2nd Resubmittal	n/a
3rd Resubmittal	n/a
4th Resubmittal	n/a
Building Code Board of Appeals	$500
Copy Fee	$5
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE	

7. Subsection 109.4 of the IBC is amended to read as follows:

Subsection 109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to 100 % of the permit fee in addition to the required permit fees.

8. Subsection 111.1 of the IBC is added to read as follows:

Subsection 111.1 Repairs to public property. If, as a result of construction, public property (such as sidewalks, curbs, streets, and driveways) is damaged, such damage shall be repaired or replaced and inspected before a certificate of approval is issued.

(Code 1980, § 41-73; Ord. No. 59-88, § 10, 9-20-1988)

9. Subsection 112.3 of the IBC is amended to read as follows:

Subsection 112.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2 or where deemed necessary to abate code violations in reference to this code and other referenced codes. The *building official* shall notify the serving utility, and wherever possible the *owner* and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the *owner* or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

10. Subsection 310.4.1 of the IBC is amended to read as follows:

310.4.1 Care facilities within a dwelling. Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the *International Residential Code.*

11. Subsection 419.5 of the IBC is amended to read as follows:

419.5 Fire protection. The *live/work unit* shall be provided with a monitored *fire alarm* system where required by Section 907.2.9 and an *automatic sprinkler system* in accordance with Section 903.2.8.

Exception: One and two family dwellings and townhouses in accordance with IRC 101.2.

12. Subsection 901.3 of the IBC is amended to read as follows:

Subsection 901.3 Modifications. Persons shall not remove or modify any fire protection system installed or maintained under the provisions of this code or the International Fire Code without approval by the building official and fire code official.

13. Subsection 1106.1 of the IBC is amended to read as follows:

1106.1 Required. Where parking is provided, *accessible* parking spaces shall be provided within parking decks in compliance with Table 1106.1, except as required by

Sections 1106.2 through 1106.4. Where more than one parking facility is provided on a *site*, the number of parking spaces required to be *accessible* shall be calculated separately for each parking facility. **Exception:** This section does not apply to parking spaces used exclusively for buses, trucks, other delivery vehicles, law enforcement vehicles or vehicular impound and motor pools where lots accessed by the public are provided with an *accessible* passenger loading zone.

14. Subsections 1612.3 of the IBC is amended to read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Montgomery County, Alabama" dated January 7, 2018, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

<u>See also Flood Damage Prevention Ordinance/Article</u>

15. Subsection 3202.2 of the IBC is amended to read as follows:

Subsection 3202.2 Encroachments above grade and below 8 feet in height. Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in Sections 3202.2.1 through 3202.2.3. Where width of right-of-way permits, doors and windows may open into the public right-of-way a maximum of 48". Such openings must be accompanied by permanently constructed guards/buffers no greater than 42" in height to prevent impact by passing pedestrians.

Section III. Deletions and amendments to the International Plumbing Code (IPC) as adopted:

A) The "International Plumbing Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Plumbing Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Plumbing Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection 101.2 of the IPC is amended to read as follows:

Subsection 101.2 Scope. The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the International Fuel Gas Code. Provisions in the appendices shall not apply unless specifically adopted. The provisions for private sewage disposal are required to comply with Montgomery County Health Department regulations.

Exception: Detached

2. Subsection 106.6.2 of the IPC is amended to read as follows:

Subsection 106.6.2 Fee Schedule. The fees for all plumbing work shall be as indicated in the following schedule:

Plumbing Permit Related Fees	
Base Fee	$25
For Each Fixture	$3
House Sewer	$5
Electric Water Heater	$5
Dishwasher	$3
Garbage Disposal	$3
Washing Machine	$3
Rain Leader, Roof Drain Piping	$3
Ejectors, Pumps or Sumps	$3
Repair or Alterations To Drain or Vent Pipes	$3
For Vacuum Breaker or	$3
Backflow Protective Devices	$3
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$25
Third and any Subsequent Re-Inspections Fee (4th Trip)	$50
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE	
Gas Permit Related Fees	
Base Fee	$25
Fixtures Up to 5 Per Fixture	$5
Additional Fixture Over 5 Per Fixture	$3
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$25
Third and any Subsequent Re-Inspections Fee (4th Trip)	$50
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE	

3. Subsection 106.6.3 of the IPC is amended to read as follows:

Subsection 106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

2. Not more than one hundred percent (100%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than one hundred percent (100%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

4. Subsection 108.4 of the IPC is amended to read as follows:

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or

repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment not exceeding one hundred eighty (180) days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

5. Subsection 108.5 of the IPC is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred dollars ($100) or more than five hundred dollars ($500.00)

6. Subsection 301.3 of the IPC is amended to read as follows:

301.3 Connections to drainage system. Plumbing fixtures, drains, appurtenances and appliances used to receive or discharge liquid wastes or sewage shall be directly connected to the sanitary drainage system of the building or premises, in accordance with the requirements of this code. This section shall not be construed to prevent indirect waste systems required by Chapter 8.

Exception: Deleted

7. Subsection 504.6 of the IPC is amended to read as follows:

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

5. Discharge to the floor or to a waste receptor or to the outdoors.

8. Chapters 13and 14 of the IPC are deleted.

Section IV. Deletions and amendments to the International Mechanical Code (IMC) as adopted:

A) The "International Mechanical Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Mechanical Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Mechanical Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection 101.2 of the IMC is amended to read as follows:

Subsection 101.2 Scope. This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components,

equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code.

Exception: Deleted

2. Subsection 106.5.2 of the IMC is amended to read as follows:

106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in the following schedule.

Mechanical Permit Related Fees	
Base Fee	$25
A/C WITH OR WITHOUT HEATING (Including Mini-Split)	
Up to and Including 3 Tons	$10
Over 3 Tons and Including 5 Tons	$15
Over 5 Tons and Including 10 Tons	$18
Over 10 Tons - Each Ton Over	$3
Per Heating Coil	$3
Thru Wall Units - Heating or Cooling Per Unit	$7
Cooling Tower (Water)	$10
Duct Work Only	Base Fee
Boilers	$20
Gas or Electric Heater Per Unit	$6
Ventilation Hood Per Hood	$50
Incinerators	$50
Vent Fans Each Fan	$1
Commercial Dryers	$5
VAV/PIU Box Each	$1
Fire Dampers Each	$2
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$25
Third and any Subsequent Re-Inspections Fee (4th Trip)	$50
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE	
Refrigeration Permit Related Fees	
Base Fee	$25
Up To and Including 3 H.P.	$10
Over 3 H.P. and Including 10 H.P.	$15
Over 10 H.P. and Including 20 H.P.	$18
Over 20 H.P. Each H.P. Over	$3
Chiller Per Ton	$0.50
Each Cooling Unit	$3
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$25
Third and any Subsequent Re-Inspections Fee (4th Trip)	$50
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE	
Gas Permit Related Fees	
Base Fee	$25
Fixtures Up to 5 Per Fixture	$5
Additional Fixture Over 5 Per Fixture	$3
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$25
Third and any Subsequent Re-Inspections Fee (4th Trip)	$50
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO	

A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE

3. Subsection 106.5.3 of the IMC is amended to read as follows:

106.5.3 Fee refunds. The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.

2. Not more than one hundred percent (100%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than one hundred percent (100%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

4. Subsection 108.4 of the IMC is amended to read as follows:

108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment not exceeding one hundred eighty (180) days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

5. Subsection 108.5 of the IMC is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00).

6. Subsection 307.2.1 of the IMC is amended to read as follows:

307.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope). Condensate shall not discharge into a street, alley, sidewalk or other areas so as to cause a nuisance.

7. Subsection 403.3 of the IMC is amended to read as follows:

403.3 Outdoor air and local exhaust airflow rates. Group R-2, R-3 and R-4 occupancies three stories and less in height above grade plane shall be provided with outdoor air and local exhaust in accordance with Section 403.3.2. All other buildings intended to be occupied shall be provided with outdoor air and local exhaust in accordance with Section 403.3.1.

Exception: One and two family dwellings shall comply with the following:

CONTINUOUS WHOLE-HOUSE MECHANICAL VENTILATION SYSTEM AIRFLOW RATE REQUIREMENTS

DWELLING UNIT FLOOR AREA (square feet)	NUMBER OF BEDROOMS				
	0 – 1	2 – 3	4 – 5	6 – 7	> 7
	Airflow in CFM				
< 1,500	30	45	60	75	90
1,501 – 3,000	45	60	75	90	105
3,001 – 4,500	60	75	90	105	120
4,501 – 6,000	75	90	105	120	135
6,001 – 7,500	90	105	120	135	150
> 7,500	105	120	135	150	165

For SI: 1 square foot = 0.0929 m^2, 1 cubic foot per minute = 0.0004719 m^3/s.

INTERMITTENT WHOLE-HOUSE MECHANICAL VENTILATION RATE FACTORS[a, b]

RUN-TIME PERCENTAGE IN EACH 4-HOUR SEGMENT	25%	33%	50%	66%	75%	100%
Factor[a]	4	3	2	1.5	1.3	1.0

a. For ventilation system run time values between those given, the factors are permitted to be determined by interpolation.
b. Extrapolation beyond the table is prohibited.

M150.4 Local exhaust rates. *Local exhaust* systems shall be designed to have the capacity to exhaust the minimum air flow rate determined in accordance with Table M1507.4.

MINIMUM REQUIRED LOCAL EXHAUST RATES FOR ONE- AND TWO-FAMILY DWELLINGS

AREA TO BE EXHAUSTED	EXHAUST RATES
Kitchens	100 cfm intermittent or 25 cfm continuous
Bathrooms-Toilet Rooms	Mechanical exhaust capacity of 50 cfm intermittent or 20 cfm continuous

For SI: 1 cubic foot per minute = 0.0004719 m^3/s.

Section IV. Deletions and Revisions to the International Fuel Gas Code (IFGC) as adopted:

1. Subsection 101.2 of the IFGC is amended to read as follows:

Subsection 101.2 Scope. This code shall apply to the installation of fuel-gas *piping* systems, fuel gas appliances, gaseous hydrogen systems and related accessories in accordance with Sections 101.2.1 through 101.2.5.

Exception: Detached

2. Subsection 106.6.2 of the IFGC is amended to read as follows:

106.6.2 Fee Schedule. The fees for work shall be as indicated in the following schedule:

Gas Permit Related Fees	
Base Fee	$25
Fixtures Up to 5 Per Fixture	$5
Additional Fixture Over 5 Per Fixture	$3
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$25
Third and any Subsequent Re-Inspections Fee (4th Trip)	$50
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE	

3. Subsection 106.6.3 of the IFGC is amended to read as follows:

106.6.3 Fee Refunds. The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.

2. Not more than one hundred percent (100%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than one hundred percent (100%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

4. Subsection 108.4 of the IFGC is amended to read as follows:

108.4 Violation penalties. Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Misdemeanor, punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment not exceeding one hundred eighty (180) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

5. Subsection 108.5 of the IFGC is amended to read as follows:

108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00).

6. Subsection 304.5 of the IFGC is amended to read as follows:

304.5 Indoor combustion air. The required volume of indoor air shall be determined in accordance with Section 304.5.1 or 304.5.2, except that where the air infiltration rate is known to be less than 0.40 air changes per hour (ACH), Section 304.5.2 shall be used. The total required volume shall be the sum of the required volume calculated for all appliances located within the space. Rooms communicating directly with the space in which the appliances are installed through openings not furnished with doors, and through combustion air openings sized and located in accordance with Section 304.5.3, are considered to be part of the required volume.

Attics, crawl spaces and similar locations containing foam insulation are required to comply with IECC R402.4.4 or C402.5.3.

7. Subsection 310.2 of the IFGC is amended to read as follows:

310.2 CSST. This section applies to corrugated stainless steel tubing (CSST) that is not listed with an arc-resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26. CSST gas piping systems and piping systems containing one or more segments of CSST shall be electrically continuous and bonded to the electrical service grounding electrode system or, where provided, the lightning protection grounding electrode system. Where deemed necessary, bonding systems in existing construction may be required to be inspected, additionally, by electrical inspections division.

Section V Deletions and amendments to the International Residential Code (IRC) as adopted:

A) The "International Residential Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Residential Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Residential Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection R101.2 of the IRC is amended to read as follows:

R101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.

Exception: The following shall be permitted to be constructed in accordance with this code:

1. Live/work units complying with the requirements of Section 419 of the International Building Code shall be permitted to be built as one- and two-family dwellings or townhouses.

2. Owner-occupied lodging houses with five or fewer guestrooms.

3. A care facility with five or fewer persons receiving custodial care within a dwelling unit.

4. A care facility with five or fewer persons receiving medical care within a dwelling unit.

5. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

(a) 2. Subsection R102.5 of the IRC is amended to read as follows:

R102.5 Appendices. Provisions of the following appendices are hereby adopted:

1. Appendix E "Manufactured Housing Used as Dwellings"

2. Appendix H "Patio Covers"

3. Appendix J "Existing Buildings and Structures"

4. Appendix M "Home Daycare-R_3

(b) Subsection R102.5 of the IRC is amended to read as follows:

Appendix Q "Tiny Houses"

I. Subsection AQ104.2 of the IRC is amended as follows:

AQ104.2 Loft Access: The access to lofts shall be in accordance with R311.

II. Subsections AQ104.2.1.1 through AQ104.2.5 are to be deleted.

3. Subsection 105.2 of the IRC is amended to read as follows:

R105.2 work exempt from permit. Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

Building:

1. Deleted

2. Fences not over 3 feet high.

3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

5. Sidewalks and driveways.

6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

8. Swings and other playground equipment.

9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Decks not exceeding 200 square feet (18.58 m2) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

4. Subsection R108.2 of the IRC is amended to read as follows:

108.2 Schedule of permit and other required fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule:

Construction cost (Referred to in schedule as Cost) shall include all fees paid to architects, surveyors, engineers, contractors, sub-contractors and others for services rendered or to be rendered in connection with construction activities.

Building Permit Related Fees	
License fee (applies to properties inside city limit)	Cost (.0025)
Base Permit Fee (applies to Res/Comm Building Permits)	$50
Commercial Building Permit	Cost (.0025)
Residential Building Permit	Cost (.0025)
Modular/Manufactured Structures Sngl Wide	$50
Modular/Manufactured Structures Dble Wide +	$100
Erosion control (Residential)	n/c
Erosion control (Commercial)	$400
Demolition 1 and 2 family	$50
Demolition (R3 accessory structure)	$25
Demolition (Commercial)	Cost (.0025) min $50
Moving of Structures	$100

Fences greater than 3'	Cost (.0025) min $25
Retaining walls greater than 4' high(Not part of project)	Cost (.0025) min $25
Signs (Permanent)	Cost (.0025) min $25
Signs (Temporary-up to 365 days)	$25
Swimming Pool (Residential)	$100
Swimming Pool (Commercial)	$100
Driveway Curb Cuts (set as minimum permit fee)	$25
Tents	Fire Dept. Permit
Cert. of Occupancy (existing bldngs)(No Change of Use)	$25
Change of Occupancy/Use (Cost of $0-$20,000)	$100
First Re-Inspection Fee (2nd Trip)	n/c
Second Re-Inspection Fee (3rd Trip)	$50
Third and any Subsequent Re-Inspections Fee (4th Trip)	$100
Plan Review Fee (PRF)(One and Two Family Dwellings)	n/c
1st Resubmittal	n/c
2nd Resubmittal	n/c
3rd Resubmittal	n/c
4th Resubmittal	n/c
Plan Review Fee (Commercial as follows)	See Below
PRF Greater than 2500 sf. (New Construction)	$100
PRF Greater than 5000 sf. (New Construction)	$200
PRF Greater than 12,000 sf. (New Construction)	$300
PRF Greater than 24,000 sf. (New Construction)	$400
PRF Greater than 50,000 sf. (New Construction)	$500
PRF Estimated Cost Greater Than $100,000. (Existing)	$100
PRF Estimated Cost Greater Than $250,000.(Existing)	$200
PRF Estimated Cost Greater Than $600,000.(Existing)	$300
PRF Estimated Cost Greater Than $1,000,000.(Existing)	$400
PRF Estimated Cost Greater Than $2,500,000.(Existing)	$500
1st Resubmittal	n/a
2nd Resubmittal	n/a
3rd Resubmittal	n/a
4th Resubmittal	n/a
Building Code Board of Appeals	$500
Copy Fee	$5
WORK COMMENCING BEFORE PERMIT ISSUANCE SHALL BE SUBJECT TO A FEE EQUAL TO 100% OF THE ORIGINAL PERMIT FEE	

5. Table R301.2 (1) of the IRC is amended to include the following geographic design criteria:

ABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	W IND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMGE FROM			WINTER DESIGN TEMP e	ICE BARRIER UNDERLAYMENT REQUIREDh	FLOOD HAZARDS g	AIR FREEZING INDEX i	MEAN ANNUAL TEMP i
	Speed d (mph)	Topographic effects k		Weathering a	Frost line depth b	Termite c			Dec.22,1981 (Ord. 87-81)		
5"	115	**NO**	A	**MODERATE**	**12"**	**V / H**	25	**NO**	(Ord. 27-09)	**100**	**63°F**

6. Table R302.1 (1) and R302.1 (2) of the IRC is to be deleted and amended to read as follows:

TABLE R302.1 EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E 119 or UL 263 with exposure from the outside	0 feet
	Not fire-resistance rated	0 hours	3 feet[a]
Projections	Not allowed	N/A	< 2 feet
	Fire-resistance rated	1 hour on the underside[b, c]	2 feet[a]
	Not fire-resistance rated	0 hours	3 feet
Openings in walls	Not allowed	N/A	< 3 feet
	Unlimited	0 hours	3 feet[a]
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet[a]

For SI: 1 foot = 304.8 mm.
N/A = Not Applicable
a. For residential subdivisions where all *dwellings* are equipped throughout with an automatic sprinkler system installed in accordance with Section P2904, the *fire separation distance* for nonrated exterior walls and rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining *lot* provides an open setback *yard* that is 6 feet or more in width on the opposite side of the property line.
b. The roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave if fireblocking is provided from the wall top plate to the underside of the roof sheathing.
c. The roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave provided that gable vent openings are not installed.

7. Subsection R302.5.1 of the IRC is amended to read as follows:

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors.

8. Subsection R309.5 of the IRC is deleted.

9. Subsection R313.1 of the IRC is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. Where installed, automatic residential fire sprinkler systems shall be installed in accordance with NFPA 13D. (Sprinkler system is not required.)

10. Subsection R313.1.1 of the IRC is to be deleted.

11. Subsection R313.2 of the IRC is to be amended to read as follows:

R313.2 One and Two-Family automatic fire sprinkler systems. Where installed, automatic residential fire sprinkler systems shall be installed in accordance with NFPA 13D. (Sprinkler system is not required.)

12. Subsection R313.2.1 of the IRC is to be amended to read as follows:

R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with NFPA 13D.

13. Subsection R322.2 of the IRC is amended to read as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas, including flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation plus 2 feet, or the design flood elevation.

2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including *basement*) elevated to a height of not less than the highest adjacent *grade* as the depth number specified in feet (mm) on the FIRM plus 2 feet, or not less than 3 feet (15 mm) if a depth number is not specified.

3. Basement floors that are below *grade* on all sides shall be elevated to or above base flood elevation plus 2 feet, or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including *basements* with floors that are not below *grade* on all sides, shall meet the requirements of Section R322.2.2.

14. Subsection R325.5 of the IRC is amended to read as follows:

R325.5 Openness. Mezzanines shall be open and unobstructed to the room in which they are located except for walls not more than 42 inches (1067 mm) in height, columns and posts.

Exceptions:

Deleted

15. Subsection R403.1 of the IRC is amended to read as follows:

R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, crushed stone footings, wood foundations, or other approved structural systems that shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Concrete footing shall be designed and constructed in accordance with the following minimum standards, ACI 332 or by design professional design.

Minimum Slab on Grade (one/two family dwelling)

RED CLAY/SAND							
# Stories	Footing width Frame	Footing width Brick Veneer	Footing Depth*	Rebar Size/Quantity	Support	Ties/ Sturrips	Wire Mesh
1	12	14	12	5/2	Brick	N/A	#10
2	16	16	12	5/2	Brick	N/A	#10
3	16	16	12	5/2	Brick	N/A	#10

* Into undisturbed or compacted pad

PRAIRIE/ELASTIC							
# of Stories	Footing width-All Veneers	Footing Depth	Rebar Size/Quantity*	Support Brick	Ties/Stirrups	Wire Mesh	
1, 2, 3	16	18	5/4	Brick	#3 spaced 6 feet max	#6	

* Located in top and bottom of footing

Note: These minimums are minimums, however, soil investigation may require additional width and depth.

16. Subsection R403.1.6 of the IRC is amended to read as follows:

R403.1.6 Foundation anchorage. Wood sill plates and wood walls supported directly on continuous foundations shall be anchored to the foundation in accordance with this section.

Cold-formed steel framing shall be anchored directly to the foundation or fastened to wood sill plates in accordance with Section R505.3.1 or R603.3.1, as applicable. Wood sill plates supporting cold-formed steel framing shall be anchored to the foundation in accordance with this section.

Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of braced wall panels at building interiors on monolithic slabs and all wood sill plates shall be anchored to the foundation with minimum 1/2-inchdiameter (12.7 mm) anchor bolts spaced not greater than 6 feet (1829 mm) on center or approved anchors or anchor straps spaced as required to provide equivalent anchorage to 1/2-inch-diameter (12.7 mm) anchor bolts. Bolts shall extend not less than 7 inches (178 mm) into concrete or grouted cells of concrete masonry units. The bolts shall be located in the middle third of the width of the plate. A nut and washer shall be tightened on each anchor bolt. There shall be not fewer than two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not part of a braced wall panel shall be positively anchored with approved fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318.

Exceptions:

1. Walls 24 inches (610 mm) total length or shorter connecting offset braced wall panels shall be anchored to the foundation with not fewer than one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3(1).

2. Connection of walls 12 inches (305 mm) total length or shorter connecting offset braced wall panels to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3(1).

3. Where the basic wind speed in accordance with Figure R301.2 (4)A does not exceed 115 miles per hour (51 m/s), the seismic design category is A or B and Method GB in accordance with Section R602.10 is used for a braced wall line on the interior of the dwelling, anchor bolts shall not be required for the wood sole plates of the braced wall panels. Positive anchorage with approved fasteners shall be provided.

17. Subsection R905.2.8.5 of the IRC is amended to read as follows:

R905.2.8.5 Drip edge. A drip edge shall be provided at eaves and rake edges of shingle roofs. Adjacent segments of drip edge shall be overlapped not less than 2 inches (51 mm). Drip edges shall extend not less than 1/4 inch (6.4 mm) below the roof sheathing and extend up back onto the roof deck not less than 2 inches (51 mm). Drip edges shall be mechanically fastened to the roof deck at not more than 12 inches (305 mm) o.c. with fasteners as specified in Section R905.2.5. *Underlayment* shall be installed over the drip edge along eaves and under the drip edge along rake edges.

Exception:

If a nominal 1” X 2” shingle mold/strip is used, attached to fascia and the starter course of shingles is extended a minimum of ¼” and not more than 1 ¼” then drip edge is not required.

R905.3 Clay and concrete tile. The installation of clay and

18. Chapter 11 of the IRC is deleted. (See International Energy Conservation Code.)

19. Part V- Mechanical of the IRC is deleted and the corresponding sections of the International Mechanical Code of the City of Montgomery, as adopted, shall apply.

20. Part VI-Fuel Gas of the IRC is deleted and the corresponding sections of the International Fuel Gas Code of the City of Montgomery, as adopted, shall apply.

21. Part VII- Plumbing of the IRC is deleted and the corresponding sections of the International Plumbing Code of the City of Montgomery, as adopted, shall apply.

22. Part VIII-Electrical of the IRC is deleted and the provisions of the Electrical Ordinance of the City of Montgomery, as adopted by the City Council, shall apply.

Section VI. Deletions and amendments to the International Energy Conservation Code (IECC) as adopted:

A) The "International Energy Conservation Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Energy Conservation Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Energy Conservation Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection C403.5 of the IECC is amended to read as follows:

Exceptions: Economizers are not required for the following systems.

1. Individual fan systems not served by chilled water for buildings located in Climate Zones 1A and 1B.

2. Where more than 25 percent of the air designed to be supplied by the system is to spaces that are designed to be humidified above 35°F (1.7°C) dewpoint temperature to satisfy process needs.

3. Systems expected to operate less than 20 hours per week.

4. Systems serving supermarket areas with open refrigerated casework.

5. Where the cooling efficiency is greater than or equal to the efficiency requirements in Table C403.5(2).

6. Systems that include a heat recovery system in accordance with Section C403.9.5.

7. Upgrades on rooftop units and split system replacements or alterations over 54,000 BTU/h that were not initially installed with an economizer.

2. Subsection C403.11 of the IECC is amended to read as follows:

C403.11.1 Duct and plenum insulation and sealing (Mandatory). Supply and return air ducts and plenums shall be insulated with not less than R-6 insulation where located in unconditioned spaces and where located outside the building with not less than R-8 insulation in Climate Zones 1 through 4 and not less than R-12 insulation in Climate Zones 5 through 8. Where located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned or exempt spaces by not less than R-8 insulation in Climate Zones 1 through 4 and not less than R-12 insulation in Climate Zones 5 through 8.

Exceptions:

1. Where located within equipment.

2. Where the design temperature difference between the interior and exterior of the duct or plenum is not greater than 15°F (8°C).

3. Transition distance of 48” allowed for alterations and replacement of equipment. Replacement transition duct R value required to be equal to or higher than existing duct.

Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with Section 603.9 of the International Mechanical Code.

3. Subsection C503.3.1 of the IECC is amended to read as follows:

C503.3.1 Roof replacement. Roof replacements shall comply with Section C402.1.3, C402.1.4, C402.1.5 or C407 where the existing roof assembly is part of the building thermal envelope and contains insulation entirely above the roof deck where part of a level 3 alteration.

4. Subsection R101.5.1 of the IECC is amended to read as follows:

R101.5.1 Compliance materials. The Alabama Residential and Energy Codes Board shall approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code.

5. Subsection R202 of the IECC is amended to read as follows:

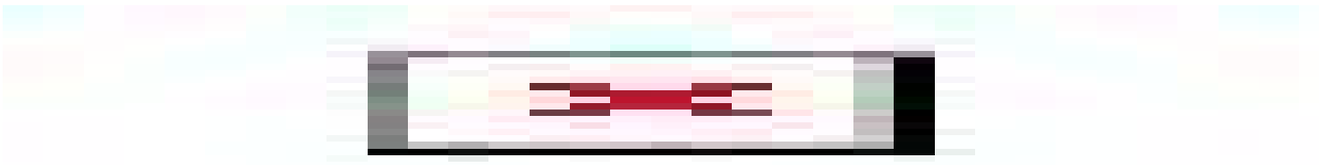
R202 General Definitions

DEFINED TERMS.

(i) Semi conditioned space. An unfinished area of the dwelling such as the attic or crawl space that is within the thermal envelope.

6. Table R402.1.2 of the IECC is to be amended to read as follows:

TABLE (R402.1.2)
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT [a]



For SI: 1 foot = 304.8 mm.
a. R-values are minimums. *U*-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed *R*-value of the insulation shall not be less than the *R*-value specified in the table.
b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration. Exception: Skylights may be excluded from glazed fenestration SHGC requirements in climate zones 1 through 3 where the SHGC for such skylights does not exceed 0.30.
c. “5/13” means R-5 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.
d. Basement wall insulation is not required in warm-humid locations as defined by Figure R301.1 and Table R301.1.
e. The second *R*-value applies when more than half the insulation is on the interior of the mass wall.
f. Reference R402.2.2.1

7. Subsection R402.2.2.1 of the IECC is added to read as follows:

R402.2.2.1 Semi-conditioned attics. Where table N1102.1.1 (R402.1.1) requires R-30 or Table N1102.1.3 (R402.1.3) requires a U-Factor of 0.035, an air impermeable insulation installed to the roof deck with a U-Factor of 0.05 or R-value of R-20 shall be deemed equivalent to the provisions in N1102.2.2 (R402.2.2).

8. Subsection 402.2.4 of the IECC is amended to read as follows:

R402.2.4 Access hatches and doors. Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be weather-stripped and insulated to a level in accordance with the following insulation values:

1. Hinged vertical doors shall have a maximum U-Factor of U-0.20 (R-5 minimum) and comply with Section R-316

2. Hatches/scuttle hole covers shall have a maximum U-Factor of U-0.05 (R-19 minimum) and;

3. Pull down stairs shall have a maximum U-Factor of U-0.20 with a minimum of 75 percent of the panel area having (R-5 minimum) insulation.

Access shall be provided to all equipment that prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

9. Subsection R402.2.10 of the IECC is deleted.

10. Subsection R402.2.11 of the IECC is amended to read as follows:

R402.2.11 Crawl space walls. As an alternative to insulating floors over crawl spaces, crawl space walls shall be permitted to be insulated when the crawl space is not vented to the outside. The band joist shall be insulated and air sealed in accordance with Table N1102.4.1.1 (R402.4.1.1)**.** A 3 inch (76mm) inspection/view strip shall be provided immediately below the floor joists to permit inspections for termites. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the bottom of the inspection/view strip to within 9 inches(229mm) of the finished interior grade adjacent to the foundation wall. Exposed earth in unvented crawl space foundations shall be covered with a continuous Class I vapor retarder in accordance with Section R408 of the International Residential Code. All joints of the vapor retarder shall overlap by 6 inches (153 mm) and shall extend up the stem wall not less than 6 inches (153mm) and shall be attached to the stem wall.

11. Subsection R402.3.2.1 of the IECC is added to read as follows:

R402.3.2.1 Glazed fenestration SHGC exception. Where applicable, glazed fenestration SHGC exception shall be as referenced in section C402.4.3.

12. Subsection 402.4.1.2 of the IECC is amended to read as follows:

R402.4.1.2 Testing (Mandatory). The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Testing shall be performed at any time after creation of all penetrations of the building thermal envelope. During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather-stripping or other infiltration control measures;

2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;

3. Interior doors, if installed at the time of the test, shall be open;

4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;

5. Heating and cooling systems, if installed at the time of the test, shall be turned off.

6. Supply and return registers, if installed at the time of the test, shall be fully open.

13. Subsection R403.1.1 of the IECC is deleted

14. Subsection R403.3.1 of the IECC is amended to read as follows:

R403.3.1 Insulation (Prescriptive). Supply and return ducts in attics shall be insulated to an R-value of not less than R-8 for ducts 3 inches (76 mm) in diameter and larger and not less than R-6 for ducts smaller than 3 inches (76 mm) in diameter. Supply and return ducts in other portions of the building shall be insulated to not less than R-6 for ducts 3 inches (76 mm) in diameter and not less than R-4.2 for ducts smaller than 3 inches (76 mm) in diameter.

Exceptions:

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Transition distance of 48” allowed for alterations and replacement of equipment. Replacement transition duct R value required to be equal to or higher than existing duct.

15. Subsection R403.9 of the IECC is deleted

16. Subsection R403.10 of the IECC is deleted

17. Subsection R403.11 of the IECC is deleted

18. Subsection R403.12 of the IECC is deleted

19. Subsection R404.1 of the IECC Lighting equipment is amended to read as follows:

R404.1 Lighting equipment. Not less than 75 percent of the lamps in permanently installed lighting fixtures at the time of inspection shall be high-efficacy lamps or not less than 75 percent of the permanently installed lighting fixtures shall contain only high efficacy lamps.

20. Table R405.5.2 of the IECC is to be amended to read as follows:

TABLE R405.5.2(1)

SPECIFICATIONS FOR THE STANDARD REFERENCE AND PROPOSED DESIGNS

BUILDING COMPONENT	STANDARD REFERENCE DESIGN	PROPOSED DESIGN
Above-grade walls	Type: mass wall if proposed wall is mass; otherwise wood frame	As proposed
	Gross area: same as proposed	As proposed
	U-factor: as specified in Table R402.1.4	As proposed
	Solar absorptance = 0.75	As proposed
	Remittance = 0.90	As proposed
Basement and crawl space walls	Type: same as proposed	As proposed
	Gross area: same as proposed	As proposed
	U-factor: as specified in Table R402.1.4	As proposed
Above-grade floors	Type: Wood frame	As proposed
	Gross area: same as proposed	As proposed
	U-factor: as specified in Table R402.1.4	As proposed
Ceilings	Type: Wood frame	As proposed
	Gross area: same as proposed	As proposed
	U-factor: as specified in Table R402.1.4	As proposed
Roofs	Type: composition shingle on wood sheathing	As proposed
	Gross area: same as proposed	As proposed
	Solar absorptance = 0.75	As proposed
	Emittance = 0.90	As proposed
Attics	Type: vented with aperture = 1 ft² per 300 ft² ceiling area	As proposed
Foundations	Type: same as proposed	As proposed
	Foundation wall area above and below grade and soil characteristics: same as proposed	As proposed
Opaque doors	Area: 40 ft²	As proposed
	Orientation: North	As proposed
	U-factor: same as fenestration from Table R402.1.4	As proposed
Vertical fenestration other than opaque doors	Total area = 15% of the conditioned floor area	As proposed
	Orientation: equally distributed to four cardinal compass orientations (N, E, S, & W)	As proposed
	U-factor: from Table 402.1.4	As proposed
	SHGC: from table 402.1.1 except that for climates with no requirement (NR) SHGC = 0.40 shall be used	As proposed
	Interior shade fraction : 0.92-(0.21 x SHGC for the standard reference design	0.92-(0.21 x SHGC as proposed)
	External Shading: none	As Proposed
Skylights	None	As Proposed
Thermally isolated sunrooms	None	As Proposed
Air Exchange Rate	Air Leakage rate of 5 air changes per hour at a pressure of 0.2 inches W.g (50Pa). The mechanical ventilation rate shall be in addition to the air leakage rate and the same as in the proposed design, but no greater than 0.01 x CFA + 7.5 x (Nbr+ 1) where: CFA = conditioned floor area Nbr = number of bedrooms Energy recovery shall no be assumed for mechanical ventilation.	For tested residences the measured air exchange rate. The mechanical ventilation rate [a] shall be in addition to the air leakage rate and shall be as proposed.
	None, except where mechanical ventilation is specified by the	

Mechanical Ventilation	proposed design, in which case: Annual vent fan energy use: kWh/yr = 0.03942 x CFA + 29.565 x (Nbr = 1) where: CFA = conditioned floor area Nbr = number of bedrooms	As Proposed
Internal Gains	Igain = 17,900 + 23.8 x CFA = 4104 x Nbr (BTU/day per dwelling unit)	Same as standard reference design
Internal Mass	An internal mass for furniture and contents of 8 pounds per square foot of floor area.	Same as standard reference design, plus any additional mass specifically designed as a thermal storage element [b] but not integral to the building envelope or structure
Structural Mass	For masonry floor slabs, 80 percent of floor area covered by R-2 carpet and pad, and 20 percent of floor directly exposed to room air.	As Proposed
	For masonry basement walls, as proposed, but with insulation required by Table R402.1.4 located on the interior side of the walls	As Proposed
	For other walls, for ceilings, floors, and interior walls, wood frame construction.	As Proposed
Heating Systems [c, d]	Fuel Type: same as proposed design Efficiencies: Electric: air-source heat pump with prevailing federal minimum standards Non-electric furnaces: natural gas furnace with prevailing federal minimum standards Non-electric boilers: natural gas boiler with prevailing federal minimum standards Capacity: sized in accordance with section N1103.7 (R403.7)	As proposed
Cooling Systems [d, e]	Fuel Type: Electric	As proposed
	Efficiency: In accordance with prevailing federal minimum standards	As proposed
	Capacity: sized in accordance with section N1103.7 (R403.7)	As proposed
Service Water Heating [c, d, e]	Fuel Type: same as proposed design	As proposed
	Efficiency: In accordance with prevailing federal minimum standards	As proposed
	Use: gal/day = 30 10 x Nbr	As proposed
	Tank temperature: 120°F	Same as standard reference
Thermal Distribution Systems	Duct insulation: from section R403.2.1. A thermal distribution system efficiency (DSE) of 0.88 shall be applied to both the heating and cooling system efficiencies for all systems other than tested duct systems. For tested duct systems, the leakage rate shall be 4 cfm (113.3L/min) per 100 ft² (9.29 m²) of conditioned floor area at a pressure differential of 0.1 inches w.g (25 Pa)	As tested or as specified in Table R405.5.2(2) if not tested. Duct insulation shall be as proposed
Thermostat	Type: Manual, cooling temperature setpoint = 75°F; Heating temperature setpoint - 72°F	Same as standard reference

For SI: 1 square foot = 0.93 m^2, 1 British thermal unit = 1055 J, 1 pound per square foot = 4.88 kg/m^2, 1 gallon (US) = 3.785 L, °C = (°F-32)/1.8, 1 degree 0.79 rad.

a. The combined air exchange rate for infiltration and mechanical ventilation shall be determined in accordance with Equation 43 of 2001 ASHRAE Handbook of Fundamentals, page 26.24 and the "Whole-house Ventilation" provisions of 2001 ASH RAE Handbook of Fundamentals, page 26.19 for intermittent mechanical ventilation.

b. Thermal storage element shall mean a component not part of the floors, walls or ceilings that is part of a passive solar system, and that provides thermal storage such as enclosed water columns, rock beds, or phase-change containers. A thermal storage element must be in the same room as fenestration that faces within 15 degrees (0.26 rad) of true south, or must be connected to such a room with pipes or ducts that allow the element to be actively charged.

c. For a proposed design with multiple heating, cooling or water design system capacities and fuel types shall be weighted in accordance with their respective loads as calculated by accepted engineering practice for each equipment and fuel type present.

d. For a proposed design without a proposed heating system, a heating system with the prevailing federal minimum efficiency shall be assumed for both the standard reference design and proposed design.

e. For a proposed design home without a proposed cooling system, an electric air conditioner with the prevailing federal minimum efficiency shall be assumed for both the standard reference design and the proposed design.

f. For a proposed design with a nonstorage-type water heater, a 40-gallon storage-type water heater with the prevailing federal minimum energy factor for the same fuel as the predominant heating fuel type shall be assumed. For the case of a proposed design without a proposed water heater, a 40-gallon storage-type water heater with the prevailing federal minimum efficiency for the same fuel as the predominant heating fuel type shall be assumed for both the proposed design and standard reference design.

g. For residences with conditioned basements, R-2 and R-4 residences and townhouses, the following formula shall be used to determine glazing area:

$AF = As \times FA \times F$

where:

AF = Total glazing area

As = Standard reference design total glazing area.

FA = (Above-grade thermal boundary gross wall area)/(above-grade boundary wall area + 0.5 x below-grade boundary wall area).

F = (Above-grade thermal boundary wall area)/(above-grade thermal boundary wall area + common wall area) or 0.56, whichever is greater.

and where:

- Thermal boundary wall is any wall that separates conditioned space from unconditioned space or ambient conditions.
- Above-grade thermal boundary wall is any thermal boundary wall component not in contact with soil.
- Below-grade boundary wall is any thermal boundary wall in soil contact.
- Common wall area is the area of walls shared with an adjoining dwelling unit.
- L and CFA are in the same units.

h. Applies if trade-offs from C402.4.3 are not used.

21. Subsection R406.4 of the IECC is amended to read as follows:

R406.4 ERI-based compliance. Compliance based on an ERI analysis requires that the rated design be shown to have an ERI less than or equal to a score of 70 in both zones 2 and 3 when compared to the ERI reference design.

Section VII. Deletions and amendments to the International Property Maintenance Code (IPMC) as adopted:

A) The "International Property Maintenance Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3)

copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the “Property Maintenance Code of the City of Montgomery” for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said “Property Maintenance Code” on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection 108 of the IPMC is amended to read as follows:

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* or owner’s authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

Procedures:

*Verify disconnection of service utilities to the building.
*Remove all combustible furniture, clothing, trash, debris, junk from all levels including the attic space and exterior.
*Search of entire building to be conducted to ensure that it is un-occupied.
*All opening should be secured as follows:
Entire perimeter of openings should provide a solid, attachable surface for which the exterior grade sheeting (1/2 plywood, grade CDX or OSB board) may be attached.

Attachment of exterior sheeting to supports should be as follows:

Minimum 1 ½" corrosion resistant nails or screws spaced not more than 12" along the perimeter and interior supports.

Interior supports should be 2x4 nominally dimensional wood cut to fit against perimeter supports and anchored with four (4) 12d cement coated nails or equivalent on each end. The spacing of interior supports should be no greater than 24" O.C.

Additionally, all openings which require more than one (1) solid sheet of plywood or OSB board is required to be supported along all edges by interior supports.

Main entrance: The main entrance to the structure is required to be secured by ½ " CDX grade plywood or OSB board attached to perimeter supports with 1½" minimum corrosion resistant screws at a minimum of 12" O.C. No interior supports will be required for 36" x 80" openings.

Sheeting attachment should be in such a manner as to minimize the intrusion of rain.

2. Subsection 108.2.1 of the IPMC is amended to read as follows:

Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval or where deemed necessary to abate code violations in reference to this code and other referenced codes. The *code official* shall notify the serving utility and, whenever possible, the *owner* or owner's authorized agent and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, owner's authorized agent or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

3. Subsection 109.1.1 of the IPMC is added to read as follows:

109.1.1 Demolition of buildings under emergency circumstances. The mayor or his designee may, pursuant to Act 02-522, now codified as Code of Ala. 1975, § 11-53b-1 et al., as amended, initiate immediate repair or demolition of a building structure when, in his/her opinion, such emergency action is required due to the imminent danger of structural collapse endangering adjoining property, the public right of way or human life or health. The cost of the emergency action shall be fixed by the council and shall be assessed in accordance with the provision of Code of Ala. 1975, § 11-53b-5, as amended.

4. Subsection 110.2 of the IPMC is amended to read as follows:

110.2 Notices and orders. Notices and orders to comply with State of Alabama Code 11-53-B.

5. Subsection 302.4 of the IPMC is deleted

6. Subsection 302.8 of the IPMC is deleted

7. Subsection 302.9 of the IPMC is deleted

8. Subsection 602.3 of the IPMC is amended to read as follows:

602.3 Heat supply. Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from **October 1** to **April 15** to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

9. Subsection 602.4 of the IPMC is amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from **October 1** to **April 15** to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

Section VIII. Deletions and amendments to the International Pool Spa Code (IPSC) as adopted:

A) The "International Pool Spa Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Pool Spa Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Pool Spa Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section

1. Subsection 101.2 of the IPSC is amended to read as follows:

> **101.2 Scope**. The provisions of this code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, decorative fountains, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading.

2. Subsection 105.1.1 of the IPSC is added to read as follows:

> **105.1.1 Disposal of excavated soil.** No soil from excavation of a pool shall be dumped or placed on any private or public property without the written consent of the owner. This consent shall be submitted at the time a permit for the construction of the pool is obtained. Any soil or debris spilled on the public streets or sidewalks shall be removed immediately. Failure to do so will result in all work being stopped until it is satisfactorily removed and the area cleaned.
>
> (Code 1980, § 41-72; Ord. No. 59-88, § 9, 9-20-1988)

3. Subsection 105.1.2 of the IPSC is added to read as follows:

> **105.1.2 Health department permits and approvals.** No building permit for the construction of any public pool/spa will be issued until plan approval from the county health department is obtained. Application for an operation permit for public pools/spas shall be made in writing to the county health department, and such permit will be issued by the health department after compliance with all health department regulations and provisions of this article. Operation permits are renewed annually by the health department and shall remain valid unless revoked by the health officer. No public swimming pool/spa shall operate without such permit.
>
> (Code 1980, § 41-65; Ord. No. 59-88, § 5(B), (C), 9-20-1988)

4. Subsection 108.2-108.6.2 of the IPSC is deleted

5. Subsection 303 of the IPSC is deleted

6. Subsection 305.1 of the IPSC is amended to read as follows:

305.1 General. The provisions of this section shall apply to the design of barriers for pools and spas containing water more than 24 inches in depth. These design controls are intended to provide protection against the potential drowning and near drowning by restricting access to such pools or spas. These requirements provide an integrated level of protection against potential drowning through the use of physical barriers and warning devices.

Exceptions:

1. Spas and hot tubs with a lockable *safety cover* that complies with ASTM F 1346.

2. Swimming pools with a powered *safety cover* that complies with ASTM F 1346.

7. Subsection 320.1 of the IPSC is amended to read as follows:

320.1 Backwash water or draining water. Backwash water and draining water shall be discharged to the sanitary or storm sewer, or into an *approved* disposal system on the premise, or shall be disposed of by other means *approved* by the state or local authority. For one and two family dwellings, pool waste water is permitted to discharge onto the property on which pool is located, but in no case shall be permitted to drain onto surrounding property. Direct connections shall not be made between the end of the backwash line and the disposal system. Drains shall discharge through an air gap.

8**.** Subsection 320.4 of the IPSC is added to read as follows:

320.4 Decorative fountains. Decorative fountains drainage water shall comply with IPSC 320.1 through 320.3.

Section IX. Deletions and amendments to the International Existing Building Code (IEBC) as adopted:

A) The "International Existing Building Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Existing Building Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Existing Building Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection 111.3 of the IEBC is amended to read as follows:

111.3 Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 111.1 or 111.2 or where deemed necessary to abate code violations in reference to this code and other referenced codes. The *code official* shall notify the serving utility and, wherever possible, the owner or the owner's authorized agent and occupant of the building, structure or

service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

2. Subsection 116.1.1 of the IEBC is added to read as follows:

116.1.1 Demolition of buildings under emergency circumstances. The mayor or his designee may, pursuant to Act 02-522, now codified as Code of Ala. 1975, § 11-53b-1 et al., as amended, initiate immediate repair or demolition of a building structure when, in his/her opinion, such emergency action is required due to the imminent danger of structural collapse endangering adjoining property, the public right of way or human life or health. The cost of the emergency action shall be fixed by the council and shall be assessed in accordance with the provision of Code of Ala. 1975, § 11-53b-5, as amended.

3. Subsection 117.2 of the IEBC is amended to read as follows:

117.2 Notices and orders. Notices and orders to comply with State of Alabama Code 11-53-B.

4. Subsection 707.1 of the IEBC is amended to read as follows:

707.1 Minimum requirements. Level 1 alterations to existing buildings or structures do not require the entire building or structure to comply with the energy requirements of the International Energy Conservation Code. The alterations shall not render the building element/material less compliant than its existing condition.

Exception:

When the current building element/material is proposed to be reduce, the element/material altered shall conform to the requirements of the International Building Code.

5. Subsection 810.1 of the IEBC is amended to read as follows:

810.1 Minimum requirements. Level 2 alterations to existing buildings or structures do not require the entire building or structure to comply with the energy requirements of the International Energy Conservation Code. The alterations shall not render the building element/material less compliant than its existing condition.

Exception:

When the current building element/material is proposed to be reduce, the element/material altered shall conform to the requirements of the International Building Code.

Section X. Barbed wire or electrically charged fences

Barbed wire or electrically charged fences; limitations on construction in vicinity of streets, walkways, roadways or thoroughfares; removal of fences in violation of section.

1) It shall be unlawful for any person to erect, maintain or permit to remain upon any property, either owned or occupied by such person as owner or tenant, along or within two feet of any public street, walkway, roadway or thoroughfare, any fence or barrier constructed, in whole or in part, of barbed wire, or of electrically charged wire, or electrically charged conductor of electricity.

2) Nothing contained in this section shall be construed as prohibiting the installation or maintenance of electric light and power wires, telephone and telegraph wires used as such and otherwise installed and maintained in accordance with this Code and other ordinances of the city.

3) Both the city building inspector and the city electrician, or either of them, shall have the authority to order the removal of such barbed wire, fence or barrier that violates this section. Each day's failure to remove such obstruction, after such notice to remove, shall constitute a separate offense.

(Code 1980, § 29-5)

Section XI. - Excavations for ponds, lakes and other bodies of water.

Excavations for ponds, lakes and other bodies of water.

1) *Planning commission approval; public hearing.* Before the commencement of any excavation for ponds, lakes or any other bodies of water, excluding recreational swimming pools, in the corporate limits of the city, a plan shall first be submitted to the planning commission for its approval in the same and like manner as currently being reviewed under the guidelines of the subdivision regulations of the city. Such consideration for approval shall not be given until a public hearing has been held to determine whether or not such excavation is in the best interest of the citizens of the city.

2) *Enforcement.* This section shall be enforced in the same manner as other matters arising under the jurisdiction of the planning commission.

(Code 1980, § 40-26.1; Ord. No. 54-87, §§ 1, 2, 7-21-1987)

ADOPTED this the 7th day of July, 2020.

/S/
STEVEN L. REED, MAYOR

ATTEST:
/S/
BRENDA GALE BLALOCK, CITY CLERK

15-2020