

ORDINANCE 14-05

**AMENDMENT TO CHAPTER 14
CODE OF ORDINANCES CITY OF MILLBROOK**

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILLBROOK, AL, that Chapter 14, Article 1 of the City of Millbrook Code of Ordinances is changed as follows:

A. Section 14-32 is replaced as follows:

Sec. 14-32. Permit Required.

It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, or to store building materials or erect temporary field offices, or to commence the moving, alteration, or repair (except repairs, not changing the character of the structure and not exceeding \$500 in cost, or painting or wallpapering) or any structure, including accessory structures, until the Building Department has issued for such work a building permit including a statement that the plans, specifications and intended use of such structure in all respects conform with the provisions of this Ordinance. Except on the written order of the Board of Adjustment, no building permit shall be issued for any building where the construction, addition, alteration or use thereof would be in violation of any of the provisions of this Ordinance. Application for a building permit shall be made to the Building Department on forms provided for that purpose.

B. Sections 14-33 to 14-40 are added as follows:

Sec. 14-33. Permit Fees. Following are the various schedules of fees for each required permit:

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a. General Contractor

Total Valuation*	Fee
\$500.01 to \$1,000	\$10.00
\$1001.00 to \$50,000.00	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,001.00 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

*The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor for which the permit is being issued. If in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official. (*Section 109.3, International Building Code, 2006.*)

(1). For the moving of any building or structure the fee shall be \$100.00

(2). Demolition fees for the demolition of any building or structure shall be:

Cubic Feet	Fee
0 to 100,000	\$50.00
100,000 and over	\$0.50 per 1,000 cubic feet

b. Plumbing Permit Fees.

Permit Issuance Plus:	\$10.00
For each plumbing fixture, floor drain or trap (including water and drainage piping.)	\$ 2.50
For each house sewer	\$ 5.00
For each house sewer having to be replaced or repaired.	\$ 5.00
For each cesspool	\$ 5.00
For each septic tank and seepage pit or drain field.	\$10.00
For each water heater and/or vent.	\$ 2.50
For installation, alteration or repair of water piping and/or water treating equipment.	\$ 5.00
For repair or alteration of drainage or vent piping.	\$ 5.00
For vacuum breakers or backflow protective devices installed subsequent to the installation of the piping or equipment served: One to Five Over five, each:	\$2.50 \$1.50
Fee for any required re-inspection(s):	\$5.00

c. Gas Permit Fees

Permit issuance (Plus the following):	\$ 10.00
The total fees for inspection of consumer's gas piping at one location (including both rough and final piping inspection): From 1 to 4 outlets: For each additional outlet over 4:	\$5.00 \$1.00each
Fee for inspecting conversion burners, floor furnaces, incinerators, boilers, or central heating or air conditioning units shall be: For one unit: For each additional unit:	\$5.00 \$1.00each
Fee for inspecting vented wall furnaces, floor furnaces, incinerators, boilers, or central heating or air conditioning units shall be: For one unit: For each additional unit:	\$2.50 \$1.00each
Fee for any required re-inspection(s):	\$5.00each

d. Residential Electrical Permit Fees

(1). New Homes

Permit issuance (Plus the following):	\$2.00
METER LOOPS	
100 amp service	\$18.00
200 amp service	\$19.00
400 amp service	\$25.00
Over 400 amp service`	\$30.00
Ranges (including cook top and oven)	\$ 2.50
Clothes dryers	\$ 1.50
Hot water heater	\$ 1.50
Motor up to 6hp	\$ 1.50
Motor over 6hp	\$.50/HP
Electric heater up to 15KW	\$1.50
Electric heater over 15KW	\$.20/KW
Temporary poles	\$2.00
Swimming pool bonding and motor circuit	\$5.00
Fee for any required re-inspection(s):	\$5.00

(2) Existing Homes

Meter loop fee,	\$8.00
Issuance fee, Plus:	\$2.00
Up to 100 amp	\$3.00
200 amp	\$4.00
400 amp	\$6.00
600 amp	\$10.00
800 amp	\$15.00
1200 amp	\$20.00
1600 amp	\$25.00
2000 amp	\$40.00
First Re-Inspection Fee	No charge
Second Re-Inspection Fee	\$5.00
Third Re-Inspection Fee	\$8.00
Temporary pole for buildings	\$2.00
NOTE 1: ALL ELECTRIC INSTALLATION WORK REQUIRING THE OPENING OF A STREET SHALL BE GOVERNED BY THE ORDINANCES OF THE CITY OF MILBROOK RELATING TO SUCH OPENING OF STREETS AND SIDEWALKS.	
NOTE 2: FEES FOR OLD WORK SHALL BE THE SAME AS NEW WORK. AN INSPECTION FEE WILL BE CHARGED FOR ANY OUTLETS ADDED TO OLD OR NEW WORKS.	

e. Commercial Electrical Permit Fees

Permit issuance fee (Plus the following):	\$2.00
CONCEALED WORK to outlets 1 to 10 units*	\$2.00 ea
CONCEALED WORK to outlets for each outlet over 10*	.20 ea
FIXTURES	
1 to 10	\$2.00 ea
11 and above for each fixture over 10	.20 ea
Ranges (including cook top oven)	\$1.50 ea
Water heaters	\$1.50 ea
Clothes Dryers	\$1.50 ea
Welder Outlet	\$1.50 ea
* Inspection fees on concealed work does not include fixtures for which there is a separate fee.	
MOTORS:	
Up to 4 HP	\$1.50 ea
Over 4 HP per HP	.25 ea
Electric controlled floor furnaces, unit heaters, ventilating and types of connected fans including control outlets.	\$1.00 ea
ELECTRIC HEAT	
Central and space heat per KW, up to 15 KW	\$1.50
Each additional KW	.10
Heating and air conditioning units, not over 4 HP	\$1.50 ea
TRANSFORMERS All types, 600 volts or under--per KVA	.10 ea
SIGNS AND OUTDOOR WIRING	
Single circuit	\$1.50
Each additional circuit	\$1.00
SHOP INSPECTIONS	
NEON--per transformer	.50
Plastic--per lamp	.25
Incandescent--first circuit	\$1.50
For each additional incandescent circuit	\$1.00
Fee for any required re-inspection(s):	\$5.00

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f. Mechanical Permit Fees

Issue Fee (Plus the following)	\$10.00
<p>Fee for inspecting heating, ventilating, air-conditioning and refrigeration systems.</p> <p>For the first \$1,000 or fraction thereof:</p> <p>Plus:</p>	<p>\$10.00 for the first \$1,000 or fraction thereof, of valuation of the installation.</p> <p>\$2.00 for each additional \$1,000.00 or fraction thereof</p>
Fee for inspecting repairs, alterations and additions to an existing system.	\$5.00 plus \$2.00 for each \$1,000.00 or fraction thereof.
Fee for inspecting boilers (based upon Btu input	
33,000 Btu (BHp) to 165,000 (5 BHP)	\$5.00
165,001Btu(5BHp) to 330,000(10 BHp)	\$10.00
330,001Btu(10BHp)to 1,165,000(52BHp)	\$15.00
1,165,001Btu(52BHp)to 3,300,000(98BHp)	\$25.00
Over 3,300,000 Btu	\$35.00
Re-inspection of heating, ventilation, air conditioning and refrigeration systems.	\$5.00
<p>AIR CONDITIONING SELF CONTAINED UNITS. In all buildings, except one and two family dwellings, where self-contained air conditioning units of less than two tons the fee charged shall be based on the valuation of the total tonnage of all units combined. The minimum fee shall be \$15.00.</p>	
<p>TEMPORARY OPERATION. When preliminary inspection is requested for purposes of permitting temporary operation of a heating, ventilating, refrigeration, or air conditioning system, or portion thereof, a fee of \$5.00 shall be paid by the contractor requesting such preliminary inspection. If the system is not approved for temporary operation on the first preliminary inspection, the usual re-inspection fee shall be charged for each subsequent preliminary inspection for such purpose.</p>	

g. Swimming Pool Permits

For each public swimming pool	\$40.00 (Plus)
For each private swimming pool	\$25.00 (Plus)
Pool filling system, including back-flow prevention	\$ 1.50 ea
Each water heater and/or vent	\$ 1.50
Gas piping system	\$ 1.50 ea
Replacing of filter	\$ 3.00
Replacing of piping	\$ 3.00
Miscellaneous replacements	\$ 3.00
Backwash receptor	\$ 1.50
Fee for any required re-inspection(s):	\$ 5.00

Sec. 14-34. Application Requirements. It shall be unlawful for the Building Official to approve any plans or issue a building permit for any excavation or construction until he/she has inspected such plans in detail and found them in conformity with this Code. To this end, the Building Official shall require that every application for a building permit for excavation, construction, use of land, moving or alteration be accompanied by a plan or plat, drawn to scale, showing:

- a. The location, shape, area and dimensions of the lot.
- b. The location, dimensions, height and bulk of the structures to be erected, altered or moved and any buildings or other structures already on the lot.
- c. The existing and intended use of all such buildings or other structures.
- d. The proposed number of dwelling units, occupants, employees or other similar users.
- e. The setback, side yards, open spaces, parking spaces and other such requirements of the applicable zoning district.
- f. Any other information deemed necessary by the Zoning Administrator to determine and provide for the enforcement of this Ordinance.

Sec. 14-35. Approval/Disapproval of Building Official If the proposed excavation, construction, moving, or alterations as set forth in the application, are in conformity with the provisions of this Ordinance, the Building Official shall issue a building permit accordingly. If an application for a building permit is not approved, the Building Official shall state in writing on the application the cause for such disapproval. Issuance of a

building permit shall, in no case, be construed as waiving any provision of this Ordinance-

Sec. 14-36. Voiding of Building Permit. Any building permit granted under this Section shall become null and void within one (1) year from the date of issuance of the permit. Extensions for specified periods and documented in writing may be made if the proposed development or construction has passed the first building inspection. The Building Official shall make every reasonable effort to notify a holder of a building permit which is liable for voiding action before voidance is actually declared.

Sec. 14-37. Inspection. Building permits issued by the city shall conform to and be enforced by the various Technical Codes adopted by the City as specified herein.

a. Permit Holder's Duty to Notify. It shall be the duty of the holder of the permit to properly notify the Building Official as to the time when the construction will be ready for inspection. Failure to make proper notification of the time for such inspection shall automatically cancel the permit, requiring the issuance of a new permit before construction may proceed or occupancy may be permitted.

Sec. 14-38. Certificate of Occupancy (CO)

a. CO Required for Use No land or building or other structure or part thereof hereafter erected, moved, or altered in its use shall be used until the Building Department of the City shall have issued a Certificate of Occupancy (or Certificate of Use) stating that such land or structure or part thereof is found to be in conformity with the applicable National or International codes adopted by the City (see Sec. 14-31 Millbrook Code of Ordinances).

b. Issuance of Certificate of Occupancy. Within three (3) days after the owner or his agent has properly notified the Building Department that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Building Department to make a final inspection thereof, and to issue a Certificate of Occupancy if the building or premises or part thereof is found to be in conformity with the applicable National or International codes adopted by the City (see Sec. 14-31 Millbrook Code of Ordinances). If such certificate is refused, the reason for the refusal will be in writing specifically stating the reason therefore.

Sec. 14-39. Remedies. In case any building or other structure is erected, construed, reconstructed, altered repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance, the Building Official or any other appropriate authority or any adjacent or neighboring property owner, who would be especially damaged by such violation, in addition to other remedies, may institute an injunction, mandamus or other appropriate measure to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use to correct or abate such violations or to prevent occupancy of such building, structure or land.

Sec. 14-40. Penalties for Failure to Obtain a Permit. Where work for which any permit is required by this Ordinance is started or proceeded prior to obtaining an applicable permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any person(s) from fully complying with the requirements of this Ordinance in the execution of the work nor from any other penalties prescribed herein.

SECTION 3. Following Sec. 14-40 Insert:

Secs. 14-41 - 14-60. Reserved.

SECTION 4. Chapter 14. Article IV, Sections 14-91 and 14-92 are deleted in their entirety and replaced as follows:

ARTICLE IV. FENCES

Sec 14-91. See Section 6.1.7 et. Seq. of the City of Millbrook Zoning Ordinance.

SECTION 5. All other sections or provisions of the Millbrook Code of Ordinances not specifically amended herein remain in full force and effect.

SECTION 6. Should any section or provision of this Ordinance be held invalid, such holding shall not affect any section or provision hereof which is not of itself invalid.

SECTION 7. This Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED AND APPROVED THIS _18 DAY OF July, 2014.

Fred Watts
Council President

ATTEST:

Teresa Mercer
City Clerk

APPROVED:

VETOED:

Al Kelley
Mayor

Al Kelley
Mayor

CERTIFICATE AS TO APPROVAL OR VETO BY MAYOR

I, the undersigned City Clerk of the City of Millbrook, Alabama do hereby certify that the above and foregoing Ordinance was duly approved/vetoed by the Mayor of the City of Millbrook on the ____ day of _____, 2014.

Teresa Mercer
City Clerk

CERTIFICATE AS TO COUNCIL'S ACTION FOLLOWING MAYOR'S VETO

I, Fred Watts, as President of the City Council of the City of Millbrook, AL hereby certify that on the _____ day of _____, 2014 that the council voted to sustain/override the Mayor's veto of this Ordinance.

FRED WATTS
Council President

ATTESTED BY:

Teresa Mercer
City Clerk

PUBLISHING

I, the undersigned City Clerk of the City of Millbrook, Alabama do hereby certify that the above and foregoing Ordinance has been published by posting in three public places in the City of Millbrook as required by law and note it was subsequently published in the Millbrook Independent.

Teresa Mercer
City Clerk