

ORDINANCE NO. 067-12

An Ordinance to amend Chapter 4, of the Pelham Code of Ordinances concerning Buildings, Construction and related activities, and Chapter 7, of the Pelham Code of Ordinances concerning Fire Protection and Prevention

AN ORDINANCE AMENDING ORDINANCE NUMBER 067-09 OF THE PELHAM CODE OF ORDINANCES ADOPTING INTERNATIONAL BUILDING CODE, 2021 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION; INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION; INTERNATIONAL FUEL GAS CODE, 2021 EDITION; INTERNATIONAL PLUMBING CODE, 2021 EDITION; NATIONAL ELECTRICAL CODE, 2020 EDITION; INTERNATIONAL MECHANICAL CODE, 2021 EDITION; INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION; INTERNATIONAL POOL AND SPA CODE, 2021 EDITION; INTERNATIONAL FIRE CODE, 2021 EDITION FOR THE CITY OF PELHAM, ALABAMA.

Section 1. Be it ordained by the Mayor and City Council of the City of Pelham, Alabama that the Pelham Code of Ordinances be amended or omitted as follows:

Sec. 4-1. Technical codes adopted.

(a) The following codes are hereby adopted by reference as though they were copied herein fully:

(1) International Building Code, 2021 Edition.

- a. A certain document, a copy of which is on file in the office of the Department of Development Services and Public Works of the City of Pelham, being marked and designated as the *International Building Code*, 2021 edition, including appendix chapters B, E, F, G, H, I, J and K as published by the International Code Council, be and is hereby adopted as the *Building Code of the City of Pelham*, in the State of Alabama, for regulation and governing the conditions essential to provide that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said *Building Code* on file in the Office of the Department of Development Services and Public Works, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in subsection (b)
- b. The following sections are added or hereby revised in their entirety to read as follows:

Section 101.1 Insert: City of Pelham.

Section 103.1 Insert name of Department. [Department of Development Services and Public Works]

Section 114.4 See City Ordinance Chapter 4 Sec. 4-8. - Violation.

Section 115.4 See City Ordinance Chapter 4 Sec. 4-8. - Violation.

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets and digital format with each permit application. Once plans are approved by the respective parties, an electronic set of construction documents shall be submitted for review on a CD or flash drive saved as a PDF File.

The construction documents shall be prepared by a registered design professional present to section 107.1 where required by the City of Pelham. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that

review of construction documents is not necessary to obtain compliance with this code.

107.1 All Building Plans Shall Be Prepared by a Design Professional. The design professional shall be an architect or engineer legally registered under the laws of the State of Alabama regulating the practice of architecture or engineering and shall affix his/her official seal and signature to said drawings. Engineered plans shall be submitted for electrical, mechanical and plumbing work including specifications and accompanying data. All group occupancies excluding R-3 (Single Family Homes) shall be designed by an architect.

109.2 Fee Schedule. See ARTICLE 1, Section 4-2 Building Permit Fees.

Delete: Exception 5 & 6 from 2902.2. Separate Facilities.

1612.3 Establishment of Flood Hazard Areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and support 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 City of Pelham, Alabama," dated September 3, 2010, or current effective date, 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 as amended or revised are hereby adopted by reference and declared to be a part of this section."

(2) International Residential Code, 2021 Edition.

- a. A certain document, a copy of which is on file in the office of the Department of Development Services and Public Works of the City of Pelham, being marked and designated as the *International Residential Code*, 2021 edition, including appendix chapters AA,AB,AC,AD, AE, AF, AG, AH, AJ, AK, AM, AN, AO and AP as published by the International Code Council, be and is hereby adopted as the *Residential Code of the City of Pelham*, in the State of Alabama, for regulation and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhomes) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file in the office of the Department of Development Services and Public Works are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in Section (b)

- b. The following sections are added or hereby revised in their entirety to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code for One and Two-Family Dwellings of the City of Pelham and shall be cited as such and will be referred to herein as "this code."

R108.2. Fee Schedule. See ARTICLE 1, Section 4-2 Building Permit Fees.

R113.4 Violation Penalties. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

R114.4 Stop Work Orders. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

R202 Sleeping Units/Rooms. Rooms that have a closet shall be classified as a sleeping room and shall meet all emergency egress safety requirements out of that room. The building official or his/her designee may grant exceptions if a room, by its design, cannot function as a sleeping room. Sewing rooms, dens, studios, lofts, game rooms, and any other conditioned room along an exterior wall which is 70 square feet or greater in size will be considered to be sleeping rooms unless the room is specifically exempted. If a home office, library or similar room is proposed, it may be exempted from being considered a sleeping room if there is no closet and at least one of the following is present: a) permanently built-in bookcases, desks and other features that encumber the room in such a way that it cannot be used as a sleeping room; b) a minimum 4 foot opening, without doors, into another room; or c) a half wall (4 foot maximum height) between the room and another room.

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

Ground Snow Load	Wind Design				Seismic Design Category	Subject To Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed (mph)	Topo- graphic effects	Special wind region	Wind- borne debris zone		Weathering	Frost line depth	Termite					
5	115	No	No	No	B	Moderate	12 in.	Very Heavy	21°F	No	9/13/2010	96	62°F

R309.5 Fire Sprinklers. This section shall be deleted in its entirety.

R312.2.1 Window opening control devices limitations. Window opening control devices shall not be used in a bedroom on new construction of residential homes, 2nd story additions, and bedroom additions to existing homes.

R313.2 One and Two-Family Dwellings Automatic Fire Systems. This section shall be deleted in its entirety. **(Determination of need for Residential fire sprinkler shall be made by the Fire Marshall and Fire Chief based on Fire Flow and accessibility of Fire Fighting Equipment).**

R314.3 Smoke Alarms. Smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each separate sleeping area, in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling including stairway access attics.
4. In each garage and subdivided basement area.

When more than one smoke alarm is required to be installed within an individual dwelling unit, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all the alarms in the individual dwelling.

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings to include extensive renovations and the addition of stories to an existing structure. Existing footings for additional stories shall comply with section R403.1.1, in addition to the provisions of this chapter, the design and construction of foundations in areas prone to flooding as established by Table R301.2 (1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC & PWF.

Exception: The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof
2. When interior basement and foundations walls are constructed at intervals not exceeding 50 feet (15 240 mm)

Wood foundations in Seismic Design Category 0°, D¹ , or O² shall be designed in accordance with accepted engineering practice.

R403.1.1 Minimum Size Required on All Footings. The minimum size for concrete footings and reinforcement shall be:

Exterior Walls: 10" thick by 24" width with two #4 rods continuous

Interior Piers: 12" thick by 24" square width with four #4 rods interior

Grade Beams: 8" thick by 18" width with two #4 rods continuous

Additional Regulations:

- (a) All footings shall have a minimum of two No. 4 reinforcing bars placed in the lower third of the footing at least one inch above the bottom of the footing. All reinforcing bars shall be supported on metal brackets or chairs and shall be overlapped at least one foot at each joint. All bars shall be wired to the chairs and at each overlapping joint. Additional reinforcing bars or bars of a larger size may be required at the discretion of the Building Inspector. In the

event of any differences between the above stated minimum requirements and the requirements of the architect's or engineer's design, the more stringent criteria will apply. It is the responsibility of the architect or engineer to provide a structurally sound design.

- (b) Erosion and siltation measures shall be required at each construction site regardless of the size of the site. Silt fences, staked hay bales, or other necessary measures are required to retain silt, mud and debris on the construction site and prevent siltation of adjacent properties, roadways, and drainage ways. All work shall be done in accordance with best management practices.
- (c) A foundation survey shall be provided to the Building Official after footing is poured to ensure that all zoning requirements are met.
- (d) A compaction test shall be submitted for all Residential slabs and Footings.

(3) International Existing Building Code, 2021 Edition.

(a) A certain document, a copy of which is on file in the office of the Department of Development Services and Public Works in the City of Pelham being marked and designated as the International Existing Building Code 2021 edition. Including Appendix Chapters, A, B, C, and Resource A as published by the international code Council, be and is hereby adopted as the Existing Building Code of the City of Pelham in the state of Alabama, for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings. Including historic buildings. As herein provided; providing for the issuance of permits and collection of fees therefor; and each and all the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the Office of the City Pelham are hereby adopted and made part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in section (B).

(b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Insert [City of Pelham]

103.1 Insert [Department of Development Services and Public Works].

108 Fee Schedule. See ARTICLE 1, Section 4-2 Building Permit Fees.

113.4 Violation Penalties. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

114.4 Stop Work Orders. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

(4) International Fuel Gas Code, 2021 Edition.

(a) A certain document, one (1) copy of which are on file in the office of the Department of Development Services and Public Works in the City of Pelham being marked and designated as the International Fuel Gas code 2021 edition. Including Appendix Chapters A, B, and C as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Pelham, in the state of Alabama for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Department of Development Services and Public Works of The City of Pelham are hereby referred to, adopted, and made part hereof, as it fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in section (b).

(b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Insert [City of Pelham]

109.2 Fee Schedule. See ARTICLE 1, Section 4-2 Building Permit Fees.

103.1 Insert [Department of Development Services and Public Works].

115.4 Violation Penalties. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

116.4 Stop Work Orders. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

(5) International Plumbing Code, 2021 Edition.

(a) A certain document, one (1) copy of which is on file in the office of the Department of Development Services and Public Works in the City of Pelham being marked and designated as the International Plumbing Code 2021 edition, including appendix chapters B, C, D and E as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Pelham, in the State of Alabama, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Department of Development Services and Public Works are hereby referred to, adopted, and made part hereof as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in section (b).

(b) The following sections are added or hereby revised in their entirety to read as follows:

101.1 Insert [City of Pelham].

103.1 insert [Department of Development Services and Public Works].

109.2 Fee Schedule. See ARTICLE 1, Section 4-2 Building Permit Fees.

115.4 Violation Penalties. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

113 Stop Work Orders. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

The following section are to be delete from the 2021 IPC:

403.1.1 Exception 2. Multiuser Restrooms.

403.2 Exception 6. Restrooms for both sexes combined.

(6) National Electrical Code, 2020 Edition.

(a) A certain document, one (1) copy of which is on file in the office of the Department of Development Services and Public Works in the City of Pelham being marked and designated as the National Electrical Code 2020 edition, be and is hereby adopted as the Electrical Code of the City of Pelham, in the State of Alabama, regulating and governing the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Department of Development Services and Public Works are hereby referred to, adopted, and made part hereof as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed below.

(1) Exceptions to Permit Requirements.

No Permit Shall be required for the following installations or Repairs:

(a) Minor repairs.

(b) The installation of wiring, devices or equipment for telephone, telegraph, district messenger or telautograph systems, or any signaling systems (other than commercial radio systems) operating at fifty (50) volts or less when installed by a public utility subject to regulations as such by the Alabama Public Service Commission.

(c) For the installation, maintenance, or repair of electrical service of a public utility corporation regulated by the Alabama Public Service Commission.

(2) Unsafe Electrical Installation—Generally.

(a) All electrical installations, regardless of type, which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relations to existing use constitute a hazard to a safety by reason of inadequate maintenance, dilapidation, obsolescence or abandonment are, severally in contemplation of this section. Unsafe Electrical Installations. All such unsafe electrical installations are hereby declared illegal and shall be abated by repair or removal. Where, in the opinion of the Building Official, the hazard involved is sufficient to warrant

disconnection of electricity, he shall then disconnect or order the utility company to disconnect immediately

(3) Qualification of Electricians.

- (a) Any person who desires to install electrical wiring within the city that is not exempt from a permit shall produce good and sufficient evidence to the Building Official that he/she is competent to do the work. Sufficient evidence shall be the following:
Master Electrical License from the State of Alabama.

(4) Electrical Permit—Required

- (a) No person or homeowner shall install any wiring, device or equipment for the transmission, alteration, repair or addition to any existing wiring, the installation of which is regulated by this article, or shall cause any such work to be done, without first making application to the building department and obtaining a permit. Only competent individuals with sufficient evidence under “Qualification of Electricians” shall be permitted to perform electrical work within the City of Pelham.

(7) International Mechanical Code, 2021 Edition.

(a) A certain document, one (1) copy of which are in the office of the Department of Development Services and Public Works in the City of Pelham Alabama, being marked and designated as the International Mechanical Code 2021 edition, as published by the International Code Council, be it hereby adopted as the Mechanical Code of the City Of Pelham in the State of Alabama regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the Department of Development Services and Public Works are hereby referred to, adopted and made part hereof as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any prescribed in Section (b).

(b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Title. Insert [City of Pelham].

103.1 insert [Department of Development Services and Public Works].

109.2 Fee Schedule. See Chapter IV Section 4.2 Building Permit Fees.

115.4 Violation Penalties. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

113.4 Stop Work Orders. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

(8) International Property Maintenance Code 2021 Editions.

(a) A certain document, one (1) copy of which is on file in the office of the Department of Development Services and Public Works of the City of Pelham being marked and designated as the International Property Maintenance Code 2021 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Pelham, in the State of Alabama, regulating and governing the Maintenance Properties within the City of Pelham as herein provided; providing for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Department of Development Services and Public Works are hereby referred to, adopted, and made part hereof as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in section (b).

(b) The following sections are added or hereby revised in its entirety to read as follows

101.1 Insert [City of Pelham].

103.1 Insert [Department of Development Services and Public Works].

104.1 Fee Schedule. See Chapter IV Section 4.2 Building Permit Fees.

109.4 Violation Penalties. see City Ordinance Chapter 4 Sec. 4-8. –
Violation.

110.4 Stop Work Orders. see City Ordinance Chapter 4 Sec. 4-8. –

Violation.

Add following to the end of Paragraph in section 302.1.

"It shall be unlawful for any person to permit any old, broken lumber, rusted or unused equipment, old pipe, or other used, discarded and worn, unsightly articles or materials to remain in any yard or open area owned, occupied or in the possession of such person for a period of more than five (5) days. Further, it shall be unlawful for the owner or occupant of a building, structure or property to utilize the premises of such property for the open storage of any abandoned motor vehicle, icebox, refrigerator, stove, glass, building material rubbish or other similar items. It shall be the duty and responsibility of every such owner and/or occupant to keep the premises of such property clean and to remove from the premises upon notice from the code official all such abandoned items listed above, including but not limited to, weeds, dead trees, trash, garbage, etc."

Section 302.1 shall be further amended to add the following new section 302.1.1:

302.1.1 Attractive nuisances. No person shall permit any physical condition or use of property or its appurtenances which constitutes an attractive danger to children, including but not limited to, open wells, swimming pools, shafts, basements, excavations or pits, unsafe fences or structures, or discarded refrigerators or freezers with doors attached.

Section 302.4 insert Section 8-23 of the Municipal Zoning code.

Section 304.8 Delete in its entirety without replacement.

Section 304.9 Delete in its entirety without replacement.

Section 304.13 Delete in its entirety without replacement.

Section 304.14 Delete in its entirety without replacement.

Section 304.15 Delete in its entirety without replacement.

Section 304.16 Delete in its entirety without replacement.

Section 304.17 Delete in its entirety without replacement.

Section 304.18 Delete in its entirety without replacement.

Section 304.18.1 Delete in its entirety without replacement.

Sections 304.18.2 Delete in its entirety without replacement.

Sections 304.18.3 Delete in its entirety without replacement.

Section 305.3 Delete in its entirety without replacement.

Section 305.4 Delete in its entirety without replacement.

Section 305.5 Delete in its entirety without replacement.

Section 305.6 Delete in its entirety without replacement.

Section 307.1 Delete in its entirety without replacement.

Delete section 402 in its entirety.

(9) International Pool and Spa Code, 2021 Edition

(a) A certain document, one (1) copy of which is on file in the office of the Department of Development Services and Public Works of the City of Pelham being marked and designated as the International Pool and Spa Code 2021 edition, as published by the International Code Council, be and is hereby adopted as the Pool and Spa Code of the City of Pelham, in the State of Alabama, regulating and governing the Maintenance Properties within the City of Pelham as herein provided; providing for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Department of Development Services and Public Works are hereby referred to, adopted, and made part hereof as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in section (b).

(b) The following sections are added or hereby revised in its entirety to read as follows:

101.1 Insert [City of Pelham].

103.1 Insert [Department of Development Services and Public Works].

105.6.2 Insert See Fee Schedule Municipal Code Section 4.2 Fee Schedule.

107.4 Violation Penalties. See City Ordinance Chapter 4 Sec. 4-8. –

Violation.

107.5 Stop Work Orders. See City Ordinance Chapter 4 Sec. 4-8.– Violation.

(10) International Fire Code, 2021 edition

(a) A certain document, one (1) copy of which is on file in the office of the Department of Development Services and Public Works of the City of Pelham being marked and designated as the International Fire Code 2021 edition, including appendix chapters A, B, C, D, E, F, G, H, I, J, K, L, M and N. as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Pelham, in the State of Alabama, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of Fire systems as herein provided; providing for issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Department of Development Services and Public Works are hereby referred to, adopted, and made part hereof as if fully set out in this legislation, with the Amendments, additions, insertions, deletions and changes, if any, prescribed in section (b). (With the following amendments and exceptions)

(b) The following sections are added or hereby revised in its entirety to read as follows

101.1 Insert [City of Pelham].

103.1 Insert [Department of Development Services and Public Works].

112.4 Violation Penalties. see City Ordinance Sec. 4-8. – Violation.

113.4 Stop Work Orders. see City Ordinance Chapter 4 Sec. 4-8. – Violation.

The following Chapters shall be deleted in their entirety: 12, 20, 25, 27, 36, 38.

Requirements for Residential Sprinkler systems shall be determined by the Fire Chief and Fire Marshal based on water pressure and accessibility of firefighting equipment.

Amendment 1: Chapter 80, Referenced Standards, paragraph one, shall read as follows:

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section or sections of this document that references the standard. The application of the referenced standards shall be as specified in Section 102.7.

Amendment 2: Chapter 1, Section 102, 102.7, Referenced codes and standards, shall read as follows:

The codes and standards referenced in this code shall be those that are listed in Chapter 80 and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

(A) *102.7.1 Conflicts.* Where conflicts occur between provisions of this code and referenced codes and standards, the provision of this code shall apply.

(B) *102.7.2 Provisions in referenced codes and standards.* Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

Amendment 4: The following exception shall be omitted:

Section 5601.1.3 Fireworks, exception number 4

Amendment 5: The following sections shall read as follows:

Section 101.1. Insert: City of Pelham

- (b) In the event that any two or more of the adopted codes contain conflicting requirements, the more protective requirement shall prevail.
- (c) Nothing contained herein shall prevent the city from adopting additional regulations as required for the public welfare.
- (d) Within said codes when reference is made to the duties of certain officials named therein that designated official in the city who has duties corresponding to those of the named officials in said code shall be deemed the responsible official insofar as enforcing the provisions of said code concerned.

Cross reference(s) Adoption of fire prevention code and life safety code, § 7-1; most restrictive provision applies, § 1-12.

State law reference(s)—Adoption of technical codes, Code of Ala. 1975, § 11-45-8(c).

Sec. 4.2 – Building Permit Fee Schedule

(a) Building permit fees.

The building permit fee schedule for the city is as follows:

Total Valuation	Fees
\$2,000 or Less	\$50.00
\$2,001 to \$10,000	\$75.00 for the First \$1,000 plus \$6.00 for each additional thousand or fraction thereof
\$10,001 to \$50,000	\$123.00 for the First \$10,000 plus \$7.00 for each additional thousand or fraction thereof
\$50,001 to \$100,000	\$403.00 for the First \$50,000 plus \$6.00 for each additional thousand or fraction thereof
\$100,001 to \$150,000	\$703.00 for the First \$100,000 plus \$5.50 for each additional thousand or fraction thereof
\$150,001 to \$200,000	\$978.00 for the First \$150,000 plus \$5.50 for each additional thousand or fraction thereof
\$200,001 to \$500,000	\$1,253.00 for the First \$200,000 plus \$6.00 for each additional thousand or fraction thereof
\$500,001 and up	\$3,053.00 for the First \$500,000 plus \$5.50 for each additional thousand or fraction thereof
Permit Issuance Fee for <u>all</u> permits (Garage Sale Permits are omitted)	\$15.00
All Commercial Properties: State Craft Fee will be added to the permit Cost (ACT 2015-308)	\$1.00 for every \$1,000.00
New Business Inspection Fee	\$40.00
Commercial Property Owners Permanent Power Inspection Fee	\$40.00
Mobile Food Unit Inspection Fee	\$75.00
Garage Sale/Estate Sale	\$10.00
Trade Permits (If associated with the General Contractors or Home Builders Building Permit)	\$50.00
Moving (Any Building)	\$300.00
Demolition (Residential)	\$300.00 (Any Building)
Demolition (Commercial) Requires Asbestos Testing	\$500.00 (Any Building)
Re-Inspection Fee (First)	\$50.00
Re-Inspection Fee (Second)	\$75.00
Re-Inspection Fee (Third)	\$100.00

Failure to obtain a permit, the permit fee doubles	
Plan Review \$10,000 to \$50,000 (Residential)	\$50.00
Plan Review \$50,001 and Up (Residential)	\$100.00
Plan Re-Review for Each Set of Comments (Residential)	\$50.00
Plan Review \$10,000 to \$50,000 (Commercial)	\$100.00
Plan Review \$50,001 to \$200,000 (Commercial)	\$200.00
\$200,001 and Up (Commercial)	\$300.00
Plan Re-Review for Each Set of Comments (Commercial)	\$125.00
Flood Plain Plan Review	\$50.00
Right-of-Way/Utility Plan Review	\$50.00
Special Event Permit	\$50.00
Land Disturbance Permit (initial Acre)	\$250.00
Land Disturbance Permit (Each Additional Acre)	\$15.00
Banner Permit - 7 Days	\$5.00
Banner Permit - 14 Days	\$10.00

In the event of a disagreement related to the estimated cost of construction as proposed by the building contractor, the Building Official may require a copy of the construction contract or other documents to determine actual construction costs and to derive a building permit fee based on this information.

Section 4-2(b). Other Fees

Zoning Board of Adjustment	\$300.00
Zoning Board of Adjustment and Appeals	\$300.00
Conditional Use Permit	\$300.00
Planning & Zoning - Rezoning	\$300.00
Planning & Zoning - Rezoning (Per Acre)	\$10.00
Planning & Zoning Preliminary Plat	\$500.00
Planning & Zoning Preliminary Plat (Per Acre)	\$10.00
Planning & Zoning Final Plat (5 Lots or Less)	\$100.00
Planning & Zoning Final Plat per Lot (5 Lots or Less)	\$25.00
Planning & Zoning Final Plat (6 Lots or More)	\$250.00
Planning & Zoning Final Plat per Lot (6 Lots or More)	\$25.00
Final Plat Recording Fee	Shelby County fees will be charged at Final Plat Submittal

Sec. 4-3. - Submission of building plans for review.

(a) When deemed necessary by the building official or fire marshal, plans for the fabrication, erection, construction, enlargement, alteration or repair of buildings or other structures shall be forwarded to a registered engineer/architect for review and comments.

(b) When plans are required by the building official or fire marshal to be reviewed by a registered engineer/architect, a nonrefundable plan review fee shall be paid to the city by the applicant at the time application is made for a building permit. Said fee shall be in accordance with the Sec 4.2 Building Permit Fee.

(c) All Plans shall be in submitted in Digital PDF format. As-Built PDF shall be submitted at the time of a final inspection.

Sec. 4-8. - Violation.

(a) Any person, firm or corporation who violates any of the provisions of this article shall, on conviction, be fined \$500.00 and may also be sentenced to hard labor for the city, not exceeding 30 days, one or both.

(b) Any Person, Firm or Corporation who violates any provisions of a STOP WORK ORDER shall on conviction, be fined \$500.00 and may also be sentenced to hard labor for the city, not exceeding 30 days, one or both.

(c) The violation of this article, or any part thereof, on more than one day shall each constitute separate offenses

Section 2. All Ordinances or parts of Ordinances contrary to the provisions of this Ordinance are hereby specifically repealed.

Section 3. In the event that any two or more of the adopted codes contain conflicting requirements, the more protective requirement shall prevail.

Section 4. Nothing contained herein shall prevent the city from adopting additional regulations as required for the public welfare.

Section 5. Within said codes when reference is made to the duties of certain officials named therein that designated official in the city who has duties corresponding to those of the named officials in said code shall be deemed the responsible official insofar as enforcing the provisions of said code concerned.

Section 6. The provisions of this Ordinance are severable, and if any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the remainder of this Ordinance, which shall remain in full force and effect.

Section 7. This Ordinance shall become effective upon its passage and publication or posting as required by law on June 1, 2023.

THEREUPON _____, a councilmember moved and _____, a councilmember seconded the motion that Ordinance No. 067-12 be given vote. The roll call vote on said motion was recorded as follows:

Maurice Mercer President of the Council	_____
David Coram Council Member	_____
Rick Wash Council Member	_____
Mildred Lanier Council Member	_____

Ordinance No. 067-12 passed by a majority vote of all members of the Council present and the Council President declared the same passed.

ADOPTED this the 3rd day of April 2023.

Maurice Mercer, Council President

David Coram, Council Member

Rick Wash, Council Member

Mildred Lanier, Council Member

[SEAL]

ATTEST

APPROVED

Tom Seale, MMC, City Clerk/Treasurer

Gary W. Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing **ORDINANCE NO. 067-12** was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 3rd day of April 2023 and duly published by posting an exact copy thereof on the 4th day of April 2023 at four public places within the City of Pelham, including the Mayor’s Office at City Hall, City Park, Library, Pelham Water Works and www.pelhamalabama.gov. I further certify that said ordinance is on file in the office of the City Clerk/Treasurer and a copy of the full ordinance may be obtained from the office of the City Clerk/Treasurer during normal business hours.

Tom Seale, MMC, City Clerk/Treasurer

[SEAL]