

ORDINANCE 2214-19

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF ORDINANCE 2136-12 AND TO REPLACE THE FEE SCHEDULES PROVIDED IN SAID ORDINANCE 2136-12, WHICH ADOPTED VARIOUS CODES RELATING TO INSPECTION ACTIVITIES OF THE CITY OF SYLACAUGA AND PROVIDED FOR THE ENFORCEMENT OF BUILDING AND LIFE SAFETY PROVISIONS AS SET FORTH IN SAID CODES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SYLACAUGA, ALABAMA, that certain sections of City of Sylacauga Ordinance 2136-12, as adopted on June 6, 2012, are hereby amended, and that the fee schedules established in said ordinance are hereby replaced as follows:

SECTION 1. Ordinance 2136-12, Section 2, which reads:

SECTION 2. The following codes are hereby adopted by reference as though they were copied herein fully:

- a. 2012 International Building Code as published by the International Code Council including Appendix D and also Exhibit A as hereto attached.
- b. 2012 International Residential Code as published by the International Code Council and also Exhibit A as hereto attached.
- c. 2012 International Plumbing Code as published by the International Code Council including Appendix F and also Exhibit B as hereto attached.
- d. 2012 International Mechanical Code as published by the International Code Council and also Exhibit C as hereto attached.
- e. 2012 International Fuel Gas Code as published by the International Code Council including Appendices A, B, C, D and also Exhibit D as hereto attached.
- f. 2012 International Property Maintenance Code as published by the International Code Council including Appendix A and also Exhibit A as hereto attached.
- g. 2011 National Electrical Code as published by the National Fire Protection Association including Annexes A – I and also Exhibit E as hereto attached.
- h. 2012 International Fire Code as published by the International Code Council and also Exhibit G as hereto attached. However, any portion of the 2012 International Fire Code found to be in conflict with state law shall be void.
- i. 2012 NFPA 101: Life Safety Code as published by the National Fire Protection Association and also Exhibit G as hereto attached. However, any portion of the 2012 NFPA 101: Life Safety Code found to be in conflict with state law shall be void.

is hereby amended by replacing the referenced fee schedules, Exhibits A, B, C, D, E, and G, with the attached Exhibit AA, and is now to read:

SECTION 2. The following codes are hereby adopted by reference as though they were copied herein fully:

- a. 2012 International Building Code as published by the International Code Council including Appendix D and also Exhibit AA as hereto attached.
- b. 2012 International Residential Code as published by the International Code Council and also Exhibit AA as hereto attached.
- c. 2012 International Plumbing Code as published by the International Code Council including Appendix F and also Exhibit AA as hereto attached.
- d. 2012 International Mechanical Code as published by the International Code Council and also Exhibit AA as hereto attached.
- e. 2012 International Fuel Gas Code as published by the International Code Council including Appendices A, B, C, D and also Exhibit AA as hereto attached.
- f. 2012 International Property Maintenance Code as published by the International Code Council including Appendix A and also Exhibit AA as hereto attached.
- g. 2011 National Electrical Code as published by the National Fire Protection Association including Annexes A – I and also Exhibit AA as hereto attached.
- h. 2012 International Fire Code as published by the International Code Council and also Exhibit AA as hereto attached. However, any portion of the 2012 International Fire Code found to be in conflict with state law shall be void.
- i. 2012 NFPA 101: Life Safety Code as published by the National Fire Protection Association and also Exhibit AA as hereto attached. However, any portion of the 2012 NFPA 101: Life Safety Code to be found to be in conflict with state law shall be void.

SECTION 2. Ordinance 2136-12, Section 4. Fee Refunds, which reads:

SECTION 4. FEE REFUNDS. The Code Official or designee shall authorize the request for refund of fees as follows:

- a. An Application for Refund of Permit Fees shall be submitted by the originator of the permit within 180 days of the issue date.
- b. Application for Refund of Permit Fees shall be reviewed by Code Official and submitted to City Council for refund approval.
- c. Permit fees either erroneously paid or collected shall be considered for full refund.
- d. Utility permits issued in accordance with Exhibits B, C, D, and E shall be refunded at the rate of 100 percent, minus issuing fee, when no work has been done.
- e. Building permits issued in accordance with Exhibit A shall be refunded at the rate of 80 percent to accommodate a 20 percent administrative fee (maximum \$25).
- f. Plan review fees shall be refunded at the rate of not more than 50 percent of the fee paid when plans are withdrawn or cancelled before any plan review effort has been expended.

is hereby amended to read:

SECTION 4. FEE REFUNDS. The Application for Refund of Permit Fees Form attached hereto as Exhibit BB, shall be used for any request of refund of any fees paid under this ordinance. The Code Official or designee shall authorize the request for refund of fees as follows:

- a. An Application for Refund of Permit Fees shall be submitted by the originator of the permit within 180 days of the issue date.
- b. Application for Refund of Permit Fees shall be reviewed by Code Official and submitted to City Council for refund approval.
- c. Permit fees either erroneously paid or collected shall be considered for full refund.
- d. Permits issued in accordance with Exhibit AA may be refunded at the rate of 100 percent at Council discretion when no work has been done.

SECTION 3. Ordinance 2136-12, Section 7. Contractor Licensing, which reads:

SECTION 7. CONTRACTOR LICENSING. Installation, repair and/or alteration of plumbing/fuel gas systems, heating and air systems and electrical systems shall be installed by a contractor licensed by the State of Alabama and by the City of Sylacauga. Homebuilders whose contract is over \$10,000 shall be licensed by the State of Alabama and the City of Sylacauga. Commercial contractors and subcontractors whose contracts are \$50,000 or more shall be licensed by the State of Alabama General Contractors Board and the City of Sylacauga.

is hereby amended to read:

SECTION 7. CONTRACTOR LICENSING. Installation, repair and/or alteration of plumbing/fuel gas systems, heating and air systems, and electrical systems shall be installed by a contractor licensed by the State of Alabama and by the City of Sylacauga. Homebuilders whose contract is over \$10,000 shall be licensed by the Alabama Homebuilders Licensure Board and the City of Sylacauga. Commercial contractors and subcontractors whose contracts are \$50,000 or more shall be licensed by the State of Alabama General Contractors Board and the City of Sylacauga.

SECTION 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. The City Clerk-Treasurer of the City of Sylacauga is hereby ordered and directed to cause this ordinance to be published in accordance with applicable Alabama law.

SECTION 6. This ordinance and the rules, regulations, provisions, requirements, orders and matter established and adopted hereby, shall become effective 30 days after its adoption by the City Council.

SECTION 7. Exhibits.

EXHIBIT AA

PERMIT FEE SCHEDULE
BUILDING, ELECTRICAL, PLUMBING, FUEL GAS, MECHANICAL, SWIMMING
POOLS, SIGNS, AND FIRE ALARM, FIRE SUPPRESSION SYSTEMS

(A) PERMIT FEE SCHEDULE:

<u>Total Valuation</u>	<u>Fee Amount</u>
\$0.00 to \$5,000.00	\$40.00 flat fee
\$5,001.00 and over	\$40.00 plus 0.25% of total value
Change Orders calculated on added amount	0.25% of added amount

(B) REINSPECTIONS:

(1) First reinspection	\$30.00
(2) Second and additional re inspections	\$60.00
(3) Third reinspection of any existing violation will require the license holder to be onsite.	

(C) After hours inspections charged per hour (two hour minimum) \$50.00/hour

(D) Moving of Buildings or Structures \$40.00

(E) Demolition of Buildings or Structures \$ 5.00

EXHIBIT BB

City of Sylacauga
Code Enforcement Department
301 N Broadway Ave, P O Box 390
Sylacauga, AL 35150
(256) 401-2425

APPLICATION FOR REFUND OF PERMIT FEES
(ATTACH ORIGINAL RECEIPT OR COPY OF FRONT AND BACK OF CANCELLED CHECK)

DATE: _____

Applicant's name: (Please Print) _____

Phone No. (____) _____ Cell No. (____) _____

Address: _____

City: _____ State: _____ Zip Code: _____

Permit No. _____ Fee Paid \$ _____ Date Issued: _____

Type of Permit: _____

Job Location: _____

Explain reason for refund request: _____

Was any work performed: Yes _____ No _____ If yes, percentage of work performed: _____

Applicant's Signature: _____

Printed Name: _____

FOR OFFICE USE ONLY

Departmental Report (Please Print): _____

Code Personnel (Print) _____ Code Personnel Signature _____

Fee Paid \$ _____

TOTAL AMOUNT TO BE REFUNDED \$ _____

ADOPTED this 18th day of June, 2019.

**City of Sylacauga
A Municipal Corporation**



Lee Perryman, City Council President


TRANSMITTED TO MAYOR this 18th day of June, 2019.



Patricia G. Carden, City Clerk-Treasurer

ACTION BY MAYOR

APPROVED this 18th day of June, 2019.



James Heigl, Mayor

ATTEST:



Patricia G. Carden, City Clerk-Treasurer

CERTIFICATION

STATE OF ALABAMA)
TALLADEGA COUNTY)

I, Patricia G. Carden, the duly appointed, qualified and acting City Clerk-Treasurer of the City of Sylacauga, Alabama, do hereby certify that the above document is a true and correct copy of Ordinance No. 2214-19, as adopted by the City Council of the City of Sylacauga, Alabama, at its regular meeting held on the 18th day of June, 2019, the original of said document is on file and of record in my office in the Sylacauga Municipal Complex, in the City of Sylacauga, Alabama.

In witness whereof, I have hereunto set my hand and the official seal of the City of Sylacauga, Alabama on this the 18th day of June, 2019.



Patricia G. Carden, City Clerk-Treasurer
City of Sylacauga, Alabama

CERTIFICATION OF PUBLICATION

I, Patricia G. Carden, City Clerk-Treasurer of the City of Sylacauga, hereby certify that the attached Ordinance was duly adopted by the City Council of the City of Sylacauga at a regular meeting held on the 18th day of June, 2019, and that same has been published in accordance with applicable Alabama law in the *Daily Home* newspaper on the 28 day June, 2019.



Patricia G. Carden, City Clerk-Treasurer
City of Sylacauga, Alabama