

## **ORDINANCE**

[To Amend Chapter 105, Buildings and Building Regulations, of the Code of Ordinances of the City of Prattville.]

**BE IT ORDAINED** by the City Council of the City of Prattville, Alabama that Chapter 105, Building and Building Regulations, of the Code of Ordinances of the City of Prattville, is hereby amended to read as follows:

### **Chapter 105 BUILDINGS AND BUILDING REGULATIONS**

#### **ARTICLE I. IN GENERAL**

##### **Sec. 105-1. Scope and intent.**

The provisions of this chapter shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any facilities connected or attached to such buildings or structures. This chapter shall establish minimum requirements to safeguard the public health, safety and general welfare through the adoption of the minimum construction standards.

##### **Sec. 105-2. Building Official.**

The provisions of this chapter shall be enforced by the City fire department, building division and codes and standards division. The Director of the building division, as appointed by the Mayor, shall be the Building Official. The Fire Marshal, as appointed by the Mayor, shall be the deputy Building Official. The Building Official may delegate the responsibilities to additional deputies and inspectors as may be needed to enforce the provisions of this chapter.

##### **Secs. 105-3—105-22. Reserved.**

#### **ARTICLE II. BUILDING CODE**

##### **Sec. 105-23. Adopted.**

In accordance with the authority granted by Code of Ala. 1975, § 11-45-8(c) and Code of Ala. 1975, § 41-9-166, the International Building Code, 2021 edition, International Residential Code, 2021 edition (With the Alabama Residential Building and Energy Code Amendments), the International Existing Building Code, 2021 edition and the 2015 International Commercial Energy Code, except such sections and portions thereof as are herein modified, is hereby adopted by reference as the building code of the City. The same is hereby adopted and incorporated as fully as if set out at length herein, and shall govern the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any facilities connected or attached to such buildings or structures. The Mayor shall annually review the building code and report any recommended adjustments to the City Council.

##### **Sec. 105-24. Amendments.**

(a) The International Building Code, 2021 edition, as adopted in this article is amended as follows: Section 101.1 Title. These regulations shall be known as the Building Code of the City of Prattville, hereinafter referred to as "this code."

Section 101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

Delete Section 105.2, Building.

Item 2. Fences not over 7 feet (1829mm) high.

Delete Section 109.3 Building permit valuations.

Section 113.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created the Prattville Building Code Board of Appeals. The board shall consist of three (3) members appointed by the City Council of the City of Prattville and shall hold office at the pleasure of the council. Board members shall be appointed for four years terms or until their replacements are duly appointed.

Board members may be reappointed at the conclusion of their term. The Building Official shall provide staff support and supplies for the Board.

Add Appendices C, I, K and O.

Delete Appendices A, D, E, F, H, J, L, M and N.

Delete Chapter 11 Accessibility

(b) The International Residential Code, 2021 edition, is amended as follows:

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

Delete Section R108.

Delete Section R309.5

Delete Section R313.2

Delete Section R320

Delete Chapter 11 Energy Efficiency

Add Appendix AJ Existing Building and Structures

Add Appendix AM R-3 Occupancy

Add Appendix AQ Tiny Houses

Add Appendix AR Light Straw-Clay Construction

Add Appendix AS Strawbale Construction

Add Appendix AT Solar-Ready Provisions

Add Appendix AU COB (Monolithic Adobe)

Add Appendix AW 3D-Printed Building Construction

Delete Appendices AA-AI, AK, AL, AN-AP and AV

(c) The International Existing Building Code, 2021 edition, is hereby amended as follows:

Section 101.1 Title. These regulations shall be known as the Existing Building Code of the City of Prattville, hereinafter referred to as "this code."

Delete Section 108.

**Sec. 105-25. Removal or repair of unsafe structures**

The provisions of Code of Ala. 1975, § 11-53B-1 et seq., are adopted and shall govern the repair and removal of dilapidated and dangerous structures.

**Sec. 105-26. Schedule of permit fees.**

(a) *Permits—Generally.* On all buildings, structures, electrical, plumbing and mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing the application for permit in accordance with following schedule:

(1) *Building permits.*

Total Valuation	Fee*
\$100.00 and less	No fee unless inspection required, in which case a \$25.00 fee for each inspection will be charged.
\$101.00 to \$2,000.00	A \$5.00 permit fee plus \$25.00 for each inspection required.
\$2,001.00 to \$15,000.00	\$10.00 permit fee for the first \$2,000.00 plus \$1.50 for each additional thousand or fraction thereof, to and including \$15,000.00 plus \$25.00 inspection fee.
\$15,001.00 to \$50,000.00	\$49.00 for the first \$15,000.00 plus \$1.25 for each additional thousand or fraction thereof to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$93.00 for the first \$50,000.00 plus \$1.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$143.00 for the first \$100,000.00 plus \$0.75 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,001.00 and up	\$443.00 for the first \$500,000.00 plus \$0.50 for each additional thousand or fraction thereof.

\*One-quarter of one percent (.25%) shall be added to the final permit fee.

(2) *Valuation.* All fees for building permits shall be calculated on the basis of the true value of the building, structure, addition or alteration.

a. *Single-family residential structures.* For new one- and two-family residential structures, valuations shall be based on the square footage of the structure and calculated using the most recent building valuation data table published by the International Code Council, Inc. (ICC) in effect on January 1 of each year. The value per square footage shall be based on type of construction as classified by the ICC table.

- b. Valuation for all structures other than single-family residential shall be based on the actual value or contract price rounded up to next thousand dollars. Permit valuations shall include total value of the contract, including material and labor.
- c. The Building Official may request all appraisal or contract information necessary to determine the true value of the building, structure, addition or alteration. 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 permit valuation shall be set by the Building Official.
- d. Projects with multiple general contractors shall designate one contractor or construction manager for obtaining and paying for a building permit.

(3) *Electrical, plumbing and mechanical permit fees.*

a. *Electrical fees.*

Permit Type	Fee
For issuing all permits	\$10.00
New and Existing Commercial Meter Loops	
Up to 100 amps	\$6.00
200 amps	\$8.00
400 amps	\$10.00
600 amps	\$15.00
800 amps	\$20.00
1200 amps	\$25.00
1600 amps	\$30.00
2000 amps	\$45.00
New and Existing Residential Meter Loops	
Up to 100 amps	\$10.00
200 amps	\$15.00
400 amps	\$20.00
Over 400 amps	\$25.00
Each additional meter loop	\$5.00
Appliances	
Ranges, including cook tops and ovens	\$2.50
Clothes dryers	\$2.50
Water heaters	\$2.50
Garbage disposals	\$2.50
Similar appliances not listed	\$2.50
Motors	
Motors up to six hp	\$2.50
Motors over six hp, each hp	\$0.35
Electric heat up to 15 kw	\$2.50
Electric heat over 15 kw, each kw	\$0.25
Electric-controlled floor furnace, unit heaters, ventilating and types of connected fans, including control and outlets	\$2.00
Other	
Swimming pools	\$15.00
Temporary poles	\$5.00
Mobile home hookup	\$5.00
Reconnection of service	\$5.00
Signs and outdoor wiring single circuit	\$5.00
Each additional circuit	\$2.50
Transformers	
All types, first 15 kva	\$2.50
Each additional kva	\$0.20
Shop inspections	
Neon, per transformer	\$0.60
Plastic, per lamp	\$0.30
Incandescent, first circuit	\$2.00
Each additional circuit	\$1.50
Commercial and residential, concealed work to outlets	
One to ten outlets	\$2.50
11 and above, per outlet	\$0.30
Ranges, including cook tops and ovens	\$2.50
Water heaters	\$2.50
Clothes dryers	\$2.50
Inspection fees on concealed work do not include fixtures for which there is a separate fee	

b. *Plumbing fees.*

For issuing each permit	\$10.00
In addition	
For each plumbing fixture, floor drain or trap or set of fixtures on one trap, including fixture water supply and drainage piping	\$2.00
For each house sewer	\$2.00
For each house having to be replaced or repaired	\$3.00
For each electric water heater	\$2.00
Dishwasher	\$2.00
Garbage grinder	\$2.00
Washing machine	\$2.00
Rain leader and roof drain piping	\$2.00
Ejectors, pumps or sumps	\$2.00
For repairs or alteration of draining or vent piping	\$2.00
For vacuum breakers or backflow protection devices	\$2.00
Each fixture not above provided	\$2.00
In excess of four inspections	\$5.00

c. *Fuel gas fees.*

For issuing permit	\$10.00
Piping inspection at one location rough and final	\$5.00
For five fixtures or less	\$5.00
Per fixture over five	\$2.00
Conversion burners, floor furnaces, incinerators, boilers, or central heating or air conditioning units	\$5.00
Vented wall furnaces	\$2.50
Water heaters	\$2.50
For additional unit	\$2.00

d. *Mechanical fees.*

Issuance Fee	Residential	Commercial
Permit fee	\$10.00	\$12.00
A/C With or Without Heating		
Up to and including three tons	\$9.00	\$10.00
Over three tons and including five tons	\$12.00	\$15.00
Over five tons and including ten tons	\$15.00	\$18.00
Over ten tons, each ton over	\$2.00 each	\$2.50
Refrigeration		
Up to and including three hp	\$9.00	\$10.00
Over three hp and including ten hp	\$12.00	\$15.00
Over ten hp and including 20 hp	\$15.00	\$18.00
Over 20 hp, each hp over	\$2.00	\$2.50
Chillers, each ton	\$2.00	\$0.50
Each cooling coil	\$3.00	\$1.00
Boilers	\$15.00	\$20.00
Each heating coil	\$3.00	\$1.00
Thru Wall Unit		
Heating or cooling, each unit	\$5.00	\$7.00
Cooling tower (water)	\$8.00	\$10.00
Heating Only		
Gas or electric, each unit	\$2.00	\$5.00
Reinspection fee	\$2.00	\$10.00
Ventilation hood, each hood	\$2.00	\$10.00
Incinerators	\$2.00	\$3.00
Vent fans, each fan	\$2.00	\$5.00
Dryers	\$2.00	\$5.00

(4) *Miscellaneous permits and fees.*

- a. *Work prior to permit.* Where work for which a permit is required by this chapter commences prior to obtaining said permit, the permit fee herein specified shall be doubled.
- b. *Moving fee.* For the relocation of any building or structure, the fee shall be \$100.00 per section.
- c. *Demolition fee.* For the demolition of any building or structure, the fee shall be \$25.00 per story. In addition, the application for a demolition shall be accompanied by a \$1,000.00 surety, which shall be refunded by the Building Official when all

demolition debris has been properly removed from the site. Said bond or cash deposit shall indemnify the City against damage to the public streets and sidewalks, and against unwarranted litter and debris allowed to remain on the premises, which constitutes a public nuisance. Interior demolition shall be based on the contract value provided by the permittee.

- d. *Mobile or manufactured home.* For the placement of any manufactured home covered by the National Manufactured Housing Construction and Safety Standards Act of 1974 (commonly known as the HUD Code), a fee of \$100.00 shall be paid prior to placement of the structure. The permit fee shall cover the inspection of correct installation, flood hazard determination, electrical connection and plumbing connection.

- e. *Plan review fee.* A plan review fee shall be paid for the review of all multi-family, commercial and industrial projects that require architectural plans. Said fee shall be paid at the time said plans are submitted to the City planning and development department.

Plan review fee shall be calculated as \$2.50 per \$1,000.00 of building valuation, with a minimum fee of \$250.00 and a maximum of \$10,000.00.

When determined by the Building Official or the Fire Marshal that it is necessary for plan review to be performed by an outside party (e.g., International Code Council), the full fee shall be paid by the owner or contractor to the outside party.

- f. *Re-inspection fee.* A fee of \$100.00 shall be paid for each re-inspection of a failed second inspection.

- g. Pursuant to Alabama Act 2015-308, the City shall assess a fee on all non-residential construction work permitted within the City in the amount of \$1.00 for every \$1,000.00 of said non-residential construction work permitted.

The fees shall be collected by the City and shall be electronically remitted monthly to the department of finance, division of construction management, by the 20th day of the month following the issuance of the applicable permits as required by Act 2015-308.

- (5) *Fee refunds.* The Building Official shall authorize the refunding of fees as follows:

- a. The full amount of any fee paid hereunder that was erroneously paid or collected.
- b. Not more than 80 percent of the permit fee paid when no work has been done under the permit issued in accordance with this chapter.
- c. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before the plan review has been completed.

- (b) The Building Official shall not authorize the refunding of any fee paid except upon written application filed with the City planning and development department by the original permittee.

#### **Sec. 105-27. Penalty for violation.**

Any person who violates a provision of this chapter or fails to comply with any requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this chapter, shall be guilty of a misdemeanor.

#### **Sec. 105-28. Business license prerequisite to building permit.**

No person shall be issued a building permit unless he holds a valid business license issued by the City. Nothing in this section requires a homeowner to obtain a business license in order to do work on his own property.

#### **Sec. 105-29. Building permit required for subcontractors.**

- (a) All builders and contractors shall upon request furnish the Building Official or the license inspector a full and complete list showing the names, addresses and license numbers of all subcontractors to whom any work has been let or sublet to be done and will not allow any work to be done by such subcontractor until the permit required by the code adopted by this article has been obtained by the subcontractor. If any changes to the subcontractors list are made after the issuance of a permit, the builder or contractor must notify the Building Official, in writing, of such changes.
- (b) If all subcontracts have not been closed or awarded at the time application is made for such permit by the builder or contractor or by the owner, they shall not allow any work to proceed by any subcontractor until such subcontractor has exhibited to such

- subcontractor's permit for the work to be done on the job, and unless such subcontractor is certified by the license division or by the Building Official as having paid for the permit.
- (c) In the event that no contract has been let by the owner, then the owner shall be subject to all of the provisions herein required of a builder or contractor.

**Secs. 105-30—105-46. Reserved.**

### ***ARTICLE III. ELECTRICAL CODE***

#### ***DIVISION 1. GENERALLY***

**Sec. 105-47. Definition.**

The term "electrical inspector," as used in this article, shall mean the primary inspector designated by the Building Official to make electrical inspections.

**Sec. 105-48. Records and reports of electrical inspection.**

Inspectors shall keep a full and complete daily record of all work done, permits issued, examinations made, and other official work performed as required by this article, and shall make a report thereof to the City Council at the first meeting of each year.

**Secs. 105-49—105-64. Reserved.**

**Secs. 105-74—105-89. Reserved.**

#### ***DIVISION 3. WORK PERMITS***

**Sec. 105-90. Application.**

Application for a permit under this division shall be made in writing to the Building Official by the person installing the work. Such application shall show the name of the property owner, the name of the electrician or electrical contractor who is to do the work, the exact location of the premises by number of block, lot and house, or other good and sufficient description, a clear description of the work to be done, and the number of lights, fixtures, circuits and equipment.

**Sec. 105-91. Filing of plans and specifications by applicant.**

The person making application for a permit under this division shall, when required by the electrical inspector, file with the inspector complete plans and specifications for the installation, showing sizes of all conductors and such other details as may be necessary to determine whether the installation as described will be in conformity with the requirements of this article.

**Sec. 105-92. Not to issue to person failing to correct defects.**

Any person who shall fail to correct any defect in such person's work, after having been duly notified by the electrical inspector, shall not receive any further permit under this division until such defect has been corrected.

**Sec. 105-93. Effect; compliance.**

A permit issued under this division shall be for such installation as is described in the application and no deviation shall be made from the installation so described, without the written approval of the electrical inspector.

**Secs. 105-94—105-116. Reserved.**

#### ***DIVISION 4. INSTALLATION REQUIREMENTS***

**Sec. 105-117. Electrical code adopted.**

There is hereby adopted by the City, for the purpose of establishing rules and regulations, including the practice, materials and fixtures used, for the installation, construction, maintenance, extension, removal, demolition, and erection of electrical wiring, construction, electrical signs, and installation of electrical fixtures, machinery, equipment and appurtenances, the 2020 edition of the National Electrical Code, NFPA 70. Such code shall be subject to all amendments, modifications and conflicting provisions contained in this code.

**Sec. 105-118. Regulating the placement, etc., of wires and appliances.**

The electrical inspector is hereby authorized, empowered and directed to regulate and determine the placing of electric wires or other appliances for electric light, heat or power in the city and to cause all such wires or appliances to be placed, constructed and guarded as not to cause fires or accidents, endangering life or property.

**Sec. 105-119. Inspection and approval of wiring installations.**

Upon the completion of any wiring installation of any building for light, heat or power, it shall be the duty of the person doing the same to notify the electrical inspector, and all wiring shall then be inspected and, if found properly installed and protected so as not to endanger life or property, the inspector shall notify the utility furnishing electric current and power in that section that it is ready to be used; thereby permitting connection to the system at the pleasure of the owner. There shall not be any approval issued on any installation not in accordance with this article, nor shall current be turned on to such installations until such approval is issued.

**Sec. 105-120. Discontinuing electric service to defective systems.**

In any case of failure to comply with this article, the electrical inspector shall have authority, after due notice, to cut off, or cause to be cut off, electric current or power in the locality involved, and it shall be unlawful for any person to connect or cause to be connected any system cut off for this purpose, until such corrections are made as are deemed necessary by the electrical inspector for the protection of life and property.

**Sec. 105-121. Electrical inspector's right of entry; removal of defects in wires or appliances.**

- (a) The electrical inspector shall have the right, in the discharge of official duties, to enter, during reasonable hours, any building, manhole, or subway, or to climb any pole, for the purpose of examining and testing the electrical appliances therein or thereon contained. For that purpose, such inspector shall be given prompt access to all buildings, public and private, and to all manholes, subways or poles.
- (b) Whenever an electric wire or appliance shall be defective through improper or insufficient insulation, or for any other reason, the electrical inspector shall at once cause the removal of such defects at the expense of the owner of such wires or appliances.

**Sec. 105-122. Review when installation condemned.**

When the electrical inspector condemns all or part of any electrical installation, the owner may, within five days after receiving written notice, file a petition in writing for review of such action of the electrical inspector with the electrical examining board, upon receipt of which the board shall determine whether the electrical installation complies with the law, and render its decision accordingly.

**Secs. 105-123—105-142. Reserved.**

***ARTICLE IV. GAS CODE***

**Sec. 105-143. Adopted.**

The International Fuel Gas Code, 2021 edition, as revised, published by the International Code Council, Inc., pursuant to Code of Ala. 1975, § 11-45-8, which provides rules and regulations for gas standards, is hereby adopted as the gas code of the City.

**Secs. 105-144—105-171. Reserved.**

***ARTICLE V. MECHANICAL CODE***

**Sec. 105-172. Adopted.**

The International Mechanical Code, 2021 edition, as revised, published by the International Code Council, Inc., pursuant to Code of Ala. 1975, § 11-45-8, which provides rules and regulations for mechanical standards, is hereby adopted as the mechanical code of the City.

**Secs. 105-173—105-199. Reserved.**

***ARTICLE VI. PLUMBING CODE***

**Sec. 105-200. Plumber certification required; filing application for examination.**

All plumbers doing plumbing work in the City shall be certified as provided by Code of Ala. 1975, § 34-37-1 et seq.

**Sec. 105-201. Adopted.**

The International Plumbing Code, 2021 edition as revised, published by the International Code Council, Inc., pursuant to Code of Ala. 1975, § 11-45-8, as amended, which provides rules and regulations for plumbing standards, is hereby adopted as the plumbing code of the City.

**ALL** other provisions of these Chapters of the Code of Ordinances not herein amended shall remain in full force and effect. This ordinance shall become effective upon its passage and publication as required by law.

**ADOPTED THIS 3<sup>RD</sup> DAY OF MAY, 2022.**

By: Gerald “Jerry” Starnes, President  
Prattville City Council

**AUTHENTICATED THIS 3<sup>RD</sup> DAY OF MAY, 2022.**

By: Paula G. Barlow  
City Clerk

**APPROVED:**

By: Bill Gillespie, Jr.  
Mayor