

ORDINANCE NUMBER 3066

AN ORDINANCE AMENDING ORDINANCE NUMBER 2668 AND SECTION 5-101 OF THE VESTAVIA HILLS CODE OF ORDINANCES ADOPTING THE 2021 INTERNATIONAL RESIDENTIAL CODE FOR THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT ORDINANCE NUMBER 2668 AND SECTION 5-101 OF THE VESTAVIA HILLS CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

“Sec. 5-101. – International Residential Code adopted.

- (a) A certain document, a copy of which is on file in the office of the Department of Building Safety of the City of Vestavia Hills, 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, AP and AQ as published by the International Code Council, be and is hereby adopted as the *Residential Code of the City of Vestavia Hills*, in the State of Alabama, for regulating 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 (townhouses) 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 Building Safety 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 Vestavia Hills*, and shall be cited as such and will be referred to herein as "this code."

103.1 Creation of agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of the code.

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:

5. Sidewalks
6. Painting, papering, flooring, and carpeting
7. Prefabricated swimming pools that are less than 24 inches (610mm) deep
8. Swings and other playground equipment

R106.1.6 Construction Plans.

An electronic set of construction documents shall be submitted for review on a CD saved as a PDF file along with one set of paper construction documents.

R108.2.1 Fee Schedule. See ARTICLE III. FEES.

R113.5 Violation Penalties. See ARTICLE I ADMINISTRATION.

R114.3.1 Stop Work Orders. See ARTICLE I ADMINISTRATION.

R203 Sleeping Room. 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 feature 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 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	FLOOD HAZARDS ¹
	Speed	Topographic effects	Special wind region	Windborne debris zone		
5 PSF	115 MPH	No	No	No	B	Ord. 1688 9/3/2010
SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	AIR FREEZING INDEX	MEAN ANNUAL TEMP
Weathering	Frost line depth	Termite				
Moderate	12 IN	Very Heavy	21°F	No	96	62°F
MANUAL J DESIGN CRITERIA/Birmingham AP Outdoor Design Conditions						
Elevation	Altitude correction factor	Coincident wet bulb	Indoor winter design dry-bulb temp	Outdoor winter design dry-bulb temp	Heating temperature difference	
644	0.97	75°F	70°F	23°F	47°F	
Latitude	Daily range	Indoor summer design relative humidity	Indoor summer design dry-bulb temp	Outdoor summer design dry-bulb temp	Cooling temperature difference	
33	M	45%	75°F	92°F	17°F	

1. Ordinance 1688 was the first adopted enforcement ordinance for the management of flood hazard areas in the City of Vestavia Hills, as amended. The most recent update to the flood insurance study is for the Cahaba River Watershed dated 9/24/2021. City Ordinance 2916, as amended, Article 2 Section B, stipulates the adoption the most current FEMA Flood Insurance Study, "and any revisions".

R302.6.1 Alternate provisions. As an alternate to R302.6, the structure shall be protected by an approved NFPA 13d fire sprinkler system. Installation of said system shall be approved by the Fire Marshal. Sprinkler heads shall be installed in the following locations:

1. Two sprinkler heads in attached garages and basements in each automobile parking space
2. One sprinkler head over each water heater and furnace area if located in basement or garage
3. Two sprinkler heads in the kitchen
4. One sprinkler head in laundry rooms
5. Unsprinklered areas of the basement must be separated from the garage with 1/2" gypsum wallboard applied to the garage side and with opening protection as required by Section R302.5.1

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

R312.2.3 Window opening control devices limitations. Window opening control device 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.

R314.3.2 Heat Detector. Heat Detectors shall be installed in basements and garages where a vehicle can be parked. Heat Detectors shall be interconnected to the smoke detection system for the 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 R403.1.1.1. 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 wall are constructed at intervals not exceeding 50 feet (15 240mm)

Wood foundations in Seismic Design Category D^o, D¹, or D², shall be designed in accordance with accepted engineering practice.

R401.4.3 Foundation. Footings and foundations for new constructions and additions installed on a lot or parcel that has an average grade slope exceeding 1/3 shall be designed by a State of Alabama licensed engineer. A geotechnical engineer shall be required to evaluate the site and inspect the footings and foundations.

R403.1.1.1 Minimum Size Required on All Footings. The minimum size for concrete footings and reinforcement shall be:

- | | |
|-----------------------|--|
| Exterior Walls: | 10" thick by 24" width with 2 #4 rods continuous |
| Interior Piers: | 12" thick by 24" square width with 4 #4 rods |
| Interior Grade Beams: | 8" thick by 18" width with 2 #4 rods continuous |

N1101.1.1 The Alabama Energy and Residential Codes Board. The State of Alabama Energy and Residential Codes Board (AERC) current adoption and amendments to Chapter 11 shall be enforced.

M1411.3.1.3 Auxiliary Drain Pan in Crawlpace.

Units installed in a crawlspace area shall have an auxiliary (secondary) drain pan under the unit to catch overflow of the primary drain of the unit. Drain pan shall comply with section M1411.3.1.

P2603.5.1 Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 6 inches (152 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 6 inches (152 mm) below grade.

P2801.9 Water Heaters Installed in Attics. Attics containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater. An automatic shutoff valve and water sensor shall be installed to protect rooms below.

P3002.1.1 Pipe installed under slabs. Drain and waste pipe installed in the ground and under slabs shall be polyvinyl chloride (PVC) plastic pipe schedule 40 or better.

P3114.2 Installation of Air Admittance Valves. The air admittance valves shall be approved by the Building Official before installation. The valves shall not be used in new construction or additions where a vent thru the roof is available. If the valve is approved, it shall be installed in accordance with the requirements of this section and the manufacturer's installation instructions. Air admittance valves shall be installed after the DWV testing required by Section P2503.5.1 or P2503.5.2 has been performed."

SEVERABILITY:

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

EFFECTIVE DATE:

This Ordinance Number 3066 shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, APPROVED and ADOPTED this the 20th day of December, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3066 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the _____ day of _____, 2021, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the ____ day of _____, 2021.

Rebecca Leavings
City Clerk