

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING THE 2009 INTERNATIONAL BUILDING (ICC) CODES AND
SUPPLEMENTAL PROVISIONS TO UPGRADE THE VARIOUS CODES RELATING TO
THE INSPECTION ACTIVITIES OF THE CITY OF FOLEY AND ENFORCEMENT OF THE
BUILDING PROVISIONS AND FIRE SAFETY AS PROVIDED IN SAID CODES**

BE IT ORDAINED by the Mayor and Council of the City of Foley, Alabama at its meeting on the _____ day of _____, 2013 as follows:

SECTION 1 That the following codes or portions of codes be, and the same are hereby, approved and adopted by reference, except for the changes and exclusions listed (if any):

- (a) International Building Code, 2009 Edition, together with Appendix C (Group U – Agricultural Buildings) and Appendix I (Patio Covers); provided, however, the following sections and chapters are omitted and not adopted:

Section 101.4.1 - Gas (International Fuel Gas Code)

Section 101.4.6 - Energy (International Energy Conservation Code)

Section 105.1.1 - Annual permit

Section 105.1.2 - Annual permit records

Chapter 13 - Energy Efficiency

The International Building Code, adopted herein shall be amended as follows:

Section 105.5: Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced, unless such shorter duration or different expiration terms are imposed on the permit due to special circumstances, such as nuisance abatement projects. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 111.5 - Certificate of Completion. Upon satisfactory completion of a building, electrical, mechanical or plumbing permit, a certificate of completion may be issued. This certificate indicates a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy or connect a building, such as a shell building, prior to the issuance of a certificate of occupancy.

Section 903.2.7 – Group M. –An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m2).
2. A Group M *fire area* is located more than three stories above grade plane.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m2).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.

Chapter 31 – Special Construction

1. Section 3102 Membrane Structures and Section 3103 Temporary Structures. A permit for a temporary membrane structure on a single premise may be issued for a period not to exceed ~~seven (7)~~ **fourteen (14)** consecutive days for a maximum of ~~nine (9)~~ **twelve**

(12) times per calendar year and must be used on the same lot as the permanent structure. A minimum of two (2) weeks is required between permit issuance periods. The two (2) week period between permit requirement may be waived if the membrane structure is being used along with a permanently occupied business, meeting all ordinances and regulations, and it is for a special event not longer than eight (8) weeks. Any structure outside these parameters will be considered permanent and would be subject to all requirements for permanent structures.

2. Section 3103 Temporary Structures. A permit for a temporary structure, including mobile vendors, may be issued for a period not to exceed six (6) months during a single calendar year.

- (b) International Residential Code, 2009 Edition, together with Appendix G (Swimming pools, spas and hot tubs), Appendix H (Patio Covers); provided, however, the following sections and chapters are omitted and not adopted:
- Section R313 – Automatic Fire Sprinkler Systems
- Chapter 11 – Energy Efficiency :
- (a) N1101.7.1 Protection of exposed foundation insulation.
- (b) N1102.2.8 Slab-on-grade floors.
- (c) N1103.1.1 Programmable Thermostats.

The Residential Code adopted herein shall be amended as follows:

Section R104.10.1 – Areas Prone to Flooding. Delete “without the granting of a variance to such provisions by the board of appeals.”

Section R105.2 – Work Exempt from Permit – Building #7 “Prefabricated swimming pools that are 42 inches or less in depth.

Section 105.5: Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced, unless such shorter duration or different expiration terms are imposed on the permit due to special circumstances, such as nuisance abatement projects. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section R301.2(1) – Climatic and Geographic Design Criteria – shall be amended as follows:

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA											
GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMPERATURE	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMPERATURE
	Speed (mph)	Topographic effects		Weathering	Frost Line Depth	Termite					
0	140	NO	A	Negligible	4"	Very Heavy	30	NO	10/7/2008	32	66.7

Section N1102.1 Insulation and Fenestration Requirements by Component. Delete Table N1102.1 and substitute Table 402.1.1 Insulation and Fenestration Requirements by Component from the 2009 IECC.

Section N1103.2.1 Insulation. All ducts not in a conditioned space shall be insulated to a minimum of R-6. *Effective July 1, 2013* all supply ductwork in attics shall be insulated to a minimum of R-8.

Exception: Ducts or portions thereof located completely inside the building thermal envelope.

Section M1502.4.4.1 Specified Length. The maximum length of the exhaust ducts shall be thirty-five (35) feet from the connection to the terminus of the transition duct from the dryer to the outlet terminal. Where fittings are utilized, the maximum length of the exhaust duct shall be reduced in accordance with Table M1502.4.4.1.

Add new Section M1601.4.1.1 Duct Leakage. Duct leakage testing shall not be required prior to *July 1, 2013*. Leakage of ducts to unconditioned space shall be less than or equal to eight (8) cfm (226.5 L/min) per one hundred (100) ft² (9.29 m²) of conditioned floor area or a total leakage less than or equal to twelve (12) cfm (12 L/min) per one hundred (100) ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure.

Exception: Duct tightness test is not required if the air handler and all ducts are located within conditioned space.

Section P2603.6.1 – Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of eighteen (18) inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of six (6) inches below grade.

Section 3005.2.7.1 – Building Drain and Building Sewer Junction. Sewage line clean-outs shall be permanently protected from damage at ground level by a method approved by the building official.

- (c) International Plumbing Code, 2009 Edition provided, however, the following sections are amended to read as follows and/or added to said code:

Section 305.6.1 – Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of eighteen (18) inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of six (6) inches below grade.

Section 708.3.2.1 – Building Sewers. Sewage line clean-outs shall be permanently protected from damage at ground level by a method approved by the building official.

Section 904.1 - Roof Extension. All open vent pipes that extend through a roof shall be terminated at least six (6) inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

- (d) International Mechanical Code, 2009 Edition; provided, however, that the following section be added and supplemented to said Code:

Section 606.4.2 – Alarm activation from the installed protective signaling system shall cause shutdown of all HVAC units in the zone, floor or area. If the signaling system is unable to designate a specific zone, floor or area, global shutdown of all HVAC systems in the building shall occur upon fire alarm activation.

- (e) International Fire Code, 2009 Edition; **and Appendices A, B, C, D, F, H and I**; provided, however, the following sections are amended to read as follows and/or added to said code:

Section 102.7 – Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 47, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

Section 302.1 Definitions – Definitions.

PORTABLE/FIXED OUTDOOR FIREPLACE. A portable or fixed, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable or fixed outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

Section 307 – Open Burning. Recreational Fire and Portable/**Fixed** Outdoor Fireplaces shall be amended as follows:

Section 307.1.1.1. No person shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained without first obtaining a permit or other proper authorization. During the construction or demolition of any structure, no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or other proper authorization.

Exception: A permit is not required for fires in portable/fixed outdoor fireplaces or approved containers.

Section 307.1.1.2. Only untreated wood and plant growth shall be permitted to be burned. Under no circumstances shall any treated or painted lumber, heavy oils, items containing synthetic or natural rubber, asphaltic materials, plastics, or refuse be burned.

Section 307.1.1.3. Open fires permitted in this section shall not commence before 6:00 a.m. and no combustible material shall be added to the fire after 3:00 p.m. of each day permitted. The fire official may prohibit any or all open burning when local circumstances or atmospheric conditions make such fires hazardous.

Section 307.1.1.4. Open burning of materials generated by major land clearing practices is prohibited in the corporate City limits of Foley.

Exception: The disposal of plant growth generated by major land clearing practices may be conducted only in an incinerator approved by the fire code official.

Section 307.4 – Location. The location for open burning shall not be less than ~~50 feet~~ five hundred feet (500') from any structure, other than a structure located on the property on which the burning is conducted. Adequate provision shall be made to prevent the fire from spreading; and the location is not less than five hundred feet (500') from any public road, street or highway and is controlled so as not to create a hazard to health or traffic as a result of the smoke emitted.

Exceptions: Fires in approved containers that are not less than fifteen feet (15') from a structure.

Section 307.4.3 Portable/Fixed Outdoor Fireplaces. Portable and/or fixed outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Section 307.6. The requirements established in this section shall not prohibit the Fire Official from making exception to these requirements from time to time for purposes relating to the common good of the community.

Section 308.1.4 – Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 ft. (3048 mm) of combustible construction.

Propane cooking devices shall not be stored on combustible balconies.

Exceptions: 1. One and two family dwellings.

Section 311.2.2 – Fire Protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times. Any impairment to or malfunction of the fire alarm, sprinkler or standpipe system shall be reported to the fire department.

Exceptions:

1. When the premises have been cleared of all combustible materials and debris and, in the opinion of the fire code official, the type of construction, fire separation distance and security of the premises do not create a fire hazard.
2. Where *approved* by the fire chief, buildings that will not be heated and where fire protection systems will be exposed to freezing temperatures, fire alarm and sprinkler systems are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply), provided the building has no contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized *persons*.

Section 503.2.2 - Authority. The fire code official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

Section 503.3 - Marking. Where required by the fire code official, approved signs or other approved notices or markings shall be provided for fire apparatus roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Fire lane striping shall consist of six-inch (6") wide red background stripe with four-inch (4") high white lettering stating "NO PARKING FIRE LANE" at intervals not to exceed 25 feet. Fire lane marking shall be on the vertical surface of the curb unless otherwise approved by the fire code official.

Section 901.2.1.1 – All sprinkler and fire alarm design drawings submitted to the fire department for review shall abide by the Alabama State Board of Licensure for Professional Engineers and Land Surveyors' fire protection position statement. NICET certification does not replace the requirement for professional licensure. The designing of fire protection systems is engineering and as such must be designed by or under the direct supervision of professional engineers qualified to design fire protection systems. Only fire protection designs that have been signed and sealed by a qualified Alabama licensed professional engineer shall be approved for construction.

Section 901.2.1.2 – Contractor Qualification Requirements. Copies shall be submitted to the Code Official for review.

Restaurant Fire Suppressions Systems:

- The qualifier must be either manufacturer certified, which restricts them to that manufacturer, and/or NAFED/ICC certified in that field which would allow them to be unrestricted and service or maintain any system (This will not cover installation; maintenance only).

Hood Cleaning:

- Current certificate of training on hood cleaning in compliance with NFPA 96.

Sprinkler Systems:

- Current sprinkler permit through the Alabama State Fire Marshal's Office and NICET certification.

Fire Alarm Systems:

- Current fire alarm permit through the Alabama State Fire Marshal's Office and NICET certification. Must be a minimum of NICET II to perform technician work, or work under the direct supervision of a NICET II.

Fire Extinguishers:

Current certificate of training on portable fire extinguishers in compliance with NFPA 10.

Section 903.2.7 – Group M. –An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group M *fire area* is located more than three stories above grade plane.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.

Section 903.2.8 – Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area except in one and two family dwellings in accordance with the State of Alabama Act 2010-185 mandate. However, if automatic sprinkler systems are voluntarily installed in one or two family dwelling they shall be installed as set forth in Section 903.3.

Section 903.3.7 – Fire Department Connections. The location of fire department connections shall be remote of the building, at the backflow preventer, whenever possible. The location shall be approved by the fire code official.

Section 903.3.7.1. All above ground piping exposed to the weather shall be insulated to protect from freezing.

Section 47- Referenced Standards. The following NFPA standard shall be added to the referenced standards in Chapter 47:

NFPA I: Uniform Fire Code, 2006 Edition

(f) International Property Maintenance, 2009 Edition.

(g) International Existing Building Code, 2009 Edition, together with Appendix A (Referenced standards); provided, however, the following sections are omitted and not adopted:

Section 105.1.1 – Annual permit

Section 105.1.2 – Annual permit records

Section (EC) 307.5 – Energy

Section 607 – Energy Conservation

Section 711 – Energy Conservation

Section 808 – Energy Conservation

(h) 2009 International Energy Conservation Code (IECC) shall be implemented and enforced for buildings three (3) stories and above including multi-family dwellings provided, however, the following sections and chapters are omitted and not adopted:

Section 402.2.8 Slab-on-grade Floors

Section 403.1.1 Programmable Thermostat

Section 403.9 Pools (Mandatory)

Section 403.9.1 Pool Heaters

Section 403.9.2 Time Switches

Section 403.9.3 Pool Covers

The following sections are amended to read as follows and/or added to said code:

Section 403.2.1 Insulation. All ducts not in a conditioned space shall be insulated to a minimum of R-6. *Effective July 1, 2013* all supply ductwork in attics shall be insulated to a minimum of R-8.

Section 403.2.2 Sealing (Mandatory). All ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601.4.1 of the International Residential Code.

(a) *Effective July 1, 2013*, duct tightness shall be verified by either of the following:

1. Post-construction test: Leakage to outdoors shall be less than or equal to 8 cfm per one hundred (100) ft² of conditioned floor area or total leakage less than or equal to 12 cfm per one hundred (100) ft² of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.
2. Rough-in test: Total leakage shall be less than or equal to 6 cfm per one hundred (100) ft² of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pa) across the roughed in system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm per one hundred (100) ft² of conditioned floor area.

Exceptions: Duct tightness test is not required if the air handler and all ducts are located within conditioned space.

- (i) NFPA 70, National Electric Code, 2011 Edition provided, however, the following sections are amended to read as follows and/or added to said code:

Article 362 – Electric nonmetallic tubing type ENT, shall only be allowed for low voltage AC circuits not exceeding twenty-five (25) volts and data-com.

- (j) NFPA 501A, Manufactured Home Installations, Sites, and Communities, 2005 Edition.

- (k) NFPA 1194, Recreational Vehicle Parks, 2008 Edition.

- (l) NFPA 1142, Water Supplies, Suburban and Rural Fire Fighting, 2007 Edition.

- (m) Accessible and Usable Building and Facilities, ICC/ANSI A117.1, 2009 Edition.

- ~~(n) NFPA 96: Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2008 Edition.~~

- (o) NFPA 72: National Fire Alarm and Signaling Code, 2007 Edition.

- (p) NFPA 17A: Standard for Wet Chemical Extinguishing Systems, 2002 Edition

- (q) NFPA 13R: Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and including Four Stories in Height, 2007 Edition.

- (r) NFPA 13D: Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured homes, 2007 Edition.

- (s) NFPA 13: Standard for the Installation of Sprinkler Systems, 2007 Edition.

- (t) NFPA 10: Standard for Portable Fire Extinguishers, 2007 Edition.

- ~~(u) NFPA 101: Life Safety Code, 2009 Edition.~~

(v) NFPA 14: Standard for Installation of Standpipes and Hose Systems, 2007 Edition.

SECTION 2 That the following laws are hereby ratified, passed or adopted:

1. Submittal documents required to be prepared by a design professional:

- (a) Any new habitable structure.
- (b) Any residential addition over one thousand (1,000) square feet in area or that creates more than a fifty (50%) percent improvement to the structure.
- (c) Any residential remodel that affects the exterior loads or is considered a fifty (50%) percent improvement to the structure.
- (d) Any commercial addition that is over one thousand (1,000) square feet in area, increases the original structure to over twenty-five hundred (2,500) square feet in area or affects the loads, energy values or life safety plan of the original structure.
- (e) Any commercial remodel to a structure that is over twenty-five hundred (2,500) square feet in area or changes the structural load, energy values or life safety plan of the original structure.
- (f) Any built-on-site accessory structure over one thousand (1,000) square feet in area.
- (g) Any pre-built accessory, modular or manufactured structure.
- (h) Any free-standing sign with a face over thirty-two (32) square feet in area or more than nine (9) feet in height at the highest point.
- (i) Any engineered product, such as a truss system.
- (j) Any geotechnical data.

The information required includes structural loads, energy values and/or commercial electrical, mechanical, plumbing or life safety plans.

*EXCEPTIONS: Non-habitable structures or signage will not have to provide energy values.

2. Permanent Attic Stairways: In addition to other types of attic stairways permitted under this code, permanent stairs leading to a non-habitable attic space may also be allowed, but only if they meet or exceed the following criteria and only if the Owner and Contractor sign an acceptable hold harmless and indemnity agreement in favor of the City of Foley and its agents:

- (a) Permanent attic stairs must have a minimum net clearance between the inside edge of the handrail or, if none, the fire rated interior finished wall on one side and the inside edge of the handrail or fire rated interior finished wall on the other side of at least twenty-four inches (24").
- (b) Treads and Risers: Permanent attic stairs shall have a riser height of no greater than nine inches (9") and shall have a tread depth of no less than five and one-half inches (5½"). All risers shall be "open" between the steps.
- (c) Illumination: Attic stairs must be illuminated, and shall have a light switch at the bottom of the stairs and a light at the top of the stairs.
- (d) Under Stair Protection: Attic staircases must be enclosed on both sides with fire rated interior finished wall for fire protection, and must have a lockable, metal door blocking the entrance to the bottom of the staircase which can be opened without a key from inside the stairwell.
- (e) Hand Rails: Permanent attic staircases must have at least one handrail running along the entire length of the staircase.
- (f) Any provisions contained in the 2009 International Residential Code which directly conflict with these provisions is hereby repealed or deleted, but only to the minimum extent required to make these changes effective.

3. Permit exceptions: Construction and construction-related activities which are being performed by or on behalf of the federal government, the State of Alabama, Baldwin County, or any departments, agencies, boards, divisions, or subdivisions of the same for their own use shall be exempt and excluded from the permits, permit fees, inspections, and inspection fees called for in this Article. The City of Foley shall be exempt and excluded from

the permit fees and inspection fees. Subject to the forgoing, all construction and construction-related activities must conform to all applicable federal, state, county and local laws relating to the same, and it is the responsibility of the federal government, the State of Alabama, Baldwin County, the City of Foley, or the department, agency, board, division, or subdivision on whose behalf the work is being performed to ensure compliance with all applicable laws and ordinances. This section shall not exclude construction or construction-related activities which are merely funded, in whole or in part, by federal, state, county or municipal monies but which will not be owned or occupied by that governmental entity after the completion of the construction or construction-related activities.

4. Permits and Fees.

Section 1. Permit Fees shall read as follows: “Each person, firm, corporation or other entity engaged in any construction or construction-related activity for which a City building permit is required shall, before the commencement of work, pay the appropriate building permit fee. For the purpose of determining the fee for the issuance of a building permit, the value of the requested work is determined by the City of Foley Inspection Department which may consider bona fide, signed contracts, the square footage of the project, or any other evidence of the cost or value of the work. The following fees shall be charged for the issuance of building permits based on the total value of work, including materials and labor.”

Section 2:

<u>Value</u>	<u>Fee</u>
Minimum	\$50.00
Up to \$1,000	\$50.00
\$1,001 to \$50,000	\$50.00 for the first \$1,000 + \$10.00 for each additional \$1,000 or fraction thereof
\$50,001 to \$100,000	\$540.00 for the first \$50,000 + \$8.00 for each additional \$1,000 or fraction thereof
\$100,001 to \$500,000	\$940.00 for the first \$100,000 + \$6.00 for each additional \$1,000 or fraction thereof
\$500,001 and up	\$3,340.00 for the first \$500,000 + \$4.00 for each additional \$1,000 or fraction thereof

Section 3: “When commercial and residential building plans are submitted for review under the International Building Code and the International Residential Code, a plan review fee shall be paid to the Building Department at the time of submitting the plans and specifications for review. The fee shall be equal to one-half the Building Permit Fee. “Exemption: Detached one- and two-family dwellings and accessory buildings.”

Section 4: Mechanical Fees will be based on the total value or cost of the work to be performed, as determined by the City of Foley Inspections Department, which may consider bona fide signed contracts or any other evidence of the cost or value of the work as follows:

<u>Value</u>	<u>Fee</u>
Minimum	\$25.00
Up to \$1,000	\$25.00
\$1,001 and up	\$25.00 for the first \$1,000 + \$5.00 for each additional \$1,000 or fraction thereof

Section 5. Electrical Fees will be based on the nature and extent of the work to be performed based on the following:

(A)Minimum Electric Fee	\$25.00
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(B) Wiring, outlet and fixture fees are based on wiring to an outlet or fixture, with wall switches to be included in the fixture category as follows:

1) Outlets

<u>Number of Outlets</u>	<u>Fee</u>
1 to 3	\$2.00
4 to 10	\$2.50
11 to 15	\$3.00
16 to 24	\$4.00
25 to 50	\$6.00
51 to 75	\$8.00
76 to 100	\$12.00
Over 100	\$12.00 + \$.50 for each outlet over 100

2) Fixtures

<u>Number of Fixtures</u>	<u>Fee</u>
1 to 5	\$3.00
6 to 15	\$5.00
16 to 30	\$7.00
31 to 40	\$9.00
41 to 50	\$11.00
51 to 60	\$13.00
61 to 70	\$15.00
71 to 80	\$17.00
81 to 90	\$19.00
91 to 100	\$20.00
Over 100	\$20.00 plus \$.50 for each fixture over 100

(C) Wiring and installation of U.L. Listed pre-wired equipment not otherwise shown on other schedules:

<u>Number of Circuits</u>	<u>Fee</u>
1 to 3	\$5.00
4 to 6	\$10.00
7 to 10	\$15.00
Over 10	\$15.00 + \$1.00 for each circuit over 10

(D) Main line service for light, heat, or power:

<u>Switch Amperes</u>	<u>Fee</u>
100 Amperes or less	\$6.00
200 Amperes	\$8.00
400 Amperes	\$10.00
600 Amperes	\$14.00
800 Amperes	\$18.00
1200 Amperes	\$22.00
2000 Amperes or more	\$30.00

Fees for switches shall include only mainline service entrance switches and switches for sub-feeder panels.

(E) Wiring for and installation of motors:

<u>Motor HP</u>	<u>Fee</u>
5 HP or less	\$5.00
6 HP to 10 HP	\$6.00
11 HP to 20 HP	\$8.00
21 HP to 30 HP	\$10.00
31 HP to 50 HP	\$14.00
51 HP to 100 HP	\$18.00

Above 100 HP \$18.00 + \$1.00 per HP above 100

(F) Wiring for and installation of generators and transformers:

<u>Ratings of Units</u>	<u>Fee</u>
10 KW or less	\$5.00
11 KW to 25 KW	\$8.00
26 KW to 50 KW	\$14.00
Above 50 KW	\$20.00

(G) Wiring for and installation of all exterior signs:

<u>Number of Signs</u>	<u>Fee</u>
Any number	\$25.00

(H) Wiring for and installation of heating and appliances, ranges, ovens, cooktops, water heaters, and other appliances not addressed elsewhere herein:

<u>Unit Wattage</u>	<u>Fee</u>
750 Watts or less	\$5.00
Above 750 Watts, up to 3750	\$8.00
Over 3750	\$10.00

(I) Other electrical fees:

Fees not otherwise provided for in Section 5, including but not limited to, new tenant meter change-out, construction power pole, temporary installation of any switch, fixture, appliance or other electrical device, mobile home, and temporary electrical power shall be \$25.00 each.

Section 6. Plumbing fees:

Plumbing fees will be based on the nature and extent of the work to be undertaken based on the following:

(A) Minimum plumbing fee	\$25.00
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(B) Unit/Fixture fees:

<u>Unit or Fixture</u>	<u>Fee</u>
Water Closets	\$4.00
Bathtubs	\$4.00
Lavatories	\$4.00
Sinks	\$4.00
Urinals	\$4.00
Drinking Fountains	\$4.00
Shower Baths	\$4.00
Bidet	\$4.00
Clothes Washer – Commercial	\$4.00
Clothes Washer – Residential	\$2.00
Floor Drains	\$2.00
Garbage Grinder – Commercial	\$5.00
Garbage Grinder – Residential	\$4.00
Gravity Storage Tank	\$3.00
Hot Water Storage Tank	\$3.00
Indirect Waste Receptors	\$3.00
Oil or Grease Separators	\$2.00
Ornamental Fountain or Pool	\$5.00
Relief Valves – Separate	\$2.00
Sewer Ejectors – Pump	\$7.00
Solids Separators	\$2.00
Sump Pump	\$5.00

Hot Water Heaters – Electric	\$4.00
Hot Water Heaters – Gas	\$4.00
Water Heaters – Alternate	\$11.00
Water Pumps	\$4.00
Water Treatment Devices	\$2.00
Building Sewer – Connection to Main	\$5.00
Slab	\$5.00
Sewer Repair	\$4.00
Septic Tank Connection	\$4.00
Building Drains to Sewer	\$2.00
Water – Meter to Building	\$2.00
Water Distribution – 1 st Outlet	\$2.00
Water Distribution – Each Additional	\$1.00
Hose Bibbs	\$2.00
Dishwasher	\$4.00
Kitchen Sinks & Disposal	\$4.00
Laundry Tray	\$4.00
Service Sink	\$4.00
Icemaker	\$2.00

Section 7: Miscellaneous Fees

All fees listed below will be payable at the time of permit issuance and shall be duly receipted prior to the commencement of work:

- (1) Moving a Building or Structure:
 The permit fee for moving any building is \$100.00.

- (2) Demolition of a Building or Structure:
 For the demolition of any building or structure, the permit fee shall be as follows:
 - 1) Where the building or structure is 100,000 cubic feet or less, the fee is \$50.00.
 - 2) Where the building or structure is greater than 100,000 cubic feet, the fee is \$50.00 + \$.50 per one thousand cubic feet or fraction thereof over 100,000 cubic feet.

- (3) Mobile/Manufactured Structure Use Fees:
 For the use of any mobile or manufacturing structure as an approved temporary commercial structure, as otherwise permitted by Ordinances of the City of Foley, Alabama, the use fee shall be as follows:
 - A. Where the mobile or manufactured structure is used as a temporary commercial use, the fee shall be \$225.00 for a 6-month period. ~~At the end of the 6-month period, the Building Official may approve another 6-month period at a cost of \$225.00 for each re-permitted extension.~~
 - B. Where the mobile or manufactured structure is used as a temporary construction field office, the fee shall be \$50.00 for a 6-month period. At the end of the 6-month period, the Building Official may approve another 6-month period at a cost of \$50.00 for each re-permitted extension.
 - C. Where the mobile or manufactured structure is used as a quarters for a watchman, the fee shall be \$225.00 for a 6-month period. At the end of the 6-month period, the Building Official may approve another 6-month period at a cost of \$225.00 for each re-permitted extension.

*Any requests for longer than the than the original 6-month period must be requested In writing.

- (4) Mobile/Manufactured Home Fee:

For the use of any mobile or manufactured home to be used as a residence as otherwise permitted by Ordinances of the City of Foley, Alabama, the use fee shall be \$50.00.

Section 8: Other Fees:

(1) Re-inspection Fees:

Any re-inspection of any item covered under the provisions of this ordinance, as necessitated by lack of approval on the item upon initial inspection shall require a separate fee of \$25.00.

(2) Weekend or After Hours Fees:

Fees for after hours or weekend inspections shall be paid prior to such request for an appointment granting the inspection, and shall be in addition to all other fees. Such after hour and weekend fees will be based on a fee of \$40.00 per hour or portion thereof, and in no case shall be less than two hours. Normal business hours of the Building Inspections Department of the City of Foley shall be posted within the office confines of the Department.

(3) Fees for Additional Work:

In the event that during the performance of the work allowed under the permit, additional installations or alterations are required, it shall be unlawful for the person who secured the original permit to fail to immediately remit to the Building Inspections Department an amount equal to the additional fees called for under this Ordinance.

(4) Double Fees:

When work for which a permit is required is commenced prior to the obtaining of a permit, the applicant shall be required to pay a permit fee equal to two times the amount the fee would otherwise be. The payment of the double fee shall not relieve any person from fully complying with all of the requirements of all applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein, including, but not limited to suspension or termination of the work.

(5) Unused Permits and Refunds:

The City Clerk of the City of Foley is authorized to refund fees paid for permits issued under this Ordinance at any time within 180 days after the issuance of said permits provided the Building Official certifies to the City of Foley Clerk, and a written request and explanation is received from the applicant, as follows:

- (A) That the permit for which the refund is requested has been cancelled and no work has begun. (Any refund made under this provision shall be subject to an administrative charge of \$25.00 which amount shall be deducted from the amount of refund applied for); or
- (B) That the work for which the permit refund is requested is not going to be completed. (Any refund made under this provision is subject to a prorated refund as determined by the Building Official and an administrative charge of \$25.00 which amounts shall be deducted from the amount of refund applied for.) Notwithstanding the above, no plan review fees will be refunded.

Section 9: Planning and Zoning Fees:

(1) Miscellaneous Fees as follows:

- a) ZONING PLAN REVIEW – The fee for zoning plan reviews shall be TWENTY FIVE DOLLARS (\$25.00) per residential plan and FIFTY DOLLARS (\$50.00) per commercial plan.

- b) There shall be a TWENTY FIVE DOLLAR (\$25.00) fee for a Flood Determination letter, a TWENTY FIVE DOLLAR (\$25.00) fee for a Zoning Verification letter.
- c) Land Disturbance activities as follows: "Application must be accompanied by a fee of Four Hundred Fifty Dollars (\$450.00) for up to five acres plus Seventy-Five Dollars (\$75.00) per five acre increments over and above the first five acres, which shall provide for inspection by the City inspector, and a plan and design review and study by the City's professional engineers."
- d) The City of Foley Subdivision Regulations, Article IV, Table I subdivision fees as follows:
 - Preliminary Plat fees are \$250.00 + \$30.00 per lot.
 - Final Plat fees are \$150.00 + \$20.00 per lot.
 - Minor Subdivision fees are \$250.00 + \$30.00 per lot
- e) Rezoning by petition of property owner: "A FIVE HUNDRED DOLLAR (\$500.00) fee for 20 acres or less shall be charged to defray the cost of processing application. For every acre over 20 an additional FIFTEEN DOLLARS (\$15.00) per acre fee shall be charged."
- f) The fee for initial zoning shall be TWO HUNDRED FIFTY DOLLARS (\$250.00) and shall be submitted with the petition for annexation and zoning request form attached to the petition.
- g) Board of Adjustment and Appeals Fees: All applications to the Board of Adjustment and Appeals for interpretations, special exceptions, or variances must be accompanied by a check payable to the City of Foley, Alabama, or cash in the amount of \$150.00 which includes the cost of advertising.

1. All adopted, valid Flood Damage Prevention Ordinances remain in full force and effect.

2. Electrical Power Connections:

- a) Temporary Power Defined – Electric power service, permanently connected to buildings and structures, but limited to use for a specified period of time, and for the express purpose of testing and inspecting electrically powered systems and equipment installations during new construction, or during renovations, alterations, or repairs to existing structures or buildings.
- b) Permanent Power Defined – Electric power service, permanently connected to a building or structure to provide a continuous electric current source to operate electrically powered systems and equipment.
- c) Permanent power and temporary power connections to buildings and structures within the corporate City limits of Foley shall be approved by the Inspection Department.
- d) Temporary electrical power service connections to buildings under construction shall be obtained in the name of the contractor and shall not exceed a time period limitation of thirty (30) calendar days from the date of the connection.
- e) Upon issuance of a permit for major renovations, alterations, or repairs to either the structural elements of a building, or to the electrical system, electric power service shall be converted to a temporary permanent status, and shall be limited to a time period of thirty (30) calendar days from the date of the issuance.
- f) Permanent electric power service connections to such buildings and structures as are outlined in b) above shall be approved only upon completion of all permitted work, and the issuance of the Certificate of Occupancy or Completion.

4. All non-residential electrical work requires a properly licensed electrician.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. Repeal. That this ordinance is intended to update and amend various prior ordinances. Any prior ordinances which are in conflict with this ordinance are hereby repealed and superseded by this ordinance, including, but not limited to, Sections 4-1, 4-2(c) and Section 8-2, Code of the City of Foley.

SECTION 5. That this ordinance shall be published as required by law.

~~SECTION 6. That this ordinance shall become effective 60 days following its adoption or passage.~~

~~SECTION 7. The City of Foley will accept plans stamped for either 2009 codes with amendments OR existing adopted codes (but not combined) prior to enforcement date.~~

SECTION 8. "The terms and provisions of this ordinance are severable. If any part or portion of this ordinance is declared invalid, void, or unconstitutional, that portion shall be deemed severed, and the remaining portions of the ordinance shall remain in full force and effect."

SECTION 9. All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

ADOPTED AND APPROVED THIS day of , 2013.