

**STATE OF ALABAMA  
COUNTY OF COVINGTON**

**ANDALUSIA, ALABAMA  
ANDALUSIA CITY HALL  
APRIL 4, 2017**

**REGULAR WORK SESSION MEETING**

**PRESENT:**

Earl V. Johnson, Mayor  
Will Sconiers, Councilmember  
Kenneth C. Mount, Councilmember  
Hazel Griffin, Councilmember  
Ralph Wells, Councilmember  
Terry Powell, Councilmember  
Mark Christensen, City Attorney

**ABSENT:**

The City Council of the City of Andalusia, Alabama, met in room 340 at city hall for a work session at 5:00 p.m. for the purpose of planning and finalizing the agenda.

**REGULAR COUNCIL MEETING**

**PRESENT:**

Earl V. Johnson, Mayor  
Will Sconiers, Councilmember  
Kenneth C. Mount, Councilmember  
Hazel Griffin, Councilmember  
Ralph Wells, Councilmember  
Terry Powell, Councilmember  
Mark Christensen, City Attorney

**ABSENT:**

Mayor Johnson called the meeting to order and welcomed all. Councilmember Mount led the prayer and Pledge of Allegiance to the flag.

**APPROVAL OF MINUTES:**

Mayor Johnson presented the minutes from the regular meeting on March 21, 2017. Councilmember Griffin moved to approve the minutes. Councilmember Sconiers seconded the motion which passed unanimously.

**COUNCIL DESIGNATED VOTING DELEGATES FOR THE ALABAMA LEAGUE OF MUNICIPALITIES ANNUAL MEETING:**

Mayor Johnson announced that the Alabama League of Municipalities annual meeting was scheduled for May, 2017, and voting delegates designated. Councilmember Wells moved to designate Mayor Johnson as voting delegate, Councilmember Powell first alternate voting delegate and Councilmember Sconiers second alternate voting delegate. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVED RESOLUTION NO. 2017 – 10, ECONOMIC DEVELOPMENT PROJECT:**

Mayor Johnson presented Resolution No. 2017-10, Economic Development Project to the council.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2017 – 10**

**A RESOLUTION GIVING THE INDUSTRIAL DEVELOPMENT BOARD AUTHORITY  
TO GRANT ABATEMENT OF TAXES**

**WHEREAS**, the City Council of the City of Andalusia (the “Granting Authority”), is as follows:

Section 1. The Granting Authority does hereby find, declare and ascertain as follows: that Shaw Industries Group, Inc., a Georgia corporation (the “Company”), is considering the expansion and modernization of its existing carpet fiber products manufacturing facility located in the County of Covington, Alabama (the “County”) located inside the jurisdiction of the City of Andalusia (the "City") at 200 Waits Drive, Andalusia, Alabama 36421 (the “Project”); that the Project would promote trade and commerce in the State of Alabama, and in the jurisdiction of the Granting Authority and surrounding areas; that it is desirable and appropriate for the Granting Authority to consent to the abatement of certain City sales and use, ad valorem and mortgage and recording taxes by the Industrial Development Board of the City of Andalusia (the “IDB”) with respect to the Project, pursuant to Chapter 9B of Title 40 of the Code of Alabama (1975), as amended (herein called the "Tax Abatement Act"), as well as certain City sales and use and ad valorem taxes by the IDB with respect to the Project, pursuant to Chapter 9G of Title 40 of the Code of Alabama (1975) as amended (herein called the “Reinvestments Abatement Act”), as provided in the "Form CO:CAA Application to Granting

Authority for Abatement of Taxes" presented to the meeting at which this resolution is adopted and the "Form CO:CAAG Application to Granting Authority for Abatement of Taxes" presented to the meeting at which this resolution is adopted (such applications are attached hereto as Exhibit A and made a part of this resolution as if fully and completely set forth herein); and therefore it is desirable and appropriate for the Granting Authority to consent to the granting of said tax abatements.

Section 2. Pursuant to the provisions of the Tax Abatement Act, and specifically Alabama Code § 40-9B-5, the Granting Authority hereby consents to the IDB granting to the Company, to the fullest extent allowed under the Tax Abatement Act, abatements of the following taxes imposed by the City associated with the Project: (i) Construction Related Transaction Taxes; (ii) Non-educational Ad Valorem Taxes for twenty (20) years, the maximum period allowed under the Tax Abatement Act, for each piece of property obtained by the Company for the Project; and (iii) Mortgage and Recording Taxes. The terms "Construction Related Transaction Taxes," "Non-educational Ad Valorem Taxes" and "Mortgage and Recording Taxes" shall have the same meanings herein as in the Tax Abatement Act.

Section 3. Pursuant to the provisions of the Reinvestments Abatement Act, and specifically Alabama Code § 40-9G-2, the Granting Authority hereby consents to the IDB granting to the Company, to the fullest extent allowed under the Reinvestments Abatement Act, abatements of the following taxes imposed by the City associated with the Project: (i) Construction Related Transaction Taxes; and (ii) Ad Valorem Taxes for twenty (20) years, the maximum period allowed under the Reinvestments Abatement Act, for each piece of property obtained by the Company for the Project. The term "Ad Valorem Taxes" shall have the same meaning herein as in the Reinvestments Abatement Act.

Section 4. General Authorization. The Mayor and the Clerk are hereby further authorized and directed to execute, deliver, seal, and attest such other ancillary documents and certificates as may be necessary to effect the transaction authorized by this resolution, and their signatures thereon shall be conclusive evidence of the due exercise of this authority.

Section 5. Severability Provisions. The various provisions of this resolution are hereby declared to be severable. In the event any provision hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this resolution.

Section 6. Contract. The terms of this resolution shall be deemed a contract with the Company, and may not be rescinded or amended by the Granting Authority without the express, written consent of the Company.

**NOW THEREFORE BE IT PROCLAIMED THAT THE CITY COUNCIL OF THE CITY OF ANDALUSIA, ALABAMA** approves this resolution giving the Industrial Development Board the authority to grant abatement of taxes.

**ADOPTED AND APPROVED** this 4<sup>th</sup> day of April, 2017.

**THE CITY OF ANDALUSIA, ALABAMA**

By: \_\_\_\_\_  
**Earl V. Johnson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**John M. Thompson, City Clerk – Treasurer**

Councilmember Wells made a motion to approve Resolution No. 2017 – 10. Councilmember Mount seconded the motion. Mayor Johnson called for a vote which produced the following results:

**YES:**  
Mayor Johnson  
Kenneth Mount  
Hazel Griffin  
Ralph Wells  
Terry Powell

**NO:**

**ABSTAINED:**  
Will Sconiers

**COUNCIL RE-APPOINTED A MEMBER TO THE TOURISM AND RELOCATION COMMITTEE:**

Mayor Johnson announced that there was an opening on the Tourism and Relocation Committee. Councilmember Griffin moved to reappoint Louise Anderson to the Tourism and Relocation Committee. Councilmember Powell seconded the motion which passed unanimously.

**COUNCIL APPROVED OUTSIDE AGENCY FUNDING FOR THE FIRST AND SECOND QUARTERS:**

Mayor Johnson presented Ordinance No. 2017 – 02, amending and updating the Building Code of the City of Andalusia to the council for a second reading.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA  
ORDINANCE NO. 2017-02**

**BE IT ORDAINED** by the City Council of the City of Andalusia, Alabama, that **Articles I through IV, Chapter 5 Buildings and Building Regulation**, of the Andalusia Code of Ordinances be amended to read as follows:

**CHAPTER 5  
BUILDINGS AND BUILDING REGULATIONS  
ARTICLE I. IN GENERAL**

**Sec.5-1. Building inspector office established --- Exempt.**

The office of building inspector is established. A building inspector shall be appointed by the Department Head and shall receive such remuneration for services hereunder.  
(Ord. No. 2005-08, 9-20-05)

**Cross reference---** Building inspector as license inspector, § 6-1.

**Sec.5-2. Same --- To receive applications, issue permits and certificates, make inspections and reports, issue notices, secure compliance.**

The building inspector shall receive applications required by this Code and the city zoning ordinance, issue permits and furnish the prescribed certificates; examine premises for which permits have been issued and make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely; enforce all laws relating to the construction, alteration, repair, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, except as maybe otherwise provided for; when the interests of the municipality so require, make investigation in connection with matters referred to in this chapter and the city zoning ordinance and render written reports on the same. For the purpose of enforcing the compliance with law, to remove illegal or unsafe conditions, to structure the necessary safeguard during construction, to require adequate exit facilities in existing buildings and structures, or to secure the proper use or location, the building inspector shall issue such notices or orders as may be necessary, and shall perform such other duties as required under the codes herein adopted.

(Ord. No. 2005-08, 9-20-05)

**Cross references**—Removal of litter from construction site, §§13-31(a), 14-122; disposal of Refuse, § 14-110.

**State law reference**— Authority to regulate, Code of AL 1975, § 11-43-59.

**Sec.5-3. Punishment for violation of chapter.**

Except as otherwise provided in this chapter, any person violating any provision of this chapter shall be punished as provided in section 1-8 of this Code of Ordinances. Any person

who shall violate any of the provisions of the codes herein adopted or fail in any way to comply with any of the building inspector's orders, given in pursuance of and under the authority of this chapter and the rules embraced herein, shall be deemed to be guilty of a violation of this chapter. (Ord. No. 2005-08, 9-20-05)

**Sec.5-4. City Limits/Fire limits.**

Begin at the Northwest Corner of the East 1/2 of Section 11, Township 4 North, Range 15 East thence East to the Southwest Corner of Section 5, Township 4 North, Range 16 East; thence North to Max Barton Road; thence North along the North line of the South 1/2 of the South 1/2 of Section 5, Township 4 North, Range 16 East; thence East to the East line of Section 5; thence 1/4 mile to the Northwest Corner of the Southwest 1/4 of Section 4, Township 4 North, Range 16 East; thence East 1/2 mile; thence North 1/4 mile; thence East 1/2 mile; thence South 1/4 mile; thence East 1 mile to the Northeast Corner of the Southeast 1/4 of Section 3, Township 4 North, Range 16 East; thence South to Antioch Road, County Highway #49; thence Southwest along said road 430 feet, more or less, to the South line of the Woodlands Subdivision (PB 5 Page 99); thence West 1,700 feet more or less, to the Southwest Corner of Lot #9; thence North 1/8 mile; thence West 1980 feet, more or less; thence South 1980 feet, more or less to the Southeast corner of the Southwest 1/4 of the Southwest 1/4 of Section 3, Township 4 North, Range 16 East; thence West to the Northwest corner of Section 10, Township 4 North, Range 16 East; thence South 1/2 mile; thence East 1/4 mile; thence North to a point 150 feet, more or less, South of Antioch Road; thence Northeast parallel to said road 500 feet, more or less; thence North 150, more or less, to the South side of Antioch Road; thence Northeast along said road 480 feet, more or less; thence South 430 feet, more or less; thence Northeast 425 feet, more or less; thence South to a point 798.83 feet, more or less, North to the Southwest Corner of the SE 1/4 of Section 10, Township 4 North, Range 16 East; thence East to a point 800 feet West of Page Road; thence South 150 feet; thence East 800 feet to Page Road; thence South to the Southeast Corner of Section 10, Township 4 North, Range 16 East; thence along the South line of Section 11, Township 4 North, Range 16 East to the East side of Shreve Road; thence along the North line of tax parcel 23-16-06-14-0-001-002.010 Southeasterly 500 feet, more or less; thence Southerly 200 feet, more or less; thence Southeasterly 1850 feet, more or less to the Northeast Corner of said parcel; thence Southwest to the North side of U.S. Hwy 84; thence West along said Highway 84 to Page Road; thence continue West along said Highway 660 feet, more or less; thence South to the South line of said Highway; thence South 639.56 feet, more or less; thence West 649.59 feet, more or less; thence South 1250 feet, more or less; thence West 1/4 mile; thence South 1 mile to the Southeast corner of the NW 1/4 of Section 22, Township 4 North, Range 16 East; thence West to Midway Drive; thence West 1/4 mile, more or less, to the East line of Mason Subdivision; thence South 1/2 mile to the Southeast Corner of the Southwest 1/4 of the Southwest 1/4 of Section 22, Township 4 North, Range 16 East; thence West West 1/4 mile; thence South 1/4 mile; thence East 154.9 feet, more or less; thence South 300 feet, more or less, to the North line of tax parcel 23-13-08-27-0-001-004.001; thence Southeasterly along the North line of said tax parcel (23-13-08-27-0-001-006.000, which is the North line of the Southwest 1/4 of Section 27, Township 4 North, Range 16 East; thence East to Midway Drive; thence Southwest along Midway Drive 580 feet, more or less; thence Southeast 625 feet, more or less; thence Southwest to Lindsey Bridge Road; thence Southeast along Lindsey Bridge Road to Easley Road; thence Southwest along Easley Road to the South line of Section 27, Township 4 North, Range 15 East; thence West to the Southwest Corner of Section 25, Township 4 North,

Range 15 East; thence North 1 1/2 miles to the Southeast Corner of Northeast 1/4 of Section 23, Township 4 North, Range 15 East; thence West 1/2 mile to the Southwest Corner of said quarter; thence North 2 1/2 miles to the point of beginning.

(Ord. No. 2005-08, 9-20-05)

**State law reference**---Authority to adopt, Code of AL 1975, § 11-43-59

**Sec.5-5. Building code --- Adopted.**

For the purpose of establishing uniform rules and regulations, the city hereby adopts the code known as the 2012 International Building Code including appendix A-K save and except such portions as are hereinafter deleted, modified or amended, of which not less than two (2) copies have been and now are filed in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction or alterations or repair of all buildings or structures contained therein within the city.

- (a) 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 official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code is concerned.

(Code 1968, § 5-5; Ord. No. 1991-9, § 1A, 5-21-91; Ord. No. 1993-4, § I, 5-25-93; Ord. No.2001-20, 10-2-01; Ord. No. 2005-08, 9-20-05)

**Cross reference**— Adoption of the fire prevention code, § 12-2.

**State law reference**— Authority to adopt, Code of AL 1975, § 11-45-8(c) (1).

**Sec.5-6. Same --- Amendments.**

The following sections are hereby amended or deleted from the building code:

- (1) In lieu of section [A] 103.1 the building inspector will act instead thereof, and section 103.1 thereof is deleted.
- (2) Section 113 is hereby deleted.
- (3) Section [A] 116.1 Conditions - is hereby amended to read as follows: “Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe in accordance with the provisions of Article 3 and 4, Acts of Alabama, 94-540, as adopted by the City of Andalusia in Ordinance No. 1994-7 [5-101 et.seq herein].
- (4) Section [F] 903.2.8.1 Group R-3 or R-4 congregate residences is hereby deleted.
- (5) Section [F] 903.2.8.2 Care facilities is hereby deleted.
- (6) Appendix A, B, D, H, I, and M are hereby deleted.

(Ord. No.2005-08, 9-20-05)

**Cross reference**— Unsafe structures, § 5-101 et seq.

**Sec.5-7. Residential Building Code --- Adopted.**

For the purpose of establishing uniform rules and regulations, the city hereby adopts the code known as the 2012 International Residential Code for One and Two Family Dwellings, including Appendix A-K, save and except such portions as are hereinafter deleted, modified or amended, of which not less than two (2) copies have been and now are filed in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction or alteration or repair of all buildings or structures contained therein within the city.

- (a) 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 official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code is concerned.

(Ord. No.2005-08, 9-20-05)

**Sec.5-8. Same --- Amendments.**

The following sections are hereby amended or deleted from the building code:

(1) In lieu of section R103.1 the Building Inspector will act instead thereof, and section 103.1 thereof is deleted.

(2) Section R112 is hereby deleted.

(3) Section R302.5.1 Opening protection - is hereby amended to read as follows: "Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honey-comb-core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

(4) Section R309.5 Fire sprinklers (Optional) Installation of fire sprinklers in shall be optional and not mandatory in private garages.

(5) Section R313.1 Townhouse automatic fire sprinkler systems - Automatic fire sprinkler systems (Optional). Installation of an automatic residential fire sprinkler system shall be optional and not mandatory in townhouses.

(6) Section R313.2 One- and two- family dwellings automatic fire systems - Automatic fire sprinkler systems (Optional). Installation of an automatic residential fire sprinkler system shall be optional and not mandatory in one- and two- family dwellings.

(7) Section R313.2.1 Design and installation is hereby amended to read as follows: "When installed, automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.

(8) Section R315.3 is hereby deleted.

(9) Section G2447.2 is hereby deleted.

(10) Section G2447.3 is hereby deleted.

(11) Appendix F, I, L, and O are hereby deleted.

(Ord. No.2005-08, 9-20-05)

**Sec.5-9. Fee for Building Permits.**

The following fees shall be charged to help defray the expense of the operation and enforcement of this chapter, and shall be paid into the city treasury:

<b>(1) Fee schedule:</b>	<b>Fee</b>
\$1,000 and less	No fee, unless inspection required. In which case a \$15.00 fee for each inspection shall be charged. With a \$2.50 issue fee.
\$1,000 to 50,000	\$15.00 for the first \$1,000 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.
\$50,000 to \$100,000	\$260 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.
\$100,000 to \$500,000	\$460 for the first \$100,000 plus \$3.00 for each additional thousand or fraction thereof.
\$500,000 and up	\$1,660 for the first \$500,000 plus \$2.00 for each additional thousand or fraction thereof.

**(2) Moving of a building or structure:** The following fees apply when a building or structure is moved:

- (a) For the moving of any building or structure, the fee shall be on hundred dollars (\$100.00). In addition, the city shall be reimbursed at cost for services by the utility department when required.
- (b) When a police escort is required for support in the moving of a building or structure, the permittee will be required to pay on hundred dollars (\$100.00) per hour or fraction thereof per vehicle necessitated by the move.

**(3) Double fees:** Where work for which a permit is required by the International Building Code is started or proceeded with, prior to obtaining such permit, the fee herein specified shall be doubled, but payment of such double shall not relieve any person from fully complying with the requirements of the Standard Building Code in the execution of the work, nor form any other penalties prescribed herein.

**(4) Plan-checking fees:** When the valuation of the proposed construction exceeds \$1,000 and a plan is required to be submitted by section 107.1 of the 2009 International Building Code a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Such plan-checking fee shall be equal to twenty five (25) percent of the building permit fee.

**(5) Constructions Industry Craft Training Fees:** On June 3, 2015, Act 2015-308 created a Construction Industry Craft Training (CICT) program in which program shall be funded from fees collected from any county, city, town or other political subdivision of the state that issues non-residential construction building permits. The fee shall be equal to one dollar (\$1.00) for every one thousand dollars (\$1,000.00) of construction authorized (job cost).

(Ord. No.2005-08, 9-20-05)

**Cross references**—Issuance fee, § 15-19; permit required, app. A, art. XII, § 2; plans required for building permit, app A, art. XII, § 3.

**Sec.5-10. Property Maintenance --- Adopted.**

For the purpose of establishing uniform rules and regulations, the city hereby adopts the code known as the 2012 International Property Maintenance Code save and except such portions as are hereinafter deleted, modified or amended, of which not less than two (2) copies have been and now are filed in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction or alteration or repair of all buildings or structures contained therein within the city.

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

(Ord. No.2005-08, 9-20-05)

**Sec.5-11. Same --- Amendments.**

The following sections are hereby amended or deleted from the property maintenance code:

(1) In lieu of section [A] 103.1 the Building Inspector or the Code Compliance Official will act instead thereof, and section 103.1 thereof is deleted.

(2) Section 111 is hereby deleted.

(Ord. No.2005-08, 9-20-05)

**Sec.5-12. Placing properties on the National Historic Register.**

No person or organization shall be permitted to place any property or structure within the city on the National Historic Register without first obtaining the properly written permission of the property owner.

(Ord. No.2005-08, 9-20-05)

**Sec.5-13. Moving of structures**

No person, firm or corporation shall relocate any building into or within the city, or move any building or structure along or across any street or alley or other public place within the city, without a permit therefor. In addition, the following shall apply:

(1)

The intended use of the building must be a permitted use in the zoning district into which it is to be relocated. The owner/agent of the building to be relocated shall be

responsible for coordinating the move with the police chief, the fire chief and the utility companies (phone, cable and electric) to ensure the move will occur without incident. Prior to issuance of a permit to move the structure, the building inspector shall receive a notice from each such entity that the appropriate permits have been issued and arrangements have been made, and that a day certain has been specified for the actual move.

(2)

The house mover shall submit an application for a permit to relocate or move a building to the building inspector. The application shall state the existing and intended locations of the building to be moved, its length, width and height in feet, and the principal material of its walls and of its roof, the proposed route to be followed and the mode of transportation to be used. The permit to relocate or move a building may direct what streets shall be used. The owner/agent of the building and/or the contractor shall, concurrently with submittal of the application for a permit to relocate or move a building, submit a building permit application, including evidence and plans sufficient to demonstrate the intent of the owner/agent to comply with all provisions of this section. When the building inspector is satisfied that the permit application is complete, he shall accept and forward both applications to the city council for review and approval or disapproval.

(3)

The city council shall hold a public hearing to assure that all plans for relocation and renovation comply with the requirements of this section prior to issuance of a permit for moving the building and a building permit for the renovation required to comply with provisions of this section. The city council must also approve the plan for relocation. Owners of property within one thousand (1,000) feet of the proposed new location shall, at the cost of the owner/agent for the building, be individually notified not less than ten (10) days prior to the public hearing, by certified mail, of the hearing. A sign shall be placed at the proposed new location where the structure is to be moved, indicating the date, time and location of the public hearing.

(4)

Prior to issuance of a permit to relocate or move a building, the house mover shall furnish a security deposit in the form of a certified check, or a bond, payable to the city, with a corporate surety to be approved by the city attorney, in the penal sum of ten thousand dollars (\$10,000.00), conditioned, among other things, that said house mover will pay any and all damage caused by him; that he will move the building without delay; that he will cut no trees except as specified in the permit; that he will follow the route designated by the permit; that he will save, indemnify, and hold the city harmless against any and all liabilities, judgments, costs and expenses which may accrue against the city in consequence of the granting of such permit; and that he will in all things strictly comply with the conditions of the permit and with all ordinances of the City. Any balance of this security deposit remaining shall be refunded at the time the certificate of occupancy is issued. If the costs and expenses to the city exceed the

amount of the security deposit, the owner/agent for the structure shall be liable for payment of this additional amount. The permittee shall also provide the city with evidence of insurance showing the city as a named co-insured on a policy of general liability with limits not less than one million dollars (\$1,000,000.00) per occurrence, and one million five hundred thousand dollars (\$1,500,000.00) aggregate, for bodily injury and property damage combined.

(5)

Prior to issuance of a permit to relocate or move a building, the owner/agent for the building shall furnish a security deposit in the form of a certified check, or a bond, payable to the city, with a corporate surety to be approved by the city attorney, in the amount of ten thousand dollars (\$10,000.00). This security deposit shall cover any costs to the city in the event the owner/agent for the structure fails to comply with the provisions of this section and the city shall therefore have cause to remove the relocated structure. Any balance of this security deposit remaining shall be refunded at the time the certificate of occupancy is issued. Certificate of occupancy must be obtained within twelve (12) months of permit date. If the costs and expenses to the city exceed the amount of the security deposit, the owner/agent for the structure shall be liable for payment of this additional amount. Whenever in the moving of any building along the route specified, it shall become necessary to cut, disconnect, remove or disturb any wires, guys, or cables over or across any of the streets or alleys along the line of such route, seventy-two (72) hours notice in writing shall be given by the permittee to all persons, companies, or corporations, including the city, owning, using or controlling any such wires, guys or cables, of the time when such building or structure will arrive at any given point on any such street or alley overhung by wires, guys or cables, and that such wires, guys or cables must be cut, removed or disconnected by the time designated in such notice for the building or structure to arrive at that point, and in case of failure of the owner, user or controller of such wires, guys or cables thus notified to cut, remove, disconnect any such wires, guys or cables at the time appointed, then the city may remove or disconnect any or all such wires, guys or cables, or cause the same to be done, and shall mend, re-connect and replace the same after the building has passed. The permittee shall pay all costs and expense incident to and occasioned by the cutting, disconnecting, removing or disturbing of any such wires, guys, and cables, and the reconnecting or replacing of same, and in default of payment within a reasonable time after demand, then recourse may be had for the collection of same to the sureties on the permittee's bond.

(Ord. No.2005-08, 9-20-05)

**Secs. 5-14 – 5-19. Reserved.**

## **ARTICLE II. PLUMBING**

### **Sec.5-20. Plumbing Code --- Adopted.**

For the purpose of establishing uniformed rules and regulation, the city hereby adopts the code known as the, 2012 International Plumbing Code including appendix A-F, and the International Private Sewage Disposal Code (IPSDC)also contained therein, save and except

such portion as are hereinafter deleted, modified or amended, of which not less than two (2) copies have been and now are filed in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction, alteration or repair of all buildings, structures and installation contained therein within the city.

- (a) Within said codes, when reference is made to the duties of certain officials named herein, that designated official in the city who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code is concerned.

(Code 1968, § 5-17; Ord. No. 1989-8, § 1, 6-6-89; Ord. No. 1991-9, § 2A, 5-21-91; Ord. No. 1993-4, § 11, 5-25-93; Ord. No. 2001-20, 10-2-01; Ord. No. 205-08, 9-20-05)

**State law reference**—Authority to adopt, Code of AL 1975, § 11-45-8(c) (2).

**Sec.5-21. Same --- Amendments.**

The following sections are hereby amended or deleted from the plumbing code:

- (1) In lieu of section [A] 103.1 and the Building Inspector will act instead thereof, and section [A] 103.1 thereof is deleted.
- (2) Section 109 is hereby deleted.
- (3) Appendix B is hereby deleted.
- (4) Appendix D is hereby deleted.
- (5) Appendix A is hereby amended to read as follows:

**Permit Issuance**

- 1. For issuing each permit..... \$15.00

**Unit Fee Schedule**

- 1. For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection thereof)..... \$3.50
- 2. For each building sewer and each trailer park sewer..... \$15.00
- 3. For each cesspool (where permitted)..... \$15.00
- 4. For each private sewage disposal system..... \$15.00
- 5. For each water heater and/or vent..... \$5.00
- 6. For installation, alteration or repair of water-piping and/or water-treating equipment, each..... \$15.00
- 7. For repair or alteration of drainage or vent piping, each fixture.....\$10.00
- 8. For each lawn sprinkler system on any one meter including backflow protection devices therefor..... \$10.00

**Other Inspections and Fees**

- 1. Inspections outside of normal business hours..... \$15.00 per hour (minimum charge two hours)
- 2. Re-inspection fee assessed under provisions of Section 107.4.3..... \$20.00

3. Inspection for which no fee is specifically indicated..... \$20.00  
Per hour (minimum charge one hour)  
(Code 1968, § 5-18; Ord. No. 1989-8, § 2, 6-6-89; Ord. No. 1991-9, § 2B, 5-21-91; Ord. No. 1994-12, § 11, 12-20-94; Ord. No. 2001-20, 10-2-01; Ord. No. 2005-08, 9-20-05)

**Sec.5-22. Construction and repair of artificial barriers.**

Any person who desires to construct an artificial barrier (dam) for the purpose of impounding or diverting water or repairing such barrier (dam) shall be required to secure a permit from the city. All permit requests for dam construction and/or repairs within the city shall contain a design prepared by, and bearing the seal of a professional engineer (registered in this state) qualified to provide such service. All designs submitted for permitting to the city shall be designed with a 25-year (Q25) flood riser conduit discharge capability and an emergency spillway capability of a 100-year (Q100) flood.

(Ord. No. 1998-10, § 1, 10-6-98; Ord. No. 2001-20, 10-2-01; Ord. No. 2003-9, 7-15-03; Ord. No. 2005-8, 9-20-05)

**Secs. 5-23 – 5-29. Reserved.**

**ARTICLE III. MECHANICAL**

**Sec.5-30. Mechanical Code --- Adopted.**

For the purpose of establishing uniformed rules and regulation, the city hereby adopts the code known as the, 2012 International Mechanical Code, save and except such portion as are hereinafter deleted, modified or amended, of which not less than two (2) copies have been and now are filed in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction, alteration or repair of all buildings, structures and installations contained therein within the city.

- (a) Within said codes, when reference is made to the duties of certain officials named herein, that designated official in the city who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code is concerned.

**Sec.5-31. --- Amendments.**

The following sections are hereby amended or deleted from the mechanical code:

- (1) In lieu of section [A] 103.1 the Building Inspector will act instead thereof, and section 103.1 thereof is deleted.
- (2) Section 109 is hereby deleted.
- (3) Section 917.2 is hereby deleted.
- (4) Section 917.3 is hereby deleted.

(Code 1968, § 5-27; Ord. No. 1989-8, § 4, 6-6-89; Ord. No.1991-9, § 3B, 5-21-91; Ord.1994-12, § III, 12-20-94; Ord. No. 2001-20, 10-2-01; Ord. No. 2005-08, 9-20-05)

**Fee Schedule**

Issue fee: \$10.00

Inspection fee: \$10.00 for the first \$1,000.00 and \$2.00 for each additional \$1,000.00 or fraction thereof.

**Secs. 5-32 – 5-39. Reserved.**

**ARTICLE IV. GAS**

**Sec.5-40. Gas Code --- Adopted.**

For the purpose of establishing uniformed rules and regulations, the city hereby adopts the code known as the, 2012 International Fuel Gas Code, save and except such portion as are hereinafter deleted, modified or amended, of which not less than two (2) copies have been and now are filed in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction, alteration or repair of all buildings, structures and installation contained therein within the city.

- (a) Within said codes, when reference is made to the duties of certain officials named herein, that designated official in the city who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code is concerned.

(Code 1968, § 5-31; Ord. No. 1991-9, § 4A, 5-21-91; Ord. No. 1993-4, § IV, 5-25-93; Ord. No. 2001-20, 10-2-01; Ord. No. 2005-08, 9-20-05)

**State law reference**—Authority to adopt, Code of AL 1975, § 11-45-8(c) (4).

**Sec.5-41. Same --- Amendments**

The following sections are hereby amended or deleted from the gas code:

- (1) In lieu of section [A] 103.1 the Building Inspector will act instead thereof, and section 103.1 thereof is deleted.
- (2) Section 109 is hereby deleted.
- (3) Section [B] 301.11 is hereby deleted.
- (4) Section 404.6 is hereby amended to read as follows: “Piping through foundation wall. Underground piping, where installed below grade through the outer foundation or basement wall of a building, shall be encased in a protective pipe sleeve. The annular space between the gas piping and the sleeve shall be sealed.”
- (5) Section 623.2 is hereby deleted.
- (6) Section 623.3 is hereby deleted.

(Code 1968, § 5-32; Ord. No. 1991-9, § 4B, 5-21-91; Ord. No. 1994-12, § IV, 12-20-94, Ord. No. 2001-20, 10-2-01; Ord. No. 2005-8, 9-20-05)

**Secs. 5-42 – 5-49. Reserved.**

**ARTICLE V. Reserved**

**Secs. 5-50 – 5-59. Reserved**

**ARTICLE VI. ELECTRICAL  
DIVISION 1. GENERAL**

**Sec.5-60. Building Inspector’s authority and duty.**

The building Inspector shall be vested with full authority over all electrical work installed in the city, and it shall be such inspector’s duty to see that all ordinances and regulations relating to inspecting the installation of electric work within the city are duly enforced, particularly the provisions of the electrical code adopted herein.

(Code 1968, § 8-2; Ord. No. 2001-20, 10-2-01; Ord. No. 2005-8, 9-20-05)

**Sec.5-61. Electrical Code Adopted.**

For the purpose of establishing uniformed rules and regulations, the city hereby adopts the code known as the, 2011 National Electrical Code for electrical wiring and apparatus, save and except such portion as are hereinafter deleted, modified or amended, of which not less than two (2) copies have been and are now filed in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling in the construction, alteration or repair of all building, structures and installations contained therein within the city.

(Code 1968, § 8-1; Ord. No. 1991-9, § 6A, 5-21-91; Ord. No. 2001-20, 10-2-01; Ord. No. 2005-08, 9-20-05)

**State law reference**—Authority to adopt code, Code of AL 1975, § 11-45-8(c) (3)

**Sec.5-62. Permit required; Fees.**

No alteration shall be made in the wiring of any building for light, heat or power, or increase in the load carried by such wires, nor shall any building be wired for electric lights, motors, or heating devices without a written permit therefore from the Building Inspector. Before such permit shall be issued by the building inspector in the name of a State Licensed Electrician, the person desiring to make such alteration or installation of wiring shall submit an application accompanied by a drawing to the building inspector showing the type of wiring, number of outlets and electrical appliances proposed to be installed, and further showing the capacity, voltage and amperage of such electrical appliance, and naming the type building and for what purpose it is to be used. Such application shall be accompanied by a permit fee as follows:

**Fee Schedule**

Issue Fee:               \$2.50

Inspection Fee:       \$25.00

(1) Single or three phase service as required in any construction requiring a building permit:

(a) 100 amp or less.....	\$25.00
(b) 200 amp.....	\$30.00
(c) 300 amp.....	\$35.00
(d) 400 amp.....	\$55.00

(e) 600 amp.....	\$110.00
(f) 800 amp.....	\$220.00
(g) 1,000 amp and over.....	\$275.00

In addition to the above permit fee schedule, an inspection charge of twenty-five dollars (\$25.00) will be imposed up to and including three (3) inspections. Inspection required beyond three (3) will be subject to a fee of twenty dollars (\$20.00) each.

- (2) Existing structures not involving a building permit: any alteration to an existing electric residential or business wiring system requiring a new or increased service capacity will be subject to an issue fee of two dollars and fifty cents (\$2.50), an inspection fee of twenty five dollars (\$25.00) plus one dollar and fifty cents (\$1.50) for each electrical outlet provided by such modifications. Improvements or modifications to existing electrical systems not requiring a new or increased service will be subject to an issue fee of two dollars and fifty cents (\$2.50), a minimum inspection fee of fifteen dollars (\$15.00) plus one dollar fifty cents (\$1.50) for each electrical outlet provided.

(Code 1968, § 8-3; Ord. No. 2001-20, 10-2-01; Ord. No. 2005-8, 9-20-05)

**Sec.5-63. Same --- Amendments.**

NEC Article 210.12 (A) Dwelling Units - Arc-Fault Circuit-Interrupter Protection (AFCI) will be required as written only for; new construction, new addition, a complete rewire of the dwelling or more than 50% remodel of the dwelling. Otherwise Arc-Fault Circuit-Interrupter Protection (AFCI) will be required only in bedrooms upon an alteration or upgrade involving the bedroom circuit(s).

NEC Article 406.12 Tamper-Resistant Receptacles for Dwelling Units is hereby deleted.

NEC Article 406.13 Tamper-Resistant Receptacles in Guest Rooms and Guest Suites is hereby deleted.

**Sec.5-64 – 5-69. Reserved.**

**DIVISION 2 EXAMINATION OF ELECTRICIANS**

Code of AL 1975 Title 34 Chapter 36 Section 34-36-1 thru 18

**Sec. 5-70. All examinations of electricians are controlled by Alabama Electrical Contractor Board in accordance with Alabama State Law Sections 34-36-1-18.**

**Sec.5-71. Thru Sec.5-86 Reserved**

**Sec.5-87 Thru Sec.5-100. Same.**

**ARTICLE VII FLOOD PREVENTION ORDINANCE**

**Sec.5-101. Thru Sec.5-142. Same**

If any section, sentence, clause, phrase, or part of this ordinance is for any reason declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such decision shall not affect the remaining sections, sentences, clauses, phrases, or parts of this ordinance.

This Ordinance shall become effective upon publication, as required by law.

**ADOPTED AND APPROVED** this 4<sup>th</sup> day of April, 2017.

**THE CITY OF ANDALUSIA, ALABAMA**

**BY:** \_\_\_\_\_  
**Earl V. Johnson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**John Thompson, City Clerk**

Councilmember Sconiers moved to approve Ordinance No. 2017-02. Councilmember Powell seconded the motion which passed unanimously.

**ADJOURNMENT:**

With no further business, Mayor Johnson called the meeting adjourned.

**THE CITY OF ANDALUSIA, ALABAMA**

**BY:** \_\_\_\_\_  
**Earl V. Johnson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**John Thompson City Clerk – Treasurer**