

# **ORDINANCE 852-18**

## **TO ADOPT INTERNATIONAL AND AMEND LOCAL CODES**

**AN ORDINANCE TO ADOPT INTERNATIONAL CODES AND AMEND LOCAL CODES RELATING TO CONSTRUCTION AND INSPECTION ACTIVITIES IN THE CITY OF HELENA, ALABAMA AND ENFORCEMENT OF BUILDING AND OTHER PROVISIONS AS PROVIDED IN SAID CODES.**

**WHEREAS**, it is the desire of the City Council of the City of Helena, Alabama to adopt, in all respects, the various hereinafter named International Codes relating, among other things, to the amusement devices, building, construction, fire prevention, gas, housing, mechanical, plumbing and swimming pools and:

**WHEREAS**, the adoption of these codes is done to enforce and to facilitate the proper inspection activities by the City of Helena, Alabama relating to the construction and to maintenance of the buildings within the corporate limits of said city and relating to public safety, health and general welfare;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Helena, Alabama as follows:

### **SECTION 1**

That the following Codes promulgated and published by the International Code Council (ICC) are hereby adopted by reference as though they were copied herein fully and are hereby made applicable in and within the City of Helena:

2012 International Building Code - And their appendices

2011 National Electrical Code - And their appendices

2012 International Existing Building Code - And their appendices

2012 International Fire Code - And their appendices

2013 NFPA Codes with the exceptions as listed by the Alabama State Fire Marshalls Office

2012 International Mechanical Code - And their appendices

2012 International Plumbing Code - And their appendices

2012 International Unsafe Building Abatement Code-And their appendices

2012 International Fuel/ Gas Code- And their appendices

2012 International Residential Code- And their appendices

2012 International Code Council Performance Code- And their appendices

2012 International Property Maintenance Code- And their appendices

2012 International Sewage Disposal Code- And their appendices

2012 International Urban-Wildland Interface Code- And their appendices

Should any conflict arise between any adopted codes, city ordinances or state regulations, the most restrictive guideline will be used.

## **SECTION 2: Building and Development Permit Fees**

### **Commercial and General Permit Fees**

They are hereby set and established as follows to be based on total gross cost of construction, installation and/or other applicable activities:

0 - \$5,000.00 \$45.00 Minimum

\$5,001.00 - Above Fee shall be calculated at 1/2 of 1 % of the estimated valuation

### **Residential Permit Fees**

Will be based on Appendix L in 2012 International Residential Code

Brick Veneer/Wood Frame/Concrete Block (Finished Areas)  
\$80.00/Sq. Ft. times the total finished space within the structure

Carport(s)/Garage(s)/Basement/Porches and Decks (Part of and attached to Main Structure)  
\$15.00/Sq. Ft. times the total square footage within the structure

Deck(s)/Porches  
Remodeling and/or Additions, including siding, roofing, etc. shall be calculated at Total Cost and/or valuation of improvement.

Minimum Permit Fee shall be \$24.00

Repairs or normal maintenance, such as, painting, pressure washing, etc. are exempt from a permit.

### **Land Development Permit Fees**

The fee shall be \$6.00 per \$1,000.00 of total estimated cost.

### **Issuance Fees for Permit**

All permits shall be issued by the Building Official and/or Clerk of the City of Helena. In addition to all other fees required of said permit, an issuance fee of \$10.00 shall be added to the permit.

## **SECTION 3: Re-inspection Fees**

Whenever the Building Inspection Department is requested to make required inspections on construction work as provided by the International Building Code as adopted by the City, and the work is not substantially completed or is otherwise not ready for inspection when the Inspector arrives (when necessitated by faulty materials, equipment, apparatus, or faulty or incomplete workmanship), there shall be imposed and collected the following fees for re-inspections, which must be paid prior to scheduling the re-inspection:

\$25.00 for each trade re-inspection

On final inspection, one (1) re-inspection with no fee

\$25.00 fee will be charged for each item remaining uncorrected at the first final re-inspection

## **SECTION 4: Enforcement of Ordinance; Powers and Duties Generally**

The Building Official and/or Fire Code Official or his representative shall enforce the provisions of this Ordinance, and may enter any building, structure or premises within the City to perform any duties

imposed by such Ordinance. It shall be the duty of the Building Official or his representative to inspect or cause to be inspected all installations, alterations or repairs and to enforce all the provisions of this Ordinance.

**SECTION 5: Prerequisite to Issuance of Permit \***

No permit shall be issued to any person, firm, corporation or other entity until the fees herein prescribed shall have been paid, nor shall an amendment to a permit be approved until the additional fee, if any, is paid.

**SECTION 6: Failure to Obtain Permit**

If any work has commenced by any person, firm, corporation or other entity subject to the provisions of this Ordinance before obtaining the necessary permit, the fees set forth in this Ordinance shall be doubled. The payment of such double permit fees shall not relieve said person, firm, corporation or other entity from fully complying with the requirements of this Ordinance, nor shall it exempt said person, firm, corporation or other entity from any other penalties of this Ordinance as hereinafter prescribed. Each additional failure will result in the addition of \$100.00 to the overall cost of the permit.

**SECTION 7: Expiration of Permit**

All permits required under the provisions of this Ordinance shall be good for continuous performance of the work named thereon. Permits shall expire when work ceases for a period of ninety (90) days unless written approval is secured from the Building Official; provided, however, such permits shall expire in six (6) months because of abandonment of the work. In such case of expiration, no fees shall be refunded. A new permit shall be applied for and new fees paid.

**SECTION 8: Violation of Ordinance**

Any person, firm, corporation or other entity that fails to comply with, or otherwise violates, any provisions of this Ordinance shall stop work until such person, firm, corporation or other entity is in full compliance with this Ordinance. Any person, firm or corporation found to be guilty of a violation of this ordinance shall be punished by a fine not to exceed \$1000.00 or six months in the City Jail, or both. Each violation of this ordinance shall be deemed to be a separate offense.

**SECTION 9: Non-Liability of City**

This Ordinance shall not be interpreted or construed as imposing upon the City any liability or responsibility whatsoever for damages to property or to any person injured by any defect in any building or structure, nor shall the City's Inspection Department or any official or employee thereof be held as assuming any such liability or responsibility by reason of any inspection authorized by this Ordinance.

**SECTION 10: Severability**

Each and every provision of this Ordinance is hereby declared to be an independent provision thereof, and should any provision be declared void or invalid, it shall not affect any other provision thereof. It is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might be held invalid.

**SECTION 11: Exceptions**

Exception(s) to Section 113 of the International Building Code and Section 108 of the International Fire Code:

1) All appeals from decisions of the building official and/or fire code official shall be heard by the Helena City Council or its designated governing body.

BE IT FURTHER ORDAINED by the City Council of the City of Helena, Alabama that any matters in said codes which are contrary to the existing Ordinances of the City, shall prevail and any existing Ordinances to the contrary are hereby repealed only to the extent of any such conflict and to that extent only.

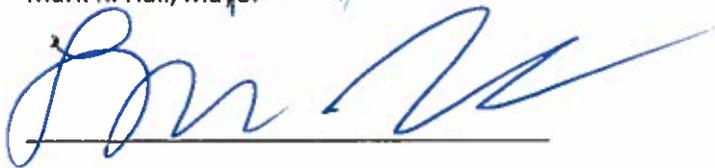
BE IT FURTHER ORDAINED that within said codes when reference is made to the duties of certain officials named therein, that designated official of the City of Helena, Alabama who has city assigned duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said codes are concerned.

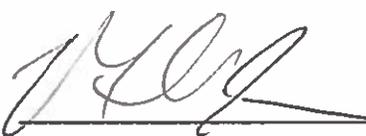
BE IT FURTHER ORDAINED that this ordinance shall become effective on 03/03, 2018, after being published and posted as required by law.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HELENA, ALABAMA ON 20 THE DAY OF February, 2018.

[SEAL]

  
\_\_\_\_\_  
Mark R. Hall, Mayor

  
\_\_\_\_\_  
Leigh Hulsey, Council Member

  
\_\_\_\_\_  
Mike Jones, Council President

  
\_\_\_\_\_  
Alice Lobell, Council Member

  
\_\_\_\_\_  
Laura Joseph, Council Member

  
\_\_\_\_\_  
Harold Woodman, Council Member

ATTEST:



  
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Amanda C. Traywick, City Clerk

I, Amanda C. Traywick, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number 852-18 is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three public places in said City, being on the bulletin board of the City Hall, and in the Helena Public Library in said City, in the BP Coosa Mart in the City of Helena and that said Ordinance shall become a duly lawful Ordinance of said City of the 13 day of March 2018 five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 26 day of February 2018.

STATE OF ALABAMA SHELBY COUNTY

I, Amanda C. Traywick, City Clerk of the City of Helena, do hereby certify that the above is a true and correct copy of an Ordinance duly adopted by the Council of the City of Helena at its meeting held the 26 day of February, 2018.

Given under my hand and corporate seal of the City of Helena, this 26 day of February, 2018.

Amanda C. Traywick  
City Clerk