

**ORDINANCE NO. 449-2013**

**AN ORDINANCE ADOPTING VARIOUS STANDARD CODES BY REFERENCE AND PROVIDING FOR CERTAIN FEES AND PENALTIES FOR VIOLATIONS OF SAID CODES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

**SECTION 1. Adoption of Standard Codes and Standards by Reference.**

The following standard codes and standards are hereby adopted by reference as though set forth fully herein in accordance with Ala. Code §11-45-8 (1975):

International Building Code - 2012 Edition with all Appendices except Appendix D (fire districts) and Appendix H (signs).

International Residential Code – 2012 Edition except Chapter 11 (Energy)

International Plumbing Code - 2012 Edition with all Appendices except Appendix A (permit fees).

International Mechanical Code - 2012 Edition with all Appendices except Appendix B (permit fees).

International Fuel Gas Code - 2012 Edition

International Existing Buildings Code - 2012 Edition

International Fire Code – 2012 Edition

International Energy Conservation Code - 2009 Edition, as amended by Alabama Energy and Residential Code

National Electric Code - 2011 Edition

ICC/ANSI A117.1 – 2009 Edition

**SECTION 2. Additions, Deletions and Insertions in the International Residential Code – 2012 Edition.**

**A.** The following section of the International Residential Code, Edition 2012, is hereby revised to read in its entirety as follows:

**Section R 106.1 Submittal Documents.**

Construction documents, special inspection and structural observation programs and other data shall be submitted in two sets with each application for a permit. The construction documents shall be prepared and stamped by a registered design professional for all new residential homes and for additions when the square footage meets or exceeds 500 square feet under roof. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:**

The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

**B. Local Supplemental Code Additions to the 2012 IRC**

The requirements specified in this Code Supplement apply to detached One and Two family dwellings not more than three stories above grade plane in height. The provisions of this supplement are intended to complement the locally adopted codes. The elements of design not addressed by the provisions of this supplement shall be in accordance with

the locally adopted code. In the event a conflict between this document and the adopted code, the more stringent shall apply.

**FOUNDATIONS**

1. Compaction test results shall be submitted to the Building Department prior to foundation inspection.
2. Proof of Termite Bond required to be submitted to the Building Department prior to 4-way inspection.

**STRUCTURAL**

1. Unless balloon framed, gable ends over 4 foot high shall be braced with a minimum 2 x 6 horizontal strong back installed at midpoint of the vertical height of the gable end wall. Minimum 2 x 4 diagonal bracing not to exceed 45 degrees or 4 feet OC shall be installed on top of strong back and face nailed with 4-10d nails into side of gable wall framing studs. In addition, when ceiling joists run parallel to the gable end wall, a minimum 2 x 4 x 8 brace shall be installed at maximum 6 feet OC on top of ceiling joists and gable top plate nailed with 2-10d nails at each support. Metal 20 gauge straps shall be installed on top of 2 x 4 lateral brace and over gable top plate into stud below using 10-8d nails top and bottom. Install minimum 2 x 4 bracing under lateral braces adjacent to gable wall.
2. Glazed opening protection shall be provided as specified on plans prepared by the registered design professional or by installation of a manufactured product tested and approved by an approved testing agency or ICC-ES Report. In the case of a structure not required to be approved by a design professional, glazed opening protection shall comply with IRC Section R301.2(2) or ASCE 7 and IRC Table R301.2.1.2 for application in a 130 mph wind zone.
3. Garage doors shall be rated to or above the applicable 130 mph wind design load.
4. Wood frame chimney chases shall be structurally connected to rafters and/or ceiling joists. The attachment must be detailed in the plans or must meet the following minimum requirements:
  - a. Each corner of the chimney structure must have a tension strap fastened to the corner stud and continues downward to the roof and/or ceiling support members below. The tension strap must have a minimum tension capacity of 700 lbs. at each end.
  - b. Chimney framing shall be sheathed with minimum 7/16 inch structural panel on exterior four sides.
  - c. The base perimeters of chimney framing must be continuously supported by minimum 2 x 4 blocking fastened to roof framing members with joist hangers.
5. Exterior and interior shear walls and/or braced wall panel locations shall be indicated on the plans and shall be nailed in accordance with the engineered drawings but no less than 6 inches OC maximum intermediate and edge using 8d irregular shank (i.e., ring shank or spiral) nails with full round heads. All exterior walls and gable ends shall be fully sheathed with structural sheathing.

**ROOF COVERINGS**

**ASPHALT SHINGLE REQUIREMENTS**

Wind Speed	Shingle Testing Standard/Classification
130 mph	ASTM D3161 Class F
130 mph	ASTM D7158 Class H

1. Asphalt shingles shall be installed according to the manufacturer recommended listed installation instructions for high wind areas with minimum 6 nails.
2. All Asphalt shingle roof covering underlayment shall be minimum of a synthetic tear resistant polypropylene, polyester or fiberglass fabric certified by an approved testing agency or ICC-ES report. The Building Official may approve an equal or higher performing product. Asphalt felt roofing underlayment shall not be installed as a roof covering underlayment. Roof underlayment shall be installed and fastened in accordance with the Manufacturer's installation instructions. NOTE - Most manufacturers do not allow staples as an approved fastener or staple button caps.

3. All aluminum/vinyl soffit coverings shall be attached to minimum 7/16 OSB or plywood or minimum 2 x 2 wood supports 8 inches OC maximum.
4. Roof deck sheathing seams shall be taped with minimum 4" Peel and Stick tape meeting ASTM D-1970, or sheathing seams and each side of roof support shall be sealed with closed cell foam meeting ASTM D-1622. Other equal or greater methods may be approved by the Building Official.
5. Metal roof covering shall be fastened to roof assembly with a maximum 2 foot OC spacing of fasteners in the length dimensions of the panels. Minimum Number of fasteners in width dimension of the panel shall be no less than 4.
6. 1 x 4 or 2 x 4 wood purlins for attachment of metal roof coverings shall be a maximum 2 feet OC. Wood purlins shall be nailed with a maximum two deformed (spiral, ring shank) #16D nails at maximum of 24 inches OC.
7. Roof decks shall be nailed in accordance with the engineered drawings, but no less than 6 inches OC maximum intermediate and edge, with minimum 8d irregular shank (i.e., ring shank or spiral) nails with full round heads. Staples are not permitted for fastening of the roof decking.
8. All new One and Two Family dwellings shall have a sealed roof deck. Roof deck seams shall be taped with a minimum 4" Peel and Stick tape meeting ASTM D-1970 to achieve a sealed roof deck or closed cell foam meeting ASTM D-1622 may be applied underneath to each side of framing member and sheathing seams.

### ENERGY

1. Attic: minimum insulation R-38. Wall: minimum insulation R-13. Floor: minimum insulation R-13.
2. Batt insulation shall be cut neatly to fit around pipes and wires or be placed behind piping and wiring. Batt insulation shall be stapled to the face of a stud.
3. Air permeable insulation shall not be used as a sealing material.
4. Space between windows and door jams to be sealed.
5. Corners, headers and sill plates shall be sealed.
6. Rim joists are to be insulated.
7. A continuous air barrier shall be installed in the building envelope.
8. Breaks or joints in the air barrier shall be sealed (taped).
9. Access openings to un-air-conditioned spaces shall be sealed (weather stripping).
10. Building cavities shall not be used as ducts or plenums.
11. A programmable thermostat shall be used.
12. A minimum of 50% of lights used shall be of high efficiency.
13. Recessed light fixtures shall be sealed to be airtight.
14. U factor of .65 and SHGC of .30 must be used for windows.
15. At the time of rough-in inspection Peel and Stick aluminum backed tape or other approved material shall be applied to all edges of all windows to prevent air exchange.
16. All holes in interior and exterior wall top plates shall be sealed with caulking or expandable foam.
17. Space around plumbing pipes penetrating interior or exterior wall top plates shall be sealed with caulking or expandable foam.

### PLUMBING

1. Pex supply piping shall be inspected at a minimum Pressure of 150 lbs.
2. Potable water supply at street pressure shall be connected to copper supply piping at time of inspection. Copper piping will be inspected at street pressure.
3. Top out plumbing inspection shall be performed with Electrical, HVAC and Framing inspection.
4. All bathtubs and showers shall be connected to the drain waste and vent system at the time of top out inspection. Exception: Whirlpool and garden tubs may be installed after top out inspection. The trap servicing the whirlpool or garden tub shall be installed at the time of inspection.

## ELECTRICAL

1. All receptacles shall be supplied by a minimum #12 AWG protected by a 20 Amp Circuit Breaker.
2. Smoke/carbon monoxide Alarms shall be allowed to be supplied by a minimum #14 AWG protected by a 15 Amp Circuit Breaker.
3. General lighting switched legs may be supplied by a minimum #14 AWG wire.

## HVAC

1. Air handlers return air filters shall have a minimum one square inch of filter for every 2 CFM of air the HVAC moves. This equals 400 CFM per ton of AC capacity. Example: A 3 ton system will require a minimum of 600 square inch of return air filter area.
2. Contractor shall provide the number of AC units and tonnage of each unit to this department before the rough in inspection.
3. The maximum length of flexible duct allowable in any application shall be limited to 12 feet. Any duct run longer than 12 feet shall be same size snap lock pipe or equal. Exception: Flexible duct may exceed the 12 feet maximum length provided a Manual D and Manual J depicting supply air CFM, duct size, length and layout of system are provided to this Department before rough in inspection is scheduled.
4. All 90 degree turns, elbows, tees or taps in rectangular duct construction with the exception of transfer duct shall have turn vanes or 2-piece 45 degree or 3-piece 90 degree elbow. 90 degree turns shall be of a long sweep design.
5. Each branch shall have a balancing damper with locking quadrant. Locations that are not accessible do not require a balancing damper.
6. All insulation shall have a continuous vapor barrier by means of same material "glass fabric tape".
7. All duct seams, joints and connections shall be sealed with sealer/mastic to prevent air leakage.
8. All duct board seams and joints shall be stapled a maximum 2 inches OC in addition to tape and sealer.
9. On all new construction rough-ins, refrigerant tubing must be soldered closed to an air tight seal.
10. Excess plenums above the air handler shall not be allowed, unless Manual D documentation of compliance is provided to this Department.
11. Secondary plenums shall not be allowed, unless Manual D documentation of compliance is provided to this Department.
12. Supply ducts outside the building thermal envelope shall be constructed of R-8 materials. Supply ducts in conditioned space shall be constructed of minimum R-4 materials.
13. Primary contractors are responsible to ensure the design of the house will accommodate compliance with the adopted codes

## MODULAR HOMES

1. Submit AMHC (Alabama Manufactured Home Commission) stamped plans.
2. Modular Homes shall be certified by an Alabama Registered Engineer to meet adopted wind loads.
3. Submit foundation plans and anchorage to foundation plan which shall equal or exceed local adopted code requirements.
4. Other on-site construction shall require a separate permit by the Building Inspection Department.
5. Modular Homes shall be required to have a final inspection after exterior of structure and any on-site construction are complete.
6. Modular Homes shall be installed as per the engineered installation instructions.
7. Modular Homes shall be inspected for compliance with engineered instructions and any applicable current local adopted codes.

8. In factory construction and components are not the responsibility of the City of Spanish Fort Building Department.
9. Existing houses that are moved from one site to another shall comply with Items 3, 4 and 5 and require a Final Inspection. Any new construction shall be in compliance with current adopted codes.

GENERAL

1. The Contractor responsible for construction shall call in for all 4-way inspections.
2. The City of Spanish Fort Building Department may at any time inspect for compliance for items above.

**SECTION 3. Permit, Plan Review and Other Fees.**

Building contractors and any other persons, corporations or entities, including owners, shall pay to the City of Spanish Fort, prior to the commencement of any construction, installation, alteration, improvement, re-inspection, moving, demolition of any structure or work within the permitting jurisdiction of the City of Spanish Fort, Alabama, any and all applicable fees set forth below. Failure to obtain a valid permit prior to commencement of work shall result in double the applicable permit fee per IRC Section R108.6.

- A. Residential Buildings and Modular Residential Buildings built on-site (except Manufactured or Mobile Homes), one and two family dwellings (not over three stories), town houses, condominiums, apartments, detached residential garages, swimming pools, carports and all residential accessory buildings (except common service and accessory buildings associated with town houses and condominiums):

Valuation = \$60.00 per Square Foot of gross heated area plus  
 \$30.00 per Square Foot of gross unheated area.

Building Permit Fee = \$4.00 per \$1,000.00 of Valuation  
 For One and Two Family Structures and  
 Accessory Structures.

Minimum Residential Building Permit Fee = \$25.00

Residential Plan Review Fee = 25% of the Building Permit Fee  
 50% in FEMA Regulated Flood Zones

Electrical, Plumbing, and Mechanical Residential Permit Fees shall each be paid in the following amounts per permit issued:

- New Construction = \$110.00
- Residential Electric Service Upgrade = \$50.00
- Residential HVAC replacement = \$50.00
- Renovation and Remodeling = \$55.00 over 400 Square Feet  
 \$25.00 under 400 Square feet
- Residential Swimming Pool Permit = \$50.00
- Residential Swimming Pool Electrical Permit = \$25.00
- Residential Roof Covering Replacement Permit = \$25.00
- Residential Foundation Permit for Moved Structure = \$75.00
- Residential Fence Permit (required for fences over 8 feet tall) = \$25.00
- Residential Demolition Permit = \$75.00

- Manufactured Homes or Mobile Homes:
- Moving, Set-up and Inspection Fee = \$35.00
  - Electrical Permit = \$25.00
  - Plumbing Permit = \$25.00

Modular and Pre-Manufactured Housing (built off site):

Foundation Permit Fee = \$75.00

Electrical Permit = \$25.00

Plumbing Permit = \$25.00

Mechanical Permit = \$25.00

- B. All permanent and temporary commercial buildings for all occupancies, except where noted herein for residential structures and occupancies, pre-engineered steel or metal buildings and agricultural or farm buildings, including, but not limited to, storage buildings and warehouses, detached accessory structures both incidental and not incidental to the commercial business, common area facilities and structures incidental to town houses and condominiums, parking structures, grandstands, canopies, etc.:

Valuation for commercial structures will be determined by submission of construction contract documents approved by the owner/developer.

Commercial Building Permit Fee = \$6.00 per \$1,000.00 of valuation.

Town Houses, Condominiums and Apartments = \$6.00 per \$1,000.00 of valuation.

Commercial Plan Review Fee (for new structures):

<u>Building Valuation</u>	<u>Fee</u>
\$0.00 - \$500,000	\$500 or 50% of Building Permit Fee (whichever is less)
\$500,001 - \$5,000,000	\$500 plus \$.50 per \$1,000 in excess of \$500,000
\$5,000,001 and up	\$2,750 plus \$.40 per \$1,000 in excess of \$5,000,000

Commercial Plan Review for tenant build-outs and remodels: \$100.00

Minimum Non-Residential Building Permit Fee = \$50.00

Commercial Demolition Permit Fee = \$150.00

Electrical, Plumbing and Sprinkler Systems, Mechanical (fire hoods and ventilation systems), HVAC, Fire/Burglar Alarm Systems (low voltage), and Roofing will be \$6.00 per \$1,000.00 of value of subcontractors contract price.

- C. Miscellaneous Commercial Permits:

Tents = \$25.00

Grandstands – Permanent = \$50.00

Grandstands – Temporary = \$25.00

Amusement Devices and Rides = \$15.00 per device or ride

Fruit and Vegetable Stands = \$50.00

Swimming Pool Permit = \$50.00

Commercial Job Site Trailer = \$75.00

- D. Sign Permits = \$6.00 per \$1000.00 of sign and installation, minimum \$50.00

- E. Piers, bulkheads, boat houses, docks and dunes and wetland walkover:

Permit Fee = \$75.00

- F. Re-inspection Fee for failure to correct previous inspection comments or failure to cancel a previously scheduled inspection when project was not ready for inspection = \$35.00

- G. Permit Extension Fee (after one year) = One half (1/2) the Building Permit Fee

**SECTION 4. Designation of Official.**

Whenever a code or standard adopted by reference herein and/or this ordinance refers to the duties of certain officials named therein, the designated official of the City of Spanish Fort who has duties corresponding to those of the named official in said code or standard shall be deemed to be the responsible official under the said code or standard and this ordinance.

**SECTION 5. Penalties.**

Any building contractor, person, corporation or other entity found to be in violation of the provisions of this ordinance and/or any of the standard codes or standards adopted by reference herein shall, upon conviction, be punished by a fine of not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00) and/or may be imprisoned or sentenced to hard labor for the City of Spanish Fort for a period not exceeding six (6) months, at the discretion of the court trying the case. Each day such violation continues shall constitute a separate offense. Nothing herein shall prevent the City of Spanish Fort from taking any other administrative or lawful action deemed necessary to prevent or remedy any violation.

**SECTION 6. Repealer Clause.**

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict. Ordinance No. 294-2007 is hereby repealed in its entirety.

**SECTION 7. Severability Clause.**

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

This Ordinance shall become effective upon its adoption.

**ADOPTED AND APPROVED** this \_\_\_\_ *day of* \_\_\_\_\_, **2013.**

\_\_\_\_\_  
Michael M. McMillan  
Mayor

ATTEST:

\_\_\_\_\_  
Mary Lynn Williams, MMC  
City Clerk