

STATE OF ALABAMA

COUNTY OF BALDWIN

ORDINANCE # 962  
OF THE  
CITY OF BAY MINETTE, ALABAMA

PROVIDING FOR THE ADOPTION OF NEW BUILDING LAWS AND CODES IN BAY MINETTE, ALABAMA PURSUANT TO AUTHORITY GRANTED AT SECTION 41-9-166 OF THE CODE OF ALABAMA 1975 AND SECTION 11-45-8 OF THE CODE OF ALABAMA 1975; AND OTHER APPLICABLE LAWS; FURTHER, REPEALING ORDINANCE # 888 OF THE CITY OF BAY MINETTE, ALABAMA; AND FURTHER, AMENDING THE BUILDING INSPECTION DEPARTMENT FEE SCHEDULE RELATED TO SAID NEW BUILDING LAWS AND CODES.

WHEREAS, upon the advice rendered by the Building Official of the City of Bay Minette, Alabama, said Building Official recommends to this Honorable Mayor and Municipal Council, in the interest of the public health, safety and welfare of the general public, the adoption by the City of Bay Minette, Alabama, of new building laws and codes applicable to the municipal limits and the police jurisdiction of City of Bay Minette, Alabama; and

WHEREAS, the Mayor and City Council recognize specific authority at Section 41-9-166 of the Code of Alabama 1975 and Section 11-45-8 of the Code of Alabama 1975 within the General laws of the State of Alabama as relates to the adoption of said new building laws and codes, said authority recited as follows:

Section 41-9-166 of the Code of Alabama 1975

Adoption, etc., of building codes by municipalities and counties.

Any municipality in the State of Alabama may adopt any model building code published by the Southern Building Code Congress International and the National Electric Code published by the National Fire Protection Association as a municipal ordinance, enlarging the applicability thereof to include private buildings and structures other than private schoolhouses, hotels, public and private hospitals, and moving picture houses as it deems necessary and to prescribe penalties for violations thereof in the same manner in which other ordinances and related penalty provisions are adopted and prescribed.

Any county commission similarly may adopt and enlarge the applicability of any model building code published by the Southern Building Code Congress International and the National Electric Code

published by the National Fire Protection Association for the county, prescribing penalties for violations thereof, by resolution duly recorded in its minutes and, after notice of four weeks, by publications once weekly in some county newspaper, if there is one published in the county, and posted notices at the door of each courthouse in the county.

Changes in the provisions of the building code affected by the building commission may be adopted similarly by counties and municipalities.

No county or municipality shall apply the building code to state buildings and construction of public schoolhouses.

Model building codes adopted by a county or municipality pursuant to this section only apply to structures and facilities on the customer's side of the electric meter and shall not apply to any electric power generation, transmission, or distribution on the electric service provider's side of the electric meter.

Nothing contained in this section shall be construed as requiring the advertising or posting of the code itself. The provisions of this section shall be satisfied by giving notice that it is proposed to adopt a code.

; and

WHEREAS, in accordance with Section 11-45-8 of the Code of Alabama 1975, on February 27, 2012, the City of Bay Minette adopted a resolution scheduling a public hearing on March 19, 2012, with regard to the adoption of the new building laws and codes and amended fee schedule. The said resolution provided for not less than three copies of the proposed codes and amended fee schedule to be filed for not less than 15 days prior to the holding of the public hearing for use and examination by the public in the office of the Bay Minette City Clerk. Thereafter and upon 15 or more days notice of the time, place and purpose of the said public hearing, published in accordance with Section 11-45-8 of the Code of Alabama 1975, a public hearing was held before the Mayor and Municipal Council of the City of Bay Minette; and

WHEREAS, at this time and upon the advice rendered by the City of Bay Minette Building Official, this honorable governing body, in the interest of the public health, safety and welfare of the general public, adopts new building laws and codes applicable to the municipal limits and the police jurisdiction of Bay Minette, Alabama and the fee schedule; now therefore,

BE IT RESOLVED AND ORDAINED, BY THE CITY OF BAY MINETTE, ALABAMA IN REGULAR MEETING ASSEMBLED, That, by this instrument, a resolution and ordinance of the governing body of the City of Bay Minette, Alabama, and in the interest of public health, safety

and welfare of the general public, we hereby adopt, effective commencing May 14, 2012, new building laws and codes applicable to the municipal limits and the police jurisdiction of Bay Minette, Alabama, as follows:

The following codes and supplements shall apply to all buildings and structures built within the municipal limits and the police jurisdiction of Bay Minette, Alabama or as otherwise required or allowed by state law:

- International Building Code, 2012;
- International Gas Code, 2012;
- International Mechanical Code, 2012;
- ;
- International Plumbing Code, 2012
- International Residential Code, 2012 (as amended<sup>1</sup>);
- International Energy Conservation Code, 2012 (as amended<sup>2</sup>);
- Baldwin County Supplemental Code for Residential Structures in addition to the IRC, 2012 (as amended<sup>3</sup>);
- National Electric Code, 2011 For Commercial Buildings and Residential Building containing more than two (2) dwelling units; and
- International Fire Code, 2012 (as amended<sup>4</sup>).

Local Wind Load Code – 3 second gust winds: applicable to the 2012 IRC only

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<sup>1</sup> Delete Sections R 303.5.1, R 313, and M 1301.5 in their entirety. Amend Section M 1502.4.4.1 to delete the words “35 feet (10668mm)” and substitute therefor “25 feet”. Amend Section E 3902.12 to delete the words “Family rooms, dining rooms, living rooms, parlors, libraries, dens” and “sunrooms, recreations rooms, closets, hallways and similar rooms or areas”.

<sup>2</sup> Delete Sections R 402.4.1.2 through 402.5 in their entirety. Delete Section R403.1.1 in its entirety, substituting therefor the following: “All thermostats shall be digital”. Delete Subsection 1 and 2 of Section R 403.2.2.

<sup>3</sup> Add items 13 and 14 to Mechanical Section.

<sup>4</sup> Amend as follows: (1) amend section 105.1.2, by adding “3. Annual fire protection service permit. An annual fire protection service permit allows the applicant to conduct inspections of extinguishers, hoods, alarms and sprinkler systems”; (2) amend section 109.4 to provide that violations shall be punishable as a violation of a municipal ordinance in accordance with the schedule of fines as set forth in Bay Minette Code 15-99; (3) amend section 307.4, exception 1, to delete the words “15 feet (4572mm)” and substitute therefor “25 feet”; (4) amend section 307.4.3 to delete the words “15 feet (3048 mm)” and substitute therefor “25 feet”; and (5) amend section 507.5.1, exception 2, to delete the words “600 feet (183m)” and substitute therefor “100 feet (30m)”.

I-10 to I-65 – 120 mph  
North of I-65 – 110 mph

FURTHER, BE IT RESOLVED AND ORDAINED, BY THE CITY OF BAY MINETTE, ALABAMA IN REGULAR MEETING ASSEMBLED, that, by this instrument, a resolution and ordinance of the governing body of the City of Bay Minette, Alabama, and in the interest of public health, safety and welfare of the general public, we hereby adopt, effective May 14, 2012, the Building Inspection Department Fee Schedule is amended to increase the residential re-roof inspection fee to \$50.00.

FURTHER, BE IT RESOLVED AND ORDAINED, BY THE CITY OF BAY MINETTE, ALABAMA IN REGULAR MEETING ASSEMBLED, That, by this instrument, a resolution and ordinance of the governing body of the City of Bay Minette, Alabama, the prior building laws and codes codified at Ordinance # 888, shall be rescinded and repealed commencing May 14, 2012.

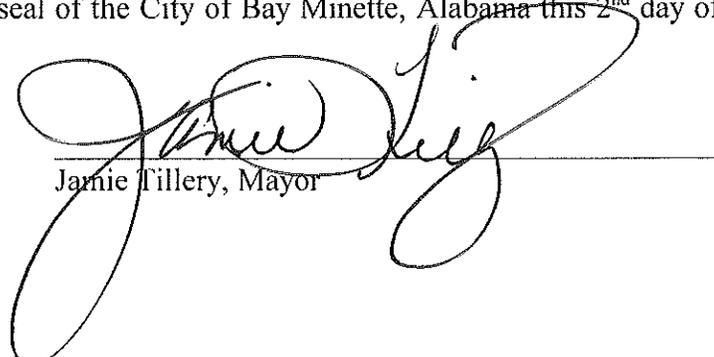
ADOPTED and APPROVED this 2nd day of April, 2012.

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Jamie Tillery, Mayor of the City of Bay Minette, do hereby certify that the foregoing is a true and correct copy of a resolution of the City adopted at its meeting held on the 2<sup>nd</sup> day of April, 2012, and that the same is in full force and effect.

WITNESS my hand and seal of the City of Bay Minette, Alabama this 2<sup>nd</sup> day of April, 2012.

  
\_\_\_\_\_  
Jamie Tillery, Mayor

ATTEST:

  
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Rita Findley, City Clerk