

ORDINANCE NO. 1837

THIS ORDINANCE ESTABLISHES THE RATE TO BE CHARGED FOR BUILDING PERMITS, BOTH RESIDENTIAL AND COMMERCIAL/INDUSTRIAL, AND THE ISSUANCE OF BUILDING PERMITS TO DULY LICENSED PERSONS; AND TO REPEAL ANY ORDINANCE INCONSISTENT HEREWITH.

Section I. Introduction

Whereas it is in the public interest to protect the health, safety and welfare of the citizens of the City of Talladega, Alabama by monitoring, controlling, and regulating commercial and residential construction, both new and remodeling, within the corporate limits and the police jurisdiction of the City of Talladega;

Now, Therefore, be it ordained and enacted by the City Council of the City of Talladega, Alabama, as follows:

Section II. Definitions

The following definitions shall apply in the application of this ordinance:

1. *Building Plans*:
 - a. Commercial properties: a set of plans prepared by a registered design professional (licensed architect or engineer) for the construction of a commercial building. Building areas designed by an architect are acceptable for issuing a permit.
 - b. Residential properties: a set of plans for the purpose of construction of a residential building and approved by the City of Talladega's Building Inspector.
2. *Commercial building*: Building structure constructed for non-human habitation, such as but not limited to warehouses, retail stores, offices, semi-commercial buildings, service buildings, utility buildings, and apartment buildings, condominiums, and similar structures.
3. *Residential building*: Building or structure constructed for single or multi-family occupancy and human habitation, such as but not limited to single family homes, manufactured homes, modular homes, duplex apartments, and tri-plex apartments.
4. *SF*: Square footage as determined by area of the building.
5. *Licensing authority*: The Building Inspector of the City of Talladega, Alabama.

Section III. Requirement for permit

- A. It shall be unlawful and no person shall commence construction of any commercial building or residential building within the City of Talladega or its police jurisdiction without first obtaining a building permit from the City of Talladega prior to beginning any part of the construction.
- B. No building permit shall be issued to any applicant for a permit for any undertaking which would require a license under any applicable state statute or city ordinance unless the applicant has furnished evidence that the applicant is either licensed as required by the applicable state statute or city ordinance or is exempt from the requirements of licensing by state statute or city ordinance. Nothing contained herein shall require a builder to pay license fees for subcontractors who will be involved in the construction for which the permit is being obtained as a condition of the issuance of a building permit or the issuance of a certificate of occupancy. The builder shall submit to the City of Talladega a list of the subcontractors with correct physical address and phone numbers involved in the construction project prior to the issuance of the building permit. Should the builder add any other subcontractor to the project, the builder will submit the subcontractor's name, address, and phone number to the City of Talladega within three working days of hiring. An updated list of subcontractors shall be furnished by the builder before the issuance of a certificate of occupancy by the City of Talladega.
- C. The licensing authority may refuse to issue a building permit to any applicant for failure of a contractor or subcontractor to comply with any state statute licensing requirements.

Section IV. Requirement for license – Contractors and Sub-Contractors

All contractors, subcontractors, and others performing work or services in the City of Talladega shall purchase a business license with the City of Talladega prior to beginning any work.

Section V. Permit Fees

The following schedules define the rates to be paid for a building construction permit for residential or commercial construction. Permits issued for work in the police jurisdiction will be calculated at one half of the rate. An issuance fee is \$12.00 will be added to each permit. Sites requiring a job board will be charged a \$10.00 fee to cover the cost of the job board.

Building Permits: based on gross job cost (materials plus labor). Minimum permit fee shall be \$35.00.

Permit Type	Base	Permit Fee for each additional \$1,000 cost
Building, including electrical, mechanical (HVAC), roof, siding, and cell tower	\$35.00	Base fee plus \$5.00 for the first \$1000 plus \$5.00 for each additional thousand or fraction thereof to and including \$100,000; Base fee plus \$500.00 plus \$4.00 for each additional thousand or fraction between \$101,000 to \$500,000 to and including \$500,000; Base fee plus \$900.00 plus \$3.00 for each additional thousand or fraction for any amount greater than \$500,000.
Plumbing	\$35.00	Plus \$35.00 per bathroom
Demolition	\$35.00	One-time Fee
Driveway	\$35.00	One-time Fee
Sign (Per Side)	\$35.00	One-time Fee Per Side
Off-Premise Sign (Billboard)	\$100.00	One-time Fee Per Sign
Subdivision Plat (preliminary)	\$35.00	One-time Fee
Subdivision Plat (final)	\$35.00	(Note: Additional fees will be owing to Probate Office for recording plat by Owner)
Pool	\$50.00	One-time Fee
Manufactured Home (single wide)	\$100.00	One-time Fee
Manufactured Home (double wide)	\$200.00	One-time Fee
Manufactured Home (triple wide)	\$300.00	One-time Fee
Modular Home	\$150.00	One-time Fee
Stormwater Retention Plan Review	\$500.00	Per Review

Section VI. Permit Intent & Expiration

- A. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the City of Talladega. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City of Talladega shall not be valid.
- B. The issuance of a permit based on construction documents or other data shall not prevent the Building Inspector from requiring the correction of errors in the construction documents and other data. The Building Inspector is also authorized to prevent occupancy or use of a structure in violation of this code or of any other ordinances of the City of Talladega.
- C. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or

abandoned for a period of 180 days after the time the work is commenced. The Building Inspector 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 care demonstrated in completing the construction within the time allowed. In such case of expiration of time of the permit, no fees shall be refunded.

Section VII. Permit Request and Job Site Requirements

The following requirements shall be adhered to prior to beginning any work:

Permit request requirements, to be submitted to the Building Inspector or his/her designee:

- A. A completed City of Talladega permit application.
- B. The required number of complete building plans: residential one (1); commercial three (3).
- C. A copy of the plat or site plan indicating the proposed location of the structure to be built on the site.
- D. Approval from the county health department for an approved septic tank and field lines if the structure is to be in an area in which public sewer is not available unless the structure will not require a septic tank and field lines.
- E. All curb cuts require approval by the Building Inspector prior to the work being performed. All curb cuts along any State right-of-way require a permit from the Alabama Department of Transportation (ALDOT).

Job Site Requirements:

- F. The building permit shall be displayed in a prominent place on the building site.
- G. Toilet facilities for workers, employees, subcontractors, and others are required to be placed on site at the beginning of construction unless such facilities are otherwise available.
- H. A complete list of all contractors, subcontractors, suppliers, or others that will be providing labor, contract services or materials to the job site must be provided to the Building Inspector, to include the complete name, business name, address and phone numbers, and contract amount prior to the permit issuance or 3 days from hiring, whichever first occurs.
- I. Road cuts for utilities of any type are prohibited.
- J. Spillage on the public roadway of materials of any kind shall be removed immediately and may be subject to an assessment for hazard materials clean up and removal by City of Talladega employees.
- K. Trash bins, dumpsters, receptacles, and similar storage units for trash and garbage shall be located in a suitable and safe location and shall be sufficient size for trash and garbage that will likely be generated by the project. Location of such trash bins on the street is prohibited.
- L. Mud, dirt, or gravel shall not be tracked onto the public roadway from the site.
- M. In no event shall the project create a drainage problem for the adjacent land owners. A certified engineer's drainage plan may be required. All surface water runoff and control of silt from the worksite shall be maintained by the contractor.
- N. Work sites are to be kept in an orderly and clean manner.

Section VIII. Stop Work Order

Upon notice from the Building Inspector that work on any building or structure is being prosecuted contrary to the provisions of this ordinance or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved

or to the owner's agent or to the person doing the work and shall state the conditions under which work will be permitted to resume

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform by the Building Inspector to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section IX. Roads Used by Contractors

Any contractor in the performance of work, contract, or other activities shall be responsible for damage to any street or roadway in the City of Talladega. Contractors at all times shall take appropriate action to prevent mud, dirt, or gravel from being tracked onto a public street or roadway. Track type equipment shall not be driven on City of Talladega streets or roadways without taking appropriate action to prevent damage to the roadway. Any work that requires disturbance of a public roadway shall be repaired in a professional manner, that being: dense grade base being utilized; appropriate compaction; and resurfacing with similar or superior wearing surface. Contractors shall at all times prevent the spillage of material on to the public roadway or streets. If a spillage occurs the contractor shall take immediate action to remove the material. Contractors purchasing concrete shall instruct the delivery driver that the truck and equipment are to be cleaned on site or at an approved site. The drainage ditch bordering the public roadway is not an approved site for cleaning concrete trucks or equipment after delivery of concrete. A performance bond may be required for the use of municipal streets.

Section X. Utility Service Connections

There shall be no temporary or permanent utility service hookup for water, sewerage, or electrical service until such time that a building permit has been issued by the Building Inspector. Electrical service shall only be provided by a licensed electrical service provider. An electrical service provider shall not permit electrical current to pass through its metering device to its customer's structure until such time that the customer displays to the electrical service provider the building permit issued by the Building Inspector. All electrical hookups to the electrical service provider's metering device must be performed by a licensed electrician who must hold an electrical permit issued by the City of Talladega Building Inspector.

Section XI. Exemptions

- A. A building permit shall not be required for construction of facilities owned by the State of Alabama or a subdivision thereof, Talladega County, or the Talladega City the Board of Education.
- B. A building permit shall not be required for the erection, enlargement, or alteration of any residential building in the police jurisdiction of the City of Talladega.
- C. A building permit shall not be required for the erection, enlargement, or alteration of any building upon any farm in the police jurisdiction of the City of Talladega for the use of any farmer, provided the building is not a school, church, auditorium, or other building intended for the assembly or occupancy of people.

Section XII. Penalties

Any person, firm, corporation, contractor, subcontractor who shall erect or attempt to erect a structure or any construction for which a permit is required, located within the corporate limits or the police jurisdiction, by whatever name called, without first obtaining a permit for construction and providing the information required for the issuance of a permit from the City of Talladega shall be in violation of this ordinance. Any person, firm, corporation, contractor, subcontractor who shall begin work without first obtaining the required permit(s) shall result in the responsible party being assessed double the regular permit fee.

Under conviction of violating any provisions of this ordinance the fine shall be not less than one hundred dollars nor more than five hundred dollars and or imprisonment for not more than six months at the discretion of the municipal judge.

Section XIII. Severability

The provisions of this ordinance are severable. If any provisions, section, paragraph, sentence, or part thereof or the application thereof to any person or thing shall be held unconstitutional or invalid by any court of competent jurisdiction, such holding shall not affect or impair the remainder of this ordinance or the remaining persons or things to which it applies, it being the legislative intent to enact such provision, section, sentence, paragraph, and part hereof, and the application thereof, separately and severally from each other.

Section XIV. Repeal of inconsistent Ordinances

All ordinances or resolutions inconsistent with this ordinance are hereby repealed.

Section XV. Adoption and Effective Date

This ordinance shall take effective immediately upon its passage and publication as provided by law.

ADOPTED and APPROVED this the 22nd day of February 2018.

Council President David Street
Councilman Horace Patterson
Councilman Jarvis Elston
Councilman Gerald Cooper
City Manager Patrick Bryant

ATTESTED TO: Elizabeth Cheeks, City Clerk