

STATE OF ALABAMA)

COUNTY OF BALDWIN)

**RESOLUTION #2012-042
OF THE
BALDWIN COUNTY COMMISSION**

**AMENDING RESOLUTION #2012-014 OF THE BALDWIN COUNTY
COMMISSION (ADOPTED AT THE JANUARY 17, 2012, REGULAR MEETING),
RELATING TO THE BUILDING LAWS AND CODES IN BALDWIN COUNTY TO
SPECIFICALLY REPEAL, AND DISCONTINUE, ONLY THE PROVISION OF SAID
BUILDING LAWS AND CODES PERTAINING TO THE ISSUANCE OF BUILDING
AND ELECTRICAL PERMITS FOR THE CONSTRUCTION OF PIERS,
BOATHOUSES AND BULKHEADS.**

WHEREAS, at this time, the Baldwin County Building Official brings before the Baldwin County Commission this instrument (Resolution #2012-042) which seeks to amend Resolution #2012-014 (adopted at the January 17, 2012, regular meeting) which authorized the adoption of the building laws and codes in Baldwin County to specifically repeal, and discontinue, the issuance of building and electrical permits for the construction of Piers, Boathouses and Bulkheads; and

WHEREAS, applying the strict public notice and advertising requirements set forth at Section 41-9-166 of the Code of Alabama 1975, as Section 34-14A-12 of the Code of Alabama 1975 remains silent in relation to the same, and after the required four weeks public notification period as set forth by said Section 41-9-166 of the Code of Alabama 1975, the Baldwin County Commission conducted a public hearing on May 3, 2012, as relates to the discontinuance of building and electrical permits for the construction of Piers, Boathouses and Bulkheads; and

WHEREAS, this instrument authorizes only the discontinuance of building and electrical permits for the construction of Piers, Boathouses and Bulkheads and does not affect any other of the remaining portions of the building laws and codes contained within Resolution #2012-014 and, furthermore as related to the aforesaid discontinuance of building and electrical permits for the construction of Piers, Boathouses and Bulkheads, this instrument authorizes an amended Baldwin County Building Inspection Department Fee Schedule as attached as ***Exhibit "A;"*** now therefore

BE IT RESOLVED AND ORDAINED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, that:

- 1) We hereby amend *Resolution #2012-014* thereby repealing with deletions delineated by being **STRUCK THROUGH** and inclusions delineated by being DOUBLE UNDERLINED, as follows:

"STATE OF ALABAMA)

COUNTY OF BALDWIN)

RESOLUTION #2012-014

OF THE

BALDWIN COUNTY COMMISSION

PROVIDING FOR THE ADOPTION OF NEW BUILDING LAWS AND CODES IN BALDWIN COUNTY PURSUANT TO AUTHORITY GRANTED AT SECTION 41-9-166 OF THE CODE OF ALABAMA 1975 AND SECTION 34-14 A-12 OF THE CODE OF ALABAMA 1975; AND OTHER APPLICABLE LAWS; FURTHER, REPEALING *RESOLUTION #2007-143 OF THE BALDWIN COUNTY COMMISSION*; AND FURTHER, PROVIDING FOR A NEW AMENDED BALDWIN COUNTY BUILDING INSPECTION DEPARTMENT FEE SCHEDULE RELATED TO SAID NEW BUILDING LAWS AND CODES.

WHEREAS, upon the advice rendered by the Building Official of Baldwin County, Alabama, said Building Official recommends to this honorable county governing body, in the interest of the public health, safety and welfare of the general public, the adoption by the Baldwin County Commission of new building laws and codes applicable to Baldwin County, Alabama; and

WHEREAS, the Baldwin County Commission recognizes specific authority at Section 41-9-166 of the Code of Alabama 1975 and broad authority provided at Section 34-14A-12 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.

(Acts 1945, No. 290, p. 480, section 5; Act 2000-326, p. 522 section 1.)

Section 34-14A-12 of the Code of Alabama 1975

Standards of practice; building laws and codes.

- (a) The board is authorized to establish or adopt, or both, standards of practice for residential home builders within the state.*
- (b) The county commissions of the several counties are authorized and empowered to adopt building laws and codes by ordinance which shall apply in the unincorporated areas of the county. The building laws and codes of the county commission shall not apply within any municipal police jurisdiction, in which that municipality is exercising its building laws or codes, without the express consent of the governing body of that municipality. The building laws and codes of the county commission may apply with the corporate limits of any municipality with the express consent of the governing body of the municipality. The county commission may employ building inspectors to see that its laws or codes are not violated and that the plans and specifications for buildings are not in conflict with the ordinances of the county and may exact fees to be paid by the owners of the property inspected.*
- (c) Utilizing the same authority and procedures as municipalities pursuant to Section 11-53A-20 to 11-53A-26, inclusive, the county commission may condemn buildings, parts of buildings, or structures dangerous to the public and prohibit the use thereof and abate the same as a nuisance.*
- (d) The county commission, municipalities, and other public entities are hereby authorized to enter into mutual agreements, compacts, and contracts for the administration and enforcement of their respective building laws and codes.*

(Acts 1992, No. 92-608, p. 1282, Section 12; Act 2002-72, p. 163, Section 1; Act 2006-105, Section 1.)

; and

WHEREAS, applying the strict public notice and advertising requirements set forth at Section 41-9-166 of the Code of Alabama 1975, as Section 34-14A-12 of the Code of Alabama 1975 remains silent in relation to the same, and after the required four weeks public notification period as set forth by said Section 41-9-166 of the Code of Alabama 1975, the Baldwin County Commission conducted a public hearing on December 29, 2011, as relates to the adoption of the new building laws and codes and amended Baldwin County Building Inspection Fee Schedule; and

WHEREAS, at this time and upon the advice rendered by the Building Official of Baldwin County, Alabama, this honorable county governing body, in the interest of the public health, safety and welfare of the general public, adopts new building laws and codes applicable to Baldwin County, Alabama, and amended Baldwin County Building Inspection Fee Schedule; now therefore

BE IT RESOLVED AND ORDAINED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That, by this instrument, a resolution and ordinance of the governing body of

Baldwin County, Alabama, and in the interest of public health, safety and welfare of the general public, we hereby adopt, effective commencing January 17, 2012, new building laws and codes applicable to Baldwin County, Alabama, as follows:

The following codes and supplements shall apply to all buildings and structures built within the unincorporated areas of Baldwin County 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

International Energy Conservation Code, 2012

National Electric Code, 2011

Baldwin County Supplemental Code for Residential Structures in addition to the IRC, 2012

Local Wind Load Code – 3 second gust winds:

130 mph – South of I-10

120 mph – I-10 North to I-65

110 mph – I-65 North to County line

FURTHER, BE IT RESOLVED AND ORDAINED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That, by this instrument, a resolution and ordinance of the governing body of Baldwin County, Alabama, and in the interest of public health, safety and welfare of the general public, we hereby adopt, effective January 17, 2012, and as further amended effective June 5, 2012, the amended Baldwin County Building Inspection Department Fee Schedule as attached as *Exhibit "A"*.

FURTHER, BE IT RESOLVED AND ORDAINED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That, by this instrument, a resolution and ordinance of the governing body of Baldwin County, Alabama, the prior building laws and codes codified at *Resolution #2007-143* (adopted during the July 3, 2007, regular meeting), shall be rescinded and repealed commencing January 17, 2012.

FURTHER, BE IT RESOLVED AND ORDAINED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That, by this instrument, a resolution and ordinance of the governing

body of Baldwin County, Alabama, the prior Baldwin County Building Department Inspection Fee Schedule as set forth in *Resolution #2007-143* of the Baldwin County Commission (adopted during the July 3, 2007, regular meeting), is hereby rescinded and repealed commencing January 17, 2012.

DONE, Under the Seal of the County Commission of Baldwin County, Alabama, on this the 17th day of January, 2012.

s/s

Commissioner Robert E. James, Chairman

ATTEST:

s/s

David A. Z. Brewer, County Administrator"

FURTHER, AS RESOLVED AND ORDAINED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, this instrument (Resolution #2012-042) shall become effective June 5, 2012.

DONE, AS RESOLVED AND ORDAINED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, and under the Seal of the County Commission of Baldwin County, Alabama, on this the 5th day of June, 2012.



A blue ink signature of Robert E. James, written over a horizontal line.

ROBERT E. JAMES, Chairman

ATTEST:

A blue ink signature of David A. Z. Brewer, written over a horizontal line.

DAVID A. Z. BREWER, County Administrator

BALDWIN COUNTY BUILDING INSPECTION DEPARTMENT

FEE SCHEDULE

PUBLISHED IN ALL GULF COAST NEWSPAPERS:

December 7, December 14, December 21, & December 28, 2011

PUBLIC HEARING:

December 29, 2011

ORIGINALLY ADOPTED BY THE BALDWIN COUNTY COMMISSION:

November 21, 2006

AMENDED BY THE BALDWIN COUNTY COMMISSION:

July 3, 2007

EFFECTIVE & ENFORCED:

September 1, 2007

AMENDED BY THE BALDWIN COUNTY COMMISSION:

January 17, 2012

EFFECTIVE & ENFORCED:

January 17, 2012

AMENDED BY THE BALDWIN COUNTY COMMISSION:

June 5, 2012

RESIDENTIAL BUILDING PERMIT FEES

Minimum permit fee for any issuance \$30.00

The valuation is figured at \$60.00 per sq. ft., heated area for an average house and \$25.00 per sq. ft., on garages, porches, decks, unheated areas, etc.

Building permits will be \$3.00 per each \$1,000.00 or fraction thereof, over \$1,000.00

Plan review fees will be \$30.00 for those homes in the unincorporated areas and within zoned districts, for those homes in a FEMA regulated flood zone the plan review fee will be 50% of the building permit fee.

RESIDENTIAL PLUMBING, ELECTRIC AND MECHANICAL PERMIT FEES

Plumbing permits will be \$110.00

Electrical permits will be \$110.00

Mechanical permits will be \$110.00

RESIDENTIAL RE-ROOFING FEE

\$50.00

COMMERCIAL BUILDING PERMIT FEES

Cost per sq. ft. of the building will be determined by SBCCI Building Valuation Data Sheet

Building permit fee will be calculated at \$5.00 per \$1,000.00 of value

Each Mechanical, Electrical and Plumbing permits will be \$1.00 per \$1,000.00 of value and based on total original price of structure.

Commercial Plan Reviews

Valuation	Plan Review Fee
\$0-\$500,000	\$500.00 or 50% of the building permit fee (whichever is less)
\$500,000-\$5,000,000	\$500.00 plus \$.50 per \$1,000 of value for each \$1000 in excess of \$500,000
\$5,000,000 and up	\$2,750.00 plus \$.40 per \$1,000 of value for each \$1,000 in excess of \$5,000,000

COMMERCIAL TOWER PERMIT FEES

The building permit for each tower structure will be \$5,000.00

The permit fee for accessory structures will be \$5.00 per \$1,000.00 of the contract amount

The building permit fee for each co-locate on an existing tower will be \$5.00 per \$1,000.00 of the contract amount

The electrical permit for the tower will be \$250.00

BUILDING PERMIT FEES FOR MULTIFAMILY STRUCTURES (3 or more units)

Price per sq. ft., will be \$75.00 for heated areas and \$25.00 per sq. ft., for garages, porches, decks and unheated areas

Permit fee will be calculated at \$5.00 per \$1000.00 dollars of valuation

Each Electrical, Mechanical and Plumbing permits will be \$75.00 per unit

DEMOLITION PERMIT FEE

Residential permit fee will be \$75.00

Commercial permit fee will be \$150.00

MOBILE HOME PERMIT FEES

Mobile Home permit (inspection) will be \$35.00

Electrical permit will be \$35.00

Commercial (job site trailers) will be \$75.00

MODULAR HOMES PERMIT FEES

Inspection fee \$200.00

Electrical permit \$55.00

Plumbing permit \$55.00

Mechanical permit \$55.00

PERMANENT FOUNDATION, MOVING STRUCTRE PERMIT FEES

Inspection fee \$200.00

RENOVATION & REMODELING PERMIT FEES – RESIDENTIAL

The building permit fee will be \$3.00 per \$1,000.00 dollars of the contract amount including labor and materials

Each Electrical, Mechanical & Plumbing permits will be as follows:

\$55.00 for those structures over 400 sq. ft. heated and unheated areas

\$25.00 for those structures under 400 sq. ft. heated and unheated areas

RENOVATION & REMODELING PERMIT FEES – COMMERCIAL

The building permit fee will be \$5.00 per \$1,000.00 dollars of the contract amount including labor and material

Each Electrical, Mechanical and Plumbing permit fee will be \$1.00 per \$1,000.00 dollars of the contract amount

~~PIERS, BULKHEADS, BOATHOUSES, DOCKS & DUNE WALKOVERS~~

~~— Inspection fee \$75.00~~

MOBILE HOME PARK PERMIT FEES

The permit & inspection fee will be \$15.00 per lot

RECREATIONAL VEHICLE PARK PERMIT FEES

The Plan Review fee will be \$250.00

The permit & inspection fee will be \$10.00 per lot

The Plumbing permit fee will be \$20.00 per lot

The Electrical permit fee will be \$60. 00 per meter

RE-INSPECTION FEE

Will be \$35.00