

“Exhibit A”

- **Chapter 22 - BUILDINGS AND BUILDING REGULATIONS**
- **ARTICLE I. - IN GENERAL**
- **Sec. 22-1. - Waivers.**

Notwithstanding any other provision of this chapter to the contrary, no waiver to these construction regulations shall be deemed granted unless the chief building inspector official or his designated representative shall have provided written notice that the waiver has been granted. Approval by the building construction department of construction drawings that do not conform with the requirements of this chapter and all other applicable city ordinances and subdivision regulations shall not constitute a waiver of such requirements unless accompanied by a written waiver thereof by the chief building inspector official or other appropriate city official, board or commission.

- **Sec. 22-2. - Purpose and definitions.**

(a)

Purpose. The purpose of this section is to further safeguard homeowners and other property owners against faulty, inadequate, inefficient, or unsafe construction, electrical, plumbing or gas installations and to protect the life, health and property of homeowners and other property owners and tenants and others in the city by having those tradesmen so licensed to indicate the same to the public.

(b)

Definitions. The following definitions shall apply in the interpretation and enforcement of this section:

Terms defined in Code of Alabama: The following terms shall be defined as they are in the Code of Ala. 1975, §§ 34-36-1 et seq., §§ 34-37-1 et seq., §§ 34-8-1 et seq., §§ 34-31-18 et seq. and § 34-14A-2.

- (1) Master plumber.
- (2) Master electrician.
- (3) Master gas fitter.
- (4) Certified contractor (heating and air conditioning).
- (5) General Contractor.
- (6) Residential Homebuilder.

Advertisement: Any public notice offering goods or services conveyed by any advertising medium in return for valuable consideration.

Advertisement medium: Any means whatsoever through which an advertisement is made.

License: The certificate of competency in a particular field issued by the appropriate government agency, namely the Alabama Board of Electrical Contractors, the Alabama Plumbers and Gas Fitters Board, Alabama Board of Heating and Air Conditioning Contractors, Residential Homebuilders and/or other approved agencies.

Service: Any form of work regularly performed by, and recognized as typical of, any master plumber, master electrician, master gas fitter, certified contractor, electrical contractor or general contractor or residential homebuilder.

(c)

Certification required. All master plumbers, master electricians, master gas fitters, and all plumbing, gas, electrical, air conditioning and heating contractors, general contractors or residential homebuilder who perform any service within the city or its police jurisdiction for which any law or regulation requires a license must be licensed for such service by the Alabama Plumbers and Gas Fitters Board, Alabama Heating and Air Conditioning Board, the Alabama Board of Electrical Contractors, Alabama State Licensing Board for General Contractors, Alabama Homebuilders Licensure Board and/or other appropriate agencies, unless such person is otherwise exempt from these license requirements.

- **Sec. 22-3. - Plans and specifications.**

Anything to the contrary in any technical code or regulation notwithstanding, the submission of plans or specifications for any building or other structure to the chief of inspection services (building official) or the inspection services department of the city shall not relieve the applicant from compliance with all terms and conditions of all applicable codes and regulations. Any such submission is not for the purpose of a detailed analysis for code compliance, although the building official may determine from such submission whether certain provisions of the technical codes are complied with, but rather for the purpose of ascertaining that such plans and specifications have in fact been prepared and that they have been prepared by the appropriate design professional where required. In no event shall the submission and/or review by the city of plans or specifications for any structure operate as a substitute for or in lieu of proper design by a design professional in full compliance with all applicable codes and regulations, nor shall such submission, review, or the issuance of a permit constitute a waiver of full compliance with all applicable codes and regulations. The city reserves full power and authority subsequent to the issuance of any permit or submission of any plans to require and mandate corrections in the construction or activity and rectification's of code violations at any time. Provided, however, nothing herein shall prevent the building official from exercising his authority to pass upon all questions arising out of the revision of this chapter, the building code and all other codes and regulations relative to the manner of construction or material to be used in the erection or repair of any building.

- **Sec. 22-4. - International codes adopted by reference.**

In accordance with the provisions of the Code of Ala. 1975, as amended, including, but not limited to, Code of Ala. 1989, § 11-45-8 as amended, and for the purpose of amending similar ordinances heretofore adopted by the city council, the following international codes are adopted by reference as if each code and/or the latest revisions thereto, were set out at length herein verbatim, and such codes are hereby incorporated by reference. These codes and the latest amendments thereto shall govern all construction activity in the city and the police jurisdiction of the city subject to the modifications set forth herein:

- (1) The International Building Code, 2009 2015 Edition.
- (2) The International Fuel Gas Code, 2009 2015 Edition.
- (3) The International Mechanical Code, 2009 2015 Edition.
- (4) The International Property Maintenance Code, 2009 2015 Edition.
- (5) NFPA 70 (National Electrical Code, 2008 2014 Edition).
- (6) The International Plumbing Code, 2009 2015 Edition.
- (7) International Fire Code, 2009 2015 Edition.
- (8) International Residential Code, 2006 2015 Edition.
- (9) International Existing Building Code, 2009 2015 Edition.
- (10) International Swimming Pool and Spa Code, 2015 Edition

- **Secs. 22-5—22-30. - Reserved.**

- **ARTICLE II. - PERMITS**

- **Sec. 22-31. - Building permits required.**

A building permit shall be required for any construction or alteration within the fire limits no matter how small the cost, and plans shall be submitted for any such construction or alteration before a building permit will be issued.

- **Sec. 22-32. - Fence permit fees.**

The city shall impose the following fees:

Residential fence permit (~~rear yard garden fence exempt~~) \$15.00

Commercial and industrial fence permit \$25.00

- **Sec. 22-33. - Permits; penalties.**

(a)

Definitions. The word "cost," as used in this section, has reference to and shall mean the total estimated cost of the proposed structure, building alteration, or repair, including all fees paid, or to be paid to architects, surveyors, engineers, contractors, and subcontractors, and others for services rendered or to be rendered in connection with the erection of such building or structure.

(b)

General provisions.

(1)

No permit shall be issued until the fees prescribed have been paid; nor shall any amendment to a permit be approved until the additional fee, if any, due to any increase in the estimated cost of the building or structure, shall have been paid.

(2)

If any person commences any work on a building or structure before obtaining the necessary permit from the city, such person shall be subject to the penalty prescribed herein.

(3)

No permit shall be required for any alteration or repairs within the city or within its police jurisdiction, when the estimated cost thereof is less than \$100.00, unless an inspection is required.

(4)

A building permit fee shall not be charged for any federal, state, city or county structures, public boards of education, or for any church project, but permits and inspections as otherwise provided herein shall nonetheless be required.

(5)

When a building permit is issued, the contractor will be furnished with a permit sign showing the permit number. This sign, showing the permit number, shall be displayed at the site of the work for which the permit was issued at a location where the permit can be seen from a public road.

(6)

All contractors who do business in the city or its police jurisdiction shall have a current business license as required elsewhere in this Code. The names of all mechanical, gas, electrical and plumbing subcontractors shall be provided to the building official at the time of filing the building permit application.

(7)

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system prior to obtaining the necessary permits and paying the fees as required, shall be subject to a late fee of 100 percent of the usual permit fee in addition to the required permit fees.

(c)

Accurate records. The building official shall keep a permanent and accurate accounting of all permit fees and other moneys collected, the names of all persons upon whose account the same was paid the date and amount thereof.

(d)

Notification for inspections.

(1)

It shall be the duty of the subcontractor performing the work or the owner if the owner is performing the work to give minimum advance notice of one business day (24 hours, Monday through Friday) to the building department when work is ready for inspection.

(2)

It shall be the duty of the owner or building contractor to insure that the work to be inspected will be complete and accessible before calling for inspection.

(3)

Permit number, street address and contractor name will be required information to obtain a request for an inspection.

- **Sec. 22-34. - Schedule of permit fees.**

(a)

On all buildings, structures, electrical, plumbing, mechanical and gas systems or alterations requiring a permit, fees shall be paid at the time of issuance of permit.

(b)

Permit fees shall be calculated according to the following schedule:

(1)

Residential: \$3.50 per \$1,000.00 valuation

(2)

Commercial: \$6.50 per \$1,000.00 valuation up to and including \$250,000.00 plus \$4.00 per \$1,000.00 valuation for amounts over \$250,000.00.

(c)

No building permit shall be issued for less than the minimum fee of \$21.00 for residential and \$26.00 nonresidential.

(d)

Valuation. All fees for building permits other than a moving permit and a permit to demolish a building shall be calculated on a basis of the true total estimated valuation. In arriving at such true total estimated valuation, the building official shall first classify the type of construction and occupancy pursuant to the International Building Code, ~~2009~~ 2015 Edition. Valuations shall be based on the building valuation data tables provided by the ICC, in effect on January 1 of each year. Valuations shall be based on the "Good Category" and rounded up to the nearest thousand. Residential and commercial building permit valuations may in the building official's discretion be based on the actual contract amount if in the opinion of the building official such value is bona fide as an alternative to the ICC building valuation data tables.

The building official shall have the authority to classify any proposed building structure (after an examination of the plans thereof) into one of the classifications of the IBC Code ~~2009~~ 2015 Edition, and may place the true total estimated valuation above or between that set by ICC for the separate classes if, in the opinion of said building official, the proposed structure does not fit clearly into one of the classes set out.

(e)

Projects with multiple general contractors shall designate one contractor or construction manager for obtaining and paying for a building permit.

(f)

Fees for electrical, plumbing, mechanical and gas are included with a building permit fee for new construction, additions and alterations. The following permit fees apply when no building permit fee is collected.

(g)

Moving, demolition and swimming pool fees are as follows:

Moving Permit Fee

Fee \$30.00

Demolition Permit Fee

Fee (Plus \$0.50 per thousand square feet over 4,000 square feet) \$20.00

Swimming Pool Fee

Non-residential \$40.00

Residential 30.00

Plumbing Permit Fees

	Residential Plumbing Permit Fees	Non-Residential Plumbing Permit Fees
Issuance fee	\$20.00	\$20.00
Drinking fountain	3.00	5.00
Water heater	3.00	5.00
Dishwasher	3.00	5.00
Washer	3.00	5.00
Roof drain	3.00	5.00
Sump	3.00	5.00
For fixtures not provided	3.00	5.00
Sewer tap	5.00	5.00
Reinspection fee	30.00	30.00

Gas Permit Fee

Issuance fee (plus 5.00 per gas outlet) \$20.00

Reinspection fee 30.00

Mechanical Permit Fees

Issuance fee \$20.00

Air conditioning (with or without heating; per unit):

Up to and including 3 tons \$15.00
Over 3 tons and including 5 tons 20.00
Over 5 tons and including 10 tons 25.00
Over 10 tons—each ton 3.00

Refrigeration:

Up to and including 3 H.P. \$15.00
Over 3 tons and including 10 H.P. 20.00
Over 10 tons and including 20 H.P. 25.00
Over 20 H.P.—each H.P. 3.00
Chillers: Each ton 1.50
Each cooling coil 1.50
Boilers 30.00
Each heating coil 1.50

Thru wall unit:

Heating or cooling each unit \$10.00
Cooling tower (water) 20.00
Heating only 10.00
Gas or electric—Each unit 10.00
Hotels, motels and nursing homes (each unit) 10.00
Ventilating hood—Each hood (non-residential) 20.00
Incinerators 17.00
Vent fans—Residential No charge
Vent fans—Each fan (including hotels and motels) 5.00
Dryer vent—Each dryer (including hotels and motels) 10.00
Dryer vent—Residential 10.00
Prefab fireplace 10.00
Reinspection fee 30.00

Electrical Permit Fees

Wiring to outlets:

1-40 outlets 10.00

41-100 outlets 20.00
101-200 outlets 30.00
201-500 outlets 50.00
501-1000 outlets 100.00
1000 and over 140.00
Main service panel and/or panel (per amp) 0.03
Air condition unit 10.00
Wiring for heating appliance 5.00
Wiring for space heating and transformer 10.00
Wiring for motor (5 H.P. and under) 5.00
Wiring for motor (over 5 H.P.) 5.00
(plus per H.P.) 0.25
Temporary pole inspection 20.00
Temporary electrical service 20.00
Trailer service 30.00
Service upgrade 30.00
Sign (per square foot) 1.00
Fuel pump (per meter) 10.00
Reinspection fee 30.00

- **Secs. 22-35—22-60. - Reserved.**

- **ARTICLE III. - INTERNATIONAL BUILDING CODE**

- **Sec. 22-61. - Amendments to the International Building Code (IBC).**

(a)

The International Building Code, ~~2009~~ 2015 Edition, prepared by the ICC and containing chapter 35 inclusive of the ~~2009~~ 2015 IBC, save and except such sections and portions thereof as are hereinafter modified, or hereby referred to and adopted by reference as the building code of the City of Northport, as fully as if set out at length herein, and from and after the effective date of this section, shall govern as far as code or ordinance can, to all the subjects to which they relate within the corporate limits of the city and within its police jurisdiction and shall constitute and generally be referred to as the "Northport Building Code".

(b)

The Northport Building Code is hereby amended as follows:

(1)

Definitions.

a.

The term "building official," as used in this Code, or in any code hereinafter adopted by reference, shall mean and refer to the chief **building official** of inspection services and any person duly authorized to perform inspection duties.

b.

The term "building code," as used herein shall mean and refer to the rules for building herein prescribed and also the rules for building prescribed by any code heretofore or hereinafter adopted by reference.

(2)

Section 111.2 of the Northport Building Code is hereby amended to read as follows:

"111.2. Conditions for Temporary Utilities Connection. The Building Official may authorize the temporary connection of the building or system to the utility source of energy, fuel or power for the purpose of testing building service systems under the following conditions:

(a) Electrical: Electrical service shall be complete. All inside service panel that are to be energized shall be complete. Plugs and switches shall be installed; however, covers will not be required. In kitchens or other areas where it is not possible to install the plugs/switches, exposed wiring shall be terminated with wire nuts. Light fixtures shall be installed or wire nuts shall be placed on the wires. All 220 branch circuits not permanently connected to the appliance or equipment shall be terminated with wire nuts; or the plugs required for the appliance. Disconnects shall be installed or the wires shall be terminated with wire nuts. Whirlpool tubs and other equipment shall not be inspected except that plug and/or disconnect or wire nuts shall be in place.

(b) HVAC: Filter or filter grill(s) shall be installed. Gas appliances and equipment shall be properly installed and vented with combustion air provided for safe operation. Condensers and/or heat pumps are not required to be installed. Thermostats shall be installed.

(c) Plumbing/Gas: All gas lines shall be tested and connected to the equipment or capped off and grounded.

(d) All temporary electrical inspections and temporary gas inspections must be completed.

(e) TEMPORARY HEAT (GAS) RESIDENTIAL ONLY

It shall be permissible to run wire of sufficient size, to be maintained in good working order at all times, to the heating unit from the temporary power pole to operate the heating unit only.

(f) If the request for a temporary utilities connection for power or gas is for heat or cooling, it shall be the mechanical contractor's responsibility to make sure all conditions are met at which time the mechanical contractor may call for inspection.

(g) All inspection fees shall be paid.

(h) A temporary utilities connection permit shall be for a period of not more than 90 days from the date the permit is granted."

(3)

Section 112 of the Northport Building Code shall be amended to read as follows:

"Section 112. Appeals.

Appeals. Any person aggrieved by the decision of the Building Official in the application of the standards and rules prescribed for building in the Code of Ordinances of Northport, Alabama, or in any building code hereinafter adopted by reference, may appeal such decision to the City Council of the City of Northport.

Time limit:

a. Whenever the Building Official shall reject or refuse to approve the mode or manner of construction proposed in the erection or alteration of a building or structure, or when it is claimed that the provisions of the building code do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the Building Official to the City Council. Notice of appeal shall be in writing and filed within 90 days after the decision is rendered by the Building Official.

b. In case of a building or structure which, in the opinion of the Building Official, is unsafe or dangerous, the Building Official may, in his order, limit the time for such appeal to a shorter period. Appeals hereunder shall be on forms provided by the Building Official.

Variations and modifications. The City Council, when so appealed to, and after a hearing, may vary the application of any provision of the Building Code to any particular case when, in its sole opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of the building code or public interest, or when, in its opinion, interpretation of the Building Official should be modified or reversed.

(4)

~~"Subsection 1808.1.1. of~~ The Northport Building Code is hereby amended to read as follows:

~~"Subsection 1808.1.1.~~

~~(b)(4)(1) Delete Section 22-61 (b)(4)(1).~~

~~(b)(4)(2) 1804.4.4.2. to 1808.1.1. IBC and Chapter 4 of IRC.~~

~~(b)(5) 3408.1. to 3410.0.~~

~~(b)(6) 3313.4. to 3410.2."~~

The minimum requirements for Section 1807 and 1809.8 of the Northport Building Code and Chapter 4 of the International Residential Code (IRC) shall be depicted on Appendix A hereto. The footing specifications said on Appendix A shall be the minimum requirements for footing design for all construction where the details of footing design are not submitted in the plans for the construction and drawn by a registered architect or engineer.

(5)

That Section 3408.1 is amended to add the following:

The building shall only be moved between the hours of 10:00 p.m. and 6:00 a.m., and the proposed route must be approved by the chief of police or his/her representative, prior to the issuance of a permit.

All costs to repair damages or modifications to private and/or public property caused by the mover shall be the responsibility of the mover."

(6)

That Section 3313.4 of the Northport Building Code shall be amended to read as follows:

"3313.4. Moving of buildings, bond required.

(a) The Building Official shall not issue a permit for the moving of a house or building to, from or through the City unless the persons desiring such permit shall first execute and deliver to the City Administrator-Clerk, upon a form provided by the City Attorney, a hold harmless and indemnity agreement as to any and all damages or claims that may arise from or relate to the moving of such house or building and further deposit with the City Administrator-Clerk the sum of \$5,000.00, or alternatively, submit for approval of the City a standby letter of credit or surety bond in the principal amount of \$5,000.00, issued by a financial institution licensed to do business in the state, or in the case of a bond by a surety company authorized to issue surety bonds in the state. Such cash deposit, letter of credit or surety bond shall be expended by the city for payment of any damage caused by the moving of such house or building to the curbs, sidewalks, rights-of-way, signs, trees, shrubbery and other property which may be affected by the moving of any such house or dwelling and such cash deposit, letter of credit or surety bond shall also insure for the use and benefit of any other person, firm or corporation suffering any injury or damage to his real or personal property as a result of such moving activity; however, any such other claim for damage shall be subordinate to any claim of the City. Such cash deposit, letter of credit or surety bond shall also be chargeable for all costs, expenses and attorney fees incurred by the City for the enforcement of the hold harmless and indemnity agreement, the limit of time within which to effect such moving, for the clearing and cleaning of debris from the building site, if any, and route through which such house or building was moved.

(b) The form of the letter of credit or surety bond shall be approved by the City Attorney prior to acceptance for filing by the City Administrator-Clerk.

(c) The indemnity and hold harmless agreement shall remain in favor of the City indefinitely from the date thereof; however, the cash deposit, letter of creditor or surety bond may be refunded or returned to the applicant by the City Administrator-Clerk upon the recommendation of the Building Official and upon receipt of written notice by the applicant that all conditions of the permit have been fully completed, that no damage has resulted from such moving activities or if such damage has occurred, then such damage has been repaired satisfactorily as evidenced in writing by the person, firm or entity suffering such damage.

(d) The persons desiring such permit shall, prior to issuance of such permit, furnish to the Building Official a certificate of insurance in favor of the applicant evidencing coverage through the term of such permit by an insurance company licensed to do business in the state in amounts of not less than \$50,000.00 for the injury or death of any one person, \$100,000.00 for injury or death to two or more persons and \$50,000.00 for property damage in any one occurrence or claim.

• Secs. 22-62. - Reserved.

- **Sec. 22-63. – Adoption of the International Existing Building Code (IEBC)**

In accordance with the provisions of Code of Ala. 1975, § 11-45-8(c), the International Existing Building Code, 2015 Edition, prepared by the International Code Council, Inc., except such sections and portions thereof as are hereinafter modified, is hereby referred to and adopted by reference as the existing building code of the city, as fully as if set out at length herein, and from and after the effective date of this article shall govern as far as code or ordinance can, to all the subjects to which they relate within the corporate limits of the city and within its police jurisdiction, and shall constitute and generally be referred to as the "Northport Existing Building Code."

- **Secs. 22-64. – Adoption of International Property Maintenance Code (IPMC)**

That in accordance with the provisions of Code of Alabama, 1975, § 11-45-8(c), the International Property Maintenance Code, 2015 Edition, prepared by the International Code Council, Inc., except such sections and portions thereof as are hereinafter modified, is hereby referred to and adopted by reference as the property maintenance code of the city, as fully as if set out at length herein, and from and after the effective date of the ordinance from which this section is derived, shall govern as far as code or ordinance can, to all the subjects to which they relate within the corporate limits of the city and within its police jurisdiction, and shall constitute and generally be referred to as the "Northport Property Maintenance Code."

- **Sec. 22-65. – Amendments to IPMC**

(a)

Definitions. The term "code official," as used in this chapter, or in any code hereinafter adopted by reference, shall be amended to read as the "building official".

(b)

Section 302 is amended to add the subsection 302.3.1 as follows:

"Section 302.3.1 Exterior Property Areas. All parking lots shall be kept clean and free of trash and debris. All Parking lots shall be kept free of pot holes and other defects. Parking lanes shall be kept marked and identified. All signage and lighting within a parking lot shall be maintained in good working order."

(c)

Section 302 is amended to add the subsection 302.7.1 as follows:

"Section 302.7.1 Exterior Property Areas. Any exterior property area including, but not limited to, vacant or abandoned slabs, foundations, sidewalks, driveways and other structure remnants shall be removed where left abandoned, unattended, unused or where no primary structure remains. Surface shall be returned to a natural state. The code official shall have the authority to determine continued use of any such vacant slab, foundation, sidewalk and driveway for proposed other purposes."

(d)

Section 505 is amended to add the subsection 505.5 as follows:

"Section 505.5 Water Heater Requirement. The code official may require water heater overflow and relief piping to drain to the exterior of the building where it is technically feasible. If technically infeasible, piping shall extend to the bottom of the water heater into a catch pan. The code official shall have the authority to approve other methods for safe operations."

(e)

Section 605 is amended to add the subsection 605.1.1 as follows:

"Section 605.1.1 Installation. In buildings and structures used as rental property, local disconnects shall be required for all major appliances. These disconnects shall conform to the 2014 National Electric Code."

(f)

Section 605 is amended to add the subsection 605.2.1 as follows:

"Section 605.2.1 Receptacles. In buildings and structures used as rental property, receptacles in bathrooms, within six foot of the kitchen sink(s) and outside in wet locations shall be equipped with ground fault circuit interrupters."

(g)

Section 704 is amended to add the subsection 704.3.1 as follows:

"Section 704.3.1 Power Source. In buildings and structures used as rental property, smoke alarms or detectors shall be AC powered with battery backup and shall be interconnected with other smoke alarms where it is technically feasible. The code official will have the authority to rule in the case of a building or structure where it is found technically infeasible to comply and authorize battery operated smoke alarms."

(h)

Appendices adopted. Appendix "A" of the International Property Maintenance Code 2015, Edition is adopted.

(i)

Section A101 is amended to add the subsection A101.2 as follows:

Section A101.2 General. The code official shall approve the time limit for structures and buildings to be secured by boarding.

(j)

Section A103.1 is amended to add the subsection A103.1.1 as follows:

Section A103.1.1 Boarding Installation. The code official shall have the authority to approve other methods of boarding installations.

• **Secs. 22-66—22-77. – Reserved**

- **ARTICLE IV. - INTERNATIONAL RESIDENTIAL CODE**

- **Sec. 22-78. - Amendments to the International Residential Code.**

(a)

The International Residential Code, 2006 2015 Edition, prepared by and containing Chapter 1-43 44 save and except such sections and portions thereof as are herein modified, or hereby referred to and adopted by reference as the Building Code of City of Northport, as fully as if set out at length herein, and from and after the effective date of this section, shall govern as far as code or ordinance can, to all the subjects to which they relate within the corporate city limits of the city and within its police jurisdiction and shall constitute and generally be referred to as the "Northport Building Code".

(b)

The International Residential Code is hereby amended as follows:

Part VIII Chapters 33-42 shall be deleted.

(1)

Appendices adopted. Appendices E, J, M, Q and U of the 2015 International Residential Code, 2015 Edition.

Amendments to the Code:

(2)

Section R102.7.1. of the International Residential Code 2015 edition is amended to add the following subsection:

R102.7.1.1. Construction requirements for existing residential detached one and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory structures shall comply with adopted International Residential Code.

Exception: Change of occupancy classification.

(3)

Section R302.5.1 of the International Residential Code 2015 edition is amended to read as the follows:

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and the residence shall be equipped with solid wood doors not less than 1 3/8" inches in thickness, solid or honeycomb core steel doors not less than 1 3/8" in thick, or 20-minute fire-rated doors.

(4)

Section R302.13 of the International Residential Code 2015 edition is amended to read as the follows:

R302.13 Fire protection of floors. Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a ½-inch (12.7 mm) gypsum wall- board membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Penetrations or

openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted. For crawl spaces or basements, fire rated materials shall only be required to extend 30" beyond the fuel-fire equipment directly above the equipment and the building official shall have the discretion to determine if a greater requirement is needed.

Exceptions:

i.

Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.

ii.

Floor assemblies located directly over a crawl space not intended for storage or fuel-fired appliances or where any fuel-fired appliances are located under a crawl space less than 66" inches from the top of crawl space to the grade.

iii.

Portions of floor assemblies shall be permitted to be unprotected where complying with the following:

a.

3.1. The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m²) per story

b.

3.2. Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.

c.

Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.

(5)

Section R403.1 of the International Residential Code 2015 Edition is amended to add the following:

The minimum requirements for foundations of the IRC shall be depicted on Appendix A of the Northport Building Code

(6)

Table R602.3(1) line #6 Fastening Schedule of the International Residential Code 2015 edition is amended to add the following to spacing and location:

Rafters and trusses attachment to the plate shall be fastened with a screw with an uplift capacity of 600 lbs. when tested accordance with ASTM-D1761 or other approved high wind connectors (ESR-2613).

(7)

Section R805.2.8.5 of the International Residential Code 2015 edition is amended to add the following subsection:

R805.2.8.5.(1) Wood shingle strips shall be permitted. The underlayment (or ice barrier where used) and asphalt shingles shall extend over the shingle strip by one-quarter inch (1/4").

(8)

International Residential Code, 2015 edition, Chapter 11 "Energy Efficiency" is hereby deleted. Energy efficiency requirements shall be required according to the state adopted "Alabama Energy Code".

(9)

Section M1503.4 of the International Residential Code, 2015 edition, is amended to read as follows:

M1503.4 Makeup air required. Exhaust hood systems capable of exhausting more than 400 cubic feet per minute (0.19 m³/s) shall be mechanically or naturally provided with makeup air at a rate approximately equal to the exhaust air rate in excess of 400 cubic feet per minute. Such makeup air systems shall be equipped with not less than one damper. Each damper shall be a gravity damper or an electrically operated damper that automatically opens when the exhaust system operates. Dampers shall be accessible for inspection, service, repair and replacement without removing permanent construction or any other ducts not connected to the damper being inspected, serviced, repaired or replaced.

Exception: Makeup air openings are not required for kitchen exhaust systems capable of exhausting not greater than 600 cubic feet per minute (0.28 m³/s) provided that one of the following conditions is met:

- i. Where the floor area within the air barrier of a dwelling unit is at least 1500 square feet, and where natural draft or mechanical draft space- or water-heating appliances are not located within the air barrier.
- ii. Where the floor area within the air barrier of a dwelling unit is at least 3000 square feet, and where natural draft space- or water-heating appliances are not located within the air barrier.
- iii. Where all appliances in the house are sealed combustion, power-vent, unvented, or electric.

(10)

Sections P2801.3, M1305.1.3 and G2406.1 of the International Residential Code, 2015 edition, are amended to add the following:

"Equipment such as, but not limited to, water heaters and mechanical equipment, located in attic spaces or other similar places shall be provided with a fixed or pull down stairway for servicing."

(11)

Section P2903.10 of the International Residential Code, 2015 edition, is amended to add the following:

"Shutoff valves shall not be required to be installed on the water supply pipe to each sill cock."

(12)

Section P2903.9.1 of the International Residential Code, 2015 edition, is amended to add the following:

"The provision for drainage such as a bleed orifice or installation of a separate drain valve shall not be required."

(13)

Electrical requirements for one- and two-family dwellings shall be constructed under the International Residential Code, 2015 Edition. When in conflict, the adopted National Electric Code (NEC), 2014 edition, known as the "Northport Electric Code" shall rule.

(14)

Section E3902.6 of the International Residential Code, 2015 edition, is amended to add subsection E3902.6.1 as follows:

Subsection E3902.6.1 Receptacles for refrigerators and/or freezers or similar appliances will not be required to have a ground-fault or arc fault circuit-interrupter protection when branch circuit is dedicated and single receptacle is provided.

(15)

Section E3902.16 of the International Residential Code, 2015 edition, is amended to add subsection E3902.16.1 as follows:

Subsection E3902.16.1 Arc-fault circuit —interrupter protection for kitchens and laundry areas will not be required until January 1, 2018.

- **Secs. 22-79—22-90. - Reserved.**

- **ARTICLE V. - INTERNATIONAL PLUMBING CODE**

- **Sec. 22-91. - Amendments to the International Plumbing Code.**

(a)

The International Plumbing Code, 2009 2015 Edition, amendments thereto or otherwise as may be from time to time adopted by the city, prepared by the International Code Council, save and except such sections and portions thereof as are hereinafter modified, is hereby referred to and adopted by reference as the plumbing code of the city, as if fully set out at length herein, and from and after the effective date of this section, shall govern as far as a code or ordinance can, to all subjects to which they relate within the corporate limits of the city and within its police jurisdiction, and shall constitute and generally be referred to as the "Northport Plumbing Code".

(b)

~~[Amendments.] Section 502.3. of the Northport Building Plumbing Code is hereby adding the following:~~

~~"Equipment such as, but not limited to, water heaters, located in attic spaces or other similar places shall be provided with a fixed or pull-down stairway for serving purposes."~~

Appendix E and F of the International Plumbing Code adopted.

(c)

Section 312.2. Section 312.2 of the International Plumbing Code is amended to allow a (5') five foot head of water on drainage and vent water test.

(d)

Section 312.6. Section 312.6 of the International Plumbing Code is amended to allow a (5') five foot head of water on Gravity sewer test.

(e)

Section 403.1 Table 403.1 of the International Plumbing Code is amended to add the following:

Service sinks will not be required by the City of Northport Plumbing Code for building classifications "B" Business, "M" Mercantile, "S" Storage. When service sinks are installed, they shall be installed according to International Plumbing Code.

Water drinking fountains will not be required by the City of Northport Plumbing Code. When water drinking fountains are installed, they shall be installed according to International Plumbing Code.

On site restroom facilities will not be required for storage buildings known as "Mini Storage" in which all storage bays open from the exterior and has no business office on site. If restroom facilities are provided, then they shall be installed according to International Plumbing Code.

(f)

Section 403.2 Separate Facilities — Exceptions #2 the International Plumbing Code is amended as the following:

Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 25 or fewer.

(g)

Section 502.3. Section 502.3 is amended by adding the following:

Equipment such as, but not limited to, water heaters, located in attic spaces or other similar places, shall be provided with a fixed or pull-down stairway for servicing purposes.

(h)

Section 606.2(2). Section 606.2(2) of the International Plumbing Code is deleted.

• ~~Sec. 22-92. – Plumbing department.~~

~~There is hereby established in the city a department to be called the plumbing department which shall be a subdivision of the inspection service department of the city. The plumbing department shall be under the direct charge of the building official.~~

- **Sec. 22-93. - Plumbing official and inspector.**

~~The plumbing official shall be appointed by the city council and shall be under the direct supervision of the head of the inspection service department of the city. No person shall be appointed as inspector of plumbing who does not have such experience as the city council deems necessary as a plumbing inspector, journeyman plumber, master plumber, engineer, or other experience as a superintendent or foreman in charge of plumbing construction. The words "plumbing official" as used in this Code shall also refer to and mean the plumbing inspector of the city.~~

- **Secs. 22-92—22-93. - Reserved.**

- **Sec. 22-94. - Qualifications for plumbers.**

Any person desiring to engage in or enter in the plumbing business and to be licensed as a plumber in the city, or its police jurisdiction, shall first be certified as a state master plumber. Any firm or corporation other than a natural person, desiring to be licensed to engage in such plumbing business, shall have one or more persons in its direct full-time employment who shall be certified as a state master plumber.

- **Secs. 22-95—22-120. - Reserved.**

- **ARTICLE VI. - INTERNATIONAL MECHANICAL CODE**

- **Sec. 22-121. - Amendments to the International Mechanical Code.**

(a)

The International Mechanical Code, 2009 **2015** Edition, as adopted by the city council, prepared by the ICC, save and except such sections and portions thereof as are hereinafter modified, is hereby referred to and adopted by reference as the mechanical code of the city, as if fully set out herein at length, and from and after the effective date of this section, shall govern as far as a code or ordinance can, to all the subjects to which they relate within the corporate limits of the city and within its police jurisdiction, and shall constitute and generally be referred to as the "Northport Mechanical Code".

- **Sec. 22-122. - Mechanical department. Reserved**

~~There is hereby established in the city a department to be called the mechanical department which shall be a subdivision of the inspection service department of the city. The mechanical department shall be under the direct charge of the building official.~~

- **Sec. 22-123. - Qualifications of a heating and air conditioning contractor.**

Any person desiring to engage in or enter in the heating and air conditioning business and to be licensed as a heating and air conditioning contractor in the city or its police jurisdiction shall first be certified by the Alabama Board

of Heating and Air Conditioning Contractors. Any firm or corporation other than a natural person desiring to be licensed to engage in such heating and air conditioning business shall have one or more persons in its direct full-time employment who shall be certified by the Alabama Board of Heating and Air Conditioning Contractors.

- **Secs. 22-124—22-150. - Reserved.**

- **ARTICLE VII. - INTERNATIONAL FUEL AND GAS CODE**

- **Sec. 22-151. - Amendments to the International Fuel and Gas Code.**

The International Fuel and Gas Code, 2009 2015 Edition, amendments thereto or otherwise as may be from time to time adopted by the city, prepared by the ICC, save and except such sections and portions thereof as are hereinafter modified, is hereby referred to and adopted by reference as the gas code of the City of Northport, as if fully set out at length herein, and from and after the effective date of this section, shall govern as far as a code or ordinance can, to all subjects to which they relate within the corporate limits of the city and within its police jurisdiction, and shall constitute and generally be referred to as the "Northport Fuel and Gas Code".

Appendix "A, B, C" of the Northport Gas Code is hereby adopted.

- **Secs. 22-152—22-190. - Reserved.**

- **Article VIII. - NFPA 70 National Electrical Code, 2008 2014 Edition**

- **Sec. 22-191. - Amendment to the National Electrical Code, 2008 2014 Edition**

(a)

The NFPA 70 National Electrical Code, 2008 2014 Edition, amendments thereto or otherwise as may be from time to time adopted by the city, prepared by NFPA, save and except such sections and portions thereof as are hereinafter modified, is hereby referred to and adopted by reference as the Electrical Code of the City of Northport, and from and after the effective date of this section, shall govern as far as a code or ordinance can, to all subjects to which they relate within the corporate limits of the city and within its police jurisdiction, and shall constitute and generally be referred to as the "Northport Electrical Code".

(b)

The term "electrical construction," as used in this code, shall be held to include all work and materials used in installing, maintaining or extending a system of electrical wiring for light, heat or power and all appurtenances, apparatus or equipment used in connection therewith, inside of or attached to any building or structure lot or premises.

(c)

The term "electrical contractor," as used in this code, shall be held to mean a person who is engaged in the business of electrical construction and who holds an electrical contractor's license from the state electrical board or who employs a person with such license where the license is attached to the business.

(d)

The Electrical requirements for one- and two-family dwellings shall be constructed under the International Residential Code, 2015 Edition. When in conflict, the adopted National Electric Code (NEC), 2014 edition, known as the "Northport Electric Code" shall rule.

(e)

Sec. 210.8 (A) is hereby amended to add subsection 210.8 (A) (11) as follows:

Subsection 210.8(A) (11) Receptacles for refrigerators and/or freezers will not be required to have a ground-fault circuit-interrupter protection when branch circuit is dedicated and single receptacle is provided.

(f)

Sec. 210.12(A) is hereby amended to add subsection 210.12(A)(a) as follows:

Subsection 210.12(A)(a) 1 Arc-fault circuit—interrupter protection for kitchens and laundry areas will not be required until January 1, 2018."

- **Sec. 22-192. - Electrical official. Reserved.**

~~There is hereby established in the city a department to be called the electrical department which shall be a subdivision of the inspection service department of the city. The electrical department shall be under the direct charge of the building official.~~

- **Sec. 22-193. - Inspectors not to engage in private business.**

It shall be unlawful for the city electrical inspector, or any of his assistants, to engage in the business of electrical consulting or the sale or installation of electric wiring, electric devices or electric equipment, either directly or indirectly.

- **Sec. 22-194. - Powers and authority.**

The city building inspector shall have the right to enter any building in the discharge of his official duties for the purpose of making any inspection or test of the installation of electric wiring, electric devices or electric equipment contained therein, and shall have the authority to cause the turning off of all electrical currents and to cut or disconnect in cases of emergency any wire where such electrical currents are dangerous to life or property, or where such wires may interfere with the work of the fire department. The city building inspector is hereby empowered to disconnect or order the discontinuance of electrical service to any electric wiring devices or equipment found to be in a dangerous or unsafe condition or defectively installed or otherwise not in conformity with the provisions of law or ordinance, until such wiring, devices and equipment and their installations have been made safe as directed by the city electrical inspector.

- **Sec. 22-195. - Radio equipment.**

Radio transmitting equipment, connected to and powered by electrical current supplied by an electric transmission company, shall be deemed electrical equipment within the meaning of this article; provided, however, that nothing herein contained shall be construed to require the installation of domestic receiving equipment by a certified electrician.

- **Sec. 22-196. - Permits.**

(a)

No wiring, devices or equipment for the transmission, distribution or utilization of electrical energy for light, heat, power, including wiring, devices and equipment for radio transmission and commercial reception, shall be installed within or on any building or structure, nor shall any alteration, repair or addition be made in any such existing wiring, devices or equipment without first securing a permit therefore from the city electrical inspector, except as stated in subsections (b), (c), (d), and (e) of this section.

(b)

No permit shall be required for minor repairs, such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping joints and repairing drop cords.

(c)

No permit shall be required for the installation of wiring, devices or equipment for telephone, telegraph, district messenger or telautograph systems or any signaling systems (other than commercial radio systems) operating at 50 volts or less, when installed by a public utility subject to regulation as such by the Alabama Public Service Commission or an agency of the United States.

(d)

No permit shall be required for the installation of electric wiring, devices or equipment installed in any building, the major portion of which is occupied by a public utility corporation, operation under a franchise from the city, to transmit and sell or use electrical energy, provided such wiring, devices or equipment are for the use of such corporation in its operation as a public utility; provided however, that permits shall be required for installations in public utility buildings to which the general public has regular access.

(e)

No permit shall be required for maintenance and repairs on the premises of any person which is done by or under the immediate supervision of a certified electrician; provided, that permits shall be required in all cases where new circuits or additional load is added.

(f)

A separate permit must be obtained for work on each building.

- **Sec. 22-197. - Application for permit.**

(a)

Application for such permit, describing the work to be done, shall be made in writing upon forms as prescribed by the city to the city electrical inspector by the person installing the work and the permit shall be issued to such applicant before work is begun. The person making application for such permit shall, when requested by

the city electrical inspector, file with his application, complete plans and specifications for the installation, showing sizes of all conductors and such other details as may be necessary in the opinion of the inspector to determine whether the installation as described will conform with all requirements provided by law and applicable ordinances.

(b)

The permit when issued shall authorize any such installation as is described in the application plans and specifications and no deviation shall be made from the installation so described without the written approval of the city electrical inspector.

(c)

Applications for permits must show the name or names of the property owners, the name of the electrical contractor who is performing the work, the exact location of the premises by number of block, lot and house, or other good and sufficient description together with a clear description of the work to be done and the number of lights, fixtures, circuits and other electrical apparatus to be installed.

- **Sec. 22-198. - Unauthorized use of permit.**

It shall be unlawful for any person, firm or corporation, who has qualified under this article to obtain a permit for electrical construction knowing that the electrical construction authorized in such permit, in whole or part, will be done by another person, firm or corporation not authorized by law or ordinance to do such work, and it shall be unlawful for any person, firm or corporation to allow his, its or their name to be used to obtain a permit for electrical construction to be done in whole or part by persons not authorized under this chapter to do such work.

- **Sec. 22-199. - Permit fees.**

Before any permit is granted for installation or alteration of electric wiring, devices or equipment, including radio and television transmission equipment, the person, firm or corporation making application for such permit shall pay to the city a fee as set forth in article II, "permits," of this chapter.

- **Sec. 22-200. - Inspection fee.**

An electrical contractor failing to request a final electrical inspection before a building is occupied shall be required to pay a penalty of one percent of the job contract or a maximum of \$50.00.

- **Sec. 22-201. - Completion of certificates of installation.**

(a)

Upon the completion of the installation of the electric wiring, devices and equipment which have been authorized by issuance of a permit, it shall be the duty of the person, firm or corporation installing such wiring, devices and equipment to notify the city electrical inspector who shall inspect the installation within a reasonable time, and if it is found by him to be fully in compliance with existing ordinances and laws, he shall issue to such person, firm or corporation a written final certificate of approval of the electrical installation. The approval shall be the authorization to the utility company for connecting of electrical service.

(b)

When a certificate is issued authorizing the connection and use of temporary work, such a certificate shall be issued to expire at a stated time and shall be revocable by the city electrical inspector at his discretion. A preliminary certificate may be issued authorizing the connection and use of certain specified portions of an uncompleted installation; such a preliminary certificate shall be revocable at the discretion of the city electrical inspector.

(c)

If, upon inspection, the installation is found not to be fully in compliance with existing laws and ordinances, the city electrical inspector shall at once forward a written notice to the person, firm or corporation installing the wiring stating the defects which have been found to exist at the time of such inspection.

- **Sec. 22-202. - Inspection before concealment of installation.**

When any part of a wiring installation is to be hidden from view by permanent building construction, the person installing the wiring shall notify the city electrical inspector, who shall cause an inspection to be made within a reasonable time, and such parts of the wiring installation shall not be concealed until they have been inspected and approved by the city electrical inspector; provided, that on large installations where the concealment of parts of the wiring proceeds continuously, the person installing the wiring shall give the city electrical inspector due notice and inspection shall be made periodically during the progress of work.

- **Sec. 22-203. - Reinspection; unsafe installations.**

The city electrical inspector may, periodically and at reasonable times and hours, make a thorough reinspection of the installation of all electric wiring, electric devices and electric equipment now installed or that may hereafter be installed within the city or within the police jurisdiction, and when the installation of any wiring devices or equipment is found to be in a dangerous or unsafe condition, the person owning, using or operating such wiring devices or equipment shall be notified in writing and shall make the necessary repairs or changes required in the sole opinion of the city electrical inspector to place such wiring, devices or equipment in safe condition and have such work completed within the period specified by the city electrical inspector in such notice.

- **Sec. 22-204. - Connections to installations; certificates of approval.**

(a)

It shall be unlawful for any person, firm or corporation to make connections from a source of electrical energy to any electrical wiring, devices or equipment, the installation for which a permit is required, until a certificate of approval has been issued by the city electrical inspector authorizing such connection and the use of such wiring, devices or equipment.

(b)

It shall be unlawful for any person, firm or corporation to make connection from a source of electrical energy to any electrical wiring, device or equipment which has been disconnected or ordered to be disconnected by the city electrical inspector until a certificate of approval has been issued by the city electrical inspector authorizing the reconnection and use of such wiring, devices or equipment.

- **Sec. 22-205. - Approved materials, apparatus, equipment and methods.**

(a)

No certificate of approval shall be issued unless the electric light, power and heating installation are in strict conformity with the Code and ordinances of the city.

(b)

The sale and disposal of electrical goods shall be regulated. No person, firm, company or corporation shall sell, offer, or expose for sale at retail or wholesale or dispose of by gift, premium or similar manner, any electrical materials, apparatus, fitting, appliance, device or appurtenance in the city or its police jurisdiction, unless such electrical material, apparatus, fitting, appliance, device or appurtenance shall conform in all respects to the provisions of this section. Nothing in this section shall be construed to limit or restrict sales or shipments in interstate commerce.

(c)

All electrical materials, apparatus, fittings, appliances, devices and appurtenances, sold, offered or exposed for sale, at retail or wholesale or which are disposed of by gift, premium or similar manner by any person, firm, company or corporation shall bear the manufacturer's name, trademark or other identification symbol along with markings giving operating voltage, type of current wattage and other pertinent information as may be necessary to determine the character of the material, apparatus, fitting, appliance, device or appurtenance and the use for which it is intended.

(d)

It shall be unlawful of any person, firm or corporation to sell, keep or offer for sale, or install any electrical apparatus, fitting or appliance, in the city or its police jurisdiction, if any of the markings or identification symbols required in the preceding subsection have been removed, changed or altered.

(e)

Except as set out below, no electrical material, apparatus, fitting, appliance, device or appurtenance shall be sold, offered or exposed for sale, at retail or wholesale, or disposed of by gift, premium or other similar manner, by any person, firm, company, or corporation, for installation in the city or its police jurisdiction, unless such material, apparatus, fitting, appliance, device or appurtenance shall have been submitted to and approved by the laboratories of the National Board of Fire Underwriters or other competent testing laboratories approved by the electrical examining board. Only electrical materials, apparatus, fittings, appliances, devices and appurtenances appearing in the listing of approved materials and fittings of the Underwriter's Laboratories or other approved laboratories, shall be considered as having complied with the foregoing regulations or requirements.

(f)

The city electrical inspector is authorized to issue special permits allowing the sale of electrical products or devices which have not been tested as hereinabove required where no standards of construction for such products or devices have been established when such product or apparatus is shown to be reasonably safe for use. In any case, where the sale of any item is denied, the standards which the product fails to meet shall be set out in writing by the city electrical inspector. The reasonable cost to the city of testing and causing tests to be made to determine the safety of any such person, firm or corporation desiring to sell such items and a deposit equal to the estimated cost to the city may be required by the city electrical inspector in advance of such tests, such deposit shall be paid to the city administrator-clerk pending the determination of final cost, however, the city shall not be required to obtain such tests.

(g)

Any person aggrieved by the decision of the city electrical inspector in granting or refusing to grant such special permit may, appeal to the city council in accordance of the rules set out in section 108, "appeals," of the Northport Building Code.

- **Sec. 22-206. - Prerequisite to license.**

Only the holder of a valid, unrevoked, unsuspended master certificate of competency, or firms, partnerships, or corporation's having in its direct full time employment one or more individuals who hold such master certificate shall be eligible to obtain a license to engage in the business of electrical construction and installation.

- **Sec. 22-207. - Employees of electrical contractor.**

No electrical contractor shall employ any person on any job in the capacity of a journeyman electrician, unless such a person shall possess a valid journeyman certificate of competency, issued to him as provided in this chapter.

- **Sec. 22-208. - Unlawful to do business without certificate.**

(a)

It shall be unlawful, (1) for any person other than a holder of a certificate of competency or a holder of a certificate of registration as apprentice electrician to do any electrical installation or construction work in the city or in its police jurisdiction, or (2) for any holder of a certificate of competency to employ as an assistant in any such work any person other than a holder of a certificate of competency or the holder of a certificate of registration as an apprentice electrician, or (3) for any holder of a certificate of competency to require a registered apprentice electrician to do any such work otherwise than under his direct supervision, or (4) any registered apprentice electrician to do any such work otherwise than while under the direct supervision of the holder of a certificate of competency. Anything hereinabove to the contrary notwithstanding, however, it shall not be unlawful: (a) for any public utility corporation operating under a franchise from the city to transmit and sell electrical energy, or any employee of such public utility corporation, to do any work as a part of the public utility business of such corporation; (b) for any person who, being a competent electrician, is regularly employed as a plant or company electrician on a salary basis, to do electrical maintenance and repairs, including installation of additional circuits, electrical motors and equipment, when done on the premises of the person, firm or corporation employing such electrician and as a part of his regular duties.

(b)

Nothing in this Code shall prevent any homeowner from installing or maintaining electrical systems in or on premises which he himself owns and occupies as a home. The city electrical inspector shall examine and pass upon the qualifications of every person who may apply for a homeowner permit to install electrical wiring in his own home which he occupies as a single-family dwelling. This examination shall cover only such subjects as pertain to the proper installation, wiring to lighting outlets, circuits, fixtures, switches, ranges and/or heaters or such other areas deemed necessary by the city electrical inspector. Such privileges do not convey the right to violate any of the provisions of this Code or the terms of any state statute or any other applicable ordinance of the city, nor is it to be construed as exempting any property owner from obtaining a permit with the applicable inspections and paying the required fees therefore.

- **Sec. 22-209. - Meaning of qualified.**

A person shall be deemed "qualified" within the meaning of the preceding section when he possesses an accurate knowledge of the fundamentals of electricity, a practical working knowledge of the theory and correct practice of electrical installation and construction in relation to the work which he proposed to do, a thorough knowledge of the laws of the city relating to the work which he proposes to do, and sufficient experience and ability in electrical construction and installation to safely and competently apply his knowledge in practice.

- **Sec. 22-210. - Permitting work not in accord with chapter.**

(a)

It shall be unlawful for any person to permit the installation of any electrical wiring, apparatus or other appurtenances upon his premises, works, ways, machinery or plant except in strict accordance with all provisions of this chapter. It shall be further unlawful for any person to maintain, operate or attempt to operate any electrical wiring, apparatus, equipment or other appurtenances, in or upon his premises, works, ways, machinery or plant, which has not been installed in strict accordance with the provisions of this chapter and the Northport Electrical Code.

(b)

In the event the city electrical inspector determines any electrical installation, regardless of type, to be unsafe or to constitute a hazard to life or health, such inspector is hereby authorized to order such electrical installation abated immediately by disconnection of the source of power to such installation or, if in the judgment of the city electrical inspector the hazard can be abated promptly by repair or replacement, he is authorized to order such repair or replacement, to be accomplished within ten days or that the power be disconnected if such repair is not accomplished within the ten-day period. All orders for repairs or replacement shall be in writing, but the order to disconnect the electrical power in an emergency may be given orally. It shall be the responsibility of the owner or agent in charge of the premises, place, or structure where the unsafe electrical installation is found, to carry out the provisions of this section, and it shall be unlawful for any person to fail to comply with the orders of the city electrical inspector in regard to disconnecting the power to such unsafe installation or in regard to effecting repairs thereto, and each day's violation of such order shall constitute a separate offense.

- **Sec. 22-211. - Requirements for electrical construction.**

Materials and appliances generally. All electrical work, and all materials and appliances used in connection therewith, done within the city and in its police jurisdiction shall conform to the requirements and provisions of the National Electrical Code which the city adopts by ordinance or which may hereinafter be adopted by ordinance, which such requirements and provisions are hereby adopted and approved as a part of this electrical code and by reference are hereby made a part hereof as fully and completely as if herein set out in full. The following requirements for electrical work and materials shall supplement the requirements in any technical code now in force, or which may be duly adopted and placed in force by the city.

- **Sec. 22-212. - Persons in charge or control responsible for violations.**

It shall be unlawful for any person to cause or permit any such wires of which he is the owner or lessee, or of which he has charge or control to be maintained in violation of any section of this chapter.

- **Sec. 22-213. - Requirements as to poles.**

All poles erected on the streets, alleys or public places of the city, by any telegraph, telephone, electric light, street railway, or power company, shall be neat and symmetrical. All "dead" or unused poles must be promptly removed from the streets by the company erecting them.

- **Sec. 22-214. - Radio reception interference.**

It shall be unlawful for any person to knowingly cause, or permit, any reasonably preventable electrical interference with radio or television reception in the city or its police jurisdiction through or by the operation of any machine, device, apparatus or instrument of any kind whatsoever located in the city or its police jurisdiction. Electrical interference with radio or television reception, caused by any machine, device, apparatus or instrument, shall be deemed reasonably preventable when such interference can be eliminated or materially minimized by equipping, at reasonable expense, such machine, device, apparatus or instrument with a proper device or instrument designed for the purpose of eliminating or minimizing electrical interference with radio reception, and also when such electrical interference is otherwise reasonably preventable.

- **Sec. 22-215. - Additional wiring requirements.**

Electrical wire smaller than Number 12 American Gauge Wire for light or power is hereby prohibited.

- **Sec. 22-216. - Manufactured home service section.**

The minimum requirements for manufactured home electrical connections shall be as depicted on appendix A hereto.

- **Sec. 22-217. - Location of radio or television antenna near high voltage wires.**

(a)

For the purpose of this section, the "base of the antenna" shall mean the point at which the antenna is attached to the roof of the building or other structure. The "tip of the antenna" shall mean the highest portion of such antenna when installed in an upright position and fully extended.

(b)

It shall be unlawful for any person to install, erect, or maintain, or for any person to permit to be installed, erected or maintained on any property or premises under his charge or control, any radio or television antenna at any point unless the distance from the base of such antenna in a direct line to the nearest primary electrical distribution or transmission line or conductor carrying a potential of 600 volts or more of electricity is at least 15 feet greater than the distance from the base of such antenna to the tip thereof when fully extended.

- **Sec. 22-218. - Penalty for violation.**

Any person, firm, or corporation violating any provision of this article shall be subject to the provisions of section 1-6 of this Code.

- **Secs. 22-219—22-222. - Reserved.**

- **Article IX. –Swimming Pool and SPA Code (ISPSC)**

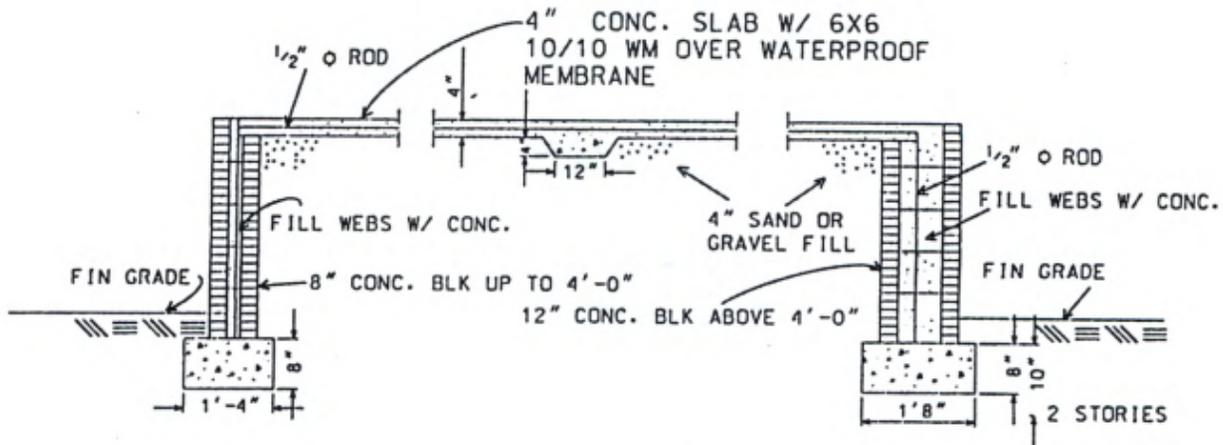
- **Sec. 22-223. – Adoption of the International Swimming Pool and SPA Code (ISPSC)**

In accordance with the provisions of Code of Alabama, 1975, § 11-45-8(c), the International Swimming Pool and Spa Code, 2015 Edition, prepared by the International Code Council, Inc., except such sections and portions thereof as are hereinafter modified, is hereby referred to and adopted by reference as the swimming pool and spa code of the city, as fully as if set out at length herein, and from and after the effective date of the ordinance from which this section is derived, shall govern as far as code or ordinance can, to all the subjects to which they relate within the corporate limits of the city and within its police jurisdiction, and shall constitute and generally be referred to as the "Northport Swimming Pool and Spa Code."

- **Secs. 22-224—22-240. - Reserved.**

Appendix A to Section 1807 of the Northport Building Code

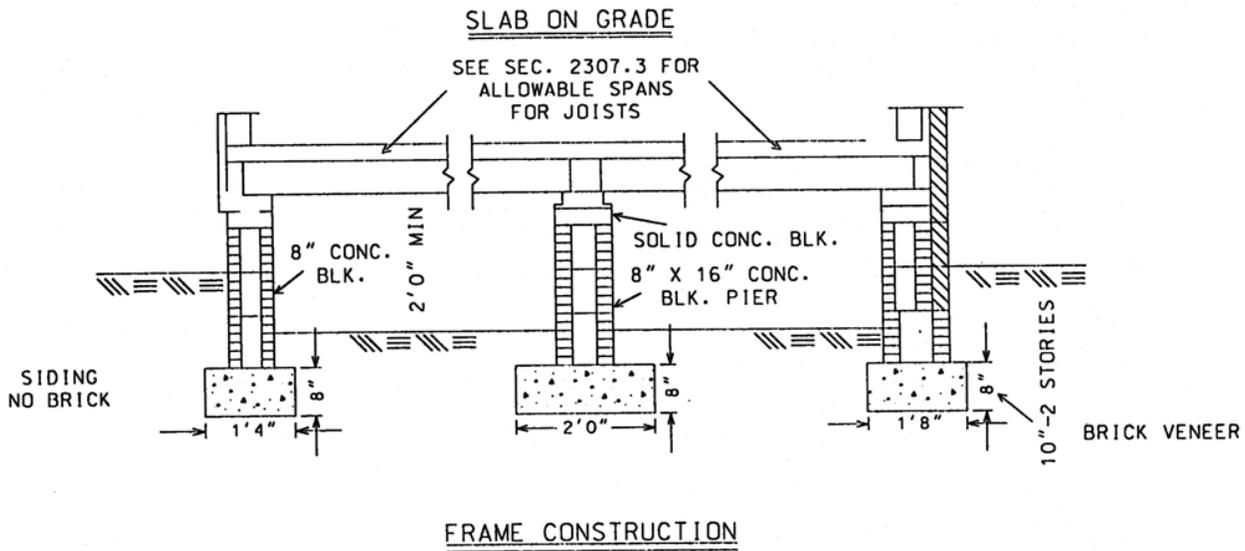
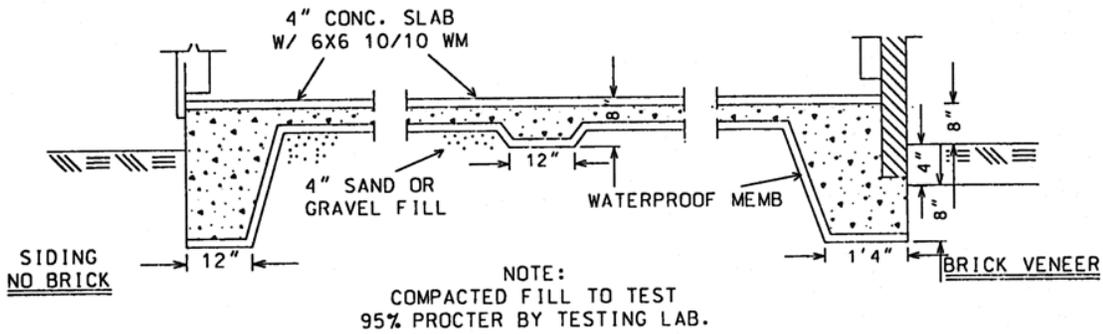
FOUNDATION WALLS



NOTES:

1. 8" CONC. BLOCK UP TO 4'-0" ABOVE FIN. GR.
2. 12" CONC. BLOCK OVER 4'-0" ABOVE FIN. GR.
3. 1/2" Ø ROD 2'-0" O.C. WHEN WALL IS ABOVE 5 COURSES HIGH. ROD TO EXTEND TO FOOTING AND TURN INTO SLAB 2'-0".
4. 1/2" Ø ROD TO EXTEND ACROSS SLAB INTO WALLS WHEN WALLS ARE ABOVE 8 COURSES.

Appendix A to Section 1809.8 of the Northport Building Code and Chapter 4 of the IRC



Minimum two runs of 5/8" steel rods
in lower 1/3" of footing depth

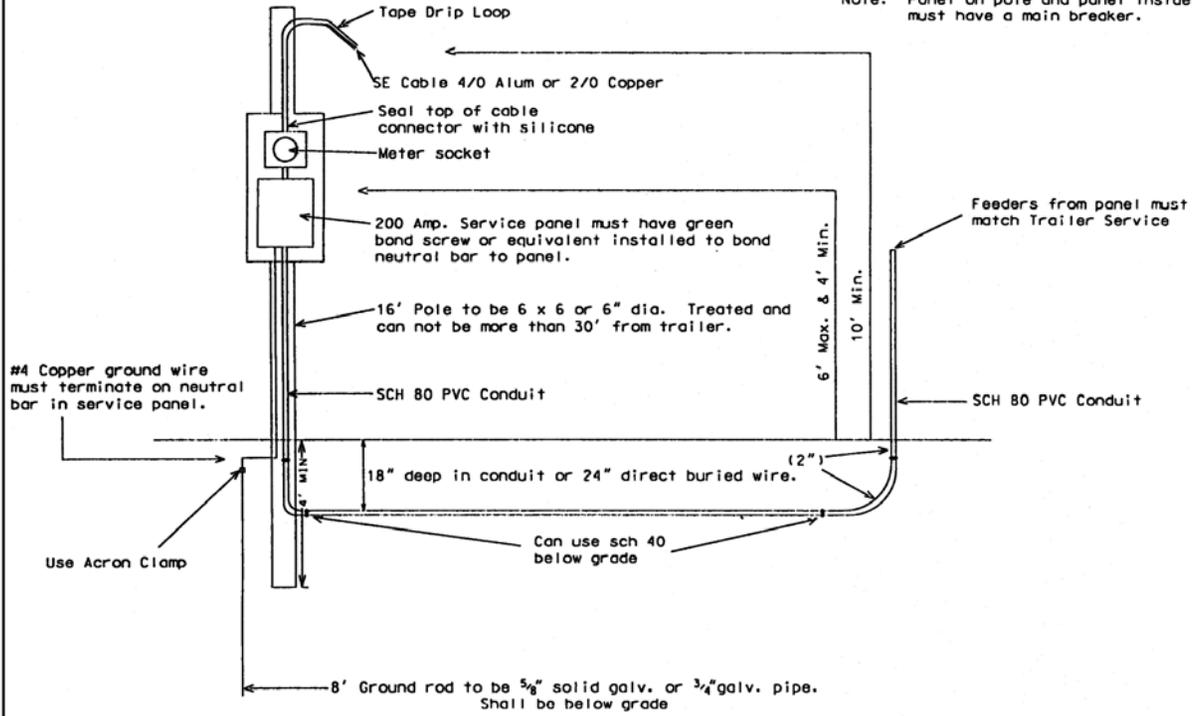
Appendix A to Section 22-216 of the Northport Electrical Code

APPENDIX

APPENDIX "A" TO SECTION 22-216 OF THE
NORTHPORT ELECTRICAL CODE

MOBILE/MANUFACTURED
HOME SERVICE CONNECTION

Note: Panel on pole and panel inside trailer must have a main breaker.



- **ARTICLE IX. - EROSION AND SEDIMENT CONTROL**

- **Sec. 22-241. - Statement of intent.**

The intent of this article is to provide for a measure for the city to minimize erosion and sedimentation onto city property and to pursue preservation of the quality of the local environment from the harmful effects of erosion and sedimentation wherever reasonably possible. Nothing herein shall be construed to require the city or its officials, employees, agents or attorneys to restore or cause the restoration of property damaged by erosion or sedimentation in violation of this article or to otherwise seek or assist others in seeking compensation to private property owners for any such damage caused by a violation of this article. The city and its officials, employees, agents and attorneys shall not be liable for any conditions or damages that result from any failure to observe or recognize a hazardous condition, any failure of an approved plan to prevent erosion or sedimentation, or any failure of the city to cause owners and builders to adhere to the terms of this article. Nothing herein shall be construed to expand the liability of the city or its officials, employees, agents or attorneys nor shall it create any additional, further, different or expanded claim or cause of action.

- **Sec. 22-242. - Definitions.**

For the purpose of this article the following terms, phrases, words and their derivations shall have the meanings herein ascribed to them, unless the written context clearly indicates otherwise:

City engineer. The term "city engineer" shall mean the employee(s) of the city engineering and police departments responsible for determining the adequacy of an erosion and sediment control plan submitted for land disturbing activities on a unit or units of land and shall approve such plan if the plan is determined to be adequate.

Conservation standards or standards. The terms "conservation standards" or "standards" shall mean standards adopted by the city pursuant to the provisions of this article.

Erosion and sediment control plan or plan. The terms "erosion and sediment control plan", or "plan" shall mean a document containing material for the conservation of soil and water resources of a unit or group of units of land by the implementation of erosion and sediment control measures. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation measures to assure that the entire unit or units of land will be so treated to achieve the conservation objectives.

Erosion and sediment control program. The term "erosion and sediment control program" shall mean an outline or explanation of the various elements or methods employed by the city to regulate land-disturbing activities and thereby minimize erosion and sedimentation and may include such items as an ordinance, policies and guidelines, technical materials, inspection, enforcement and evaluation.

Land-disturbing activity. The term "land-disturbing activity" shall mean any land changes which may result in soil erosion from water or wind and the movement of sediments including, but not limited to, clearing, grading, excavating, transporting and filling of land, except that the term shall not include:

Minor land-disturbing activities:

a.

Single family home gardens;

b.

Single family home landscaping either contracted for or performed by the homeowner;

c.

Single family home repairs and maintenance work contracted by or performed by the homeowner;

(2)

Individual service connections:

a.

Construction, installation, or maintenance of electric, natural gas, sewer, water and telephone utility and service lines;

b.

Installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard surface road, street or sidewalk provided such land-disturbing activity is confined to the area of the road, street or sidewalk which is hard surfaced;

(3)

Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;

(4)

Surface or deep mining:

a.

Exploration or drilling for oil and gas including the well site, roads and off-site disposal areas;

(5)

Tilling, planting, or harvesting of agricultural, horticultural, or forest crops;

(6)

Construction, repair or rebuilding of the tracks, right-of-way, bridges, communication facilities and other related structures and facilities of a railroad company;

(7)

Disturbed land areas for commercial or noncommercial uses of less than 10,000 square feet in size; provided, however, that the city engineer may reduce this exception to a smaller area of disturbed land and/or qualify the conditions under which this exception shall apply;

(8)

Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles; or

(9)

Emergency work to protect life, limb or property, and emergency repairs; provided that if the land-disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the city engineer.

(10)

Construction of a one to four family residential structure; provided, however, that nothing herein shall be deemed to exempt subdivision developments and related infrastructure from being constructed pursuant to an approved plan. One to four family residential construction shall be governed by the minimum requirements for erosion and sediment control provided in this article.

One to four family residential structure. The term "one to four family residential structure" shall mean any single structure or unit that is designed to be used as a residence by four or less families and is constructed on a lot by itself.

Person. The term "person" shall mean any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, or other political subdivision, or any other legal entity.

Specifications. The term "specifications" shall mean the written procedures and requirements to control erosion and sedimentation as officially adopted by the city.

- **Sec. 22-243. - Erosion of or sedimentation onto city property prohibited.**

It shall be a violation of this article for any person to cause or permit any one or more of the following to occur:

- (1)
Erosion of city property,
- (2)
Sedimentation onto city property,
- (3)
Tracking, spreading or depositing of dirt or mud onto city streets.

- **Sec. 22-244. - Erosion and sediment control program.**

To carry out its program the city has established conservation standards for various types of soils and land uses, which standards include criteria, guidelines, techniques, and methods for the control of erosion and sedimentation resulting from land disturbing activities. Such conservation standards may be revised from time to time as may be necessary. The city, before revising said conservation standards, shall hold a public hearing thereon, notice of the time and place of which, with a general description of the proposed conservation standards or proposed changes in existing standards to be made, to be give not less than ten days prior to said public hearing. The city engineer shall provide not less than two copies of the conservation standards and the erosion and sediment control program to the city clerk which shall be placed on file in the office of the city clerk for inspection by the public.

- **Sec. 22-245. - Minimum erosion and sediment control requirements for the construction of one to four family residential structures.**

In lieu of designing and submitting for approval an erosion and sediment control plan for the construction of a one to four family residential structure, the following minimum standards shall apply:

(1)

Low impact areas. For lots having a slope between zero percent and five percent the following minimum erosion control measures are required:

a.

A temporary gravel construction entrance shall be constructed as shown on the attached Exhibit "A" [located at end of article]; and

b.

Silt fencing shall be installed down grade of the disturbed area in the manner shown on the attached Exhibit "B" [located at end of article]; provided, however, that in lieu of silt fencing a 20-foot grassed buffer area along the down grade perimeter of the disturbed portion of the lot may be used.

(2)

Medium impact areas. For lots having a slope between five percent and ten percent the following minimum erosion control measures are required:

a.

A temporary gravel construction entrance shall be constructed as shown on the attached Exhibit "A" [located at end of article]; and

b.

Silt fencing shall be installed down grade of the disturbed area in the manner shown on the attached Exhibit "B" [located at end of article]; provided, however, that lots having a slope between five percent and seven percent may install a 30-foot grassed buffer area along the down grade perimeter of the disturbed portion of the lot in lieu of installation of silt fencing.

(3)

High impact areas. For lots having a slope greater than ten percent the following minimum erosion control measures are required:

a.

A temporary gravel construction entrance shall be constructed as shown on the attached Exhibit "A" [located at end of article]; and

b.

Silt fencing shall be installed down grade of the disturbed area in the manner shown on the attached Exhibit "B" [located at end of article], or a hay bale barrier shall be installed below the disturbed areas subject to sheet and rill erosion in the manner shown in the attached Exhibit "C" [located at end of article].

NOTE: The contractor shall be responsible for maintaining all erosion control structures and shall be required to inspect these structures after each rainfall. When checking these structures, the contractor shall immediately make any repairs that are needed.

These standards represent minimum requirements. The city engineer is authorized to require further erosion and sediment control measures where, in his opinion, these minimum requirements are found to be insufficient. Nothing herein shall be deemed to exempt persons who plan to construct subdivision developments and other large developments from designing and submitting for approval an erosion and sediment control plan for land disturbing activities related to the construction of streets, drainage structures, sewers, and similar parts of the infrastructure in the development.

- **Sec. 22-246. - Erosion control plan required for all other developments.**

(a)

No person shall engage in any land-disturbing activity (as defined herein) until he has submitted to the city an erosion and sediment control plan for such land-disturbing activity and such plan has been reviewed and approved by the city engineer.

(b)

Upon submission of an erosion and sediment control plan to the city engineer, he shall, within 20 days approve any such plan if he determines that the plan meets the conservation standards of the city and if the person responsible for carrying out the plan certifies that he will properly perform the erosion and sediment control measures included in the plan and will conform to the provisions of this article.

(c)

The city engineer must act on all plans submitted within 20 days from receipt thereof by either approving said plan in writing or by disapproving said plan in writing and giving the specific reasons for its disapproval. When a plan submitted for approval under this section is found upon review to be inadequate, the city engineer shall specify such modifications, terms, and conditions as will permit approval of the plan and communicate these requirements to the applicant as herein required. If no action is taken by the city engineer within the time specified above, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.

(d)

An approved plan may be subsequently changed by the city engineer in the following cases:

(1)

Where inspection of the site has revealed the inadequacy of the plan to accomplish the erosion and sediment control objectives of the plan, and appropriate modifications to correct the deficiencies of the plan are agreed to by the city engineer.

(2)

Where the person responsible for carrying out the approved plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this article, are agreed to by the city engineer.

(e)

Any county or municipal agency that undertakes a project within the city involving a land-disturbing activity shall file a plan with the city engineer for review and written comments. The city engineer shall have 20 days in which to comment and such comment shall be binding on the county or municipal agency or the private business hired by the county or municipal agency. Individual approval of separate projects is not necessary when approved plans are followed. The county or municipal agency shall submit changes in the plan to the city engineer and shall submit a plan at least annually for review for large and/or phased projects. Further, the entity causing the land-disturbing activity shall be liable for compliance with the approved plan.

(f)

For the purpose of subsections (a) and (b) of this section, the preparation, submission and approval of an erosion and sediment control plan, when required, shall be the ultimate responsibility of the property owner.

- **Sec. 22-247. - Approved plan required for issuance of grading, building, or other permits.**

It shall be a violation of this article for any person to commence a land-disturbing activity or the construction of a one to four family residential structure, including without limitation lot clearing, without first having obtained a grading permit for the project in advance. Neither the building inspector nor any other authorized official under any other law shall issue permits for activities involving land-disturbing activities governed by this article unless the applicant first obtains a grading permit from the city engineer pursuant to an approved erosion and sediment control plan relating to the activity.

- **Sec. 22-248. - Guaranty required.**

(a)

Land-disturbing activities. At the time an erosion and sediment control plan is filed with the city the city engineer shall also obtain from the applicant a performance bond, cash, letter of credit, certified check, or any combination thereof, equal to 150 percent of the estimated cost of all erosion control measures for the project guaranteeing payment to the city for the cost of all erosion and sediment control measures that are performed by the city on behalf of the applicant due to the applicant's failure to control erosion and/or sedimentation as required by this article. Within 30 days of the completion of the land disturbing activity, all unused portions of such bond, cash, letter of credit, or cashiers check shall be refunded to the applicant or terminated, as the case may be. These requirements are in addition to all other provisions of law relating to the issuance of such permits and are not intended to otherwise limit the requirements for such permits.

(b)

One to four family residential structures. In lieu of a performance bond, owners or builders of a one to four family residential structure may execute an agreement, in a form provided by the city, personally guaranteeing unto the city full compliance with the terms of this article and reimbursement to the city for the city's costs in curing any violation of this article by such person.

(c)

Bond or guaranty required prior to issuance of building permit. No grading permit or building permit shall be issued to any applicant until the applicant has provided the city with the bond or guaranty required by subsections (a) and (b) of this section.

- **Sec. 22-249. - Monitoring, reports and inspections.**

The city engineer and/or building inspector shall make periodic inspections of project sites to ensure compliance with this article. The building inspector's inspections shall be conducted as part of his routine permit inspections. Notice of such right of inspection shall be included in the grading permit. If the city engineer and/or building inspector determines that the permittee is in material non-compliance with the provisions of this article, he is authorized to pursue enforcement of the plan as provided herein. In addition to all other means of enforcement set forth in this article, the building inspector shall, upon notice of a violation of this article, withhold all permits and approvals for the project in violation until all such violations have been corrected. Provided, however, that if the building inspector determines that such violation is minor and that the violating party is otherwise making a good faith attempt to be in compliance with this article, such building inspector shall have reasonable discretion to issue a warning with 24 hours to remediate in lieu of withholding such permit(s) and/or approval(s). The building inspector

shall report all such warnings to the environmental control officer immediately thereafter so that the environmental control officer will be able to make an additional inspection to verify such remediation.

• **Sec. 22-250. - Penalties and enforcement.**

The city engineer and building inspector shall be authorized to enforce the provisions of this article using one or more of the following means:

(1)

Equitable relief. The city engineer may, after having received the prior approval of the council, apply to the Circuit Court of Tuscaloosa County for a temporary restraining order, preliminary injunction and/or such other injunctive relief necessary to terminate a violation or prevent a threatened violation of this article without the necessity of showing that there does not exist an adequate remedy at law. Compliance with the provisions of this article shall be prima facie evidence in any legal or equitable proceeding for damages caused by erosion, siltation or sedimentation that all requirements of law have been met and the complaining party must show negligence in order to recover any damages.

(2)

Corrective measures. In the event a responsible person is unwilling or unable to prevent or stop a material violation of this article and the city engineer determines that immediate action is necessary to prevent or stop substantial damage due to erosion, siltation or similar events, the city engineer is authorized to employ such corrective measures using city forces or independent contractors as he determines are necessary to prevent or stop such damage. In this event, the city engineer is authorized to seek reimbursement to the city for its costs of such corrective measures from the responsible person, his guarantor, or both, as provided herein.

(3)

Criminal penalties. A violation under this article shall be deemed a class C misdemeanor and upon conviction shall be subject to a fine not exceeding \$500.00 or three months imprisonment for each violation, or both. Each day the violation exists shall constitute a separation offense.

(4)

Issuance of citation and complaint in lieu of arrest.

a.

Authority to issue citation. All law enforcement officers of the city and all law enforcement officers of the State of Alabama are hereby authorized to issue a citation to any person observed in violation of any provision of this article in lieu of placing such person under custodial arrest.

b.

Contents of citation. Such citation shall contain the following information:

*

The name of the Northport Municipal Court;

*

The name of the defendant;

*

A description of the offense, including applicable code sections;

*

The date and time of the offense;

*

The place of the offense;

*

The duration of the offense, if readily ascertainable;

*

The signature of the city magistrate authorizing the citation, unless the officer shall have personally witnessed the alleged offense;

*

The signature of the officer issuing the citation;

*

A signature block for the person to whom the citation is issued;

*

The scheduled court date and time;

*

An explanation to the person cited of the ways in which he or she may settle the case, including any applicable administrative appeal rights afforded such person;

*

A signature block for the city magistrate to sign upon the officer's oath and affirmation given prior to trial; and

*

Such additional information as the city magistrate shall deem appropriate.

c.

Release; defendant's signature bond. Whenever any person is cited in accordance with these provisions for a violation of any provision of this article, the officer shall take the name and address of such person and any other identifying information and issue the citation to the person in charge. The officer shall then release the person upon his or her written promise to appear in court at the designated time and place as evidenced by said person's signature on the citation, without any condition relating to the deposit of security.

d.

Release surety bond required. If any person refuses to give a written recognizance to appear by placing his or her signature on the citation, the law enforcement officer shall, after giving warning of the consequences of such refusal, take that person into custody and bring him or her before any official who is authorized to approve a bond.

e.

Plea of guilty; waiver of rights. Whenever a person is charged with a violation of any provision of this article, he or she may elect to appear before the Northport Municipal Court magistrate within the time specified by the citation, and upon entering a plea of guilty, pay all applicable fines and court costs. In the alternative, such person may sign the plea of guilty and waiver of rights form and mail or hand deliver said form along with the amount of the fine and applicable court costs to the clerk of the

municipal court within the time specified by the citation. A plea of guilty shall only be accepted by the magistrate after the defendant has executed a plea of guilty and waiver of rights form.

If, upon executing the guilty plea and the notice and waiver of rights form on the reverse side of the citation, the amount tendered by the defendant is insufficient to fully cover all payments required, the amount tendered and received by the magistrate may be accepted as a partial payment of said required payments only upon order and concurrence by the municipal court. In accepting such partial payment, the court may establish a payment schedule by which the defendant shall fully satisfy his or her obligation by installments. Any such approved payment terms shall bear interest at the rate provided by state law.

f.

Repeat offenders; mandatory court appearance. If the municipal court has reason to believe that a defendant charged with a scheduled offense is a repeat offender, the court, in its discretion, may require the defendant to appear in court to answer the charged offense, in which case the defendant may not plead guilty before a magistrate.

g.

Plea of not guilty. If the defendant chooses not to pursue the available options under subsection (5) and desires to have the matter heard by the court, the court clerk or magistrate shall enter the time of the defendant's appearance on the court docket; and, notify the officer issuing the citation and all witnesses, if any, to be present, as well as notify the city prosecutor of such proceedings.

h.

Failure to appear. If the defendant fails to appear as specified in the citation, the judge or magistrate having jurisdiction of the offense may issue a warrant for such person's arrest commanding, that he or she be brought before the court to answer the charge contained in the citation.

In addition, any person who willfully violates his or her written promise to appear, given in accordance with this section, may be found guilty of the separate offense of failing to appear, a further class C misdemeanor, regardless of the disposition of the charge upon which he or she was originally cited. Such sanctions may be applicable in conjunction with or independent of any other proceeding, process, or remedy provided by law, as a court shall deem appropriate.

i.

Distribution of fines and court costs. All fines collected upon a conviction of or entry of a plea of guilty by a person charged with violation of this article shall be remitted to the general fund of the city. All court costs so collected shall be distributed as provided by law.

j.

Warnings. Notwithstanding anything contained in this subsection (4) to the contrary, in the event the law enforcement officer who discovers a violation of this article determines that the violation is minor and the violating party is otherwise operating in a good faith attempt to be in compliance with this article, such officer shall have reasonable discretion to issue a warning with 24 hours to remediate in lieu of a citation. After 24 hours from the issuance of the warning, the violating party shall be issued a citation unless all such violations have been cured.

(5)

Schedule of fines. The penalty for any violation of a provision of this article shall be cumulative to all other civil penalties. In the event a defendant in municipal court is charged with one of the offenses listed below and

elects to plead guilty before a magistrate or is found guilty by the municipal court, the following schedule of fines shall apply in addition to all court costs and other costs:

Scheduled Fines

\$250.00	\$500.00
First Offense	Second or Subsequent Offense Within One Year

- **Exhibit A Standard Specification 1.01 - TEMPORARY GRAVEL CONSTRUCTION ENTRANCE**

Definition. A stone stabilized pad located at points of vehicular ingress and egress on a construction site.

Purpose. To reduce the amount of mud transported onto public roads by motor vehicles or runoff.

Conditions where practice applies. Wherever traffic will be leaving a construction site and move directly onto a public road or other paved area, including areas paved within the project site.

Planning considerations. General Criteria GC-12 requires that roads adjacent to a construction site shall be clean at the end of each day. Construction entrances provide an area where mud can be removed from the tires of construction vehicles before they enter a public road. If the action of vehicle traveling over the gravel pad is not sufficient to remove the majority of the mud, then the tires must be washed before the vehicle enters a public road. If washing is used, provisions must be made to intercept the wash water and trap the sediment before it is carried off-site. Construction entrances should be used in conjunction with the stabilization of construction roads to reduce the amount of mud collected construction vehicles.

Design criteria.

Aggregate size. Coarse

Entrance dimensions. The aggregate layer shall be a minimum of 4 inches thick and shall extend the full width of the vehicular ingress and egress area. The minimum length of the entrance shall be 50 feet. (See Plate [1.01a](#))

Reserved for Exhibit "A" diagrams (plates [1.01\(a\)](#) and (b))

(Ord. No. 1214, Exhibit A, 1-6-97)

Reserved for Exhibit "B" diagrams (plates 1.06(a) and (b))

(Ord. No. 1214, Exhibit B, 1-6-97)

Reserved for Exhibit "C" diagram. (plate 1.05(a))

Reserved for Exhibit "C" diagrams (plates 1.05 (b) and (c))

City of Northport

Application for Approval of Erosion
and Sediment Control Plan

Property Owner(s)

Name:

Address:

Telephone #:

Fax #:

Builder (if different)

Name:

Address:

Telephone #:

Fax #:

Project location:

General description of proposed activities:

.....

Estimated cost of erosion control measures for this project: \$ _____

Bond amount (150%): \$ _____

Commitment of Responsible Party

I, the undersigned owner of and/or builder on the hereindescribed real property, agree to adhere to the erosion and sediment control plan approved by the City of Northport for the project described herein, as may be amended from time to time, for the entire period of the project including regular maintenance of erosion control devices. I understand that the City will make periodic inspections of the project site and that violations may result in fines, imprisonment, and/or legal action against me. I am the party responsible for adherence to the City's erosion and sediment control plan for this project. All correspondence, notices and citations, if any, will be received by me at the above address.

Owner/Builder

Date: _____ / _____ / _____

APPLICATION PROCEDURE—1 TO 4 FAMILY
RESIDENTIAL STRUCTURE

1.
Owner or builder fills out building permit application and signs agreement in lieu of performance bond.
2.
Building inspector reviews and approves application for building permit. City engineer reviews and approves agreement in lieu of performance bond.
3.
Building inspector issues building permit and grading permit.
4.
City engineer inspects erosion control measures.

APPLICATION PROCEDURE—
LAND DISTURBING ACTIVITIES

1.
Owner or builder fills out building permit application and erosion control plan application. Applicant also gives building inspector a performance bond for 150% of erosion control plan costs.
2.
Building inspector reviews and approves application for building permit.
3.
City engineer reviews and approves erosion control plan within 20 days and authorizes issuance of grading permit. Complex erosion control plans may be submitted to the Tuscaloosa County Soil and Water Conservation District for their comments.
4.
City engineer makes periodic inspections.

ENFORCEMENT SUGGESTIONS

1.
When problems and/or failures are discovered, the city engineer should call the responsible party and deliver by regular first class mail, by fax or by hand a notice of violation notifying the responsible party of the violation and corrective measures required.
2.
If problems have not been remedied within 5 business days (or longer if the city engineer determines that weather or other circumstances beyond the responsible party's control warrant additional time), then a citation may be issued by a police officer. In the alternative, the city may correct the problem and charge the responsible party. The city engineer should photograph violations immediately prior to causing a citation to be issued by a policeman or ordering corrective measures by city forces or an independent contractor.
3.
Continued failure to remedy the problem may result in requests for assistance from the Tuscaloosa Association of Homebuilders and/or the State Licensing Board for Contractor and/or ADEM.
- 4.

As a fall-back measure the city has the right to seek an injunction from the court requiring the responsible party to correct the problem. In addition, as a very last resort the city can prosecute the violator criminally if problems persist in an aggravated fashion.

STATE OF ALABAMA

§

§

COUNTY OF TUSCALOOSA

§

Agreement in Lieu of Bond

I, the undersigned applicant for a building permit to construct a 1 to 4 family residential structure in the jurisdiction of the city of Northport, do hereby agree that, in consideration of the city's issuance of a grading permit to me for this project and the city's waiver of the erosion control bonding requirement for same, I will reimburse the city within 10 calendar days from the city's demand and for all costs and/or damages (including a reasonable attorney's fee and other legal costs) incurred by the city as a result of any violation of the city's erosion and sediment control ordinance with respect to the project covered by said grading permit.

I understand that violations of the Northport Erosion and Sediment Control Ordinance may result in a citation, fine, imprisonment, and/or legal action against me. I also understand that it is my responsibility to not only install the erosion control measures required by the city, but also to maintain those measures during the entire life of the project.

I agree to accept service of notices, citations and pleadings, if any, at the address listed below.

Dated this _____ day of _____ / _____ / _____, 19_____.

RESPONSIBLE PARTY:

ADDRESS:

.....

PHONE NUMBER:

FAX NUMBER:

(acknowledgment for individual)

STATE OF ALABAMA

§

§

COUNTY OF TUSCALOOSA

§

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that _____, whose name is signed to the foregoing instrument and who is known to me, acknowledged before

me on this day, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____ / _____ / _____ 199_____.

?>

NOTARY PUBLIC in and for the State of Alabama at Large

My Commission Expires: _____ / _____ / _____

(acknowledgment for Corporation)

STATE OF ALABAMA

§

§

COUNTY OF TUSCALOOSA

§

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that _____, whose name as _____ / _____ / _____ of _____ / _____ / _____, a Corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal, this _____ day of _____ / _____ / _____, 199_____.

Notary Public

My Commission Expires: _____

Approved: _____

City Engineering Department