



# CITY OF CLAY, ALABAMA ORDINANCE 2022-01

## AN ORDINANCE TO AMEND ORDINANCE 2010-01, BUILDING CODE

WHEREAS, the City Council of the City of Clay, Alabama adopted Ordinance 2010-01 on January 19, 2010, and

WHEREAS, Ordinance 2010-01 adopted various Standardized Codes relating to amusement devices, buildings, fire prevention, gas, electrical, housing, mechanical, plumbing and swimming pools; and

WHEREAS, the provisions of this Ordinance, may from time to time be amended, supplemented, modified or repealed by the City Council to facilitate proper inspection activities by the City of Clay, Alabama relating to the public safety, health and general welfare; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Clay, Alabama that Section X of Ordinance 2010-01 is hereby amended to read:

### Section X Sub-contractors List

The primary contractor or builder is responsible for providing an updated sub-contractors listing to the Building Inspector's or City Clerk's Office prior to of issuance of the building permit. During the construction phase process, if any changes or modifications to the sub-contractors listing are made, it shall be the responsibility of the contractor, builder, or person issued the original permit to submit a revised listing to the Building Inspector or City Clerk's Office prior to ordering the final inspection.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the City Council of the City of Clay, Alabama that Section XII of Ordinance 2010-01 is hereby amended to read:

### Section XII Permit Fees, Other Fees and Other Construction Requirements

#### A. Single Family Residential Construction Permit Fee

1. New Construction: The construction cost is the appraised value or \$135.00 per square foot of heated or livable area as shown on the building plans, whichever is greater. Using this figure, the permit shall be \$1,000.00 base for each residential unit plus \$9.00 per \$1,000 of construction cost or a fraction thereof. The base fee includes plan review by the City.

2. Miscellaneous Construction: Alterations and repairs to the main structure, accessory building or structures including, but not limited to, garages, swimming pools, fences, walls, and other such structures shall be based upon the cost reflected in the executed contract document. A copy of the executed contract document will be required to obtain a permit. Where the owner has separately purchased the materials and the contract is for construction, erection, or installation only, the material costs shall be added to the amount of the contract or cost of labor to form a total construction cost. Using this figure, the permit fee shall be \$9.00 per \$1,000 of construction cost or a fraction thereof. A copy of the executed contract document will be required to obtain a permit. The minimum miscellaneous permit fee will be \$30.00.

#### B. Apartment / Townhome Construction Permit Fee

1. New Construction: Where the construction contract cost is \$100,000 or less in value, the permit fee shall be \$250 base per residential unit plus \$9.00 per \$1,000 of the contract cost. Where the contract cost is over \$100,000 in value, the permit shall be \$300.00 base per residential unit plus \$9.00 per \$1,000 of contract cost. A copy of the executed contract document will be required to obtain a permit.

2. Miscellaneous Construction: For repairs, alterations and renovations, the permit fee shall be \$9.00 per \$1,000 of contract construction cost. A copy of the executed contract document will be required to obtain a permit. (See Section XII.A.2 to figure the construction cost of repairs, alterations and renovations when the owner or owner's employee is doing the work.) The minimum miscellaneous permit fee will be \$30.00.

#### C. One or Two Story Commercial, Industrial, and Institutional Construction Permit Fee

1. New Construction: Where the construction contract cost is \$100,000 or less in value, the permit fee shall be \$250.00 base per structure plus \$11.00 per \$1,000 of contract cost or fraction thereof. Where the construction contract cost is over \$100,000 in value, the permit fee shall be \$300.00 base per structure plus \$11.00 per \$1,000 of contract cost. A copy of the executed contract document will be required to obtain a permit.

2. Miscellaneous Construction: For repairs, alterations and renovations, the permit fee shall be \$11.00 per \$1,000 of construction cost. A copy of the executed contract document will be required to obtain a permit. (See Section XII.A.2 to figure the construction cost of repairs, alterations and renovations when the owner or owner's employee is doing the work.) The minimum miscellaneous permit fee will be \$30.00.

#### D. Three Story or More Commercial, Industrial, and Institutional Construction Permit Fee

1. New Construction: Where work involves multi-story construction over two stories, the permit fee shall be \$750 base per structure plus \$11.00 per \$1,000 of construction contract cost or fraction thereof. A copy of the executed contract document will be required to obtain a permit.

2. Miscellaneous Construction: For repairs, alterations and renovations, the permit fee shall be \$11.00 per \$1,000 of construction cost. (See Section XII.A.2 to figure the construction cost of repairs, alterations and renovations when the owner or owner's employee is doing the work.) A copy of the executed contract document will be required to obtain a permit.

#### E. Demolition Permit Fee: \$100.00

1. A \$15,000 performance bond is required with each demolition permit.
2. Proof of compliance with Health Department regulations for proper abandonment of any septic tank shall be required, when applicable, or sanitary sewers capped, and all utility service shall be disconnected prior to commencement of demolition.

#### F. Moving of Building or Structure Permit Fee, not Including Mobile Homes: \$110.00

#### G. Mobile Homes and Construction Trailers Permit Fee: \$40.00

This permit fee is for mobile homes, house trailers or construction trailers moved into a mobile home park, onto private property or onto a construction site.

#### H. Blasting Permit Fee:

1. A fee of \$50.00 shall be charged for each blasting permit issued.
2. Each person filing an application for a blasting permit shall, before such permit is issued, provide a copy of the blasting permit from the local fire department having jurisdiction within the city limits of Clay and furnish the City a certificate of current insurance coverage which must be in the following amounts:

Bodily Injury ..... \$5,000,000.00 minimum for each accident;  
Property Damage (aggregate) ..... \$5,000,000.00 applicable to the proposed work in the city.  
The City of Clay must be listed as an additional insured on the policy.

I. Electrical, Gas, Mechanical, Plumbing Permit Fees:

1. Before a permit can be issued, all electricians, plumbers, gas fitters and mechanical contractors shall present a master certificate of competency from a duly authorized agency and shall have a current City of Clay business license.
2. Fees on each separate application for said permit shall apply according to the permit application. The minimum permit fee for electrical, gas, mechanical and plumbing shall be \$30.00.

J. Permit Fees for Elevators: \$50.00

K. Irrigation / Lawn Sprinkler System Permit Fees:

Single Family Residential / Garden Homes ..... \$100.00  
Townhomes ..... \$100.00 per building  
Apartments / Condominiums / Duplex ..... \$100.00 per building  
Commercial / Non-residential ..... \$200.00 per building  
A backflow preventer for any sprinkler system must be installed for residential and nonresidential properties.

L. Fire and Burglar Alarm System (Low Voltage) Permit Fees:

Single Family Residential / Garden Homes ..... \$100.00  
Townhomes ..... \$100.00 per building  
Apartments / Condominiums / Duplex ..... \$100.00 per building  
Commercial / Non-residential ..... \$200.00 per building

M. Street, Curb or Sidewalk Cutting Permit Fee

1. A fee of \$500.00 shall be charged for each street, curb, or sidewalk cutting permit issued.
2. Each person filing application for a permit to cut a street in the City shall, before each permit is issued, furnish the City a certificate of current insurance or some other form of security in a minimum amount of \$10,000 applicable to the proposed work in the City. All street cutting shall comply with specifications furnished by the City. These permit fees only apply to existing streets dedicated to the City and will not apply to new subdivisions owned by developers.

N. Re-Inspection Fees Applicable to all Permits Issued

1. Re-inspection fees shall apply to all types of permits when necessitated by faulty materials, equipment, apparatus, workmanship, or unnecessary calls where work is not ready for inspection when the inspector arrives. Re-inspection fees are as follows:  
First Re-inspection on each jobsite ..... \$50.00  
Second Re-inspection on each jobsite ..... \$75.00  
All Additional Re-inspections on each jobsite ..... \$100.00
2. All inspection fees must be paid before a certificate of occupancy will be issued.

O. Plan Review Fee:

Plan review fees are for staff review of the design of the proposed construction to ensure all City Code requirements are met. Staff plan review fees are covered by base permit fee. If plan review by outside consultant is deemed necessary by building inspector, the cost shall be paid by the applicant or owner, etc.

P. Community Investment Fee:

This fee is not charged for additions on existing structures.

1. Subdivisions

When a new residential, commercial or industrial subdivision is started, the developer must pay a Community Investment Fee at the time the Final Subdivision Plat is submitted for approval. If there is no developer, the builder will be considered the developer and must pay the Community Investment Fee when building permits are obtained. The amount of the Community Investment fee shall be determined by the following schedule:

Residential (per dwelling unit) .....	\$1000.00
Residential multi-family (per dwelling unit) .....	\$2500.00
Commercial building (per sq. ft. gross area) .....	\$1.00
Industrial Building (per sq. ft. gross area) .....	\$1.00

If construction work has not commenced on any single family residential houses, then the Community Investment Fee shall increase by \$100.00 per dwelling unit on each anniversary date of the Final Subdivision Plat approval until a cap of \$8000.00 is reached.

2. Pre-existing Lots

When a new commercial or industrial structure is planned for any existing lot or lots, the developer must pay the Community Investment Fee. If there is no developer, the builder will be considered the developer and must pay the Community Investment Fee when building permits are obtained. The amount of the Community Investment Fee shall be determined by the following schedule:

Commercial building (per sq. ft. gross area) .....	\$1.00
Industrial Building (per sq. ft. gross area) .....	\$2.50

A Community Investment Fee is not charged on pre-existing residential lots.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the City Council of the City of Clay, Alabama that this Ordinance shall take effect and be in force as of May 1, 2022.

ADOPTED AND APPROVED this 10<sup>th</sup> Day of May, 2022.

	ATTEST:	
Charles K. Webster Mayor		Ronnie Dixon City Manager



## **CITY OF CLAY, ALABAMA ORDINANCE 2022-01**

I, the undersigned City Manager of the City of Clay, Alabama, do hereby certify that the above and foregoing is a true copy of one Ordinance lawfully passed and adopted by the City Council named therein, at a regular meeting of such Council, and that such resolution is on file in the City Clerk's Office.

I further certify that said Ordinance was posted as required by State Law at the following locations: Clay City Hall; Clay Post Office, Clay Public Library and the Clay Seniors Center all being in the City of Clay.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 11<sup>th</sup> day of May, 2022.

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Ronnie Dixon  
City Manager