ORDINANCE NO.: 2018-10-01
AMENDED NO. 2018-10-00

AN ORDINANCE OF THE CITY OF ARGO, ALABAMA, TO REQUIRE BUILDING AND CONSTRUCTION PERMITS AND TO ESTABLISH FEES

BE IT ORDAINED by the City Council of the City of Argo, Alabama, as follows:

WHEREAS, it is the desire of the City of Argo, Alabama, to state the requirements for obtaining building and construction permits and to establish a fee schedule associated therewith;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Argo, Alabama, as follows:

I. SCHEDULE OF FEES FOR BUILDING AND CONSTRUCTION PERMIT:

Before commencement of any project, work construction, addition, repair, demolition, or excavation, plans for such must be submitted to the City Clerk of the City of Argo, Alabama (the “City”). Subject however to payment of fees as provided herein.

II. BUILDING PERMIT REQUIREMENTS:

Before approving any plans or issuing a permit for any excavation or construction, the plans for such activity shall be submitted to the City Clerk. Said plan shall include the following:

A. A plot plan depicting the actual shape, size, proportions and dimensions of the lot.

B. The shape, size, use, and location of all buildings, signs or other structures to be erected, altered, or moved, and of any buildings or other structures existing on the lot, both above and below existing grade.

C. The setback lines on the lot, along with any easements of record, and such other information concerning the lot or adjoining lots as may be essential for determining conformance with the provisions of this Ordinance.

D. In the event that the developer and/or or owner chooses to utilize sewer treatment provided by the GUS Board, proof of payment of the applicable sewer impact fees shall be required. In situations where a septic tank system will be used, proof of approval by the St. Clair County Health Department shall be required.

E. Two full sets of detailed construction drawings on sheets certified by an engineer, architect, or designer.
III. WORK WITHOUT A PERMIT:

When a permit is required, and work has started or proceeded with prior to obtaining said permit, the fees identified herein shall be doubled. After such permit has been issued to any person or company, and such person or company begins work on any other project for which a permit is required without first obtaining a permit, the following charges shall apply:

<table>
<thead>
<tr>
<th>Offense</th>
<th>Fee Description</th>
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<tbody>
<tr>
<td>First offense</td>
<td>Double permit</td>
</tr>
<tr>
<td>Second offense</td>
<td>$100.00 plus Double permit</td>
</tr>
<tr>
<td>Third offense</td>
<td>$250.00 plus Double permit</td>
</tr>
<tr>
<td>Fourth offense</td>
<td>$500.00 plus Double permit</td>
</tr>
<tr>
<td>Fifth offense</td>
<td>$500.00 plus Double permit plus revocation of business license</td>
</tr>
</tbody>
</table>

When there are not permit violations for a period of one year, after the last offense, the next violation shall be considered the first.

IV. EXPIRATION OF PERMITS:

Any permit under which no construction has been performed within six months from date of issuance, or where work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced, shall expire by limitation.

V. DEMOLITION PERMIT:

Proof of compliance with the St. Clair County Health Department regulations for proper abandonment of any septic tank shall be required, when applicable or sanitary sewers capped and all utility services shall be disconnected prior to commencement of demolition.

VI. MANUFACTURED HOME & CONSTRUCTION TRAILERS:

There shall be a fee of $125.00 for mobile homes, house trailers or construction trailers moved into a mobile home park, onto private property, or onto a construction site.

VII. DUTY OF CONTRACTORS AND BUILDERS TO OBTAIN LICENSE AND PROVIDE INSURANCE:

It shall be the duty of every contractor or builder who shall make contracts for the erection, construction or repair of buildings for which a permit is required, and every contractor or builder making such contracts and subletting such contracts, or any part thereof, to pay a license tax pursuant to the City's general licensing requirements and to register with the City Clerk giving his full name, residence and place of business, and, in case of removal from one place to another, to promptly report such change to the City Clerk. It shall be the further duty of every person to conform to the current building regulations, the regulations of this section, and other ordinances or laws applicable to such building as applicable.
Contractors who purchase a building permit for any job in excess of $10,000.00 or any plumbing, electrical, mechanical permit shall also file proof of a general liability insurance policy, including products and completed operations coverage, with minimum limits of $100,000.00 for personal injury, death and property damage. The insurance company shall be one that is admitted to do business in Alabama. The certificate shall provide for at least ten days prior notice to the City Clerk of the cancellation, revocation or nonrenewal of the policy.

VIII. ENFORCEMENT & PENALTY FOR VIOLATION:

Enforcement violations of this chapter shall be the responsibility of the City Police Chief or his/her designee.

Any person who shall violate any of the provisions of this chapter or fail to comply therewith, or shall violate or fail to comply with any order made under this chapter, shall severally, for each violation and noncompliance, be guilty of a misdemeanor punishable by a fine not exceeding $500.00 or by imprisonment for not exceeding six months, or hard labor upon the streets or public works for not exceeding six months, or by any combination thereof.

The penalty imposed for a violation of this Code upon a corporation shall consist of the fine only, plus costs of court.

Except as otherwise provided by law or ordinance, with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense.

The imposition of a penalty does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions.

The imposition of one penalty for violation shall not excuse the violation or permit it to continue. The application of the penalty shall not be held to prevent enforced removal of prohibited conditions.

IX. ADMINISTRATION AND ENFORCEMENT

A. Residential Construction Permit and Related Fees.

Each person applying for a permit for residential construction, alterations, and additions or remodeling of any unit shall pay to the City a building permit fee in accordance with the following requirements.

1. New Residential Construction:
   a. The value imposed for any new residential construction shall be $100.00 per square foot as shown on the building plans.
   b. 1000sq.ft. or greater = $325.00 per unit + 40 cents (.40) per square ft.
   c. Less than 1000sq.ft. = $150.00 per unit + 40 cents (.40) per square ft.
   d. All Mechanical, Electrical, Gas and Plumbing Subcontractors are required to purchase a building permit.
2. Existing Residential Construction:
   Fees imposed by the City for alterations and repairs to both primary and accessory residential structures shall be based on the cost reflected in the contract document(s) and shall include both services and materials.
   a. Greater than $100,000. = $5.00 per $1,000.
   b. $100,000. or less = $5.50 per $1000.
3. Fees established herein shall be collected beginning January 1, 2019.

B. Commercial or Industrial Construction Permit and Related Fees.
   Each person applying for a permit for new commercial construction, alterations, and additions or remodeling of any unit shall pay to the City a building permit fee in accordance with the following requirements.
   1. New Commercial Construction:
      a. The value imposed for any new commercial construction shall be $100.00 per square foot as shown on the building plans.
      b. Greater than $100,000. = $325.00 per structure + $5.50 per $1,000.
      c. $100,000. or less = $325.00 per structure + $5.50 per $1,000.
   2. Existing Commercial Construction:
      Fees imposed by the City for alterations and repairs to both primary and accessory commercial structures shall be based on the cost reflected in the contract document(s) and shall include both services and materials.
      a. Greater than $100,000. = $5.00 per $1,000.
      b. $100,000. or less = $5.50 per $1,000.
   3. Multistory Construction:
      a. Over two stories = $825.00 per unit + $6.75 per $1,000.00.
      b. Greater than $100,000. = $5.00 per $1,000.
      c. $100,000. or less = $5.50 per $1,000.

C. Demolition Permits.
   Each person applying for a demolition permit shall first provide proof of compliance from the St. Clair County Health Department and from any applicable Government Utility Service Board regulations regarding the applicable sewer systems, along with proof of termination of all other applicable utility services. Any person applying for a demolition permit shall pay to the City a permit fee of $50.

X. SERVERABILITY:

If any part, section, or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect, notwithstanding such holding.

(1) The provisions of this ordinance are severable. If any provision is held by a court of competent jurisdiction to be invalid or unconstitutional, it shall not affect the validity or constitutionality of the remaining provisions.
(2) All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.
XI. EFFECTIVE DATE:

This Ordinance shall become effective upon its adoption, approval, and publication as provided by law.

ADOPTED and APPROVED this the 11 day of February, 2019.

CITY OF ARGO, ALABAMA:

BETTY BRADLEY, MAYOR

DATE

2-22-19

ATTEST:

CASIE BETHUNE, CITY CLERK

AYES: 3
NAYS: 2
ABSENT FROM VOTING: 1
ABSTAIN: 0

I, Casie Bethune, City Clerk of the City of Argo, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Argo at a regular meeting held on the 11 day of February, 2019.

Casie Bethune, City Clerk