

ORDINANCE NO. 2023-04-10A

AN ORDINANCE CREATING THE POSITION OF CITY BUILDING INSPECTOR FOR THE CITY OF ARGO, ALABAMA.

WHEREAS, over the past year, the City of Argo, Alabama, ("City") has engaged the Regional Planning Commission, through one of its contractors, for the creation and development of a comprehensive plan in to protect the health, safety, and welfare of its citizens to regulate land use through enactment of a zoning ordinance; and

WHEREAS, the work on completing the comprehensive plan is close to completion; and

WHEREAS, in addition to the enforcement of the zoning ordinance, the City has a need for an individual to enforce building ordinances and ordinances requiring the issuance of certain permit in addition to necessary inspections when required by state law or City ordinance; and

WHEREAS, pursuant to the § 11-43-1 of the Code of Alabama (1975), the City Council finds it in the best interest of the health, safety, and welfare of its citizens to hereby create the position of Building Inspector and set forth those duties and responsibilities for which the Building Inspector shall be charged with enforcing.

NOW THEREFORE, BE IT ORDAINED by the City of Council of the City of Argo, Alabama, while in regular session, that the following be and is hereby adopted.

Section 1. The preamble stated above is hereby adopted and incorporated as if fully set out herein.

Section 2. The City Council of the City of Argo, Alabama, hereby creates and establishes the position of Chief Building Inspector for City of Argo, Alabama.

Section 3. The Chief Building Inspector of the City shall be appointed by the Mayor subject to approval by the City Council. The Chief Building Inspector shall have the qualifications and abilities necessary to adequately and satisfactorily perform the job. The Mayor shall create a job description outlining the necessary knowledge, skills, abilities, and qualifications needed to perform the position of Chief Building Inspector.

Section 4. The Chief Building Inspector shall have the following duties and is charged with, on behalf of the City, enforcing the same:

- A) Assure the protection of life, health, safety, and welfare of the citizens of the City;
- B) Enforce all relevant local ordinances and state law, where applicable;
- C) Issue permits for any building construction, remodeling, or renovation when required by ordinance that a permit issue;
- D) Collect the fee for any permit or license issued by the City and remit the same to the City Clerk;
- E) Receive and review all applications for change of zoning;
- F) Receive and review all applications for the subdivision of land;
- G) Inspect and insure any permitted construction work is being performed with the applicable building codes and local ordinance;

- H) Assist the City Clerk in the collection and issuance of any business licenses or other permits required to be issued;
- I) Perform storm water management and inspections;
- J) Meeting with the City Planning and Zoning Commission and the Board of Zoning Adjustments and maintain all applications and case files pending before the Planning and Zoning Commission and the Board of Zoning Adjustment to ensure the applications are timely review and disposed of;
- K) Report the Mayor, or her designee, on any related matters;
- L) Appear before and report the City Council on all related matters at least once per month subject to being requested to appear before the City Council at any regular or called meeting or work session;
- M) Perform the duties of the zoning administrator;
- N) Communicate various county and state agencies to insure city compliance all existing ordinances, regulations, and laws;
- O) Communicate with and involve other city departments as the need arises;
- P) Enforce the City's nuisance ordinances, specifically those relating to delapidated structures, weeds and other overgrowth of vegetation, sign ordinance, and garbage / trash ordinance, among others;
- Q) Any other duties or responsibilities that are related or in any way touch upon these requirements; and
- R) Any other duties assigned by the Mayor.

Section 5. The Chief Building Official is authorized to enforce all relevant ordinances of the City, and when required, the state within the corporate limits of the City, and, if required, the City's police and planning jurisdictions.

Section 6. The Chief Building Official shall not, however, perform any duties or responsibilities that are assigned to the fire marshal. This shall include the enforcement of any fire codes or life safety codes or other local ordinances or state laws that are commonly assigned to the fire marshal for enforcement and inspection.

Section 7. The Chief Building Official shall be compensated at an amount and in a manner that is set by the City Council.

Section 8. Any ordinance in conflict shall be and is hereby expressly repealed.

Section 9. Nothing contained herein shall be deemed to conflict with or otherwise supersede state law. In the event of a conflict, state law shall supersede and be deemed to replace the affected section.

Section 10. If a court of competent jurisdiction shall hold any part of this Ordinance as invalid or unconstitutional, the remaining provisions of the ordinance shall not otherwise be affected and continue in full force and effect.

Section 11. This ordinance shall become effective upon its adoption, passage, and publication as provided for by law.

ADOPTED AND APPROVED this the 10th day of April, 2023.

APPROVED: Betty Bradley
BETTY BRADLEY
MAYOR

ATTEST: Tiffany Westbrook
TIFFANY WESTBROOK
CITY CLERK

CITY CLERK CERTIFICATION

I, Tiffany Westbrook, the undersigned City Clerk of the City of Argo, Alabama, hereby certify that this Ordinance constitute a true, correct, and complete copy of the Ordinance that was duly adopted by the City Council on the date set out in the Ordinance, and that following adoption a copy of the Ordinance was published as required by law, and that one of the places of its publication was by place a copy at City Hall.

WITNESS my signature, as said City Clerk, under the seal of said City on this the 10th day of April, 2023.

Tiffany Westbrook
TIFFANY WESTBROOK
CITY CLERK

