

Surety Bond. In addition to the requirements as set forth herein, it shall be the duty of every builder, contractor and sub-contractor to provide and have on file a current License and Permit Bond for \$10,000. The bond is subject to the approval of City of Saraland Legal Department and shall be provided by a surety company qualified to do business in the State of Alabama.

Such bond shall insure that the licensee complies with laws, ordinances and building regulations of the applicable governing body. The local governing body shall be indemnified and saved harmless from all claims arising from accidents and damage of any character whatsoever caused by the negligence of such person, firm, or corporation engaged in the building business or by any other unfaithful, inadequate work done either by themselves or their agents or employees.

106.7.1

SECTION SIX: Criteria for Owner to Obtain Permits.

106.9 Homeowners personally doing plumbing work on the residence that they occupy, may obtain plumbing permits for their residence if they are deemed competent by a plumbing official. All applicants must complete and sign an affidavit stating ownership and responsibility for all plumbing work. Any individual other than the owner doing the work on the property is considered a contractor and shall meet the requirements of a contractor as set forth herein. All inspection criteria shall be the same as for contractors in section 106.7. All other properties will be considered as commercial and subject to Section Four.

SECTION SEVEN: Vehicular Signs. All trucks and similar vehicles used by plumbing contractors shall have signs on both sides of the body, including the full name, address and telephone number of the firm to which it belongs. Lettering may be any color in contrast to the color of the body, but letters indicating the firms name must be at least 1 ½' high.

SECTION EIGHT: Chapter 1 of the 2015 International Plumbing Code shall be amended as follows:

101.1 Title. These regulations shall be known as the International Plumbing Code of the City of Saraland, Alabama, herein after referred to as, "this code."

101.2 Scope. The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction.

Amend Section 102 Applicability to read as follows:

102.6 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings, including those listed on the National Register of Historic Places or eligible for listing on the National Register of Historic Places, when such buildings or structures are judged by the Code Official to be safe and in the public interest of health, safety

and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings.

102.7 Moved buildings. Plumbing systems that are part of buildings or structures moved into, or moved within, the jurisdiction shall comply with the provisions of this code for new installations.

Amend Section 106 Permits to read as follows:

106.4 By whom application is made. Application for a permit shall be made by the person or agent to install all or part of any plumbing system. The applicant shall meet all qualifications established by statute, by rules promulgated, by this code, by ordinance, or by resolution. The full name and address of the applicant shall be stated in the application. An Alabama Master Plumbing License and Business License shall be required, except for homeowners personally doing work on the residence they occupy. All others must be duly registered, licensed plumbers with the City of Saraland.

106.4.1 For the Purposes of Water Heater Installations Only. A state certified Master gas fitter may purchase the permit for water heater installation. Said Master gas fitter must adhere to the same qualifications as plumbers.

106.5 Permit issuance. The application, construction documents and other data filed by an applicant for permit shall be reviewed by the Code Official or his designated representative. If the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, the application has been signed by a licensed master plumber, the street address of the location is included, and applicable fees have been paid, a permit shall be issued to the applicant. If the application does not conform to the requirements, a permit shall not be issued, and the application with reason for refusal shall be returned to the applicant. The Code Official may also refuse to issue permits to any individual who has failed to arrange for necessary inspections, as required by the code, on previous permits.

106.6.2 Fee Schedule. On all plumbing installations requiring a plumbing permit, a fee for each plumbing permit shall be paid as required at the time of filing the application, in accordance with the fee schedule adopted by separate ordinance.

Amend Section 107 as follows:

Add to 107.2 Required inspections and testing the following:

4. Building sewer inspection shall be made after piping is installed, and before any back fill is put in place.
5. Water service inspection shall be made after piping, valves, and back flow preventors are installed, and before any back fill is put in place.

Amend Section 108 as follows:

Change Section 108.4 Violation to read as follows:

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, in accordance with the applicable sections of the Saraland City Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(a) Violation of the provisions of this code shall be subject to \$200.00 fine unless otherwise listed below:

16. Occupying a commercial building without a Certificate of Occupancy	\$250.00
17. Working without proper license and certifications	\$250.00
18. Occupying a residential building without a Certificate of Occupancy	\$250.00
19. Signage on all vehicles used by contractor	\$250.00
20. Interference with code official	\$500.00

Change Section 108.5 Stop work orders as follows:

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable of a violation penalty in accordance with Section 108.4.

Amend section 109 as follows:

Delete articles 109.1 through 109.7.

Add new article as follows:

BOARD OF APPEALS. Amend as follows:

109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Board of Appeals, hereafter referred to as "the Board of Appeals".

(1) Membership of the Board. The board of appeals shall be composed of the members of the Saraland Board of Adjustments as it is presently constituted and as it shall from time to time hereafter be constituted. The appointments, membership, terms, procedures and powers shall be

defined by the bylaws of the Saraland Board of Adjustments and Section 21 of the Land Use and Development Ordinance (Ordinance 757) for the City of Saraland.

(2) Administration. The building official for the Board of Appeals shall be defined as the code official having jurisdiction over each of the applicable codes adopted in separate ordinances by the City of Saraland. The building official shall take immediate action in accordance with the decision of the board.

SECTION NINE: Chapter 2 of the 2015 International Plumbing Code shall be amended as follows:

Change Section 202 General Definitions to read as follows: (all other definitions to remain as written)

FLOOD HAZARD AREA. The area designated as a flood hazard area in accordance with the Storm Water Ordinance adopted and administered by the City of Saraland.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM. A system for disposal of domestic sewage by means of a septic tank, cesspool or mechanical treatment, designed for utilization apart from a public sewer to serve a single establishment or building. **NOTE:** this system will be allowed only if public sewer is not available.

MAIN VENT. The principle vent for a plumbing system extending full sized from the building drain, through the roof.

POTABLE WATER. Water free from impurities present in amounts sufficient to cause disease or harmful physiological effects and conforming to the bacteriological and chemical quality requirements of the Alabama Department of Environmental Management (ADEM) drinking water standards. (A.D.E.M.-Admin code R335-7).

PREMISES. A lot, Plot or parcel of land, easement, public way or right-of-way, including any structures thereon.

Amend Chapter 2 – Sewer Definitions to read as follows:

Sanitary Sewer. Beginning three feet from the building, a pipe that carries sewage and excludes storm, surface and ground water.

SECTION TEN: Chapter 3 of the 2015 International Plumbing Code shall be amended as follows:

Amend Section 305 Protection of pipes and plumbing system components to read as follows:

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of schedule 40 and have a minimum of 12 inches (305mm) cover at the point of

grease trap or septic tank connection. Building sewers, less than schedule 40, or rated drain waste and vent only, that connect to public sewage systems shall have a minimum of 18" inches (458mm) cover and shall not be placed under driveways or parking lots.

Add 310.4 Urinal partitions.

310.4 Urinal partitions. Partitions shall be made of a smooth and nonporous material.

Change section 311 Toilet facilities for workers:

310.4 Urinal partitions. Partitions shall be made of a smooth and nonporous material.

311.1 General. Toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction worker toilet facilities of the nonsewer type shall conform to ANSI Z4.3. All non-sewer or "portable" facilities shall be removed from the site within seven working days of completion of construction.

Delete Section 312.8 Storm drainage system test, in its entirety.

Section 312.9 Shower liner test. This section will be used for reference only.

Delete Section 312.10 Inspection and testing of back flow prevention assemblies, in its entirety.

SECTION ELEVEN: Chapter 4 of the 2015 International Plumbing Code shall be amended as follows:

Add to Section 401 General:

401.2.1 Condemned equipment. All plumbing equipment condemned by the Code Official because of wear, damage, defects or sanitary hazards shall not be reused.

401.2.2 Abandoned equipment. All septic tanks and cesspools shall be pumped and filled, by the permit holder, when connecting to an existing public sewer system.

401.4 Prohibited location. No floor drain or other plumbing fixture shall be installed in a room containing air handling machinery when such room is used as a plenum. When rooms are used as a plenum, equipment drains shall be conveyed through an indirect waste receptor located outside such rooms or other approved point of disposal.

401.4.1 Floor drains directly connected to the plumbing system shall not be located in elevator pits.

Change Section 406 Automatic clothes washers to read as follows:

Add to chapter 406

406.3 Washing machine stand pipe. Stand pipe shall not terminate less than 34 inches above finished floor.

Add to chapter 407

407.5 Roman/Garden tub enclosure. All valves in roman/garden tub enclosures shall be accessible.

Amend SECTION 412 FLOOR DRAINS to read as follows:

Add 412.3.2 Floor drains in commercial occupancies shall have a minimum of 3-inch diameter (76 mm) drain outlet.

Change 417.3 SHOWER OUTLET WASTE. To read as follows:

417.3 Shower waste outlet. Waste outlets serving showers shall be at least 2 inches in diameter and for other than waste outlets in bathtubs, shall have removable strainers be not less than 3 inches in diameter with strainer openings not less than 0.25 inches in minimum dimension. Where each shower space is not provided with an individual waste outlet, the waste outlet shall be located and the floor pitched so that waste from one shower does not flow over the floor area serving another shower. Waste outlets shall be fastened to the waste pipe in an approved manner.

Change Section 419 Urinals to read as follows:

Add 419.4 Drains and slope. In restrooms with urinals, other than residential, floor drains shall be provided. Installation shall be in accordance with chapters 412.1, 412.2, and 412.3, and floors shall be sloped to the drain.

Change Section 426 Manual food and beverage dispensing equipment to read as follows:

Add 426.2 Waste drains. Waste drains for manual food and beverage dispensing equipment shall discharge to an approved grease trap.

SECTION TWELVE: Chapter 5 of the 2015 International Plumbing Code shall be amended as follows:

Change SECTION 501 GENERAL to read as follows:

501.4 Location. Water heaters and storage tanks shall be located and connected so as to provide ready access for observation, maintenance, servicing and replacement. All water heaters located in attics or any overhead locations shall be accessible by a permanent fixed staircase.

Change SECTION 502 INSTALLATION to read as follows:

502.1 General. Water heaters shall be installed in accordance with the manufacturer's installation instructions. Oil-fired water heaters shall conform to the requirements of this code and the 2015 International Mechanical Code. Electric water heaters shall conform to the requirements of this code and provisions of the 2015 NEC listed in Chapter 13. For reference only, gas fired water heaters shall conform to the requirements of the 2015 International Fuel Gas Code.

502.3 Water heaters installed in attics. Attics containing a water heater shall be provided with a readily accessible opening and unobstructed passageway large enough to allow removal of the water heater. The opening shall be accessed by a permanently fixed staircase. The passage way shall not be less than 30 inches (762mm) high and 28 inches (559mm) wide and not more than 20' feet (6096mm) in length when measured along the center line of the passage way from the opening to the water heater. The passage way shall have continuous solid flooring not less than 24 inches (610mm) wide. A level service space at least 30 inches (762mm) deep and 30 inches (762mm) wide shall be present at the front or service side of the water heater. The clear access opening shall be of sufficient dimensions to allow removal and replacement of the water heater, but in no case less than 20 inches by 30 inches (508mm by 762mm).

Add 502.6 Prohibited locations. Gas-fired water heaters shall not be installed in a sleeping room, bathroom or a closet accessed through a sleeping room or bathroom.

Add 502.7 Water heaters installed in restaurants, bars, lounges, etc. In establishments with food permits, water heaters shall be caulked to the floor or raised a minimum of 6 inches (152mm) above the floor.

Change Section 503 Connections to read as follows:

Add 503.3 Non-metallic pipe as follows:

503.3 Non-metallic pipe. Non-metallic pipe shall not be installed within 6" inches (152mm) of the inlet, outlet, or vent of a water heater.

Change Section 504.3 Shutdown as follows:

504.3 Shutdown. A means of disconnecting an electric hot water supply system from its power supply shall be provided in accordance with the 2015 NEC. A separate valve shall be provided to shut off the fuel supply to all other types of hot water supply systems. The required fuel shut off shall be located within 5 feet (1524mm) of the water heater with identifying label.

Change Section 504.6 Requirements for Discharge piping as follows:

504.6.5 To a waste receptor or to the outdoors only.

504.6.14 The relief valve shall discharge full size to a safe place of disposal outside the building or to an indirect waste receptor. Relief valve shall not discharge into a private sewage disposal system. The discharge pipe for the relief valve shall not have any trapped sections and shall have a visible air gap or air gap fitting located at termination. The discharge shall be installed in a manner that does not cause personal injury to occupants in the immediate area or structural damage to the building.

504.7.1 Pan size and drain. The pan shall not be less than 1.5 inches (38mm) deep and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a minimum diameter of 1 inch (25.4mm). Pan drain shall not discharge into a private sewage disposal system.

Add new SECTION 506 MINIMUM CAPACITIES as follows;

506.1 Residential. Water heaters installed in residential occupancies shall be sized in accordance with TABLE 506.

506.2 Commercial. Water heaters installed in commercial occupancies shall be sized by an engineer; all food establishments shall have a 30-gallon minimum.

Table 506
Minimum Capacities for Water Heater¹

FUEL	ELECT			ELECT			ELEC			ELECT		
	GAS	OIL		GAS	OIL		GAS	T.	OIL	GAS	OIL	
NUMBER OF BEDROOMS												
1 to 1 1/2 Baths												
Storage(gph)	20	20	30	30	30	30	30	40	30			
Input	27	2.5	70	36	3.5	70	36	4.5	70			
Draw(gph)	43	30	89	60	44	89	60	58	89			
Recovery(gph)	23	10	59	30	14	59	30	18	59			
NUMBER OF BEDROOMS												
2 to 2 1/2 Baths												
Storage(gph)	30	40	30	40	50	30	40	50	30	50	66	30
Input	36	4.5	70	36	5.5	70	38	5.5	70	47	5.5	70
Draw(gph)	60	58	89	70	72	89	72	72	89	90	88	89
Recovery(gph)	30	18	59	30	22	59	32	22	59	40	22	59
NUMBER OF BEDROOMS												
3 to 3 1/2 Baths												
Storage(gph)	40	50	30	50	66	30	50	66	30	50	80	40
Input	38	5.5	70	38	5.5	70	47	5.5	70	50	5.5	70
Draw(gph)	72	72	89	82	88	89	90	88	89	92	102	99
Recovery(gph)	32	22	59	32	22	59	40	22	59	42	22	59

1 gph = 1.05 mL/s

Note:

1. Storage capacity, input and the recovery requirements indicated in the table are typical and may vary with each individual manufacturer. Any combination of these requirements to produce the 1-hour draw stated shall be satisfactory. Recovery is based on 100°F (37.8°C) water temperature rise. The input rating is in units of one thousand BTUs per hour for gas and oil, and one thousand watts per hour for electric.

Example: For a 3-bedroom, 2 bath residence there are three choices as follows: A 40-gal storage/30gph recovery gas heater; a 50-gal storage/22gph recovery electric heater; or a 30-gal storage/59gph recovery oil heater; or an equivalent combination which will produce at least a 70 gph total draw.

SECTION THIRTEEN: Chapter 6 of the 2015 International Plumbing Code shall be amended as follows:

Add to CHAPTER 6 Water Supply and Distribution:

Add to SECTION 603 WATER SERVICE;

603.1.1 Fittings. All service lines with insert fittings having less than 3/4 inch (19.1mm) inside diameter shall require a minimum of 1-inch (25.4mm) pipe to the first manifold or water heater.

603.2.1 Water service near sources of pollution. Potable water services pipes shall be separated from septic tanks, and septic tank disposal fields in accordance with Alabama

Department of Public Health (ADPH) regulations. See section 605.1 for soil and ground water conditions.

Change Section 606 Installation of the building water distribution system to read as follows:

606.3 Access to valves. Access shall be provided to all required full-open valves and shut off valves, with a minimum 6-inch (152mm) access.

Add to Section 608.17 Protection of potable water supply.

NOTE: This section is for reference only; water supplies are regulated by the Alabama Department of Environmental Management (ADEM).

Table 608.17.1
DISTANCE FROM SOURCES OF CONTAMINATION TO PRIVATE
WATER SUPPLIES AND PUMP SUCTION LINES

SOURCE OF CONTAMINATION	DISTANCE (feet)
Barnyard	100
Farm silo	25
Pasture	100
Pump house floor drain of cast iron draining to ground surface	2
Seepage pits	100
Septic tank	50
Sewer	10
Subsurface disposal fields	100
Subsurface pits	100

For SI: 1 foot = 304.8mm.

SECTION FOURTEEN: Chapter 7 of the 2015 International Plumbing Code shall be amended as follows:

Change Section 701 General to read as follows:

701.2 Sewer required. Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available. An approved private sewage disposal system in accordance with Alabama Department of Public Health rules shall be required where public sewer is not available.

Exception: At time of adoption of this code, existing private sewage systems shall be allowed to remain in use until failure or repairs are necessary. Then connection to public sewer shall be required if it is available.

Change Section 702 Materials to read as follows:

Table 702.1 Above ground drainage and vent pipe. Delete: Acrylonitrile butadiene styrene (ABS) plastic pipe.

Table 702.2 Underground building drainage and vent pipe. Delete: Acrylonitrile butadiene styrene (ABS) plastic pipe.

Table 702.3 Building sewer pipe. Delete: Acrylonitrile butadiene styrene (ABS) plastic pipe.

Table 702.4 Pipe fittings. Delete: Acrylonitrile butadiene styrene (ABS) plastic pipe.

Change Section 708 Cleanouts.

708.1.10.3 Building sewer and property service lateral connection. There shall be a clean out located at sewer conjunction of service lateral and building sewer outside of right of way.

Change to Table 709.1 Drainage fixture units for fixtures and groups. Minimum trap size for all kitchen sinks shall be 2 inch.

Change Section 710 Drainage system sizing to read as follows:**Add Notes to Table 710.1 (1) as follows:**

Note b the maximum number of water closets on a 3-inch (76.2mm) line shall be 3.

Note c No building sewer shall be less than 4-inch (101.6mm) diameter.

Note d Minimum size of building drain, in a commercial building, shall be a minimum of 4 inches (101.6mm).

SECTION FIFTEEN: Chapter 8 of the 2015 International Plumbing Code shall be amended as follows:

Change Section 803 Special Wastes to read as follows;

803.3 Special Wastes for Swimming Pools. All pool waste, either backwash of filters or pool drainage, shall be taken to an approved pool waste receptor. This waste receptor may connect to city sewer, storm drain, or on-site irrigation. Pool waste shall not be placed on streets, on or across neighboring properties, or any place in the estimation of the Building Official where it is considered a nuisance. All discharged waste to irrigation or storm drain shall comply with ADEM rules and regulations.

SECTION SIXTEEN: Chapter 9 of the 2015 International Plumbing Code shall be amended as follows:

Add to SECTION 918 Air Admittance Valves; to read as follows:

918.1.1 Approval of Air admittance valves. Air admittance valves may be used only with prior approval of the plumbing official.

918.8 Prohibited installations. Air admittance valves shall not be installed in commercial food preparation or storage areas. Air admittance valves shall not be installed in no neutralized special waste systems as described in Chapter 8 except where such valves are in compliance with ASSE 1049, are constructed of materials approved in accordance with Section 702.5 and are tested for chemical resistance in accordance with ASTM F 1412. Air admittance valves shall not be located in spaces utilized as supply or return air plenums. Air admittance valves without an engineered design shall not be utilized to vent sumps or tanks of any type.

SECTION SEVENTEEN: Chapter 10 of the 2015 International Plumbing Code shall be amended as follows:

Add to SECTION 1003 INTERCEPTORS AND SEPERATORS: to read as follows:

1003.3.2.1 Grease Interceptor Installations. All grease interceptors shall be installed as per manufacturer’s recommendations. This includes wall sizing for high traffic areas and location.

1003.3.4.1 Grease Interceptor capacity. Grease interceptors shall have the grease retention capacity indicated in Table 1003.3.4.1 for flow-through rates indicated. The minimum requirement shall be a 200-pound interceptor, unless designed by a professional engineer.

Change Table 1003.3.4.1 to read: Table 1003.3.4.1 Capacity of Grease Interceptors.

1003.3.5.1 Grease Interceptor Capacity. Grease trap (GT) size or grease interceptor (GI) capacity shall be determined by using the following formula and table:

Note: Multiply total gallons required by this formula x5 to achieve pounds of grease retention for passive interceptors.

$$D \times MF \times GL \times RT \times ST = GT \text{ size (gallons)}$$

Note; add 25 seats for each drive through

CODE	EXPLANATION
D	Total number of seats
MF	Meal Factor, based on establishment type and average time per meal 1.33 Fast Food/Cafeteria (45 min) 1.00 Restaurant (60 min) 0.67 Leisure Dining (90 min) 0.50 Dinner Club (120 min)
GL	Gallons of wastewater per meal 6 With dishwashing machine 5 Without dishwashing machine 2 Single service kitchen 1 Food Waste Disposal

RT	Retention time 2.5 Commercial kitchen 1.5 Single service kitchen
ST	Storage factor, based on hours of operation 1.0 Operation of 8 hours 1.5 Operation of 12 hours 2.0 Operation of 16 hours 2.5 Operation of 24 hours 1.5 Single service kitchen

- Notes:**
1. Minimum grease interceptor size, if connected to a septic tank system shall be determined by the board of health on site division.
 2. Minimum grease interceptor size, if connected to public sewer, shall be 1,000 gallons, unless designed by an engineer.
 3. The construction plans submitted with the permit application shall show the capacity of the grease interceptor and the above grease interceptor capacity formula with all formula code values identified.

Add 1003.10.1 to read as follows:

Grease interceptor Sampling Port. A clean out shall be installed immediately downstream of the grease interceptor for the purpose of acquiring grease interceptor effluent samples.

1003.4 Oil separators required. At repair garages, gasoline stations with grease racks, anywhere that floor or trench drains are provided, car washing facilities, factories where oily and flammable liquid wastes are produced and hydraulic elevator pits, oil separators shall be installed into which oil-bearing, grease-bearing or flammable wastes shall be discharged before emptying into the building drainage system or other point of disposal.

Exception: An oil separator is not required in hydraulic elevator pits where an approved alarm system is installed. Such alarm systems shall not terminate the operation of pumps utilized to maintain emergency operation of the elevator by fire fighters.

Section Eighteen: Separation Clause

SEPARATION CLAUSE: If any section, subsection, sentence, clause, or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The City Council of the City of Saraland hereby declares that it would have passed this code and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, or phrases be declared unconstitutional.

ADOPTED AND APPROVED THIS THE 20th day of May 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance. The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Newton Cromer
Councilmember Wayne Biggs
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to adopt the proposed ordinance of the 2015 International Plumbing Code with amendments. The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Newton Cromer
Councilmember Wayne Biggs
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Councilmember Biggs introduced the ordinance adopting the 2015 International Mechanical Code.

ORDINANCE 1142

AN ORDINANCE TO ADOPT A MECHANICAL CODE FOR THE CITY OF SARALAND, ALABAMA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SARALAND, ALABAMA AS FOLLOWS:

SECTION ONE: Code and Appendices. That, pursuant to Alabama Code Section 11-45-8 (1975), the 2015 Edition of the International Mechanical Code, along with the amendments to the same contained in this ordinance, which has been on file in the office of the City Clerk of the City of Saraland, Alabama, pursuant to a resolution adopted by the City Council of the City of Saraland, Alabama, on May 21, 2019, is hereby adopted as the “Mechanical Code of the City of Saraland.”

SECTION TWO: Published Ordinance. A copy of this ordinance shall be published pursuant and according to law, after its adoption, but it shall not be necessary for the said 2015 International Mechanical Code to be published in a newspaper, nor shall the same be spread at length upon the minutes of this Council, but this Ordinance shall be recorded in said minutes.

SECTION THREE: Effective Date. The said 2015 International Mechanical Code shall be in full force and become effective sixty days after its adoption, and all ordinances heretofore adopted by the City of Saraland in conflict are hereby repealed.

SECTION FOUR: **Contractors Criteria and Qualifications.** Criteria and qualifications for all contractors shall be set forth herein.

Mechanical Contractor's Responsibility. In addition to the requirements as set forth herein, all individuals, agents or businesses who install, alter or modify all or part of a heating, ventilation, air conditioning (HVAC), or refrigeration system shall furnish proof that they are licensed, registered and hold an active certification with the Alabama State Board of Heating, Air Conditioning and Refrigeration Contractors in accordance with all the statutory requirements of the State of Alabama and the City of Saraland.

Contractor License. It shall be the duty of every contractor who shall make contracts for the installation of mechanical systems for which a permit is required, and every contractor making such contracts and sub-letting the same, or any part thereof, to pay a license tax as provided in the general license ordinance, and to register his/her name in a book provided for that purpose, with the Code Official, giving full name, residence and place of business, and, in case of removal from one place to another to have made corresponding change in said register accordingly.

SECTION FIVE: **Surety Bond.** In addition to the requirements as set forth herein, it shall be the duty of every builder, contractor and sub-contractor to provide and have on file a current License and Permit Bond for \$10,000. The bond is subject to the approval of City of Saraland Legal Department and shall be provided by a surety company qualified to do business in the State of Alabama.

Such bond shall insure that the licensee complies with laws, ordinances and building regulations of the applicable governing body. The local governing body shall be indemnified and saved harmless from all claims arising from accidents and damage of any character whatsoever caused by the negligence of such person, firm, or corporation engaged in the building business or by any other unfaithful, inadequate work done either by themselves or their agents or employees.

SECTION SIX: **Criteria for Owner to Obtain Permits.** For the purpose of this code, an owner physically doing the work themselves on the residence they reside may be issued a permit upon the Code Official's satisfaction that the owner is competent to perform the work for which the permit is requested and completion of a Mechanical Affidavit. Any individual other than the owner doing the work on the property is considered a contractor and shall meet the requirements of a contractor as set forth herein.

SECTION SEVEN: **Vehicular Signs.** All trucks and similar vehicles used by mechanical contractors shall have signs on both sides of the body, including the full name, address, and telephone number of the firm to which it belongs. Lettering may be any color in contrast to the color of the body, but letters identifying the firms name must be at least 1 1/2 inches high.

SECTION EIGHT: Chapter 1 of the 2015 International Mechanical Code shall be amended as follows:

Amend SECTION 101 GENERAL as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Saraland, Alabama, hereinafter referred to as "this code."

101.2 Scope. This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein.

Amend SECTION 102 APPLICABILITY as follows:

Amend SECTION 102 as follows: Add 102.12 as follows

102.12 Energy Conservation. Where referenced, the International Energy Conservation Code shall be the energy code adopted and enforced by the State of Alabama.

Amend SECTION 106 PERMITS as follows:

106.5 Fee Schedule. On all mechanical installations requiring a mechanical permit, a fee for each mechanical permit shall be paid as required at the time of application, in accordance to the fee schedule adopted by separate ordinance.

Amend SECTION 108 VIOLATIONS as follows:

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, in accordance with the applicable sections of the Saraland City Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(a) Violation of the provisions of this code shall be subject to \$200.00 fine unless otherwise listed below:

- | | |
|------------------------------------------------------------------------|----------|
| 1. Occupying a commercial building without a Certificate of Occupancy | \$250.00 |
| 2. Working without proper license and certifications | \$250.00 |
| 3. Occupying a residential building without a Certificate of Occupancy | \$250.00 |
| 4. Signage on all vehicles used by contractor | \$250.00 |
| 5. Interference with code official | \$500.00 |

Amend SECTION 109 MEANS OF APPEAL as follows:

Delete articles 109.1 through 109.7.

Add new article as follows:

109.1 BOARD OF APPEALS. Amend as follows:

(1) **General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Board of Appeals, hereafter referred to as “the Board of Appeals”.

(2) **Membership of the Board.** The board of appeals shall be composed of the members of the Saraland Board of Adjustments as it is presently constituted and as it shall from time to time hereafter be constituted. The appointments, membership, terms, procedures and powers shall be defined by the bylaws of the Saraland Board of Adjustments and Section 21 of the Land Use and Development Ordinance (Ordinance 757) for the City of Saraland.

(3) **Administration.** The building official for the Board of Appeals shall be defined as the code official having jurisdiction over each of the applicable codes adopted in separate ordinances by the City of Saraland. The building official shall take immediate action in accordance with the decision of the board.

SECTION NINE: Chapter 3 of the 2015 International Mechanical Code shall be amended to read as follows:

Amend SECTION 301 GENERAL as follows:

Delete 301.3 Fuel gas appliances and equipment in its entirety.

Amend SECTION 307 CONDENSATE DISPOSAL as follows:

Add:

307.2.2.1 Condensate Drain Line Insulation. Condensate drain lines shall be insulated to a 3/8” minimum thickness for the first six feet.

SECTION TEN: Chapter 6 of the 2015 International Mechanical Code shall be amended to read as follows:

Amend SECTION 603 DUCT CONSTRUCTION AND INSTALLATION as follows:

603.5.1 Gypsum ducts. The use of gypsum boards to form air shafts (ducts) shall be limited to return air systems where the air temperatures do not exceed 125EF (52EC) and the gypsum board surface temperature is maintained above the air stream dew-point temperature. Air ducts formed by gypsum boards shall not be incorporated in air-handling systems utilizing evaporative coolers. Gypsum ducts must be sealed to prevent air leakage.

SECTION ELEVEN: Chapter 7 of the 2015 International Mechanical Code shall be amended to read as follows:

Amend SECTION 701 COMBUSTION AIR as follows:

701.1 Scope. Solid fuel-burning appliances shall be provided with combustion air in accordance with the appliance manufacturer's installation instructions. Oil-fired appliances shall be provided with *combustion air* in accordance with NFPA 31. The methods of providing combustion air in this chapter do not apply to fireplaces, fireplace stoves and direct-vent appliances. The requirements for combustion and dilution air for gas-fired appliances shall be in accordance with the appliance manufacturer's installation instructions.

SECTION TWELVE: Chapter 8 of the 2015 International Mechanical Code shall be amended to read as follows:

Amend SECTION 801 GENERAL as follows:

801.1 Scope. This chapter shall govern the installation, maintenance, repair and approval of factory-built chimneys, chimney liners, vents and connectors. This chapter shall also govern the utilization of masonry chimneys. Gas-fired appliances shall be vented in accordance with the appliance manufacturer's installation instructions.

SECTION THIRTEEN: Chapter 9 of the 2015 International Mechanical Code shall be amended to read as follows:

Amend SECTION 901 GENERAL as follows:

901.1 Scope. This chapter shall govern the approval, design, installation, construction, maintenance, alteration and repair of the appliances and equipment specifically identified herein and factory-built fireplaces. The approval, design, installation, construction, maintenance, *alteration* and repair of gas-fired appliances shall be regulated by this code.

Amend SECTION 906 FACTORY-BUILT BARBECUE APPLIANCES as follows:

906.1 General. Factory-built barbecue appliances shall be of an approved type and shall be installed in accordance with the manufacturer's installation instructions and this chapter.

SECTION FOURTEEN: SEPARATION CLAUSE

If any section, sub-section, sentence, clause or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code. The City Council of the City of Saraland hereby declares that it would have passed this Code and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences or phrases be declared unconstitutional.

ADOPTED AND APPROVED THIS THE 20th day of May 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance. The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Newton Cromer
Councilmember Wayne Biggs
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to adopt the proposed ordinance of the 2015 International Mechanical Code with amendments. The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Newton Cromer
Councilmember Wayne Biggs
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Councilmember Biggs introduced an ordinance adopting the 2015 International Property Maintenance Code.

ORDINANCE 1143

AN ORDINANCE TO ADOPT A PROPERTY MAINTENANCE CODE FOR THE CITY OF SARALAND

SECTION ONE: Code and Appendices. That, pursuant to Alabama Code Section 11-45-8 (1975), the 2015 edition of the International Property Maintenance Code and Appendix A, along with the amendments to the same contained in this ordinance, which has been on file in the office of the City Clerk of the City of Saraland, Alabama, pursuant to a resolution adopted by the City Council of the City of Saraland, Alabama, on May 21, 2019 is hereby adopted as the "Property Maintenance Code of the City of Saraland, Alabama".

SECTION TWO: Published Ordinance. A copy of this ordinance shall be published pursuant and according to law, after its adoption, but it shall not be necessary for the said 2015 International Property Maintenance Code to be published in a newspaper, nor shall the same be spread at length upon the Minutes of this Council, but this ordinance shall be recorded in said Minutes.

SECTION THREE: Effective Date. The said 2015 International Property Maintenance Code shall be in full force and become effective 60 days after its adoption, and all ordinances heretofore adopted by the Saraland City Council in conflict are hereby repealed.

SECTION FOUR: Chapter One of the 2015 International Property Maintenance Code shall be amended as follows:

Amend Section 101 as follows:

Amend 101.1 as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Saraland, Alabama, hereinafter referred to as "this code".

Amend Section 102 as follows:

Amend 102.3 as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the 2015 International Building Code, 2015 International Mechanical Code, 2015 International Plumbing Code and the 2014 National Electrical Code. Each and every reference to the International Zoning Code shall be construed to mean the Land Use and Development Ordinance of the City of Saraland.

Amend 102.6 as follows:

102.6 Historic Buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated by the state or local jurisdictions as historic buildings, including those on the National Register of Historic Places or eligible for listing on the National Register of Historic Places, when such buildings or structures are judged by the Code Official to be safe and in the public interest of health, safety and welfare.

Amend 102.7 as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Each and every reference to the ICC Electrical Code shall be construed to mean the 2014 NEC National Electrical Code and each and every reference to the International Zoning Code shall be construed to mean the Land Use and Development Ordinance of the City of Saraland.

Amend Section 103 as follows:

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103.1 General. Building Official, or his/her designee, shall be responsible for enforcing the provisions of this code. Each and every reference to the Code Official shall be construed to mean the Building official, or his/her designee.

Delete 103.2 in its entirety:

Amend 103.3 as follows:

103.3 Enforcement Officers. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Code Official shall have the authority to designate a property maintenance inspector, or other related enforcement officers, inspectors and other employees.

Replace entire wording of Section 103.5 – Fees - as follows:

103.5 Restriction of employees. An official or employee connected with the enforcement of this code shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials, or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.

Amend Section 104 as follows:

104.5 Notices and orders. The Code Official shall issue all necessary notices, orders, or citations to ensure compliance with this code.

Amend Section 106 as follows:

Amend 106.1 as follows:

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation, or its agents to be in conflict with or in violation of any of the provisions of this code.

Amend 106.2 as follows:

106.2 Notice of violation. The Code Official shall serve a notice of violation, order, or citation in accordance with Section 107.

Amend 106.3 as follows:

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor, and the violation shall be punishable in accordance with the applicable sections of the Saraland City Code. If the notice of violation is not complied with, the Code Official may also institute an appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to

require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Amend 106.4 as follows:

106.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, in accordance with the applicable sections of the Saraland City Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(a) Violation of the provisions of this code shall be subject to \$200.00 fine unless otherwise listed below:

- | | |
|-------------------------------------------------------------------------|----------|
| 21. Occupying a commercial building without a Certificate of Occupancy | \$250.00 |
| 22. Working without proper license and certifications | \$250.00 |
| 23. Occupying a residential building without a Certificate of Occupancy | \$250.00 |
| 24. Signage on all vehicles used by contractor | \$250.00 |
| 25. Interference with code official | \$500.00 |

Amend section 107 as follows:

Amend 107.1 as follows:

107.1 Notice to owner or to person or persons responsible. Whenever the Code Official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the owner or the person responsible for the violation as specified in this code. Notices for condemnation procedures shall, except in cases of Emergency Measures as described in Section 109, also comply with Section 108.3 and Alabama Code Section 11053B-1 enacted on April 17, 2002.

Amend 107.3 as follows:

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally or posted in a conspicuous place in or about the structure affected by such notice;
2. Sent by certified or first-class mail addressed to the last known address of the property owner; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Amend Section 108 as follows:

Replace language from 108.1 through 108.1.4 with the following:

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT.

108.1 Notice. All buildings or structures which are unsafe, unsanitary, or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, are severally in contempt of this Section, Unsafe Structures and Equipment. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the following procedure:

1. Whenever the Building Official shall find any building or structure or portion thereof to be unsafe, as defined in this Section, he shall, in accordance with established procedure for legal notice, as required by Alabama Act 140, 1971, as amended by Act 581, 1973, give the mortgagee(s), regulatory boards, the person last assessing the property for state taxes, and the owner, agent, or person in control of such building or structure written notice setting forth the defects thereof. This notice shall require the owner within a stated time either to complete specified repairs or improvements, or to demolish and remove the building or structure or portion hereof.
2. If necessary, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not re-occupied until the specified repairs and improvements are completed, inspected and approved by the Building Official. The Building Official shall cause to be posted at each entrance to such building a notice stating: **THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING OFFICIAL.** Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or their agents, or other servants, to remove such notice without written permission of the Building Official, or for any person to enter the building except for the purpose of making the required repairs or of demolishing same.
3. The mortgagee(s), regulatory boards, last person assessing for state taxation, and if other than those listed, the owner, agent or person in control shall have the right, except in cases of emergency, to appeal from the decision of the Building Official, as provided hereinafter, and to appear before the Board of Adjustment and Appeals at a specified time and place to show cause why he should not comply with said notice.
4. In case the mortgagee(s), regulatory boards, last person assessing for state taxation, and the owner, agent or person in control cannot be found within the stated time limit, or, if such owner, agent or person in control shall fail, neglect or refuse to comply with notice to repair, rehabilitate or to demolish and remove said building or structure or portion thereof, the Building Official, after having ascertained the cost, shall cause such building or structure or portion thereof, to be secured or required to remain vacant in accord with Section 102.4.a.1, and/or demolished in accord with Alabama Act 140, 1971.
5. The decision of the Building Official shall be final in cases of emergency, which, in his/her opinion, involve imminent danger to human life or health. He shall promptly

cause such building, structure or portion thereof to be made safe or cause its removal. For this purpose, he may at once enter such structure or land on which it stands, or abutting land or structures, with assistance and at such cost as he may deem necessary. He may order the vacation of adjacent structures and may require the protection of the public by appropriate fence or such other means as may be necessary and for this purpose may close a public or private way.

6. Costs included under Paragraphs 103.4(a) and 103.4(a) (5) of Alabama Act 140, 1971 shall be charged to the owner of the premises involved and shall be collected in the manner provided by law.

7. The provisions of this code shall not be held to deprive any Federal or State agency, or any applicable governing authority having jurisdiction of any power or authority.

Delete sections 108.2, 108.3, 108.4, 108.4.1, 108.5, and 108.7

Amend Section 109 as follows:

Amend 109.1 as follows:

109.1 Imminent danger. When, in the opinion of the Code Official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Code Official or the Environmental Court Judge is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Code Official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

Amend 109.2 as follows:

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the Code Official there is imminent danger due to an unsafe condition, the Code Official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe and shall cause such other action to be taken as the Code Official deems necessary to meet such emergency.

Delete 109.4 in its entirety.

Delete 109.5 in its entirety.

Delete 109.6 in its entirety.

Delete Section 110, Demolition, in its entirety.

Delete Section 111, Means of Appeal, in its entirety.

Add new Section 111 as follows:

SECTION 111 BOARD OF APPEALS:

(1) **General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Board of Appeals, hereafter referred to as "the Board of Appeals".

(2) **Membership of the Board.** The board of appeals shall be composed of the members of the Saraland Board of Adjustments as it is presently constituted and as it shall from time to time hereafter be constituted. The appointments, membership, terms, procedures and powers shall be defined by the bylaws of the Saraland Board of Adjustments and Section 21 of the Land Use and Development Ordinance (Ordinance 757) for the City of Saraland.

(3) **Administration.** The building official for the Board of Appeals shall be defined as the code official having jurisdiction over each of the applicable codes adopted in separate ordinances by the City of Saraland. The building official shall take immediate action in accordance with the decision of the board.

SECTION FOUR: Chapter Two of the 2015 International Property Maintenance Code shall be amended as follows:

Section 202 Definitions

Amend as follows:

Add the following definitions:

Hazard Limb. A tree limb the Building Official or his designee has determined to have a structural defect and location that increases the chance of failing and hitting a target. The combination of a defect and target can result in property damage or personal injury.

Hazard Tree. A tree the Building Official or his designee has determined to have a structural defect and location that increases the chance of failing and hitting a target. The combination of a defect and target can result in property damage or personal injury.

Junk. Any vehicle or vehicle parts, rubber tires, appliances, dilapidated furniture, machinery, equipment, building material or other items which are either in a wholly or partially rusted, deteriorated, wrecked, abandoned, dismantled, or inoperative condition.

Weeds. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens

Premises. A lot, plot or parcel of land, easement, public way or right-of-way, including any structures thereon.

Tree. A large woody perennial plant that grows to a mature height greater than 16 feet and typically has a single erect main stem (trunk) with side branches.

Tree Limb. Any of the main branches arising from the main stem (trunk) of the tree.

Amend the following definitions:

Inoperable motor vehicle to read as.

Inoperable motor or junk vehicle. Automobiles, trucks, vans, boats, two-wheeled and/or four wheeled motorized vehicles that do not have lawfully affixed thereto an unexpired license plate, and/or are in states of disrepair, disassembly, rusted through, wrecked or appearing to be wrecked, and/or are not otherwise capable of being driven or operated for its intended purpose, or incapable of being moved under its own power, and boat trailers, utility trailers, horse or livestock trailers or other trailers of other use that are wrecked and/or in states of disrepair, disassembly, and/or rusted through, that do not have lawfully affixed thereto an unexpired license or tag and/or which are not otherwise capable of performing its intended use.

SECTION FOUR: Chapter Three of the 2015 International Property Maintenance Code shall be amended as follows:

Amend Section 302 as follows:

Amend 302.4 as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds, grass or plant growth in excess of 12 (twelve) inches. All injurious, noxious, unsightly weeds, shrubs and other dangerous vegetative material shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction additionally, upon failure to comply with the notice of violation, any duly

authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Amend Section 304 as follows:

Amend 304.14 as follows:

304.14 Insect screens. Dwelling units which do not have a central air conditioning system shall have tightly fitting 16 mesh per inch screens on all exterior openable windows and doors used or required for ventilation. Screens on windows and doors shall be stretched and fitted and maintained without open rips or tears. A closing device shall be installed on all screen doors.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

SECTION FIVE: Chapter Six of the 2015 International Property Maintenance Code shall be amended as follows:

Amend Section 603 as follows:

Amend 603.4 as follows

603.4 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation and have automatic cut-off and safety valves.

SECTION SIX: SEPARATION CLAUSE

If any section, sub-section, sentence, clause or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code. The City Council of the City of Saraland hereby declares that it would have passed this Code and each section, subsection, clause or phase thereof, irrespective of the fact that any one or more sections, subsections, sentences or phrases be declared unconstitutional.

ADOPTED AND APPROVED THIS THE 20th day of May 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance. The following votes were recorded:

- Yes: Council President Joe McDonald
- Councilmember Newton Cromer
- Councilmember Wayne Biggs
- Councilmember Veronica Hudson
- Councilmember Paul Stanley

Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to adopt the proposed ordinance of the 2015 International Property Maintenance Code with amendments. The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Newton Cromer
Councilmember Wayne Biggs
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to authorize training expenses and adopt a resolution for a cash advance from the Federal Drug Fund for Austin Sullivan to attend the Police Service Dog Trainer course and Trainer Certification course, September 9, 2019 in Abbeville, Louisiana. Motion carried.

RESOLUTION 2077

BE IT RESOLVED by the City Council of the City of Saraland, that

WHEREAS, a cash advance from the Federal Drug Fund for Austin Sullivan to attend the Police Service Dog Trainer course and Trainer Certification course, September 9, 2019 in Abbeville, Louisiana; and

WHEREAS, a statement of said expenditures will be presented to the City Clerk immediately upon return, at which time all monies will be balanced.

ADOPTED AND APPROVED this 20th day of May, 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to authorize travel expenses for Mayor and Councilmembers to attend the public hearing to oppose HB598 in Montgomery, Alabama. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, for approval of Special Noise Permit application with exceptions, Davis Avenue 4th of July Fun Day Block Party, Thursday, July 4, 2019, filed by Sandra Thomas as agent for Davis Avenue Committee. Motion carried.

Council President McDonald advised there is a matter to be discussed in executive session concerning purchase and sale of City property.

City Attorney, Andy Rutens, advised this is appropriate use of executive session as authorized by state law.

Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to adjourn into executive session with Mayor Rubenstein, Andy Rutens and Colby Cooper to discuss purchase and sale of City property.

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Council President McDonald advised he anticipates the executive session to last approximately 30 minutes.

The Council adjourned into executive session with the Mayor and City Attorney at 7:13 p.m.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to reconvene with all members present. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to consider adoption of a resolution authorizing the Mayor to execute a purchase and sales agreement for the Plaza North Subdivision property.

RESOLUTION 2078

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
PURCHASE AND SALE AGREEMENT SELLING THE CITY
OWNED PORTIONS OF THE K-MART PLAZA
LOCATED ON U.S. HIGHWAY 43**

WHEREAS, the City of Saraland, Alabama currently owns 12.81 acres, more or less, of real property located on U.S. Highway 43, also described as Tax Parcel Nos. R022202091002028.001, R022202091002028.01, R022202094000001.01, R022202094000001.002, R022202102000025.001, R022202102000025, R022202103000015 and R022202103000015.001, otherwise collectively known the K-Mart Plaza; and

WHEREAS, the City Council has entered into negotiations with multiple entities concerning the commercial development of the property, as well as the possibility of construction of a new City Hall complex; and

WHEREAS, it is the determination of the City Council that the sale of the K-Mart Plaza property by the City to a private entity in order to undertake public and private development will benefit the southern end of the Highway 43 corridor within the City; and

WHEREAS, based upon serious discussions with Hix Snedeker Companies, LLC, an Alabama limited liability company, a Purchase and Sales Agreement has been negotiated wherein the City will be paid fair market value for the entire property and Hix Snedeker will agree to develop a significant portion of the property for commercial development, including retail development. The City has received a proposed Purchase and Sales Agreement that contemplates a separate Development Agreement and City Hall Lease Agreement which will be negotiated and the terms of which will be submitted to the City Council for their review and approval; and

WHEREAS, it is the determination of the Saraland City Council that the proposed Purchase and Sale Agreement is in the best interests of the City and its citizens; and

WHEREAS, it is the further determination of the Saraland City Council that the Mayor is authorized to execute the proposed Purchase and Sale Agreement and to

negotiate along with legal counsel for the City the terms of a Development Agreement and Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Saraland, Alabama (the "City"), as follows:

(1) The Mayor is authorized to execute a Purchase and Sales Agreement for the K-Mart Plaza with Hix Snedeker Companies, LLC, an Alabama limited liability company, for the sale of the 12.81 acres, more or less, owned by the City otherwise known as K-Mart Plaza;

(2) The Mayor and the City Attorney are authorized to negotiate on behalf of the City a Development Agreement as contemplated within the Purchase and Sales Agreement, as well as a Lease Agreement for a new City Hall complex.

ADOPTED this 20th day of May, 2019

Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to authorize Volkert, LLC to be engaged in project management responsibilities for the 60-day period through final construction representing and reporting back to the Mayor and Council. Motion carried.

There being no further business to come before the Council, motion was made by Councilmember Hudson to adjourn at 7:56 p.m.

ACCEPTED and APPROVED the 13th day of June 2019



Joe McDonald, Council President



Christine Purvis, Office Assistant II