

January 11, 2021

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in regular session at the Athens Municipal Building, 200 Hobbs Street West, Athens, Alabama, on January 11, 2021 at 5:00 p.m. The meeting was called to order by Councilman Wayne Harper, President of the Council. Upon roll call, the following were found to be present: Councilmembers Chris Seibert, Wayne Harper, Frank Travis, and Dana Henry. Councilmember Harold Wales was absent. Mayor Marks led the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Wayne Harper offered the invocation. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

The Chairperson stated that the Minutes of the December 28, 2020 City Council Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried. The Chairperson stated that the Minutes of the December 28, 2020 City Council Work Session Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried.

Mayor Marks read a proclamation designating January 2021 as Mentoring Month and presented the proclamation to Audreanna Johnson with Big Brothers Big Sisters. Ms. Johnson thanked the Council for acknowledging Big Brothers Big Sisters and the need for and importance of mentoring. Mayor Marks then read a proclamation recognizing the week of January 24th through January 30th, 2021 as Athens School Choice Week, in observance of the need for effective education options.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to reappoint David Malone to the City of Athens Personnel Board for a five year term, expiring January 11, 2026.

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve travel/education expenses for the following personnel from the Information Technology Department.

Seth Siniard	Mileage June 1, 2020 – November 30, 2020	\$ 432.50
Lisa LaGrone	Mileage June 1, 2020 – November 30, 2020	\$ 379.41

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to purchase six (6) 2021 Dodge Charger Police Vehicles and related equipment. These vehicles are to be purchased through the State of Alabama Bid List

from Stivers Prattville CDJR. The total cost of these vehicles, including equipment and decals, is not to exceed \$195,000. Funding for this purchase will be from the Police Department's existing capital expenditure account.

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting of February 8, 2021 to review the request of Growl, LLC to rezone +/- 0.455 acres at 1432 Freeman Avenue, located on south side of Freeman Avenue west of Bolyn Street, from M-1 Light Industrial District to B-2 General Business District.

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting of February 8, 2021 to review the request of Billy Joe Strain to rezone +/- 31.0 acres of property at the northeast corner of Strain Road and US Highway 31 from EST Estate Residential and Agricultural District to R-1-3 High Density Single Family Residential District.

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to reappoint Anita Raby to the Houston Memorial Library Board for a four year term, expiring January 25, 2025.

The motion was seconded by Councilman Travis and was unanimously carried.

Council President Harper next brought the following resolution to the attention of the City Council. It had been previously introduced by Councilman Chris Seibert at the City Council's regular meeting on December 14th, 2021, and had been delayed for consideration until this meeting. The resolution stated as follows:

RESOLUTION NUMBER 2020 - _____

A RESOLUTION REGARDING THE PURCHASE OF REAL PROPERTY FROM LIMESTONE COUNTY WATER AND SEWER AUTHORITY

WHEREAS, state law authorizes municipalities to acquire real property for municipal and public purposes;

WHEREAS, the City Council of the City of Athens, Alabama wishes to acquire certain real property along Jefferson Street and Forrest Street (including the three-story office building at the northwest corner of such streets, and the former residential structure located on Madison Street) from the Limestone County Water and Sewer Authority ("LCWSA");
and

WHEREAS, such real property is fully described in Exhibit A hereto.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on

_____, 2021, at 5:00 p.m., as follows:

1. The Mayor of the City of Athens (and/or his designee), on behalf of the City of Athens, Alabama, is authorized to purchase the real property described above from the Limestone County Water and Sewer Authority, or such other owners thereof, for a price of Seven Hundred Eighty-Four Thousand and 00/100 Dollars (\$784,000.00), plus any incidental costs related thereto in connection with the purchase and closing.

2. To that end, the Mayor, on behalf of the City, is authorized to enter into the “Purchase and Sale Agreement” attached hereto as **Exhibit B** for the City’s purchase of the above-referenced real property at such cost.

3. The Mayor is further authorized to carry out the terms of such contract, to amend the contract as he may deem reasonably necessary to extend the time for closing, and to accept a deed to the property on behalf of the City.

4. The above-described purchase shall be funded through the following account of the City:
_____.

ADOPTED this the ____ day of _____, 2020.

WAYNE HARPER, CITY COUNCIL PRESIDENT

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes-Threet, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the ____ day of _____, 2020.

Witness my hand and seal of office this ____ day of _____, 2020.

Annette Barnes-Threet, City Clerk

Councilman Travis seconded the resolution. Council President Harper asked if there was any discussion. Councilman Seibert spoke in favor of the resolution. Seeing no further discussion, Council President Harper then called for the vote.

Councilmen Travis and Seibert voted in favor of the proposed resolution. Councilman Harper and Councilwoman Henry voted against the proposed resolution. Accordingly, with a vote of 2-2, the motion to approve the resolution failed.

The following ordinance was made for “Introduction Only” by Councilman Travis on December 28th, 2020:

ORDINANCE NUMBER 2020 - 2147

AN ORDINANCE AMENDING SECTION 14-32 OF THE CODE OF ORDINANCES RELATING TO AMENDMENTS TO CERTAIN CODES ADOPTED BY THE CITY

WHEREAS, the City has adopted certain codes by reference, including the 2018 International Building Code (IBC) (including Appendix N), 2018 International Residential Code (IRC), (including Appendix A,D,F,J and Q), 2018

International Mechanical Code (IMC), 2017 National Electrical Code (NEC), 2018 International Plumbing Code (IPC), 2018 International Fuel Gas Code (IFGC), 2018 International Fire Code (IFC) (including Appendix B, C, D and J), 2018 International Property Maintenance Code (IPMC), 2018 International Swimming Pool and Spa Code (ISPSC), The 2018 International Existing Building Code (IEBC), the 2009 American National Standard Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1-2009); and the Alabama Energy and Residential Codes as set forth in § 305-2-4-.07, § 305-2-4-.8, § 305-2-4-.9 and § 305-2-4-.10;

WHEREAS, the City wishes to make certain amendments to these adopted codes; and

WHEREAS, the City Council enacts this ordinance in connection with its powers granted by § 11-45-1, § 11-43-59, and § 11-45-8(c) of the *Code of Alabama*, among other authorities.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA

while in regular session on January 11th, 2021 at 5:00 p.m., as follows:

Section 1. Section 14-32 of the Code of Ordinances of the City of Athens, Alabama is hereby amended in its entirety so as to read as follows:

Section 14-32. Amendments.

The codes adopted in Section 14-31 are amended as follows:

AMENDMENT 1. General inserts and modifications.

The following sections are hereby revised and/or modified:

Section 101.1 in the following: 2018 International Fire Code, 2018 International Building Code (IBC), 2018 International Residential Code (IRC) (with respect to Section R101.1), 2018 International Mechanical Code (IMC), 2018 International Plumbing Code (IPC), 2018 International Fuel Gas Code (IFGC), 2018 International Property Maintenance Code (IPMC), and 2018 The International Existing Building Code (IEBC) 2018 International Swimming Pool and Spa Code (ISPSC).

Insert: City of Athens.

Section 103 in the following: 2018 International Building Code (IBC), 2018 International Residential Code (IRC) (with respect to Section 103.1), 2018 International Mechanical Code (IMC), 2018 International Plumbing Code (IPC), 2018 International Fuel Gas Code (IFGC), 2018 International Property Maintenance Code (IPMC), 2018 The International Existing Building Code (IEBC), 2018 International Swimming Pool and Spa Code (ISPSC) will be changed from: the department of building safety, the department of plumbing inspection, the department of property maintenance inspection, the department of inspection, and the department of mechanical inspection, to: "The Building Inspection Department."

Anywhere in any of the following: 2018 International Building Code (IBC), 2018 International Residential Code (IRC), 2018 International Mechanical Code (IMC), 2017 National Electrical Code (NEC), 2018 International Plumbing Code (IPC), 2018 International Fuel Gas Code (IFGC), 2018 International Property Maintenance Code (IPMC), 2018 The International Existing Building Code (IEBC), 2018 International Swimming Pool and Spa Code (ISPSC); any reference to "code official" and/or "building official" shall be changed to read the "Chief Building Inspector."

Article 100 of the 2008 National Electrical Code (NEC) refers to an "Authority Having Jurisdiction." The Building Inspection Department, including the Chief Building Inspector and any of his/her designees, shall be included within the definition of an "Authority Having Jurisdiction."

AMENDMENT 2.

The 2018 International Building Code (including Section 113); the 2018 International Property Maintenance Code (including Section 111); the 2018 International Fire Code (including Section 109); the 2018 International Existing Building

Code (including Section 112); the 2018 International Mechanical Code (including Section 109); the 2018 International Fuel Gas Code (including Section 109); the 2018 International Residential Code (including Section R112); the 2018 International Swimming Pool and Spa Code (including Section 108), and the 2018 International Plumbing Code (including Section 109) refer to a “board of appeals.” All such references shall relate to the City of Athens Code Enforcement Board of Appeals. The provisions in this Amendment 2 shall supersede any contradictory and irreconcilable provisions in the above-referenced codes, as the same relate to a board of appeals and the operation or decisions thereof.

(a) Establishment. There is hereby established the “City of Athens Code Enforcement Board of Appeals” (referred to herein as the “Board”). The Board shall exercise the powers as set forth herein and in the respective codes adopted by the City and referenced in this Amendment 2.

(b) Membership of Board. The Board shall consist of five persons, and they shall be the same five persons that constitute the Zoning Board of Adjustment of the City of Athens, Alabama. The building inspector, or his designee, shall be an ex officio member of said board but shall have no vote on any matter before the Board. There shall also be two alternate members who shall be called by the Board chairperson to hear appeals during the absence or disqualification of a member, and these alternate members shall be the same persons that constitute the two alternative members of the zoning board of adjustment. Members of the Board shall not be compensated for their services as members of the Board. Although the membership of the Board shall be the same as the zoning board of adjustment, the Board shall be a body that is separate and distinct from the zoning board of adjustment, and the statutes that apply to the procedure and appeals of the zoning board of adjustment shall not apply to the Board and its operations.

(c) Rules and Procedures. The Board is authorized to establish policies and procedures necessary to carry out its purpose as set forth in the respective codes adopted by the City and referenced in this Amendment 2. The Board may adopt and make available to the public through the secretary procedures under which a hearing shall be conducted. The procedures will not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

(d) Chairperson. The chairperson of the Zoning Board of Adjustment of the City of Athens shall serve as the chairperson of the Board.

(e) Disqualification. A member of the Board shall not hear an appeal in which that member has a personal, professional, or financial interest.

(f) Secretary. The chairperson shall designate a qualified clerk to serve as secretary to the Board. The secretary shall file a detailed record of all proceedings in the office of the building inspector.

(g) Meetings. The Board shall meet upon notice from the chairperson, within thirty (30) days of the filing of an appeal or at regular, periodic meetings as may be established by the Board.

(h) Postponement. Five members must be present to hear an appeal. When five members are not present to hear an appeal, the hearing shall be postponed.

(i) Appeal. An application for appeal of a notice of violation shall be filed on a form obtained from the Building Inspector within twenty (20) days after the notice of violation was served.

(j) Board decision. The Board shall modify or reverse the decision of the Building Inspector by a concurring vote of a majority of its members. The Building Inspector shall take immediate action in accordance with the decision of the Board.

(j) Section 113.3 of the International Building Code, Section 109.3 of the International Fire Code, Section 112.3 of the International Existing Building Code, Section 109.2.1 of the International Mechanical Code, Section 109.2.1 of the International Fuel Gas Code, Section R112.3 of the International Residential Code, Section 109.2.1 of the International Plumbing Code, and Section 108.2.1 of the International Swimming Pool and Spa Code shall not apply to the Board.

AMENDMENT 3.

The International Building Code, 2018 edition, is amended to add the following sections to Appendix D:

D103.3.1. Any building whose width is over 24 ft. and height (from ground) are over 14 ft. shall only be allowed to move at the discretion of the Electric Department, Street Department, and Sanitation Department.

D103.3.2 Scope shall cover the entire city limits, whether passing through or sitting down in the city limit lines.

D103.3.3. Before a permit to move is issued, the building must be inspected before being placed in the corporate limits. Regardless of circumstances, the building must be brought up to the City of Athens building code standards. A permit to move through or set down within the city limits shall be required. The permit shall cover moving building and foundation only. Any fees required by other departments shall be extra.

AMENDMENT 4.

The International Residential Code, 2018 edition, shall be amended to add Section 108.2, which shall read as follows:

108.2, Permit Fees and Requirements per Table T108.2 known as the Residential Permit Fee Table.

1. Schedule of permit fees for single-family detached dwellings including but not limited to:

TOTAL VALUATION

\$100.00 and less – No fee unless inspection required, in which a \$5.00 fee for each inspection shall be charged.

\$3,000.00 and less \$20.00

\$3,001.00 to \$15,000.00 \$20.00 for the first \$3,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$15,000.00.

\$15,001.00 to \$50,000.00 \$68.00 for the first \$15,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$50,000.00.

\$50,001.00 to \$100,000.00 \$208.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.

\$100,001.00 to \$500,000.00 \$408.00 for the first \$100,000 plus \$2.00 for each additional thousand or fraction thereof, to and including \$500,000.00.

\$500,001.00 and up \$1,208.00 for the first \$500,000 plus \$2.00 for each additional thousand or fraction thereof.

2. Determining the Valuation of a Detached Single-Family

Dwelling.

A. The actual contract price or sum of contracts shall be used in determining the valuation of the detached single-family dwelling.

B. Exceptions.

Provided that the minimum price of \$95.00 per square foot of heated area plus \$35.00 for all unheated areas, porches, balcony, garages, etc be used in determining the valuation of a single-family detached building.

C. All Buildings Excluding Single-Family Dwelling.

All buildings, other than single-family detached, shall have their values taken from the actual contract price, sum of contracts or from the detailed estimated construction.

All buildings, excluding single-family detached, shall have their permits calculated cost from 109.2 multiplied by .006 (6 thousandths) to arrive at a permit fee.

D. Exceptions – On all buildings other than single-family detached, there shall be a minimum permit cost or \$25.00 for jobs ranging from 0 -- \$3,000.00.

3. Permit Fees for Residential Roofing and Re-roofing shall be \$25.00 plus the issuance fee of \$25.00.

4. After hours fees for inspections will be charged as follows and are subject to approval of the Chief Building Inspector:

a. After business hours and scheduled beforehand will be charged at a rate of \$50.00 per hour with a 2-hour minimum (\$100.00).

b. Unscheduled non-emergency inspections will be charged \$200.00 per inspection.

5. Permit Fees and Requirements for Moving Buildings.

a. Any buildings or structures over 14 ft. in height and 24 ft. in width shall be \$75.00.

b. All other buildings or structures under 14 ft. in height and 24 ft. in width shall be \$50.00.

c. A police department escort shall be required within

the city limits for the moving of any building or structure that is over 8 ft. wide. An electric department escort within the city limits may be required for the moving of any buildings or structures, which has a height of 14 ft. maximum or greater from the ground. The fee for this escort shall be the cost incurred by said department in providing said escort. Upon request for such escort service, the manager of the Electric Department for said city shall evaluate the route to be taken and determine the need for an electric department escort. If an escort is needed, he shall invoice the cost of said escort service to the permit holder.

d. The Fire Department and the Police Department shall know the route taken and time that the structure is being moved prior to moving the structure.

e. The moving of any building or structure across, upon, along, or over any street, road, or highway within the City of Athens, Alabama, shall abide by state law hours for moving of buildings or structures. State law hours are 9:00 A.M. to 3:00 P.M., Monday through Friday. No house will be moved on Saturday or Sunday.

f. The house mover, company, or corporation must have a Certificate of Insurance before a license can be issued for the moving of houses or any structural buildings.

Minimum limits shall be as follows:

a. Premises operations \$100,000.00 – bodily injury. Each occurrence \$100,000.00 aggregate.

b. Property damage \$50,000.00 each occurrence, \$100,000.00 aggregate.

Automotive liability:

c. Auto bodily injury \$100/\$300,000.00.

- d. Auto property damage \$100,000.00.
- e. The house mover, company, or corporation buying the permit to move a house is responsible for all damages to private and/or public property caused by the move. This includes, but is not limited to damage caused by the move. This includes, but is not limited to, damage to utilities.

5. Penalties.

Where work for which a permit is required by the 2018 International Building Code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such doubled fee shall not relieve any persons from fully complying with the requirements of the code in the execution of the work nor from any other penalties prescribed herein.

6. Fee for Re-inspection

In case it becomes necessary to make a re-inspection of any building code requirement, the fee shall be \$50.00 for the first re-inspection. For a second re-inspection, the fee shall be \$75.00. For a third re-inspection, the fee shall be \$100.00.

AMENDMENT 5.

The International Building Code, 2018 edition, shall be amended to add Section 111.1, which shall read as follows:

111.1 Schedule of Permit Fees Table T109.2 Known as the Commercial Permit Fee Table:

For issuing each permit, a fee of \$75.00 will be charged prior to the Certificate of Occupancy inspection.

AMENDMENT 6.

The International Building Code 2018 edition shall be amended to add the Sections below:

[A] 107.6 Drawings and Specifications.

[A] 107.6.1 Requirements.

When required by the Building Inspector, two or more copies of specifications, and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

[A] 107.6.2 Additional Data.

The Building Inspector may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the Building Inspector to be prepared by an architect or engineer shall be affixed with their official seal.

[A] 107.6.3 Design Professional.

The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his official seal to said drawings, specifications and accompanying data, for the following:

1. All Group A, B, E, F, I, M, R, S and I occupancies.

2. Building and structures three stories or higher.
3. Buildings and structures 2500 sq. ft. (465 m²) or more in area. For all other buildings and structures, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not registered.

EXCEPTION 1. Group R Single-Family home, regardless of size, shall require neither a registered architect or engineer, nor a certification that an architect or engineer is not required.

EXCEPTION 2. Farm Buildings shall not be required by the City of Athens to have the plans sealed by a registered architect or engineer if not for public use.

EXCEPTION 3. Plans for Small Buildings under 2,500 square feet or not intended for assembly or education occupancy shall not be required by the City of Athens to have the plans sealed by a registered architect or engineer.

EXCEPTION 4. Small Restaurants under 2,500 with an occupancy load less than 50 shall not be required by the City of Athens to have the plans sealed by a registered architect or engineer.

EXCEPTION 5. Utility Works, Structures or Buildings shall not be required by the City of Athens to have the plans sealed by a registered architect or engineer if the person who designs them is employed by an electric, gas, or telephone public utility.

[A] 107.6.4 Structural and Fire Resistance Integrity.

Plans for all buildings shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistance wall, floor or partition will be made for electrical, gas, mechanical, plumbing and communication conduits, pipes and systems and also indicate in sufficient detail how the fire integrity will be maintained where required fire-resistant floors intersect the exterior walls.

[A] 107.6.5 Site Drawings.

Drawings shall show the location of the proposed building or structure and of every existing building or structure on the site or lot. The Building Inspector may require a boundary line survey prepared by a qualified surveyor.

[A] 107.6.6 Hazardous Occupancies.

The Building Inspector may require the following:

1. General Site Plan. A general site plan drawn at a legible scale which shall include, but not be limited to, the location of all buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment and adjacent property uses. The exterior storage areas shall be identified with the hazard classes and the maximum quantities per hazard class of hazardous materials stores.
2. Building Floor Plan. A building floor plan drawn to a legible scale which shall include, but not be limited to, all hazardous materials storage facilities within the building and shall indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly rating, location of liquid tight rooms, and evacuation routes. Each hazardous material storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class of the hazardous materials stored.

[A] 107.6.7 Owner Not Relieved from Liability by Inspection.

This Chapter shall not be construed to relieve from or lessen the responsibility of any person owning, controlling or installing any electrical equipment, nor shall the city be held to assume any such liability by reason of the inspection authorized herein or the certificate issued.

[A] 107.6.8 The City of Athens Code Enforcement Board of Appeals may hear and decide appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction relative to the application and implementation of the adopted codes herein, pursuant to the provisions of Amendment 2, above.

[A] 107.6.9 The fees associated with the review of plans, specifications, and contract documents shall be \$50.00 for structures under 2500 square feet, \$150.00 for partially developed plans per submission, and \$300.00 for fully developed plans from 2,501 square feet to 25,000 square feet, with an additional \$1.00 per each additional 1000 square foot over 25,000 square feet.

AMENDMENT 7

The International Plumbing Code, 2018 edition 106.6.2 shall be deleted in its entirety and replaced to read as follows:

Section 106.6.2 fees for all plumbing work shall be as indicated in the following schedule and by Table T108.2 and T109.2:

H.1 Permit Fees

For issuing each permit.....	\$25.00
For Commercial Permit.....	\$150.00
Or .0025 times the contract price plus the issuance fee of \$25.00	
Plus, the following when provided:	
For each Plumbing Fixture, Floor Drain or Trap (Including Water and Drainage Piping)	\$ 5.00
For each House Sewer.....	\$ 10.00
For each House Sewer (replaced or repair)	\$ 10.00
For each Water Heater.....	\$ 3.00
For installation, alteration, or repair of Water Piping or Water Treating Equipment.....	\$ 5.00
For repair or alteration of Drainage or Vent Piping.....	\$ 5.00
For Vacuum Breakers or Backflow Protective Devices installed Subsequent to the installation of piping or equipment Served-----	
One to Five.....	\$ 3.00
Over Five, each.....	\$ 1.50

106.6.2.1. Work commencing before permit issuance. Where work for which a permit is required under the IPC is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such doubled fees shall not relieve any persons from fully complying with the requirements of the code in the execution of the work nor from any other penalties prescribed herein.

106.6.2.2. In case it becomes necessary to make a re-inspection of any plumbing code requirement, the fee shall be \$50.00 for the first re-inspection. For the second re-inspection, the fee shall be \$75.00. For the third re-inspection, the fee shall be \$100.00.

AMENDMENT 8.

Section 106.5.2 of the 2018 International Mechanical Code shall be amended to add the following schedule Table T108.2 and T109.2:

Schedule of Permit Fees: See Table T108.2 and T109.2

1. Initial Fee
For issuing each permit..... \$25.00
2. Additional Fees

- a. Fee for inspecting heating, ventilating, ductwork, and air conditioning and refrigeration systems shall be \$50.00 plus an issuance Fee of \$25.00, for Residential Permits.
- b. Fee for inspecting repairs, alterations and additions to an existing system shall be \$25.00 plus an issuance fee of \$25.00 for Residential Permits.
- c. Fee for inspecting commercial mechanical work shall be \$150.00 or .0025 times the contract price plus the issuance fee of \$25.00 whichever is the higher cost.
- d. Fee for inspecting grease duct and hood inspections shall be \$50.00 plus the issuance fee of \$25.00.
- e. Where work for which a permit is required under the IMC 2018 edition is started or proceeded prior to obtaining a permit, the fees herein specified shall be doubled, but the payment of such doubled fees shall not relieve any persons from fully complying with the requirement of this code in the execution of the work, nor from any penalties prescribed herein.
- f. In case it becomes necessary to make a re-inspection of any mechanical code requirements, the fee shall be \$50.00 for the first re-inspection. For the second re-inspection, the fee shall be \$75.00. For the third re-inspection, the fee shall be \$100.00.

AMENDMENT 9.

Section 106.6.2 of the 2018 International Fuel Gas Code shall be amended to add the following schedule and Tables T108.2 and T109.2:

Schedule of Permit Fees:

1. For issuing each permit, a fee of \$25.00 will be charged.
2. The total fees for inspection of consumer's gas piping at one location.
3. The total fees for inspection (including both rough and final piping inspection) shall be calculated as follows: fees shall be based on Tables T108.2 and T109.2 where residential gas permits shall be \$50.00 plus an issuance fee of \$25.00 and commercial permits shall be \$150.00 minimum or .0025 x the contract price plus an issuance fee of \$25.00, whichever is greater.
4. Where work for which a permit is required under the International Fuel Gas Code 2018 edition is started or proceeded prior to obtaining a permit, the fees herein specified shall be doubled, but payment of such doubled fees shall not relieve any persons from fully complying with the requirements of this code in the execution of the work, nor from any penalties prescribed herein.
5. In case it becomes necessary to make a re-inspection of any gas code requirements, the fee shall be \$50.00 for the first re-inspection. For the second re-inspection, the fee shall be \$75.00. For the third re-inspection, the fee shall be \$100.00.

AMENDMENT 10.

Code Section 105.6.2 of the International Swimming Pool and Spa Code shall be amended to add the following schedule and Tables T108.2 and T109.2:

1. Residential pool permits shall cost \$125.00 plus the issuance fee of \$25.00 or .0015 times the contract price plus the issuance fee of \$25.00 whichever is greater.

2. Commercial pool permits shall cost \$200.00 plus the issuance fee of \$25.00.

3. Where work for which a permit is required under the International Swimming Pool and Spa Code 2018 edition is started or proceeded prior to obtaining a permit, the fees herein specified shall be doubled, but payment of such doubled fees shall not relieve any persons from fully complying with the requirements of this code in the execution of the work, nor from any penalties prescribed herein.

4. In case it becomes necessary to make a re-inspection of any Swimming Pool and Spa code requirements, the fee shall be \$50.00 for the first re-inspection. For the second re-inspection, the fee shall be \$75.00. For the third re-inspection, the fee shall be \$100.00.

AMENDMENT 11

Code Section 5704.2 of the International Fire Code shall be amended to read as follows:

5704.2 Tank Storage.

- (a) The provisions of this Section 3404 shall apply to:
 - (i) The storage of flammable and combustible liquids in fixed above-ground and underground tanks.
 - (ii) The storage of flammable and combustible liquids in fixed above-ground tanks inside of buildings.
 - (iii) The storage of flammable and combustible liquids in portable tanks whose capacity exceeds 660 gallons (2498 L).
 - (iv) The installation of such tanks and portable tanks.
- (b) Notwithstanding the above, the following shall also apply to the storage of all flammable and combustible liquids within the City:
 - (i) The storage of flammable and combustible liquids in above-ground tanks outside of buildings is prohibited within the limits of the Fire District.
 - (ii) The location and installation of outside above-ground tanks for the storage of flammable and combustible liquids shall be in accordance with NFPA Pamphlet No. 30.
 - (iii) Within the Athens city limits, excluding the Fire District, all tanks less than fifty (50) gallons may be installed above-ground without being the skid type.

AMENDMENT 12.

Article 90.4 Enforcement of the 2017 National Electrical Code shall be deleted in its entirety and a new article shall be added to read as follows:

90.4. (A) Fees for Electrical Permits:

Issuance Fee: \$25.00.

Minor Wiring: \$30.00

Residential Fee: \$50.00 plus the issuance fee of \$25.00.

Swimming Pool Wiring: \$25.00 plus the issuance fee of \$25.00.

For pole services including trailers, mobile homes, signs and billboards, accessory structures for one- & two-family dwellings and for change over: \$25.00 plus issuance fee of \$25.00.

Fees for Commercial and Industrial:

New Construction, Renovations or Additions: \$150.00 minimum or .025 times the contract price plus the issuance fee of \$25.00.

Swimming Pool Wiring: \$50.00 plus the issuance fee of \$25.00.

Temporary Pole: \$25.00 plus the issuance fee of \$25.00.

Re-inspection Fees:

First re-inspection - \$50.00. Second re-inspection - \$75.00. Third and each re-inspection thereafter - \$100.00.

90.4 (B). Administration, THE FOLLOWING SECTIONS SHALL BE ADDED AND SHALL READ AS FOLLOWS:

1. By Whom Electrical Work is to be Performed.

No person, except electricians duly licensed by the City as hereinafter provided, or person employed by such electrician working under his direct supervision shall do any electrical work in connection with wiring houses or buildings for the electrical current or equipment, or to make any repairs, or extensions or alterations in electrical wiring which may now be installed in any house or building or other structure, within the city or the police jurisdiction thereof.

Nothing in this article shall prevent any homeowner from installing or obtaining electrical work within his own residential property boundaries, providing such work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the provisions of the electrical codes, nor is it to be construed as exempting any such property owner from obtaining permits and paying the required fees therefore.

2. Electricians License – Required: Procedure When Applying.

Before any person shall do any electrical work as described in Paragraph 1. of this code, or shall engage in electrical construction, installation or repair business, except shop repairs to household appliances, or offer electrical services within the city, such person shall obtain a license issued pursuant to the provisions of this article. Each person applying for such license shall (1) pay to the City Clerk the privilege tax required and provided for under the existing license schedule of the city which may be in force and effect at the time of applying for such license (2) carry liability insurance, as required by this article.

3. Name Not to Be Used by Others.

No licensed electrician shall allow his name to be used by any other person, directly or indirectly, to obtain a permit for the construction of any work under his license unless such person is a member of or employed by a partnership or corporation.

4. Equipping Buildings with Wiring or Apparatus.

Application and Permit Required.

No person, licensed electrician or property owner shall equip any building with wiring or apparatus without first making application to the Building Inspection Department, in writing, giving a general description of the work to be done, so that ample opportunity may be had for inspection by the Building Inspection Department and then receiving a written permit to do the work described, and such equipment installed or alteration, change or addition made, shall be done to the satisfaction of the applicable codes, and when so done to the satisfaction of the applicable codes, and when so done, he shall issue a certificate of approval therefore. All permits shall be issued upon application made by the person doing the work. Blank forms for the application shall be furnished by the city.

5. Electrical Construction, Permit Required: Interfering with Building Inspector.

No person shall do or attempt to do electrical construction work, whether original work, alterations or additions, without first giving notice in writing to the Building Inspection Department, and obtaining a permit to do such work, nor shall any occupant or owner of any premises where electrical wiring apparatus is used or to be used, refuse to allow inspection or interfere with the Building Inspector or subsequent personnel.

6. Penalty for Failure to Obtain Permit Prior to Commencement of Work.

The amount to be paid for any permit which is not obtained until after the work is begun shall be two times the amount.

7. Installation of Electrical Work – Compliance with Ordinance Provisions.

All installations of electrical wiring, connections, and apparatus must comply with the provisions of this Resolution, which shall be construed to include all the codes and regulations adopted in this Resolution.

8. Installation of Electrical Work – Supervision and Inspection; Temporary Use.

It shall be the duty of the Building Inspection Department to inspect the installation of all electrical wiring, connections and apparatus. Except as hereinafter provided, it shall be unlawful to use any such electrical power to the same prior to inspection and final approval of such and prior to the issuance of a certificate of occupancy evidencing compliance with all of the codes and regulations of the City of Athens, relative to such improvements, buildings or other structures.

Provided however, where application is made for electrical current and for the use with the electrical system prior to complete installation of all fixtures, electrical appliances and apparatus. Temporary authority for such shall be granted upon and subject to the following terms, provisions and conditions.

(a) That all electrical wiring has been installed and has been approved as in complete accordance with the provisions of the article and all wires and terminals have been taped or covered and switchbox front installed so as not to constitute a hazard.

(b) That all rough-in, cover up, and block-in inspections have been made and approved by the Building Inspection Department.

(c) That an AGREEMENT is signed stating the following:

9. Right to Entry of Associate Building Inspector: Authority to Give Notice of and Repair Defective Electrical Apparatus.

The Building Inspector shall have the right and power at any time to inspect all electrical wires and apparatus in or on any building, street or alley in the city, to ascertain whether the electrical wiring or apparatus is in any respect dangerous to life or property. The Building Inspector shall notify the owner, agent, occupant, or user of the building or equipment to cease using such dangerous equipment, and to have the defect in that equipment repaired within ten (10) days from the date of the notice and it shall be unlawful to use such condemned equipment until repaired. After written notification to the owner, agent, occupant, or user of the building or equipment, the Building Inspection Department is authorized to give written notice to the Manager of the Electric Department of any such dangerous equipment, and the Electric Department shall cease to supply electricity until the defects are repaired.

10. Inferior Work and Materials: Notice to remedy, Failure to Comply with Same.

Any person doing electrical work, whose work does not conform to the requirements of the ordinances and regulations of the city or whose workmanship or material are inferior in quality, shall on notice from the Building Inspector immediately make such work meet such requirements on any particular job within ten (10) days after notice from the Building Inspector, no further permits to do electrical work shall be issued to such person so in default, until such noncompliance is remedied. The City Council may revoke the license of any electrician for noncompliance with the ordinances and regulations of the city pertaining to electrical work, but shall give to any license holder, notice and an opportunity to be heard before revoking such license.

11. Owner Not Relieved from Liability by Inspection.

This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, controlling or installing any electrical equipment, nor shall the city be held to assume any such liability by reason of the inspection authorized herein or the certificate issued.

AMENDMENT 13

Chapter 11 of the 2018 International Residential Code (IRC) and Chapter 13 of the 2018 International Building Code (IBC) will be supplemented with the Alabama Residential and Commercial Energy Code as set forth in § 305-2-4-.07, and § 305-2-4.10 of the Alabama Administrative Code, administered and adopted through the Alabama Energy and Residential Codes Board, State of Alabama. In the case that the above-mentioned State Code conflicts with the IRC or IBC herein adopted; the Alabama Residential and Commercial Energy Code will take precedence and be enforced as written.

AMENDMENT 14

The International Residential Building Code, 2018 edition, Code Section R313, concerning Automatic Fire Sprinkler Systems, shall be deleted in its entirety. The deletion of this Section R313 shall supersede any contradictory and irreconcilable provisions in any code adopted as stated in Section 14-31, or as amended by Section 14-32.

AMENDMENT 15.

As directed by ACT 2015-308 Construction Industry Craft Training Fees will continue to be collected in accordance with state law and the Alabama Department of Finance Division of Construction Management Administrative Code Chapter 355-10-1 Construction Industry Craft Training Fees and shall be equal to one dollar (\$1.00) for every one thousand dollars (\$1000.00) of construction authorized. The fee shall apply to any non-residential building permit issued after October 1, 2016.

AMENDMENT 16

The International Residential Code, 2018 edition, shall be amended to add Section 108.4, which shall read as follows:

1. 108.4, Permit Fees and Requirements per Table T108.4 known as the Public Works Fee Table.

Driveway Tile Permit	\$250 plus rock and pipe Cost
Cut Fill Permit 0-1 Acre	\$50
Cut Fill Permit 1-5 Acres	\$100
Cut Fill Permit 5 and more Acres	\$200
Annexation and Zoning Application	\$1,000
Home Occupation Application Fee	\$50
Subdivision	\$100 per lot
Site Plan Review 0-1 Acre	\$250
Site Plan Review 1-5 Acres	\$500
Site Plan Review 5 and more Acres	\$1,000

2. Penalties.

Where work for which a permit is required by the 2018 International Building Code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such doubled fee shall not relieve any persons from fully complying with the requirements of the code in the execution of the work nor from any other penalties prescribed herein.

3. Fee for Re-inspection

In case it becomes necessary to make a re-inspection of any building code requirement, the fee shall be \$50.00 for the first re-inspection. For a second re-inspection, the fee shall be \$75.00. For a third re-inspection, the fee shall be \$100.00.

RESIDENTIAL PERMIT FEE TABLE (T108.2)

Residential Permit Fee Table (T108.2)

Note: sf = Square Foot

Where a minimum and a price factor are present, the greater amount applies

Permit		Rates
Types:	Subcategory:	Rates and Fees:
Building	New Building or Renovations, Additions: See: Residential Bldg. Permit Fee Schedule , includes plan review <i>Note: Min. Valuation based on \$95/sf heated and \$35/sf unheated</i> Re-roofing permits: (New Roof with Res. Building Permit) Moving House:	\$408 for first \$100k Valuation + \$2 each add. \$1K Valuation House permit cost + issuance fee (\$ varies) \$25 + issuance fee (\$50 total) \$50 + issuance fee (\$75 total)
Pools	New Pool	\$125 minimum + issuance fee (\$150 total) or .0015 x project cost + issuance fee
Mechanical	New Homes or Renovations or changeout w/new duct Changeout w/o duct modification	\$50 + issuance fee (\$75 total) \$25 + issuance fee (\$50 total)
Electrical	New Homes or Renovations Minor Wiring Temporary Poles & Pool installations	\$50 + issuance fee (\$75 total) \$5 + issuance fee (\$30 total) \$25 + issuance fee (\$50 total)
Plumbing	New Homes or Renovations, additions	\$5 per fixture, trap or drain + issuance fee (\$ varies) \$10 per water line \$10 per sewer line
Water/Sewer	See Water Services Page	\$82/fixture - Fee schedule per Athens Utilities
Gas	New Homes or Renovations, additions	\$50 + issuance fee (\$75 total)
Reinspection	Reinspection Fees	1st Re-inspection \$50 2nd Re-inspection \$75 3rd (or more) Re-inspection \$100
After Hours	After business hours scheduled inspection. <i>Subject to approval</i> Unscheduled non-emergency inspection	\$50 per hour with 2 hour minimum (\$100 minimum) \$200 per inspection
Issuance fee	Applies to all permits	\$25
Minimum	Minimum permit fee	\$25

COMMERCIAL PERMIT FEE TABLE (T108.2)

Commercial Permit Fee Table (T109.2)

Note: sf = Square Foot

Where a minimum and a price factor are present, the greater amount applies

Permit	Rates
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Types:	Subcategory:	Rates and Fees:
Building	New Building or Renovations, Additions	\$150 minimum or .006 x Contract Price + Issuance fee (\$ varies)
	Alabama Craft Training Fee	.001 x Contract Price
	Plan Review	\$50 under 2500sf \$150 min - Partially developed plans per submission
	Roof Permits	\$300 min - Fully developed 2501sf - 25,000sf, add \$1 per ea. 1000sf add.
	CO Inspections	\$150 minimum or .006 x Contract Price + Issuance fee (\$ varies) \$75
Water/Sewer	See Water Services Page	\$82/fixture - Fee schedule per Athens Utilities
Pools	New Commercial Pool	\$200 + Issuance fee (\$225 total)
Mechanical	New Building or Renovations, Additions:	\$150 minimum or .0025 x Contract Price + Issuance fee (\$ varies)
	Grease Hood Inspections	\$50 + Issuance fee (\$75 total)
Electrical	New Building or Renovations, Additions	\$150 minimum or .0025 x Contract Price + Issuance fee (\$ varies)
	Electrical for pool installations	\$50 + Issuance fee (\$75 total)
	Temporary Pole	\$25 + issuance fee (\$50 total)
Plumbing	New Building or Renovations, Additions	\$150 minimum or .0025 x Contract Price + Issuance fee (\$ varies)
Gas	New Building or Renovations, Additions	\$150 minimum or .0025 x Contract Price + Issuance fee (\$ varies)
	Gas Piping Only	\$50 + Issuance fee (\$75 total)
Fire	Alarm, Sprinkler System Inspections	\$150 minimum or .0025 x Contract Price + Issuance fee (\$ varies)
Reinspection	Reinspection Fees	1st Re-inspection \$50
		2nd Re-inspection \$75
		3rd (or more) Re-inspection \$100
After Hours	After business hours scheduled inspection. <i>Subject to approval</i>	\$50 per hour with 2 hour minimum (\$100 minimum)
	Unscheduled non-emergency inspection	\$200 per inspection
Issuance fee	Applies to all permits	\$25
Minimum	Minimum permit fee	\$25
Sign	New sign or alteration of existing sign	\$50 minimum or .006 x Contract Price + Issuance fee (\$ varies)

PUBLIC WORKS FEE TABLE (T108.2)

Public Works Fee Table (T108.4)	
Permit	Rates

Types:	Subcategory:	Rates and Fees:
Street	Driveway Tile Permit	\$250 plus cost of rock and pipe
	Cut Fill Permit 0 -1 acre	\$50
	Cut Fill Permit 1 - 5 acres	\$100
	Cut Fill Permit 5 acres or more	\$200
Planning	Annexation and Zoning Application	\$1000 Note: covers advertisements, certified letters
	Home Occupation Application fee	\$50
	Subdivision	\$100 per lot
	Site Plan Review 0 - 1 Acre	\$250
	Site Plan Review 1 - 5 Acres	\$500
	Site Plan Review 5 Acres or more	\$1,000

Section 2. This Ordinance shall become effective on July 1, 2021, after its adoption and publication as required by law. This date follows a six-month educational period.

Section 3. If any provision of this Ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this Ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this code and such amendments and statutes are declared to be severable.

Section 4. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Athens as an addition or amendment thereto, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

Section 5. Nothing herein shall be construed to repeal or otherwise impair any municipal ordinance concerning historic districts or properties within the City.

Section 6. Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby amended or repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

ADOPTED this the 11th day of January, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

The motion was seconded by Councilwoman Henry and was unanimously carried.

The following ordinance was made for “Introduction Only” by Councilman Travis on December 28th, 2020:

ORDINANCE NUMBER 2020 - 2148

AN ORDINANCE AMENDING SECTION 14-31 OF THE CODE OF ORDINANCES, AND CONCERNING THE ADOPTION OF CERTAIN RULES AND REGULATIONS THAT HAVE BEEN PRINTED AS A CODE IN BOOK FORM, INCLUDING THE 2018 INTERNATIONAL BUILDING CODE SERIES

WHEREAS, the Athens City Council has previously adopted certain rules and regulations that have been printed as a code in book form, as shown in Section 14-31 of the Code of Ordinances of the City of Athens, Alabama;

WHEREAS, the Athens City Council has previously adopted certain amendments to said rules and regulations, as shown in Section 14-32 of the Code of Ordinances of the City of Athens, Alabama;

WHEREAS, the Athens City Council wishes to adopt the 2018 edition of the following, and such will replace/update existing building codes within the City of Athens, Alabama upon approval of this Ordinance: 2018 International Building Code (IBC) (including Appendix N), 2018 International Residential Code (IRC), (including Appendix A,D,F,J and Q), 2018 International Mechanical Code (IMC), 2017 National Electrical Code (NEC), 2018 International Plumbing Code (IPC), 2018 International Fuel Gas Code (IFGC), 2018 International Fire Code (IFC) (including Appendix B, C,D and J), 2018 International Property Maintenance Code (IPMC), 2018 International Swimming Pool and Spa Code (ISPSA), The 2018 International Existing Building Code (IEBC), the 2009 American National Standard Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1-2009); and the Alabama Energy and Residential Codes as set forth in § 305-2-4-.07, § 305-2-4-.8, § 305-2-4-.9 and § 305-2-4-.10,

WHEREAS, the City of Athens, prior to the enactment of this Ordinance has complied with the requirements of § 11-45-8 of the *Code of Alabama* concerning the approval of ordinances which adopt by reference, without setting the same out at length in the ordinance, rules and regulations which have been printed as a code in book or pamphlet form;

WHEREAS, among other things, the Athens City Council has conducted a public hearing relating to the adoption of this Ordinance at its regular meeting on December 28, 2020; and

WHEREAS, the Athens City Council, upon the adoption of this Ordinance, will thereafter consider the adoption of certain amendments to said rules and regulations, as would be found in Section 14-32 of the Code of Ordinances of the City of Athens, Alabama.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA,
while in regular session on Monday, January 11, 2021 at 5:00 p.m., as follows:

Section 1. Section 14-31 of the Code of Ordinances of the City of Athens, Alabama is hereby replaced in its

entirety and amended so as to read as follows:

Sec. 14-31. Codes Adopted.

The following certain rules and regulations (copies of which are on file in the Office of the Building Inspection Department of the City of Athens) are hereby adopted by the City of Athens, Alabama: 2018 International Building Code (IBC) (including Appendix N), 2018 International Residential Code (IRC) (including Appendix A, D, F, J, and Q), 2018 International Mechanical Code (IMC), 2017 National Electrical Code (NEC), 2018 International Plumbing Code (IPC), 2018 International Fuel Gas Code (IFGC), 2018 International Fire Code (IFC) (including Appendix B, C, D and J), 2018 International Property Maintenance Code (IPMC), 2018 The International Existing Building Code (IEBC), 2018 International Swimming Pool and Spa Code (ISPSC), 2009 American National Standard Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1-2009), and the Alabama Energy and Residential Codes as set forth in § 305-2-4-.07, § 305-2-4-.8, § 305-2-4-.9 and § 305-2-4-.10. Each and all of the regulations, provisions, conditions and terms of said Codes are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, amendments, deletions and changes, if any, prescribed in Section 14-32 of the Code of Ordinances of the City of Athens, Alabama.

Section 2. This Ordinance shall become effective on July 1, 2021, after its adoption and publication as required by law. This date follows a six-month educational period.

Section 3. If any provision of this Ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this Ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this code and such amendments and statutes are declared to be severable.

Section 4. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Athens as an addition or amendment thereto, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

Section 5. Nothing herein shall be construed to repeal or otherwise impair any municipal ordinance concerning historic districts or properties within the City.

Section 6. Nothing in this Ordinance (or any of the codes adopted thereby) shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby amended or repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

ADOPTED this the 11th day of January, 2021

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

The motion was seconded by Councilman Seibert and was unanimously carried.

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to purchase three (3) 2021 Dodge Durango Police Vehicles and related equipment. These vehicles are to be purchased through the State of Alabama Bid List from Stivers Prattville CDJR. The total cost of these vehicles, including equipment, is not to exceed \$94,000. Funding for this purchase will be from the City's Drug Task Force and Confiscations Fund.

Councilmember Travis moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Henry thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilwoman Henry introduced the following resolution:

RESOLUTION NUMBER 2021 – 1727

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize Public Works to install traffic safety lighting at the intersection of Lucas Ferry and Hobbs, to be funded at a cost not to exceed \$12,000. The project shall be funded from the Gas Tax.

ADOPTED and APPROVED this, the 11th day of January, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

Councilmember Travis moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Henry thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2021 – 1728

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the City of Athens Bituminous Plant Mix Paving Schedule with Reed Contracting Services to pave in multiple districts, at an approximate cost of \$1,878,292. This project shall be funded from the Capital Infrastructure Project Fund. Districts are listed as follows:

District 1

Cantera Drive
East Yorkshire Drive
Saratoga Drive
Travertine Drive
Holland & East (Remaining Streets)

District 2

Canebrake Lane
French Way
Grace Avenue
Hall Road
Indian Trace Road
Lindsay Lane (US-72 to Indian Trace)
Line Road
Piney Creek Drive
Stewart Drive
West Yorkshire Drive

District 3

Annie Ruth Jamar Street
Black's Landing
Caldwell Lane
Highland Street
Houston Place (Subdivision)
Jefferson Street (South of 72 to Durham)
Plainview Circle
Townsend Street/Sanderfer Street/Batts Street/14th Street/Rodgers Drive
Westview Avenue

District 4

Ezell Street (subdivision)
Canterbury Circle/Santana Drive
Market Street West (Hine St to New Cut Road)
Park Lane
Reynard Street
Schilling Street
Suffield Street
Vestavia Estates

District 5

Airport Road West
Box Street
Hayden Street (subdivision)
Malone Circle
Racheal's Loop

Streets that Span Multiple Districts

North Beaty
W Strain Rd
Bridgeforth Street
Plato Jones Street - west of Hine St
Vine Street
Browsferry US-72 to Houston

ADOPTED and APPROVED this, the 11th day of January, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

Councilmember Travis moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Seibert thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Travis and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to accept the low bid of \$54,850 from Game Day Athletic Surfaces for the renovation of the south pod of ballfields at the Athens Sportsplex. This project will be funded from the existing parks and recreation capital account/anticipated grant funding.

Councilmember Travis moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Henry thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Travis and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2021 - 1729

A RESOLUTION PROPOSING AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF ATHENS, ALABAMA CONCERNING DETACHED ACCESSORY SIGNS

WHEREAS, § 2.5.1 of the City's Zoning Ordinance states that "[p]roposed amendments to the text of the Ordinance may be initiated by the Council";

WHEREAS, the City Council wishes to propose an amendment to Section 6.8.19.B of the Zoning Ordinance concerning detached accessory signs;

WHEREAS, the proposal would amend Section 6.8.19.B to allow for increased area and height limits for detached signage for certain large-scale developments along Interstate 65 under certain conditions; and

WHEREAS, per Alabama law, the City Council understands that, upon the adoption of this Resolution, this proposed amendment will be submitted to the Planning Commission for its review and recommendation upon a public hearing, before returning to the City Council for a public hearing and vote on the proposed zoning ordinance amendment.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on January 11, 2021 at 5:00 p.m., as follows:

1. The City Council proposes the following amendment to Section 6.8.19.B of the Zoning Ordinance of the City of Athens:

B. Accessory Detached Signs.

Table 6-9 shall apply to all accessory detached signs in B-2, M-1, and M-2 Districts, except in the case of the following rule which will apply to certain large-scale developments as described below:

(1) For lots with only one occupant, tenant, commercial or business enterprise, that are located within 1,500 feet of the center median of I-65 at the point where it intersects with U.S. Highway 31, U.S. Highway 72, or Huntsville-Brownsferry Road, where such enterprise has over 2,500 linear feet of frontage along a public right of way, contains over 50,000 square feet of improved space open to the public, and has over 800 linear feet of a building façade the following density, height, and area requirements apply:

- (a) Sign Position: detached.
- (b) Max. density: 2 signs per lot with 150 ft spacing min.
- (c) Max. area per sign: 590 sf
- (d) Max. height
 - (i) B-2 (along collector and local streets): 18 feet
 - (ii) B-2 (along arterials), M-1, M-2: 25 feet +1 ft per 60 feet of frontage over 100 feet for 1st sign; 2nd sign is limited to 25 ft
 - (iii) B-2 (along I-65): 100 feet for 1st sign; 2nd sign is limited to 25 ft
- (e) Max. area per premises: 590 sf

2. The City Clerk shall forward a copy of this Resolution to the Planning Commission, so that the commission, as soon as possible, may have a public hearing on this proposed amendment, and then issue its recommendation to the City Council.

ADOPTED this the 11th day of January, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

The motion was seconded by Councilwoman Henry and was unanimously carried.

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There being no further business to come before the meeting, Council President Harper asked if there were any objections to adjourning the meeting. There being none, Councilman Seibert made the motion to adjourn and Councilwoman Henry seconded. The meeting was duly and properly adjourned.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK