

1950356

STATE OF ALABAMA  
COUNTY OF BALDWIN



ORDINANCE 997  
OF THE CITY OF BAY MINETTE

PROVIDING FOR THE ADOPTION OF NEW BUILDING LAWS AND CODES IN THE CITY OF BAY MINETTE, ALABAMA PURSUANT TO AUTHORITY GRANTED AT SECTION 41-9-166 OF THE CODE OF ALABAMA 1975; PURSUANT TO AUTHORITY GRANTED AT SECTION 11-45-8 OF THE CODE OF ALABAMA 1975; AND OTHER APPLICABLE LAWS; FURTHER, REPEALING ORDINANCE #962 OF THE CITY OF BAY MINETTE, ALABAMA; AND FURTHER, AMENDING THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT RELATED TO SAID NEW BUILDING LAWS AND CODES.

WHEREAS, upon the advice rendered by the Building Official of the City of Bay Minette, Alabama, said Building Official recommends to this Honorable Mayor and Municipal Council, in the interest of the public health, safety and welfare of the general public, the adoption by the City of Bay Minette, Alabama of new building laws and codes applicable to the municipal limits and the police jurisdiction of the City of Bay Minette, Alabama; and

WHEREAS, the Mayor and City Council recognize specific authority at Section 41-9-166 of the Code of Alabama 1975 and Section 11-45-8 of the Code of Alabama 1975 within the general laws of the State of Alabama as relates to the adoption of said new building laws and codes; and

WHEREAS, in accordance with Section 11-45-8 of the Code of Alabama 1975, on August 2, 2021, the City of Bay Minette adopted Resolution 0821-06 scheduling a public hearing on September 7, 2021 with regard to the adoption of the new building laws and codes. The said Resolution provided for not less than three copies of the proposed codes to be filed not less than 15 days prior to the holding of the public hearing for use and examination by the public in the office of the City of Bay Minette City Clerk. Thereafter and upon 15 or more days' notice of the time, place and purpose of the said public hearing, published in accordance with Section 11-45-8 of the Code of Alabama, a public hearing was held before the Mayor and Municipal Council of the City of Bay Minette; and

WHEREAS, at the time and upon the advice rendered by the City of Bay Minette Building Official, this honorable governing body, in the interest of the public health, safety and welfare of the general public, hereby adopts new building laws and code applicable to the municipal limits and the police jurisdiction of the City of Bay Minette, Alabama; now therefore,

BE IT RESOLVED AND ORDAINED, BY THE CITY OF BAY MINETTE, ALABAMA IN REGULAR MEETING ASSEMBLED, that, by this instrument a resolution and ordinance of the governing body of the City of Bay Minette, Alabama, and in the interest of public health, safety and welfare of the general public, we hereby adopt, commencing January 1, 2022, new building laws and codes applicable to the municipal limits and police jurisdiction of the City of Bay Minette, Alabama, as follows:

The following codes and supplements shall apply to all building and structures built within the municipal limits and the police jurisdiction of the City of Bay Minette, Alabama or as otherwise required or allowed by state law:

International Building Code, 2018, as herein amended;  
International Gas Code, 2018;

International Mechanical Code, 2018;  
International Plumbing Code, 2018;  
International Residential Code, 2018;  
International Energy Code, 2018;  
International Fire Code, 2021, as herein amended;  
City of Bay Minette Supplemental Code for Residential Structures in addition to IRC  
2018, as attached hereto as Exhibit A; and,  
National Electric Code, 2017 for Commercial Building and Residential Building  
containing more than two (2) dwelling units.

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Amend the International Building Code, 2018 as follows:

903.2.9, delete the following text: “5. A group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m2)”

903.2.9.3, add a new subsection with the following text: “Group S-1 upholstered furniture and mattresses. An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the storage or upholstered furniture or mattresses that exceeds 2,500 square feet (232 m2).

Exception: Self-service storage facilities (mini storage) no greater than one story above grade plane where all storage spaces can be accessed directly from the exterior.

Amend the International Fire Code, 2021 as follows:

101.2.1, adopt appendixes A, B, C, D, E, F, G, H, I, K, L, and N.

107.2, the following schedule of fees is adopted in connection with 107.2:

Copy of incident report – \$25.00 per copy (Exempt: Owner / Occupant / Patient or Court ordered document request).

Burn Permit (repeal Ordinance 908 article 12 January 3, 2006) – \$50.00.

Life Safety plan review – \$0.02 per square foot, \$100.00 minimum - \$1,000.00 maximum.

Fire protection equipment annual service Fees- \$50.00 (per discipline).

Fire protection equipment installation fee - \$50.00 per 10K contract cost.  
(Fire Alarm, Fire suppression, BDA systems).

False alarm (AL 13A-10-8) (Ordinance 872 I, II) - three (3) or more fire alarms due to malfunction in 30 days - \$500.00 response fee applies.

112.2, add the following language: “Responsible party – Where system services multiple occupancies, the OWNER of the complex, strip mall etc. shall be responsible for system inspection, maintenance, and repairs, regardless of lease agreement.”

112.4, the schedule of fines as set forth in Ordinance 15-99, as contained in Code of Ordinances, City of Bay Minette (“COBM”), is here by incorporated by reference.

307.4, delete Exception 1 and substitute the following: "Fires in approved containers that are not less than 25 Feet from combustible objects."

307.4.3, delete "15 feet" and substitute "25 feet".

505.1, Delete 505.1 in its entirety and substitute the following: "505.1 Address Identification. New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall comply with the following size requirements: (1) for structures located less than 50 feet from the right of way, not less than 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm); (2) for structures located more than 50 feet but less than 100 feet from the right of way, not less than 6 inches (152.4 mm) high with a minimum stroke width of ½ inch (12.7 mm) or comply with the requirements in subsection (3); (3) for structures located more than 100 feet from the right of way, monument posting (i.e., mailbox) not less than 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm) and not less than 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm) on the structure, or as deemed necessary by the *fire code official* to facilitate an emergency response; and (4) on all commercial property, not less than 6 inches (152.4 mm) high with a minimum stroke width of ½ inch (12.7 mm) and monument posting as deemed necessary by the *fire code official*. Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained."

507.5.1, in Exemption 2, delete "600 feet" and substitute "100 feet".

906.3, add the following: "Fire extinguishers should be no smaller than UL 4A:40BC (10lb).

- UL 2A10BC (5lb) can be used when approved by fire code official when related to mobility concerns.
- Exemption to Group R occupancies when required 1A10BC (2.5lb) is provided."

907.2, add the following: "Smoke detectors conforming to UL217 with similar requirements outlined by 907.2.10 may be required by fire code official for a local alarm in an unsupervised location such as storage or mechanical area."

1008.3.3, delete Exception 5 in its entirety and substitute the following: "5. All public restrooms and/or ADA accessible restrooms."

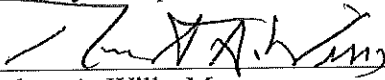
***Additional statement of adoption:*** The City of Bay Minette hereby adopts all National Fire Protection Association (NFPA) standards except for NFPA 1 and NFPA 101. The most current NFPA standard shall apply at the time of construction, replacement, or renovation.


***Additional statement of adoption:*** In his or her discretion, or upon request, the fire code official may allow use of a later version of fire or building codes produced by NFPA or ICC than those specified in this ordinance.

- Intent – If a technological advance or social trend creates a condition our code doesn't address; a newer version of codes may be used for design and/or reference.

FURTHER, BE IT RESOLVED AND ORDAINED, BY THE CITY OF BAY MINETTE, ALABAMA IN REGULAR MEETING ASSEMBLED, that, by this instrument, a resolution and ordinance of the governing body of the City of Bay Minette, Alabama, the prior building laws and codes shall be rescinded and repealed, commencing January 1, 2022.

ADOPTED AND APPROVED this the 20<sup>th</sup> day of September 2021.

  
\_\_\_\_\_  
Robert A. Wills, Mayor

ATTEST:   
\_\_\_\_\_  
Rita Diedrich, City Clerk

PREPARED BY:  
RITA DIEDTRICH  
CITY CLERK  
CITY OF BAY MINETTE

# EXHIBIT A

## CITY OF BAY MINETTE SUPPLEMENTAL CODE IN ADDITION TO THE 2018 INTERNATIONAL RESIDENTIAL CODE

The requirements specified in this Code Supplement apply to detached one- and two-family dwellings not more than three stories above grade plane in height. The provisions of this supplement are intended to complement the locally adopted codes. The elements of design not addressed by the provisions of this supplement shall be in accordance with the locally adopted code. In the event a conflict between this document and the adopted code, the more stringent shall apply.

### STRUCTURAL

1. All new construction (including alterations) in the municipal limits and police jurisdiction of Bay Minette must have all structural components designed by an Alabama licensed design professional. Detached accessory structures less than 600 square feet and not for use as living quarters are exempt from this requirement.

### ROOF COVERINGS

#### ASPHALT SHINGLES – REQUIREMENTS

Wind Speed	Shingle Testing Standard/Classification
130 mph or greater	ASTM D7158 Class H <u>or</u> ASTM D3161 Class F

1. *All roof coverings and underlayment shall be removed (exception #10 and #11 below) and any roof decking attached with staples or nailing pattern less than 6 inches OC edge and 6 inches OC intermediate shall be re-nailed with #8 ring shank nails to meet 6 inches OC edge and intermediate.*
2. Asphalt shingles shall be installed according to the manufacturer's installation instructions for High Wind Areas with minimum 6 nails.
3. All asphalt shingle roof covering underlayment shall be of a synthetic tear resistant polypropylene, polyester or fiberglass fabric certified by an approved testing agency or ICC-ES report. The Building Official may approve an equal or higher performing product. Asphalt felt roofing underlayment shall not be installed as a roof covering underlayment.
  - Roof underlayment shall be installed and fastened in accordance with the manufacturer's installation instructions.
  - NOTE: Most manufacturers do not allow staples as an approved fastener or staple button caps
4. All Aluminum/Vinyl Soffit covering shall be attached to minimum 7/16 OSB or plywood or minimum 2 x 2 wood supports 8 inches OC maximum.
5. Roof deck sheathing seams shall be taped with minimum 4-inch Peel and Stick tape meeting ASTM D-1970, or sheathing seams and each side of roof support

shall be sealed with closed cell foam meeting ASTM D-1622, other equal or greater methods may be approved by the Building Official.

6. Metal roof covering shall be installed per manufacturer's installation instructions for High Wind Zone minimum fastening requirements: Metal roof covering shall be fastened to roof assembly with a maximum 2-foot OC spacing of fasteners in the length dimensions of the panels. Minimum number of fasteners in width dimension of the panel shall be no less than 4.
7. 1 x 4 or 2 x 4 wood purlins for attachment of metal roof coverings shall be a maximum 2 feet OC. Wood purlins shall be nailed with a minimum two deformed (spiral, ring shank) #16D nails into existing rafters at maximum of 24 inches OC.
8. Roof decks shall be nailed in accordance with the engineered drawings but no less than 6 inches OC maximum intermediate and edge, with minimum 8d irregular shank (i.e., ring shank or spiral) nails with full round heads. Staples are not permitted for fastening of the roof decking.
9. Roof deck seams shall be taped with a minimum 4-inch Peel and Stick tape meeting ASTM D-1970 or entire roof deck covered and sealed with peel and stick underlayment meeting ASTM D-1970 or closed cell foam meeting ASTM D-1622 may be applied underneath to each side of framing member and sheathing seams to achieve a sealed roof deck.
10. Metal Galvalume Roof Cover will be allowed over one layer of shingles.
11. One layer of additional shingles will be allowed over one layer of existing 3-tab shingles.

### **PLUMBING**

1. Pex supply piping shall be inspected at working water pressure, minimum Pressure shall be 50 lbs.
2. Potable water supply at working pressure shall be connected to supply piping at time of inspection
3. Top out plumbing inspection shall be performed with Electrical, HVAC and Framing inspection
4. The Contractor responsible for construction shall call in for all 4-way inspections.
5. All Bathtubs and showers shall be connected to the drain waste and vent system at the time of top out inspection. ***Exception: Whirlpool and Garden tubs may be installed after top out inspection. The trap servicing the whirlpool and garden tub shall be installed at the time of inspection.***

### **MODULAR HOMES**

1. Submit AMHC (Alabama Manufactured Home Commission) stamped plans.
2. Modular Homes shall be certified by an Alabama Registered Engineer to meet adopted wind loads.
3. Submit foundation plans and anchorage to foundation plan. Shall equal or exceed local adopted codes.
4. All other on-site construction shall require a separate permit by the Building

Inspection Department.

5. Modular Homes shall be required to have a Final Inspection after exterior of structure and any on-site construction are complete.
6. Modular Homes shall be installed as per the engineered installation instructions
7. Modular Homes shall be inspected for compliance with engineered instructions and any applicable current local adopted codes.
8. In factory construction and components are not the responsibility of the City of Bay Minette Planning & Development Services Department.
9. Existing houses that are moved from one site to another shall comply with Items 3, 4 & 5 and require a Final Inspection. Any new construction shall be in compliance with current adopted codes.

### **FLOOD ZONES**

1. A one (1) foot freeboard is required above the required FEMA flood designations.

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 \* \*HAVE A NICE DAY\* \*  
 \* \*HARRY D'OLIVE, JR.\* \*  
 \* \*PROBATE JUDGE\* \*  
 \* \*BALDWIN COUNTY, ALABAMA\* \*  
 RECEIPT NUMBER..... 2011051  
 INSTRUMENT NUMBER..... 1950356  
 Rcvd of: CITY OF BAY MINETTE  
 Date: 10/12/2021 Time 10:24  
 For: ORDER  
 Tp Bk Pg1950356 Inst 1950356  
 Grantor  
 Grantee  
 Cash Drawer 75 ID LPARMER  
 Recording Fee 21.00  
 D.P. Fee 5.00  
 Archive 5.00  
 Total..... 31.00  
 Paid:  
 Cash 31.00  
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