

# ORDINANCE NO. 613

## BUILDING PERMITS

AN ORDINANCE ESTABLISHING THE REQUIREMENT FOR A BUILDING PERMIT, REPEALING ORDINANCE NO. 601-A AND REQUIRING THAT ALL PERSONS, PARTNERSHIPS, BUSINESS AND CORPORATIONS OBTAIN A PERMIT FOR ANY AND ALL SITE PREPARATION, DEVELOPMENT, RENOVATIONS, IMPROVEMENTS, CONSTRUCTION OR RELOCATION OF ANY BUILDING OR STRUCTURE ACCORDING TO THIS ORDINANCE.

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

**WHEREAS**, This ordinance is enacted pursuant to the Act and the city's general police power and land use authority, it is therefore, provided:

### ARTICLE I - GENERAL PROVISIONS

**1.1 Intent.** The intent of this ordinance is to:

- (a) Promote the general welfare and safety of the community
- (b) Require a building permit for all incorporated areas of the City of Hanceville (Permit must be obtained before start of project).

**1.2 Abrogation and Greater Restrictions.** This ordinance supersedes any ordinance(s) currently in effect that provide for the assessment of a fee for a building permit for any site preparation, development, renovations, improvements, construction or relocation of a building or structure.

**1.3 Applicability.** It shall be unlawful for any person, partnership, business, or corporation to undertake or cause to be undertaken any site preparation, development, renovations, improvements, construction or relocation of a building or structure (including manufactured housing) as in accordance with this ordinance, within the incorporated areas of the City of Hanceville unless a building permit has been obtained from the Permit Officer. Provisions of all other local, state and/or federal codes, ordinances and regulations shall be applicable for any project approved by the issuance of a building permit by the Permit Officer. It shall be the sole responsibility of the property owner to comply with such. If this ordinance contradicts any other active ordinance this ordinance supersedes.

### ARTICLE II – ADMINISTRATIVE PROCEDURES

- 2.1 Basic Format.** The basic format of the building permit shall include the following:
- a. Name, address, phone number and e-mail (if available) of applicant

- b. Name, address and phone number of owner of land on which proposed project is to occur
- c. Name, address, phone number and e-mail (if available) of contractor
- d. Site location
- e. Brief description of proposed project and estimated cost
- f. A plan of the site showing size, dimensions, manner of construction, materials to be used, removal or repair of the proposed building or structure, the square footage of all new construction, the purposes for which the building or structure is to be used and location of the proposed project as well as any existing buildings or structures

**2.2 Issuance of Permits.** Permits shall be issued only after it has been determined that the proposed project to be undertaken will be in conformance with the requirements of this ordinance. The Permit Officer shall require copies of all necessary permits from those governmental agencies from which approval is required by federal, state and/or local code, ordinance or regulation. It is the sole responsibility of the property owner to comply with any and all local, state or federal requirements. A record of all information supplied to the Permit Officer shall be kept on file by The City Clerk.

**2.3 Changes.** After issuance of a building permit, no changes of any kind shall be made to the application, permit or other documents submitted with the application without the written consent or approval of the Permit Officer.

**2.4 Placards.** The building permit / placard shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit, the date of issuance and be signed by the Permit Officer.

**2.5 Inspection and Revocation.** During the construction period the Permit Officer or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with applicable laws and ordinances. In the event the Permit Officer or other authorized official discovers that the work does not comply with the permit application or any applicable laws or ordinances or that there has been a false statement or misrepresentation by any applicant, the Permit Officer shall revoke the building permit and report such fact to The Mayor and City Council, for whatever action it considers necessary.

Any construction, improvement and/or renovation covered by the permit must begin within a six (6) month period beginning from the date of issuance. The permit will expire (1) one year from the date of issuance. Time extensions must be requested in writing for consideration *and approval* by the Permit Officer. If the Permit Officer determines that the delay does not warrant a time extension, a new permit must be purchased by the applicant.

**2.6 Unsafe Buildings.** No building permit shall be granted to any person, firm or corporation for any building, structure, part of a building and structure, party wall and foundations

declared to be unsafe to the extent of being a public nuisance by the City Council of Hanceville.

## **ARTICLE III - FEE SCHEDULE**

### **3.1 Residential New Construction / Minor Addition/Repairs**

Issuance Fee \$10.00

#### Permit

\$1 - \$500 / No Permit Required

\$501 - \$20,000 / \$25 for the first \$2,000 plus \$3.00 for each additional \$1,000

### **3.2 Residential New Construction / Major Addition**

Issuance Fee \$10.00

#### Permit

\$20,001 - \$50,000/ \$20 for the first \$1,000 Plus \$6.00 for each additional \$1,000

\$50,001 - \$200,000 / \$314 for the first \$50,000 Plus \$5 for each additional \$1,000

\$200,000 Plus / \$1,064 for the first \$200,000 Plus \$4 for each additional \$1,000

### **3.3 Commercial**

Issuance Fee \$10.00

#### Permit

\$0 - \$50,000 / \$20 for the first \$1,000 Plus \$6.00 for each additional \$1,000

\$50,001 - \$200,000/ \$314 for the first \$50,000 Plus \$5 for each additional \$1,000

\$200,000 Plus / \$1,064 for the first \$200,000 Plus \$4 for each additional \$1,000

### **3.4 Moving Fee**

Issuance Fee \$10.00

#### Permit

Dwellings \$200.00

All Other Structures/Buildings \$25.00

### **3.5 Fences**

Issuance Fee \$10.00

#### Permit

Any Fence \$15.00

### **3.6 Exemptions**

- a. Churches will be exempt from payment of fees on the first \$15,000.00.
- b. 501C (3) Organizations will be exempt from payment of fees on the first \$15,000.00.

## **ARTICLE IV - PENALTIES**

### **4.1 Penalties.**

(a) Any person and contractor who fails to comply with any or all of the requirements or provisions of this ordinance shall be guilty of an offense and, upon conviction, shall pay a fine to the City of Hanceville, of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) and a term in the City of Hanceville jail not to exceed three months plus the cost of prosecution. Each day during which any violation of this ordinance continues shall constitute a separate offense. In addition to the above penalties all other actions are hereby reserved including an action in equity for proper enforcement of this ordinance. The imposition of a fine or penalty for any violation or non-compliance with this ordinance shall not excuse the violation or non-compliance with this ordinance or permit it to continue and all such persons shall be required to correct or remedy such violation or non-compliance in a reasonable time. Any site preparation, development, structure constructed, reconstructed, enlarged, altered, or relocated in non-compliance with this ordinance may be declared by the City of Hanceville to be a public nuisance and abatable as such.

(b) Where work for which a permit is required by this chapter is started or proceeded with prior to obtaining said permit, the fees herein specified may be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this chapter in the execution of the work nor from any other penalties prescribed herein.

(c) Business license may also be subject to revocation after the first offense if deemed necessary by the city council.

(d) The city council retains the right to bring an appropriate action for injunctive relief to require the payment of damages, halt work and/or removal from the city or its police jurisdiction all earth materials used either: (1) where prohibited; or (2) without first obtaining a permit in those areas for which a permit is required; or (3) when a false or improper statement is made on the application for permit.

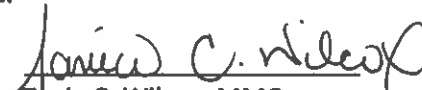
**ARTICLE V – LIABILITY.** The granting of a building permit shall not constitute a representation, guarantee or warranty of any kind by the City of Hanceville, or by any official, employee or agent thereof of the practicability or safety of the proposed use and shall create no liability upon the City of Hanceville, any official, employee or agent thereof.

**ARTICLE VI - SEVERABILITY.** If any provision of this Ordinance, including any exception, part, phrase, or term, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and in this end the provisions of this Ordinance are declared severable.

**ARTICLE VII - PUBLICATION AND EFFECTIVE DATE.** This ordinance shall become effective immediately upon its adoption and publication as required by law.  
ADOPTED AND APPROVED THE 11<sup>TH</sup> DAY OF May, 2017.

  
Kenneth Nail, Mayor

Attest:

  
Tania C. Wilcox, MMC

**Certificate of Publication**

I, Tania C. Wilcox, certify that this ordinance was posted in the following public places: Hanceville City Hall, Hanceville Public Library, Hanceville Post Office, and Hanceville Water Department on 5/12/17.

