

Derrick Mostella  
Mayor



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Ashville, AL 35953

Chrystal St. John  
City Clerk

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*County Seat of St. Clair County*

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ORDINANCE 2024-006

AN ORDINANCE TO REQUIRE BUILDING AND CONSTRUCTION PERMITS AND TO  
ESTABLISH FEES THEREFORE

BE IT ORDAINED by the City Council of the City of Ashville as follows:

1. SCHEDULE OF FEES FOR BUILDING AND CONSTRUCTION PERMITS:

Before commencement of any project, work, construction, addition, repair, demolition, or excavation, plans for such must be submitted to the Building Inspector of the City of Ashville. Upon the Building Inspector certifying that said plans conform to applicable City Ordinances and Regulations, a permit shall be issued by the City through the Building Department, subject, however, to the payment of the fees as hereinafter provided:

2. BUILDING PERMIT REQUIREMENTS:

All contractors and sub-contractors must show proof of certification by the State of Alabama and must purchase a business license from the City of Ashville. No work shall commence prior to the approval of any plans or issuance of a building permit for any excavation or construction until such plans have been inspected in detail and found to be in conformity with this Ordinance. Said plan shall include:

- A. A plot depicting the actual shape, proportion and dimension of the lot and a foundation survey after the footings are poured and before framing has started.
- B. The shape, size, use, and location of all buildings, signs, or other structures to be erected, altered, or moved and of any building or other structures already on the lot both above and below existing grade.
- C. The setback lines on the lot along with any easements of record, and such other information concerning the lot or adjoining lots as may be essential for determining conformance with the provisions of this Ordinance.

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Council Members

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Adam Abernathy - Robin L. Bowlin - Edward Roscoe Lane - Shirley Smith - R. Denise Williams

- D. Written certification from the appropriate City department that adequate Sewage treatment facilities are available at the proposed site. In areas where Sanitary sewer is available, proof of payment of the sewer impact fee to the City of Ashville shall be required.
- E. One full set of detailed construction drawings on sheets not less than 11" x 17" nor larger than 36" x 48". In lieu of physical plans digital plans may be submitted. NOTE: A physical copy is required at the job site.

3. WORK WITHOUT A PERMIT:

Where work for which a permit is required by this chapter is stated or proceeded with, prior to obtaining said permit, the fees herein specified shall 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.

After a double permit has been issued to any person or company and such person or company begins work on any other project for which a permit is required without first obtaining a permit, the following charges will apply:

First Time	Double Permit
Second Time	\$250 plus Double Permit
Third Time	\$500 plus Double Permit plus revocation of business license

Where there are no permit violations for a period of one year after the last offense, the next violation shall be considered a first offense.

4. EXPIRATION OF BUILDING PERMITS:

Any permit under which no construction work has been done within six months from the date of issuance, or where work authorized by such permit is suspended or abandoned for a period of six months after time the work commenced, shall expire by limitation, but shall upon re-application to the Building Department Official be renewable, subject, however, to the provisions of all ordinances in force at the time of said renewal. In no event shall any permit be renewed more than once.

5. ADDITIONAL REQUIREMENTS:

- A. Exterior work authorized under these permits shall be performed only between the hours of 6:00 AM and 6:00 PM in any day unless written exception is granted by the Building Inspector or other official of the City of Ashville. Application for exceptions must be made to the building inspector.
- B. The primary contractor or builder shall be responsible for presenting evidence that all of the subcontractors are properly licensed in the City of Ashville prior to receiving final inspection or a Certificate of Occupancy.

TOILET FACILITIES SHALL BE PROVIDED DURING THE COURSE OF CONSTRUCTION.

NOTE: No final inspection, electric meter, nor gas meter shall be released until all subcontractors and suppliers are properly licensed.

## 6. CONSTRUCTION FEES

The fees set forth below are payable with respect to permits, construction- related work and other operations performed or to be performed in the city. No permit shall be issued, and no inspection contemplated under this chapter shall be scheduled until these fees shall have been paid; further, no requested amendment to a permit will be approved until the additional permit fees related to that request, if any, shall have been paid.

When determining the value of work for purposes of calculating the permit fees in this section, that valuation shall be determined by reference to bona fide signed contracts or other evidence of cost of the work as submitted by the owner or contractor, but in no event shall the value of the work be less than the most recent publication of the International Code Council Building Valuation Data Chart. The valuation shall include the total amount to complete the project, including, but not limited to, painting, hardwood, tile, carpet, and non-structural items.

- (1) Fees for building and construction, electrical, fire suppression system, plumbing and gas, mechanical, litigation, structural sign building and low voltage permits.
  - a. *Permit fees.* The permit fee shall be \$9,.00 for each \$1,000.00 (any fraction thereof is rounded to the nearest \$1000.00) of the contract (plus land) cost or estimated valuation, whichever is greater, plus a \$41.00 issuance fee. The permit fees shall be calculated according to the chart below.

Cost Valuation per \$1,000.00	Plus
\$9.00	\$41.00 issuance fee

*Construction industry craft training fee.* In addition to the local permit fees set forth in the above chart, a construction industry craft training (CICT) fee, as authorized, established, and required by Alabama Act 2015-308, in the amount of \$1.00 per \$1,000.00 cost or value of construction shall be paid for all building permits issued on non-residential construction effective October 1, 2016. State required fees and charges may be adjusted from time to time as required by state law or regulation.

- b. *Minimum permit fee.* The minimum permit fee shall be valuation or contract cost per \$1,000.00 plus issuance fee, any contract/valuation less than \$1,000.00 will pay a minimum fee of \$50.00.

- (2) Commercial plan review fees. The contractor or other person requesting this plan review service shall pay this fee up front when the request is made. The amount of the fee shall be based on the value of the project as estimated by the engineering and inspections department. No refund of this fee will be made even if construction of the contemplated project does not occur and no permit for that work is issued.  
The plan review fee for commercial projects shall be as follows:

Commercial Plan Review Schedule	
Project Valuation	Fee
Renovation Under 50,000.00	\$250.00
New Construction Under 100,000.00	\$500.00
100,000.00-500,000.00	\$500.00 plus \$1.25/\$1,000.00 for each of the estimated value over \$100,000.00
500,000.00-1,500,000.00	\$1,000.00 plus \$0.80/\$1,000.00 for each \$1,000.00 of the estimated value over \$500,000.00
1,500,001.00-3,000,000.00	\$1,800.00 plus \$0.0012 of the estimated value over \$1,500,000.00
3,000,001.00-6,000,000.00	\$3,600.00 plus \$0.0005 of the estimated value over \$3,000,000.00
6,000,000.00 and more	\$5,100.00 plus \$0.00035 of the estimated value over \$6,000,000.00

- (3) Residential plan review fees. The plan review fee for residential dwellings shall be as follows and shall be paid up front by the contractor or person requesting this service at the time of request:

<b>\$125.00 for All New Single-Family Dwellings</b>
<b>Any Changes Made to More Than 50% of Previously Reviewed Plans</b>
<b>Will Incur a \$125.00 Rereview Fee</b>

- (4) Demolition permit- \$50.00  
In addition to obtaining a demolition permit, any contractor or person who demolishes a building, dwelling or other structure in the city must furnish the engineering and inspections department proof of compliance with regulations of the Health Department of St. Clair County for proper abandonment of any septic tank, when applicable, or capping of sanitary sewer, when applicable, and all utility service shall be disconnected prior to commencement of demolition.
- (5) NOTE: Must have a certificate of appropriateness issued by the Historical Commission prior to application for demolition in the Historic District.
- (6) Permit for moving building or structure - \$100.00 (excludes mobile homes)
- (7) Permit for moving mobile homes and construction trailers - \$150.00 (applicable for mobile homes, house trailers or construction trailers moved onto a mobile home park, private property or a construction site)

- (8) Sign permit fees and annual license fees for certain signs. The permit fees for work on respective types of signs and annual license fees for billboards and off-premises signs grandfathered by the city's sign ordinance are listed below:  
Sign permit fees:

- Banners - No Fee, however banners not removed within the allotted time are subject to a \$25.00 removal fee.
- Signs - Calculated at \$7.00 for each \$1,000.00 of sign cost, plus \$28.00 issuance fee, with a minimum valuation of \$1,000.00. Any fraction thereof will be rounded to the nearest \$1,000.00

- (9) Blasting permit - \$100.00

Each contractor or other person applying for a blasting permit shall, before that permit is issued, also furnish the engineering and inspections department a certificate of insurance evidencing that the applicant has general liability and blasting damage coverage for its proposed work in the city with the following minimum limits: bodily injury-\$1,000,000.00 minimum for each occurrence; and property damage-\$1,000,000.00 for each occurrence.

- (10) Street, curb or sidewalk cutting permit- \$100.00

Each contractor or other person applying for such cutting permit shall, before that permit is issued, also furnish the engineering and inspections department a bond, certificate of deposit, cash, cashier's check or other form of security that is acceptable to the city in its discretion in a minimum amount of \$10,000.00 to secure the applicant's obligations to repave or otherwise restore the conditions disturbed by the cutting.

Further, all cutting shall comply with specifications furnished by the city.

- (11) Septic Tank Installation and Repair - \$25.00

For each septic tank repair, replacement, field line repair or replacement.

## 7. CONSTRUCTION DEBRIS REMOVAL

Every person engaging in the business of or being hired for the purpose of construction, demolishing, remodeling, repairing, roofing or altering any building or other structure within the City of Asheville shall upon completion of the job or construction project remove any debris, concrete, lumber, roofing material or other waste material resulting from such activity to a lawful disposal area; and shall provide on-site receptacles for litter as defined herein above and ensure that litter is properly placed in such containers to prevent scattering of such litter by wind or rain if such litter is not properly disposed of on a daily basis; it shall be unlawful for any person to deposit such waste material or litter on the public streets or public areas or the City of Asheville and leave the same for pickup and removal by the city..

## 8. ENFORCEMENT

Violation of this ordinance shall be punishable by a fine not to exceed \$500.00 and imprisonment at hard labor not to exceed six (6) months. Said penalties shall be in addition to all other actions, remedies or means of enforcing compliance with municipal ordinances provided by law.

## 9. SEVERABILITY

If any part, section, or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

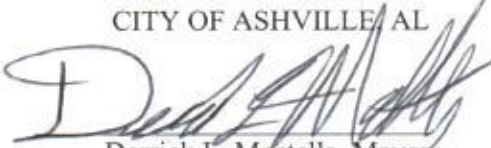
10. REPEALER

All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Ashville, Alabama, which are inconsistent with the provisions of the ordinance are hereby expressly repealed.

11. EFFECTIVE DATE

This ordinance shall become effective upon its adoption, approval and publication as provided by law. Fees established herein shall be collected beginning July 1, 2024

ADOPTED and APPROVED this the 3<sup>rd</sup> of June, 2024.

CITY OF ASHVILLE, AL  
  
Derrick L. Mostella, Mayor

ATTEST:

  
Chrystal St. John, City Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Ashville, Alabama, do hereby, certify that the above is a true and correct copy of an Ordinance duly adopted by the City Council at its meeting held on June 3, 2024 and as same appears of record in Minute Book of said City, and approved by the City Council on the 3<sup>rd</sup> day of June, 2024

GIVEN UNDER MY AND CORPORATE SEAL of the City of Ashville, Alabama, this 3<sup>rd</sup> day of June 2024.

  
Chrystal St. John, City Clerk

