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RECOMMENDED BY: THE MAYOR

SUBMITTED BY: THE CITY ATTORNEY

ORDINANCE NO. 19-96

AN ORDINANCE TO AMEND THE TECHNICAL CODE OF THE CITY OF BIRMINGHAM, 2015, ARTICLE I, "TECHNICAL CODES", PART 2, "ADMINISTRATION", CHAPTER 1, "BUILDING AND HOUSING CODE ENFORCEMENT", ARTICLE A, "BUILDING REGULATIONS", SECTION 7-1-3, "ADMINISTRATION" OF THE GENERAL CODE OF THE CITY OF BIRMINGHAM; ARTICLE V, "PERMIT AND INSPECTION FEES", AS CODIFIED AT TITLE 7, "BUILDING AND LAND USE CONTROLS", CHAPTER 1, "BUILDING AND HOUSING CODE ENFORCEMENT", ARTICLE A, "BUILDING REGULATIONS", SECTION 7-1-7, "PERMIT AND INSPECTION FEES" OF THE GENERAL CODE OF THE CITY OF BIRMINGHAM, AS LAST AMENDED BY SECTION 2 OF ORDINANCE NO. 19-93, TO REMOVE THE RESIDENTIAL PLAN REVIEW FEE.

SECTION 1. BE IT ORDAINED by the Council of the City of Birmingham that the Technical Code of the City of Birmingham, 2015, Article V, "Permit and Inspection Fees", as codified at Title 7, "Building and Land Use Controls", Chapter 1, "Building and Housing Code Enforcement", Article A, "Building Regulations", Section 7-1-7, "Permit and Inspection Fees" of the General Code of the City of Birmingham, be and hereby is amended to revise fees charged for certain permits and services and to read as follows:

"ARTICLE V

"PERMIT AND INSPECTION FEES

"GENERAL

"In calculating permit fees, the minimum charge for any permit will be no less than one-hundred-twenty-five dollars (\$125.00) regardless of the amount hereafter indicated for individual items. Belated billing charges shall be double the regular fee but in no case less than double the minimum indicated above.

"Reinspection fees

(When necessitated by faulty materials, equipment, apparatus or workmanship)

"Per inspection \$125.00

“All additional reinspections, each.....	\$125.00
“Address correction	\$125.00
“Consultation Fee	\$150.00
“Delayed Inspection Fee	\$100.00
“Belated Billing Fee: a belated billing fee shall be a second billing for work or services where more than 30 days have expired since the date of the original fees due notice the original fees due notice.....	\$50.00

“**Weekends or After Hours Inspections:**

Fees for after-hours or weekend inspections shall be in addition to all other fees. The minimum fee shall be \$50.00 for the first hour of portion thereof, plus \$50.00 for each additional hour or portion thereof. Travel time will be added to the inspection time. When not in conjunction with normal working hours (weekend/holidays), the minimum fee shall be \$300.00 for the first four hours or portion thereof.

“**Temporary / Permanent Utilities for Commercial Projects:**

“Required when needed to release meters in order to complete required inspections. This will stay in the Contractors name until final inspection.

“Electrical Meter	\$125.00
“Gas Meter	\$125.00

“**Refunds of the permit fee:**

The Director of Finance of the City of Birmingham is authorized to make refund of amounts paid for permits issued under this Code at any time within ninety (90) days after the issuance of said permits provided the Director of the Department of Planning, Engineering and Permits, or such other department which may be assigned by ordinance of the City Council the duty of enforcing this Code, certifies to said Director of Finance as follows:

- a) That the permit for which the refund is requested has been canceled and no work begun there under and the permit was issued in error by the City, not the Applicant; or,
- b) That the inspection for which a refund of fee theretofore paid is requested, has not been made and is not to be made. Any refund made under the provision of this section shall be subject to an administrative charge of one hundred (\$100.00), which amount shall be deducted from the amount of refund. Unless a written request and the permit holder's copy of the permit has been submitted to the Director of the Department of Buildings and Inspection, or such other department which may be assigned by ordinance of the City Council the duty of enforcing this Code, within ninety (90) days from the date of issuance of such permit, no refund will be made.
- c) **Fire Permits** (see Article VII): That the inspection for which a refund of fee theretofore paid is requested, has not been made and is not to be made. Any refund made under the provision of this section shall be subject to an administrative charge which shall be the Fire Permit fee as set out in Article VII, Fire Permit Fees, which amount shall be deducted from the amount of refund. A written request and the permit holder's copy of the permit

has to be submitted to the Fire Official within ninety (90) days from the date of issuance of such permit, or no refund will be made.

“A Plan Review Fee shall also be required when plans are required to be reviewed before permit issuance. Plan Review Fees are due at the time of application.

“Plan Review Fee Schedule Commercial Work

Valuation	Fee
“\$0 - \$10,000.00	\$150.00
“\$10,001.00 - \$50,000.00	\$350.00
“\$50,001.00 - \$100,000.00.....	\$700.00
“\$100,001.00	\$700.00 Plus
	\$1.50 for each \$1000.00 of the estimated value in excess of \$100,001.00

“Revised Plans

A minimum fee of \$125.00 for a maximum of three pages, plus \$20.00 for each additional page shall be paid for the submittal of revised plans after a permit is issued and shall be in addition to any other required fees.

“Investigations:

For investigations or inspections necessary to determine compliance with other codes and ordinances of the City of Birmingham when required by law and a fee schedule is not otherwise established a minimum fee of \$200.00.

“Records Research \$100.00 minimum fee plus \$50.00 per hour or part thereof after, where requests require research of multiple records or archives that will require significant time for investigation, identification, compilation and production of records.

“Duplicate Certificate of Use & Occupancy

For the issuance of any duplicate Certificate of Use & Occupancy\$150.00

“BUILDING PERMIT FEES:

“Building permit fees shall be determined at a rate of \$9.50 per \$1000 valuation. This does not include other fees required by other departments or agencies. The applicant shall provide an estimated permit value at the time of making application. **New Projects and Additions** total project costs are paid by the general contractor. General contractors shall provide a list of subcontractors whose fees are included in the building permit value for new buildings and additions. Trades listed as covered under the general contractor will only incur a processing fee at time of their permit issuance. **Alterations and Repairs** require all trades to pay fees based on the value of their work. Permanent systems and permanent equipment require separate review and permitting. Grading work shall be permitted according to Title 4, Chapter 7 of the General Code of the City of Birmingham.

NOTE:

An additional fee in the amount of \$1.00 per \$1000 valuation shall be collected on any nonresidential construction building permit issued by the city and remitted to the Division of Construction Management of the Alabama Department of Finance, as required by Ala. Code, 1975, § 41-4-413, for the state Craft Training Fund.

“BUILDING PERMIT FEE SCHEDULE

“Heating apparatus, incinerators, boilers burning solid or liquid fuel and air conditioners, or

evaporator air coolers\$9.50 per \$1000 valuation

“Awnings\$9.50 per \$1000 valuation

“Suppression and Fire Detection Systems\$9.50 per \$1000 valuation

Fire Sprinkler Systems, Fuel Tanks, Fire Alarm Systems, and Fire Extinguishing Systems

“Gasoline Dispensers

Permit to install a gasoline dispenser/meter\$100.00

“Reinspection fee on a new gasoline dispenser installation shall be the same as the cost of the original permit.

“Signs Permit fee for all signs listed include both an application fee and a sign face fee. The total fee amount for any sign is the sum of the two component fee items:

“A. Sign Application Fee

- 1. To erect a sign of any type except a roof sign or outdoor advertising sign (off-premise billboard).....\$175.00
- 2. To erect a roof sign.....\$250.00
- 3. To erect an outdoor advertising sign (off-premise billboard)..... \$400.00
- 4. Reader board, message board (any sign with rolling or static script), animated, or video display:
 - a. Additional fee per sign face..... \$100.00
 - b. Additional fee per sign face for off-premise billboard.....\$300.00

Plus

“B. Sign Face Fee.....\$1.50 per square foot of sign face

“C. Annual Fees

“Annual fees must be paid by January 31st of each year.

“Off Premise Sign Annual Fee..... \$200.00

“Portable Ground Signs. An annual fee of \$100.00 shall be paid for all portable signs and the fee for the first year shall be paid at the time of permit issuance and shall be in addition to all other fees

“Moving of Buildings

Permit to move a building through or across any public street, alley, or highway\$400.00

“Fees for Certificates

“Certificate of Occupancy\$150.00
“Partial Certificate of Occupancy\$150.00
“Certificate of Completion \$150.00
“Temporary Certificate of Occupancy\$150.00

“New Certificate of Use & Occupancy

Applications for a new Certificate of Use & Occupancy when the occupancy of any building or structure is changed or when a building or structure has been condemned by City Council shall require the payment of a \$300.00 inspection fee at the time of application unless a building permit for alterations exceeding \$10,000 is issued.

“Tents

Permits for a temporary commercial or assembly tent – thirty-day maximum\$150.00

“Parking Lots

“For the installation of commercial parking lots and off-street parking areas when the installation is not included as a part of an active building permit \$9.50 per \$1000 valuation (Exception: off-street parking areas for one and two family dwellings.)

“**Temporary structures, other than for construction**, \$125.00 for each six-month period of approval. Construction trailers as part of a site clearing or permitted construction projects do not require a separate temporary structure permit but utilities for the trailer must be permitted, as provided herein.

“**Partial permits** (Article I – Sec. 103.4.3)..... \$50.00 plus the fee for the Building permit.

“Demolition Permit

“Class I Demolition \$150.00
“Class II Demolition\$0.50 per 1,000 cubic feet (\$750.00 minimum)

“**Issuance Fee for Trade Permits under a General Building Permit for New Construction or Addition** \$125.00

“ PLUMBING PERMIT FEES	“\$9.50 per \$1000.00 valuation for alterations
“Minimum permit fee.....	\$125.00
“ GAS PERMIT FEES	“\$9.50 per \$1000.00 valuation for alterations
“Minimum permit fee.....	\$125.00
“ ELECTRICAL PERMIT FEES	“\$9.50 per \$1000.00 valuation for alterations
“Minimum permit fee.....	\$125.00
“ MECHANICAL PERMIT FEES	“\$9.50 per \$1000.00 valuation for alterations
“Minimum permit fee.....	\$125.00
“ ELEVATOR PERMIT FEES	
“ New installations	Per State Regulations
“ Erection of Personnel Hoists	\$100.00
“ Reinspection of Personnel Hoist	\$100.00
“ Barricade permit fee (other than excavation)	\$200.00
“ Design Review Fees	
“ Historic Preservation Review	\$35.00
“ Design Review in Commercial Revitalization District	\$35.00”

SECTION 4. SEVERABILITY. The provisions of this ordinance are severable. If any part of this ordinance is determined by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, such determination shall not affect any other part of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be effective when published as required by law.

