

ORDINANCE NO. 2024-03

**AN ORDINANCE AMENDING AND REPLACING ORDINANCE NO. 2022-06
OF THE CITY OF LOXLEY, ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOXLEY, ALABAMA, AS FOLLOWS:

WHEREAS, the City Council adopted Ordinance No. 2022-06 “AN ORDINANCE TO AMEND THE BUILDING PERMIT FEE SCHEDULE IN SECTION 14-7 OF THE CODE OF LOXLEY” on March 28th, 2022, which amended the Building Permit Fee Schedule in Section 14-7 of the Code of Ordinances.

WHEREAS, it is in the best interest of the public health and welfare to amend and replace Ordinance No. 2022-06 to amend the Building Permit Fee Schedule in Section 14-7 of the Code of Loxley.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LOXLEY, ALABAMA, AS FOLLOWS:

1. SECTION 14-7 of Chapter 14, Article 1 of the Code of Ordinances shall be amended and read as follows:

(a) **Building Permit Fees.** The cost of each building permit shall be based on the valuation of the work, including labor and materials, to be performed based on the following:

(1)	Where valuation is up to \$1,000.00.....	\$30.00
	From \$1,001.00 to \$2,000.00.....	\$45.00
	From \$2,001.00 to \$3,000.00.....	\$50.00
	From \$3,001.00 to \$4,000.00.....	\$55.00
	From \$4,001.00 to \$5,000.00.....	\$60.00
	From \$5,000.00 to \$10,000.00.....	\$80.00
	From \$10,001.00 to \$20,000.00.....	\$140.00
	From \$20,001.00 to \$30,000.00.....	\$180.00
	From \$30,001.00 to \$40,000.00.....	\$220.00
	From \$40,001.00 to \$50,000.00.....	\$260.00
	From \$50,001.00 to \$100,000.00.....	\$500.00

Over \$100,001.00 add \$5.00 per \$1,000.00 for residential buildings and \$6.00 per \$1,000.00 for commercial buildings.

(2) In addition to the local permit fees set forth above, a Construction Industry Craft Training (CICT) Fee, as authorized, established, and required by Alabama Act 2015-308, in the amount of one dollar (\$1.00) per one thousand dollars (\$1,000.00) cost or value of construction shall be paid for all building permits issued on non-residential construction effective October 1, 2016.

(3) The fees set out above shall apply to all residential and commercial construction, renovations, alterations, and additions unless a different fee is specifically provided for hereinafter.

(b) **Valuation– Residential and Commercial**

(1) The valuation for all construction, whether it be new construction, a renovation, an alteration, or an addition, will be determined by an appraisal,

a signed contract, or the most current publication of the International Code Council Building Valuation Data table.

- (2) In the event that inconsistent valuations are provided by an appraisal, a contract, and/or the Building Valuation Data table, the City's Building Inspector shall determine the valuation in his or her sole discretion.

(c) **Plan Reviews**

- (1) Plans for all residential and commercial construction, renovations, alterations, and additions must be submitted for review prior to issuing a building permit.
- (2) Plan review fees, which are in addition to the building permit fee, are as follows:
 - (i) Residential Plan Review.....\$50.00 flat fee.
 - (ii) Commercial Plan Review.....\$1.00 per \$1,000 of the determined valuation.
- (3) The City's Building Inspector reserves the option of hiring a third party to conduct any commercial plan review if circumstances require. Any and all additional costs shall be paid by the applicant.

(d) **Fences**

- (1) The construction of a fence or fences shall require a building permit.
- (2) A plan review fee is not required for the construction of a fence or fences, but the building inspector shall reserve the right to conduct a plan review if he/she finds it necessary.

(e) **Commercial Tower Permit Fees**

- (1) The building permit fee for each tower structure will be \$5,000.00.
- (2) The electrical permit fee for each tower will be \$ 250.00.
- (3) The building permit fee for each co-locate on an existing tower will be \$5.00 per \$1,000.00 of the contact amount.
- (4) The permit fee for accessory structures will be \$5.00 per \$1,000.00 of the contact amount. (Customer must provide documentation of accessory structure cost).

(f) **Demolition Permit Fees**

- (1) For complete demolition of a residential structure, the permit fee will be \$75.00.
- (2) For complete demolition of a commercial structure, the permit fee will be \$150.00.

(g) **Mobile Home Permit Fees**

- (1) To set up a mobile home, the permit fee will be \$35.00.
- (2) To set up a temporary pole and electricity, the permit fee will be \$35.00.
- (3) To set up a commercial job site trailer, the permit fee will be \$75.00.

(h) **Pre-Made Utility Building Fee**

(1) To set up a pre-made utility building, the permit fee will be \$35.00.

(i) **Residential & Commercial Structure Relocation**

(1) To move a structure out of municipal limits, the permit fee will be \$50.00.

(2) When moving a structure into municipal limits that is to be used as a dwelling or for commercial use, both a moving permit fee and foundation permit shall be purchased by the applicant.

(i) The moving permit fee shall be \$75.00.

(ii) The foundation permit shall be \$100.00.

(j) **Reinspection Fees**

1st Reinspection	No Charge
2nd Reinspection	\$50.00
3rd Reinspection	\$100.00 plus minimum of two (2) business days before subsequent reinspection
4th Reinspection	\$200.00 plus minimum of five (5) business days before subsequent reinspection

(k) **Penalties.** Any work performed without a building permit shall be subject to the following penalties:

(1) The first offense shall result in a verbal warning and/or the issuance of a stop work order.

(2) The second offense shall result in the issuance of a stop work order.

(3) In addition to the penalties set out above, any person, firm, corporation, or other organization which violates any provision of this Ordinance, including but not limited to, performing work without a building permit or performing work after the issuance of a stop work order, shall be fined upon conviction not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars and cost of court for each offense. Each day such violation continues shall constitute a separate offense.

(l) Except as provided herein, all provisions of all Ordinances and penalties of the City of Loxley with respect to the construction, renovation, or alteration of residential and/or commercial structures shall remain in full force and effect.

(m) The provisions of this Ordinance are severable. Should any term, provision, charge, or portion hereafter be held invalid, then such holding shall not affect the enforceability and validity of any other provision hereof.


(n) Ordinance No. 2022-06 is hereby repealed and replaced by this Ordinance. Any reference in any other ordinance to Ordinance No. 2022-06 shall be a reference to this Ordinance.

(o) This Ordinance shall take effect immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED THIS the 12th day of February, 2024.



Richard Teal
Mayor

ATTEST:


Melissa Lawrence
City Clerk/Treasurer


CLERK'S CERTIFICATION

I, the undersigned qualified and acting Clerk of the City of Loxley, Alabama, do hereby certify that the above and foregoing is a true copy of Ordinance No. 2024-03 lawfully passed and adopted by the City of Loxley Council, at a regular meeting of such council, held on the 12th day of February, 2024, and that said ordinance is on file in the office of the City of Loxley Clerk.


Melissa Lawrence
City Clerk/Treasurer

CERTIFICATION OF POSTING

I, Melissa Lawrence, City Clerk of the City of Loxley, Alabama hereby certify that no newspaper is published in the City of Loxley and that the above-noted ordinance was published by posting copies thereof in the Loxley City Hall, Loxley Post Office, Loxley Police Department and Loxley Public Library beginning February 14, 2024 and became of force and effect five (5) days thereafter.


Melissa Lawrence
City Clerk/Treasurer