



## ORDINANCE 2012-130

### ADOPTION OF BUILDING LAWS AND CODES

**WHEREAS**, upon the advice rendered by the City of Semmes Public Works Superintendent, said Official recommends to the City Council, in the interest of the public health, safety and welfare of the general public, the adoption by the City Council, of new building laws and codes applicable to the City of Semmes, Alabama within the corporate limits and police jurisdiction; and

**WHEREAS**, the City Council recognizes specific authority under Section 41-9-166 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, said authority recited as follows:

#### **Section 41-9-166 of the Code of Alabama 1975**

#### **Adoption, etc., of building codes by municipalities and counties.**

*Any municipality in the State of Alabama may adopt any model building code published by the Southern Building Code Congress International and the National Electric Code published by the National Fire Protection Association as a municipal ordinance, enlarging the applicability thereof to include private buildings and structures other than private schoolhouses, hotels, public and private hospitals, and moving picture houses as it deems necessary and to prescribe penalties for violations thereof in the same manner in which other ordinances and related penalty provisions are adopted and prescribed.*

*No county or municipality shall apply the building code to state buildings and construction of public schoolhouses.*

*Model building codes adopted by a county or municipality pursuant to this section only apply to structures and facilities on the customer's side of the electric meter and shall not apply to any electric power generation, transmission, or distribution on the electric service provider's side of the electric meter.*

*Nothing contained in this section shall be construed as requiring the advertising or posting of the code itself. The provisions of this section shall be satisfied by giving notice that it is proposed to adopt a code.*

**WHEREAS**, by this instrument, an ordinance of the City Council and in the interest of public health, safety and welfare of the general public, we hereby adopt, effective upon the state required four (4) week public notice period commencing July 6, 2012, new building laws and codes applicable to Semmes, Alabama, as follows:

The following codes and supplements shall apply to all buildings and structures built within the incorporated areas and police jurisdiction of Semmes, Alabama or as otherwise required or allowed by state law:

International Building Code, 2012. With the exception of Appendix D (Fire Districts), and H (Signs).

International Gas Code, 2012

International Mechanical Code, 2012

International Residential Code, 2012

International Energy Conservation Code, 2012

National Electric Code, 2011

**WHEREAS**, the City of Semmes shall continue to have the Alabama State Board of Health, Mobile County Health Department, conduct all permitting and inspections relating to plumbing, sewerage, and septic systems.

**THEREFORE**, the City Council of the City of Semmes, Alabama, while in regular session, does hereby adopt this ordinance for the protection of life and property within the City of Semmes and the police and fire jurisdiction.

**Adopted and approved this 5<sup>th</sup> day of July, 2012.**

/s/Judith Hale - Mayor

Attest:

/s/ Brandi Shewmake – Acting City Clerk