



## *City of Fairhope*

# *Construction Code Supplement*

### **CITY OF FAIRHOPE ADDITIONAL REQUIREMENTS, THOSE NOT SPECIFICALLY COVERED BY CODE AND FREQUENTLY ASKED QUESTIONS**

It is the intent of the City of Fairhope to enforce reasonable standards to ensure the safety of both buildings and all building occupants. Provisions in the adopted codes and standards allow for the Building Official to make discretionary decisions in unusual or unique circumstances in addition to the prescriptive requirements specifically listed in the Codes. The following text outlines some of these requirements under the heading of each major building component. It is important to note that the Building Code is designed to constitute a minimum guideline for construction, and each jurisdiction that enforces the Code is free to institute more stringent guidelines, if it deems necessary. While the City Inspectors try to enforce the Codes as consistently as possible within the Department so as to give all contractors a known reference standard during construction, the experience of the Inspector and lessons learned by the City have led to some additional requirements some existing requirements that are highlighted for the knowledge and convenience of the contractor that are to be followed by anyone choosing to do business within the City of Fairhope Permitting Jurisdiction.

### **MISSION STATEMENT**

The mission of the Fairhope Building Department is to ensure the life safety, health, and welfare of the citizens of Fairhope, Alabama through the adoption and enforcement of codes and ordinances governing the built environment. We strive to provide timely, efficient and thorough building inspections, and to build positive working relationships within the building community, consumers and citizens alike to meet our shared goals of a safe and desirable community. We believe in equitable and respectful treatment for all individuals regardless of circumstances and strive to enforce all codes and ordinances in a fair and considerate manner.

## **CONTACT INFORMATION:**

### **Building Department**

Building Official: Erik Cortinas, CBO, LEED AP	(251) 990-0141	<a href="mailto:erikc@fairhopeal.gov">erikc@fairhopeal.gov</a>
Asst Building Official: William Nelson	(251) 990-2876	<a href="mailto:billy.nelson@fairhopeal.gov">billy.nelson@fairhopeal.gov</a>
Building Inspector: Richard Taylor	(251) 990-2878	<a href="mailto:richard.taylor@fairhopeal.gov">richard.taylor@fairhopeal.gov</a>
Building Inspector: Adam Thomas	(251) 928-8003	<a href="mailto:adam.thomas@fairhopeal.gov">adam.thomas@fairhopeal.gov</a>
Building Inspector: Cameron Nixon	(251) 990-0116	<a href="mailto:cameron.nixon@fairhopeal.gov">cameron.nixon@fairhopeal.gov</a>
Coastal Construction Inspector: Doug deGraaf	(251) 990-0123	<a href="mailto:doug.degraaf@fairhopeal.gov">doug.degraaf@fairhopeal.gov</a>
Fire Safety Inspector: Sandy Garber	(251) 929-0362	<a href="mailto:sandy.garber@fairhopeal.gov">sandy.garber@fairhopeal.gov</a>
Construction/ROW Inspector: Cody Johnson	(251) 928-8003	<a href="mailto:cody.johnson@fairhopeal.gov">cody.johnson@fairhopeal.gov</a>
Permit Technician: Cindy Boothe	(251) 990-2874	<a href="mailto:cindy.boothe@fairhopeal.gov">cindy.boothe@fairhopeal.gov</a>
Permit Technician: Gina Burns	(251) 990-2874	<a href="mailto:gina.burns@fairhopeal.gov">gina.burns@fairhopeal.gov</a>
Admin/Permit Technician: Martha Smith	(251) 990-0153	<a href="mailto:martha.smith@fairhopeal.gov">martha.smith@fairhopeal.gov</a>
Building Department Inspection Line	(251) 990-0153	<a href="mailto:buildingpermits@fairhopeal.gov">buildingpermits@fairhopeal.gov</a>

### **Planning and Zoning Department**

Planning Director: Wayne Dyess	(251) 990-2884	<a href="mailto:wayne.dyess@fairhopeal.gov">wayne.dyess@fairhopeal.gov</a>
Planner: Buford King	(251) 929-7436	<a href="mailto:Buford.king@fairhopeal.gov">Buford.king@fairhopeal.gov</a>
Planner: Nancy Milford	(251) 990-2886	<a href="mailto:nancy.milford@fairhopeal.gov">nancy.milford@fairhopeal.gov</a>
Planning Technician: Mike Jeffries	(251) 828-8003	<a href="mailto:mike.jeffries@fairhopeal.gov">mike.jeffries@fairhopeal.gov</a>
Planning Administrative Asst: Emily Boyett	(251) 990-0214	<a href="mailto:emily.boyett@fairhopeal.gov">emily.boyett@fairhopeal.gov</a>
Code Enforcement Officer: Kim Burmeister	(251) 990-2877	<a href="mailto:kim.burmeister@fairhopeal.gov">kim.burmeister@fairhopeal.gov</a>
Code Enforcement Officer: Christina Lejeune	(251) 990-0206	<a href="mailto:christina.lejeune@fairhopeal.gov">christina.lejeune@fairhopeal.gov</a>

### **CITY OF FAIRHOPE ADOPTED CODES**

2018 International Building Code  
2018 International Residential Code  
2018 International Plumbing Code  
2018 International Mechanical Code  
2018 International Energy Conservation Code (for other than One- and Two-Family Dwellings)  
2018 International Existing Buildings Code  
2018 International Swimming Pool and Spa Code  
2017 National Electric Code  
City of Fairhope Construction Code Supplement  
Energy and Residential Code as published and updated by ADECA (for One- and Two-Family Dwellings)  
Public Rights of Way Accessibility Guidelines (PROWAG)

## Table of Contents

- 1) General information**
  - i) Definitions
  - ii) Contractor Licensing
  - iii) Plan submittal requirements
  - iv) Required inspections
  - v) Fortified Construction
  - vi) Drainage requirements
- 2) Building Code Requirements**
  - i) Residential supplemental requirements
  - ii) Residential code deletions
  - iii) Commercial supplemental requirements
  - iv) Commercial code adoptions and deletions
- 3) Fire Code Requirements**
  - i) Residential and Commercial (as applies)
  - ii) Fire Code Deletions
- 4) Electrical Code Requirements**
  - i) Residential and Commercial as applies
- 5) Mechanical Code Requirements**
  - i) Residential and Commercial as applies
  - ii) Mechanical Code Deletions
- 6) Plumbing Code Requirements**
  - i) Residential and Commercial as applies
  - ii) Plumbing Code Deletions
- 7) Energy Code Requirements**
  - i) Residential (One and Two Family Dwellings)
  - ii) Commercial Buildings
  - iii) Energy Conservation Code Deletions
- 8) Gas Code**
  - i) Residential
  - ii) Commercial
- 9) Accessory Uses**
- 10) Floodplain Protection (Ordinance # 1368)**
- 11) Construction Site Layout and Maintenance**
- 12) Erosion and Sediment Controls (Ordinance # 1398)**
- 13) Red Clay Ordinance (Ordinance # 1423)**
- 14) Wetland Protection (Ordinance # 1370)**
- 15) Tree Protection (Ordinance # 1223)**
- 16) Right of Way (ROW) (Ordinance # 1254)**
- 17) APPENDIX 1 (Baldwin County High Wind Roofing Supplement)**
- 18) APPENDIX 2 (Low Impact Development methods for stormwater mgmt on individual lots)**
- 19) APPENDIX 3 (Alabama Residential and Energy Code)**
- 20) APPENDIX 4 (Reserved for FUTURE interpretations and policy statements)**

## 1) General information

### i) **Definitions**

- a. **Engineering required**- For the purposes of plan submittals, any structural design that calls for the alteration of an existing structure that requires the alternation of more than 2 load bearing walls shall be sealed by an Alabama licensed Professional Structural Engineer. This limitation does not include residential additions equaling 50% or more of the existing square footage.
- b. **Hardscape**- hard landscape materials that are incorporated into a landscape. This can include paved areas, driveways, retaining walls, sleeper walls, stairs, walkways, and any other landscaping made up of hard-wearing materials such as wood, stone, concrete etc.
- c. **"In fill" lot**- insertion of additional housing units into an already-approved subdivision or neighborhood. This can be providing additional units built on the same **lot**, by dividing existing homes into multiple units, or by creating new residential **lots** by further subdivision or **lot** line adjustments. The lots in question are in older subdivisions or development that have no engineered stormwater management infrastructure (i.e. detention ponds, drainage easements, etc.).
- d. **Registered Design Professional**- The City of Fairhope defines this as either a Registered Architect or Professional Engineer currently licensed to conduct business and in good standing with the requisite State of Alabama licensing Boards.
- e. **Sleeping room**- For the purposes of residential code review, any room that contains either/or a closet or bathroom will be considered a sleeping room and will be required to have egress windows, smoke detection, or other life safety provisions required of bedrooms. These requirements will be regardless of how the room is labeled on the construction drawings (bonus room, office, game room, etc.).

### ii) **Contractor Licensing**

- a. **ALL CONTRACTORS WIKING THE FAIRHOPE POLICE JURISDICTION MUST HAVE A CITY OF FAIRHOPE BUSINESS LICENSE IN ADDIITON TO ANY REQUIRED STATE LICENSES.**
- b. **Residential construction**
  - i. Construction of new residences and any renovation project \$10,000 or greater in value must have an Alabama Unlimited Homebuilders license.
  - ii. Roofing projects \$2500 or greater must have either an Alabama Unlimited Homebuilders license or an Alabama Homebuilders Roofing License- **NOTE THAT AN ALABAMA HOMEBUILDERS LIMITED LICENSE DOES NOT ALLOW THAT CONTRACTOR TO PERFORM ROOFING WORK GREATER THAN \$2500**
  - iii. All Mechanical/HVAC contractors, electrical contractors, and plumbing contractors must have licenses from each of those trades individual Licensing Boards.
- c. **Commercial construction**
  - i. Construction or renovation of a commercial project \$50,000 or greater in value must have an Alabama licensed General Contractor.
  - ii. All Mechanical/HVAC contractors, electrical contractors, and plumbing contractors must have licenses from each of those trades individual Licensing Boards. **NOTE- ANY INDIVIDUAL TRADE CONTRACTOR WHOSE CONTRACT IS \$50,000 OR GREATER IN VALUE MUST POSSESS AN ALABAMA GENERAL CONTRCATORS LICENSE IN ADDITON TO ANY REQUISITE TRADE LICENSE.**

**d. Owner builders**

- i. Per Alabama Law, building owners have the right to obtain permits to work on their own commercial and residential property. **Any owner who pull an Owner Permit is stating they intend to personally perform the work covered by that permit. If an owner obtains an Owner Permit and then hires a contractor to perform work under that permit, that contractor or multiple contractors are still required to meet all of the licensing laws for any Alabama Licensing Board that governs the work they are performing.**

**iii) Plan submittal requirements (commercial requirements listed in underlined bold italics)**

- Provide a completed Building Permit application form listing all contact information, list of contractors for the project, and copies of State licenses for the following contractors:
  - Homebuilder or General Contractor
  - Electrician
  - Plumber
  - HVAC
  - Sprinkler contractor (if applicable)
  - Fire Alarm contractor (if applicable)
  - Fire Suppression Hood contractor (if applicable)
- Copy of construction contract or ICC Building Valuation Tables;
- If in Fairhope City limits, provide land value for Impact Fees;
- If in Fairhope City limits, provide a **sealed** survey showing the building footprint, the building dimensions, distance to adjacent property lines, and showing flood zone lines if the project is in a floodplain (sealed by Registered Land Surveyor);
- Zoning approval (City of Fairhope or Baldwin County Planning and Zoning Land Use Certificate)
- RESCheck report to verify compliance with International Energy Code compliance or show compliance with Alabama Residential Energy Code (certificate available at <http://adeca.alabama.gov/Divisions/energy/energycodes/Energy%20Codes/Alabama%20Energy%20and%20Residential%20Code.pdf>); **(commercial requires submittal of COMcheck report)**
- Provide 2 full sets of construction drawings containing the following information:
  - **Civil construction plans showing building utilities and distance to nearest fire hydrant (sealed by Professional engineer)**
  - **Erosion and Sediment Control Plan (requires plan sealed by either Professional Engineer or CPESC)**
  - **Landscape plan for commercial buildings City Limits (sealed by Registered Landscape Architect)**
  - **Life Safety Plan for commercial buildings (sealed by Registered Architect)**
  - **Code review for commercial buildings (sealed by Registered Architect)**
  - Architectural floor plan showing heated and cooled square footage totals **(commercial requires plan sealed by Registered Architect)**
  - Building elevations to verify building height **(commercial requires plan sealed by Registered Architect)**
  - Foundation plan (sealed by Professional Structural Engineer) **residential and commercial**
  - Wall and roof framing details (sealed by Professional Structural Engineer) **residential and commercial**
  - Roof framing or truss plans (if applicable, sealed by Professional Structural Engineer) **residential and commercial**
  - Structural steel drawings, if applicable (sealed by Professional Engineer) **residential and commercial**

- Electrical plan showing receptacle spacing, switch locations, and diagram of electrical service (**commercial requires plan sealed by Professional Engineer**)
- Mechanical / HVAC plan (**commercial requires plan sealed by Professional Engineer**)
- Plumbing plan (**commercial requires plan sealed by Professional Engineer**)
- **Code review for commercial projects (sealed by Registered Architect)**
- **Sprinkler design and calculations (sealed by Professional Engineer)**
- Fire Alarm plans and specifications (**Installed by NICET certified installer**)
- Septic tank release from Baldwin County Health Department (if applicable)
- If in a floodplain, provide elevation certificate for each building on the site (house, garage, guesthouse, etc) and survey to show flood zone lines on the property
- If in a wetland, provide wetland delineation and Wetland Development Plan in compliance with Fairhope Ordinance 1370

**iv) Typical required residential inspections**

- **BMPs / erosion controls and construction entrance**
- **Foundation inspections (depending on foundation type used: pier, floating slab or monolithic slab)**
- Pier foundation (if applicable)
  - Footing prior to concrete
  - Foundation strapping of girders and joists
- Floating Slab (if applicable)
  - Footing prior to concrete
  - Plumbing rough-in
  - Foundation prior to pour
- Monolithic slab (if applicable)
  - Plumbing rough-in
  - Foundation prior to pour
- **Structural rough-in inspections (to be cleared prior to installation of insulation and drywall)**
  - Strapping Inspection prior to installation of sheathing
  - Sheathing inspection prior to installation of vapor barrier
  - Structural inspection of framing, interior shear walls, strapping and hold downs, vapor barrier and brick tie inspection prior to cladding installation
- **Plumbing topout inspection and pressure test (to be cleared prior to installation of insulation and drywall)**
- **Mechanical rough-in inspection (to be cleared prior to installation of insulation and drywall)**
- **Electrical rough-in inspection (to be cleared prior to installation of insulation and drywall)**
- **Final Inspections (to be cleared before the building is occupied)**
  - Building final
  - Mechanical final
  - Plumbing final
  - Electrical final
- The list above contains the types of inspections that are typical for a residential project, either new construction or renovation / addition work. Depending on the project, additional inspections may be required prior to enclosing or covering any work. **WITH THE EXCEPTION OF THE REQUIRED SEALED ROOF DECK PHOTOS, PHOTOGRAPHS WILL NOT BE ACCEPTED IN LEIU OF FIELD INSPECTIONS.** Any work that is covered without an inspection will be required to be opened and exposed before further work may proceed.

v) **Fortified Construction**

(1) **Fortified Construction for new and substantial improvement of single-family residences**

- (a) The City of Fairhope will require that all new single family residences must meet all construction requirements to Fortified Gold certification with the exception of the required 3rd party inspections by a Fortified Evaluator. Any residences that are renovated must meet the requirements of the appropriate Fortified designation for the amount of work performed (Gold, Silver, or Bronze).
- (b) Owners who obtain a Fortified designation shall provide a copy of the certificate to the Building Department to be included with the Building Permit file.

vi) **Drainage requirements**

(1) **Residential requirements**

- (a) If the parcel or lot where the home is to be constructed has an established Finished Floor Elevation (FFE) on the recorded plat, that FFE must be met. The builder will be required to verify in writing that the required FFE has been met.
- (b) If the construction site does not have an established FFE, for all lots there shall be a minimum of one code compliant step riser of 7.5" from the final grade of the yard or sidewalk to the entry porch or rear porch, whichever is lower;
- (c) For lots where the intended floor level is less than 12" above the elevation of the street gutter or point of drainage discharge, the interior floor level or the exterior porch level of the residence shall be a minimum of 15" above **FINAL GRADE AT THE HIGHEST POINT IN THE BUILDING FOOTPRINT**. This will provide a minimum of 2 code compliant steps risers of 7.5" from grade to the building porch or entry.
- (d) Garages will be permitted to be constructed at grade.
- (e) If the topography of the building parcel is changed significantly by the use of fill material or grading, or if there are site specific circumstances that may warrant it, the Building Official has the authority to require the builder to engage the services of a Professional Engineer to design a stormwater plan for the specific lot.
- (f) For "infill" lots that exist in older areas of town or areas and subdivisions that do not have stormwater engineering and infrastructure, Low Impact Development (LID) guidelines for on-site bioretention may be required. See Appendix 2 for details of methods that can be used in lieu of engineering, as well as other methods available in *the Low Impact Development Handbook for the State of Alabama* available at <http://www.adem.state.al.us/programs/water/waterforms/LIDHandbook.pdf>
- (g) For infill lot where 30% or more of the lot contains proposed hardscape limitations on the amount of impervious surface allowed on these lots will be: (percentage will be calculated by taking lot square footage and subtracting the square footage of roofed structures):
  - a. Circular drives or parking pads within property lines of the lot (off the Right of Way) must be made of pervious material;
  - b. Use of pervious concrete, pavers, gravel, or other methods shall be required for patios, open porches, or other hardscape based on the proposed percentage of lot coverage for hardscape materials. Pervious materials shall be installed with sufficient pervious gravel underlayment and proper compaction to ensure proper water intrusion and percolation per manufacturer's specifications;

- c. Guttering of eaves and overhangs utilizing rain barrels for collection of stormwater.
- (h) General requirements for all sites (infill lots or otherwise) shall include:
  - a. Driveways widths may be no more than the width of the garage door or carport it serves;
  - b. No more than one parking pad will be allowed on the Right of Way, it may be no larger than 10'x20', must be made of a pervious material, and a Right of Way permit is required;
  - c. Guttering of eaves and overhangs if the structure is setback 10' or less from property lines and the site is graded away from the structure.
- (i) The Building Official has the authority to require additional steps as needed depending on the site topography or known history of drainage issues or heavy stormwater flow. The Building Official shall have the authority to address site specific concerns on a case by case basis.

**(2) Commercial requirements**

- (a) **Commercial projects within the City of Fairhope permitting jurisdiction are required to meet the drainage design requirements listed in the City of Fairhope Subdivision Regulations. The Engineer of Record must certify that the following criteria have been met and provide an ENGINEER'S CERTIFICATION as listed below:**
  - (b) *Certifications and seals.*
  - (c) All plans and design calculations submitted shall bear the seal, original signature, name, address and telephone number and certification of the project engineer, who shall be registered to practice as a professional engineer in the State of Alabama and who is qualified by reason of education and experience in the field of stormwater design.
  - (d) The engineer shall seal and sign each sheet of the plan assembly.
  - (e) The engineer shall affix his certification to the first sheet of each plan assembly and design calculation, which certificate shall read substantially as follows:

**"ENGINEER'S CERTIFICATE"**

**I, the undersigned, a Registered Professional Engineer in the State of Alabama holding Certificate Number \_\_\_\_\_, hereby certify that I have reviewed the design herein which was done under my direct control and supervision and that, to the best of my professional knowledge and to the best of my belief, conforms to the requirements of the City of Fairhope Municipal Code and to all other rules, regulations, laws, and ordinances applicable to my design.**

\_\_\_\_\_                      \_\_\_\_\_                      \_\_\_\_\_  
**Date                      Project Engineer                      Name of Project to which this Certificate Applies**  
**Plans which are certified consist of Page \_\_\_\_\_ thru \_\_\_\_\_, each of which bears my seal and signature."**



## Examples of Approved Foundation Elevations





## Examples of Approved Foundation Elevations





## Examples of Disapproved Foundation Elevations



## 2) **Building Code Requirements**

### i) **Residential supplemental requirements**

- (1) For remodel projects, a Demolition permit will be issued and once all demolition is complete the Building Dept will perform a walk through with the owner or contractor to determine the extent of the renovation requirements (Level 2 or Level 3 per the International Existing Buildings Code).
- (2) Wall that contain plumbing DWV piping must be 2x6 to meet cutting a notching allowances and requirements.
- (3) Modular or Manufactured homes
  - (a) Provide documentation from Alabama Manufactured Housing Commission (AMHC) verifying compliance with Zone 2 for basic wind speed.
  - (b) Provide engineered foundation and anchorage plan.
  - (c) Provide name of electrician and plumber making connections and obtain permits for inspections.
- (4) Only portable, modular, or manufactured buildings approved for occupancy by the AMHC may be used for residential or business purposes. Building not meeting these requirements are to be used for storage only and may not be converted for occupancy.
- (5) Any project where 40% or more of the windows and/or doors in a structure are being replaced will be required to provide opening protection for all doors and windows.
- (6) Opening protection meeting the requirements of ASTM 1886/1996 will be required for all doors and windows.
- (7) Sealed roof decks and roofing meeting the Baldwin County High Wind supplement will be required. Handout listing requirements provided in Appendix 1.
- (8) A minimum of 1 hr. tenant separation will be required for all multiple occupancy buildings.

### ii) **Appendices Adoptions**

- (1) APPENDIX E (MANUFACTURED HOUSING USED AS A DWELLING)
- (2) APPENDIX J (EXISTING BUILDINGS AND STRUCTURES)
- (3) APPENDIX M (HOME DAY CARE R-3 OCCUPANCIES)
- (4) APPENDIX Q (TINY HOUSES)

### iii) **Residential Code deletions**

- (1) R105.2 (WORK EXEMPT FROM PERMIT)
- (2) 301.2.1.2, exception 1 (WOOD STRUCTURAL PANELS FOR OPENING PROTECTION)
- (3) 301.2.4 (FLOODPLAIN CONSTRUCTION) Fairhope FDPO will govern;
- (4) R309.3 (FLOOD HAZARD AREAS)
- (5) R322 (FLOOD RESISTANT CONSTRUCTION)
- (6) R408.7 (FLOOD RESISTANCE)
- (7) M1301.1.1 (FLOOD RESISTANT CONSTRUCTION)
- (8) M1401.5 (FLOOD HAZARD)
- (9) M1601.4.10 (FLOOD HAZARD AREAS)
- (10) M2001.4 (FLOOD RESISTANT CONSTRUCTION)
- (11) M2105.22.1 (FLOOD HAZARD)
- (12) M2201.6 (FLOOD RESISTANT CONSTRUCTION)
- (13) G2404.7 (FLOOD HAZARD)
- (14) P2601.3 (FLOOD HAZARD AREAS)
- (15) P2602.6 FLOOD RESISTANT INSTALLATION)
- (16) P3001.3 (FLOOD RESISTANT INSTALLATION)
- (17) P3101.5 (FLOOD RESISTANCE)
- (18) ALL APPENDICES NOT SPECIFICALLY LISTED AS ADOPTED IN 2(ii)

**iv) Commercial supplemental requirements**

- (1) For remodel projects, a demolition permit will be issued and once all demolition is complete the Building Dept will perform a walk through with the owner or contractor to determine the extent of the renovation requirements (Level 2 or Level 3 per the International Existing Buildings Code).
- (2) Fire separation between units or tenant spaces shall meet the fire separation requirements of the 2018 International Building Code. In all instances a minimum of 1 hour, UL approved fire rated construction is required between differing occupancy classifications or tenant spaces, both vertically and horizontally.
- (3) Metal storage buildings designed and intended for the storage of vehicles (RVs, boats, etc.) shall be required to have the Engineer of record inspect and certify the wind loading of the framing of the structure.
- (4) Metal storage buildings shall meet the fire protection requirements of 903.2.9 of the IBC.
- (5) Modular or Manufactured homes
  - (a) Provide documentation from Alabama Manufactured Housing Commission (AMHC) verifying compliance with Zone 2 for basic wind speed.
  - (b) Provide engineered foundation and anchorage plan.
  - (c) Provide name of electrician and plumber making connections and obtain permits for inspections.
- (6) Only portable, modular, of manufactured buildings approved for occupancy by the AMHC may be used for residential or business purposes. Building not meeting these requirements are to be used for storage only and may not be converted for occupancy.

**v) Specific Commercial code Appendix adoptions or deletions**

**(i) Adoptions**

1. Appendix D
2. Fire District Map attached to this code

**(i) Code Deletions**

1. 105.2 (WORK EXEMPT FROM PERMIT)
2. D101 (ESTABLISHMENT OF AREA)
3. A104.2.1 (SUBSTANTIALLY DAMAGES EXSITING BUILDINGS IN FLOOD HAZARD AREAS)
4. A104.10.1 (FLOOD HAZARD AREAS)
5. A107.2.6.1 (DESIGN FLOOD ELEVATIONS)
6. A110.3.3 (LOWEST FLOOR ELEVATION)
7. A110.3.11.1 (FLOOD HAZARD DETERMINATION)
8. 1107.5 (DESIGN FLOOD ELEVATION)
9. 1202.4.4 (FLOOD HAZARD AREAS)
10. 1402.6 (FLOOD RESISTANCE)
11. 1402.7 (FLOOD RESISTANCE FOR COASTAL HIGH HAZARD AREAS)
12. Delete all Appendices except Appendix D as adopted in 2(iv)(i)1



# Fire District Boundary Map

FIRE DISTRICT: Downtown Fire District - City of Fairhope



### **3) Fire Code Requirements**

#### **i) Residential and Commercial (as applies)**

- (a) A complete plan/drawing of the system and the devices that are being protected shall be submitted before a permit is issued and a copy shall be placed in the control box. A permit is not required for follow up inspections or service, if a permit was received for that system in the same year.
- (b) All maintenance reports shall be furnished to the Building Dept upon completion of work being done.
- (c) Knox boxes will be required for all new construction and level 2 or level 3 renovations of commercial businesses.
- (d) Knox boxes and/or Siren Operated Systems (SOS) will be required for gated entrances and driveways.
- (e) Support columns for all single family gated entrances must have a clear opening width of 12'.
- (f) Support columns for all subdivision or multiple occupant gated entrances must have a clear opening width of 20'.
- (g) Backflow assemblies in the Fire District are required to be constructed so as not to be visible from the sidewalk and public right of way. They must be enclosed either inside the building structure or in an underground vault.

#### **ii) Fire Code Deletions**

- (a) Appendix A (BOARD OF APPEALS)
- (b) Appendix M (HIGH RISE BUILDINGS- RETROACTIVE AUTOMATIC SPRINKLER REQUIREMENTS)
- (c) Appendix N (INDOOR TRADE SHOWS AND EXHIBITIONS)

### **4) Electrical Code Requirements**

#### **i) Residential and commercial (as applies)**

- (a) In accordance with Alabama law, homeowners are allowed to pull electrical permits for properties they own. All electrical code requirements will apply, and an owner permit implies that the owner themselves will perform the work to be done. If any work is done by a contractor that contractor must have an Alabama Electrical Contractors license and a City of Fairhope business license.
  - (b) The City of Fairhope will not issue owner permits for electrical work associated with swimming pools. All pool projects must have an Alabama licensed electrical contractor.
  - (c) The authority having jurisdiction (AHJ) for the enforcement of the code has the responsibility for making interpretations of the rules, for deciding on the approval of equipment and materials, and for granting any special permission contemplated in the Code.
  - (d) All buildings in the Fire District, buildings consisting of metal stud framing, and metal buildings shall be wired in conduits
- (1) Service conductors and equipment on all new construction shall have the location approved by the City of Fairhope Building Dept and electric provider at the time of permit application. A line drawing may be required to help clarify installation with specific information, i.e. wire size, type, conduit size, type, and related hardware. This requirement also applies to existing structures.
- (a) All meter bases must be obtained from the utility company from which the power is supplied. Meter bases, when on City of Fairhope power, may be obtained from the Fairhope Public Works/ City Utilities building.

- (b) All new services and upgrades in the City of Fairhope Electrical Dept service area must be underground unless otherwise approved by the Fairhope Electrical Dept.
  - (i) Electricians must supply and install 2-1/2" conduit for 200-amp single phase services from the meter base to 18" inches below grade.
  - (ii) Electricians must connect the conduit to the meter base when utility conduit is run before the meter base is installed. 2-1/2" conduit will fit over utility installed red pipe. Electricians must dig and shift the conduit when the meter base does not line up with the conduit supplied by the utility company. Check with City of Fairhope for services above 200 amps.
  - (iii) Refer to the 2017 National Electric Code (NEC) for any overhead services.
  - (iv) Service entrance conductors shall have a minimum of 100 amp service for a single family dwelling. If electric heat is installed a 200 amp service will be required. Load calculations on any dwelling may be required by the AHJ.
  - (v) The higher voltage to ground phase of a 3 Phase, 4 wire Delta connected system shall be on C Phase for metering and shall be colored Orange if in the Fairhope Electrical Dept service area.
  - (vi) Grounding electrode conductor shall originate in the meter socket.
  - (vii) All dwellings from meter base to first point of connection of service shall be grounded by minimum #6 copper.
- (2) Breakers
  - (a) All breakers to be full sized (1"). Mini/Thin line breakers may not be used on new construction. Subject to AHJ approval, other methods may be allowed.
- (3) Conductors
  - (a) All outside conductors shall be in conduit. Conductors smaller than #6 AWG aluminum shall not be used.
  - (b) #6 aluminum shall be rated to a maximum 40amp load only.
  - (c) Minimum #12 AWG shall be used on all 15amp and 20amp receptacle circuits. 14 AWG may be used for lighting circuits only when protected by 15 amps.
- (4) Kitchen Circuits
  - (a) Refrigerators shall be provided with an individual 20amp branch circuit.
- (5) Space Heating Equipment Fixed Electric
  - (a) Air conditioning installation in other than new construction shall require a permit. This includes replacement of old units regardless of size, increase or not.
  - (b) Air conditioning equipment employing electric resistance type heating elements shall have an approved disconnecting means within sight of the equipment, and if not provided by the manufacturer, supplementary over-current protective devices. Fuses and circuit breakers that are an integral part of the equipment do not satisfy the requirements for a disconnecting means within sight.
  - (c) Air conditioning and heating equipment shall have copper conductors from disconnect to the unit.

## 5) Mechanical Code Requirements

- i) Residential and commercial (as applies)
  - (1) HVAC equipment must be provided with an auxiliary float switch in the pan or on the unit that will stop the unit in the case of blockage of the primary drain line.
  - (2) All condensate discharge(s) shall be to the exterior of the building in a conspicuous location unless otherwise approved at plan review and permitting.
- ii) Mechanical Code deletions
  - (1) N/A



## 6) Plumbing Code Requirements

- (i) Residential and Commercial as applies
  - (1) If there is a need to use both gravity sewer and a grinder pump on a project due to construction limitations, prior approval of the method intended from the Building Dept and Fairhope Water and Sewer Dept is required.
  - (2) Use of in-line or mechanical venting devices are not allowed in lieu of properly installed venting systems; any exception must be approved by the Building Department.
  - (3) Schedule 40 pipe is required for all sewer lines from the building to the sanitary sewer main.
  - (4) Contractors cannot tie a sewer line directly into a manhole without first obtaining an inspection and permission from either the City Water and Sewer Department or the Building Department. In addition, the tie in must be core drilled so as to limit the amount of debris introduced into the sewer line and both sides of the penetration must be grouted.
  - (5) Septic tanks require a signed release from the Baldwin County Health Department.
  - (6) Per City Ordinance, septic tanks MAY NOT be installed on any property inside the Fairhope Corporate Limits where sewer service is available.
  - (7) Any structure where the septic tank fails IS REQUIRED to tie to sewer service if service is available. If it is not available, a replacement septic tank may be allowed by permission of the Baldwin County Health Department.
  - (8) All slip joint fittings must have an access panel for servicing.
  - (9) All installations of Grinder Pumps require the master plumber of record to complete and sign the **Grinder Pump Installation Form** and submit to the Building Department.
    - (a) If a plumber wants to use a grinder pump other than the 4 pumps specified on the **Grinder Pump Installation Form**, prior approval from the Building Dept and Fairhope Water and Sewer Dept is required.
- ii) Plumbing Code Deletions
  - (1) Appendix A (PLUMBING PERMIT FEE SCHEDULE)
  - (2) Appendix D (DEGREE DAY AND DESIGN TEMPERATURES)
  - (3) Appendix E (SIZING TO WATER PIPING SYSTEM)- will defer to engineering design

## 7) Energy Code Requirements

- i) Residential (One- and Two-Family Dwellings)
  - (1) The City of Fairhope formally adopts the *Alabama Residential Energy and Building Code for One- and Two-Family Dwellings*. A copy of the code is included in Appendix 3 of this document.
  - (2) An Alabama Residential Energy Code Compliance Certificate must be provided, the online calculator can be found at <http://adeca.alabama.gov/Divisions/energy/energycodes/Pages/default.aspx>
- ii) Commercial Buildings
  - (1) The City of Fairhope adopts the 2018 International Energy Conservation Code for all buildings other than One and Two Family Dwellings.
    - (a) COMcheck report will be required for all commercial projects. Reports provided shall include Thermal Envelope, Lighting, and Mechanical Systems.
- iii) Energy Conservation Code Deletions
  - (1) 2018 IECC Residential Energy Provisions- as applies to One and Two Family Dwellings
  - (2) Chapter 5: (RE) EXISTING BUILDINGS- as applies to one and two family dwellings

## 8) Gas Code Requirements

- i) General Requirements
  - (1) All gas piping on the interior piping system shall only consist of COPPER TUBING, GALVANIZED PIPE or BLACK IRON.
  - (2) All underground piping shall be installed in accordance with the 2018 INTERNATIONAL FUEL GAS CODE.
  - (3) All gas piping systems shall be piped with only schedule 40 galvanized or black iron from the outside stub out/meter set into an accessible location before the start of any copper pipe runs. The transition fitting must be accessible.
  - (4) All gas piping shall be identified by a yellow label marked "GAS" in black letters. The marking shall be placed at the beginning, all ends and at intervals not to exceed 5 feet (1524 mm).
  - (5) Flare fittings shall not be concealed.
    - (i) Exceptions: Listed and labeled appliance connectors in compliance with ANSI Z21.24 and installed in accordance with the manufactures instructions and located entirely in the same room as the appliance.
- ii) Rough In Inspection
  - (1) Rough -in inspections and pressure tests must be performed after all rough piping of the facility is complete and before any part of the gas system is concealed, interior walls closed in or before exterior piping is buried.
  - (2) Striker plates and other protective devices shall be installed at all required locations.
  - (3) Physical condition of the tubing/piping including depth of exterior piping. Exterior piping under ground must be at least 12" from the surface of the ground.
  - (4) Presence and location of fittings and labels.
  - (5) Correct location of regulators.
  - (6) Air test at 20 PSI. This includes all piping, fittings, including but not limited to house regulators and valves.
- iii) Final Inspection
  - (1) Final inspections and pressure tests must be performed before the gas meter will be set. Fairhope Public Utilities Inspectors must have access into the establishment for this inspection.
  - (2) The final inspection is only preformed after all construction is complete, including but not limited to interior walls, cabinets and final grade of yard.
  - (3) Air test at 20 PSI. This includes all piping, fittings, including but not limited to house regulators and valves.
  - (4) Any piping, fittings, valves or regulators that were added after the rough-in inspection will require a final air test.
  - (5) All systems with copper tubing must have a final air test to ensue no damage was done to the piping.
  - (6) The final connection on the customer side of the gas meter is the responsibility of the certified gas fitters/installers. After the appliances are installed and ready to be turned on, the certified gas fitter/installer will bubble test flex lines and connections for leaks and light all pilot lights.
- iv) Log lighters
  - (1) The valve installed on a log lighter shall be no more than 3 feet away from the log lighter.
- v) Regulator requirements
  - (1) House line regulators shall be included on all air test and pass inspection before a meter will be set.

- (2) House line regulators must conform to all 2015 International Fuel Gas Code rules complying with ANSIZ21.80
  - (3) Regulators shall be installed in accordance with the manufacturer's instruction.
  - (4) Regulators shall be accessible.
  - (5) A shutoff valve shall be installed up stream of the regulator.
  - (6) The use of a 2 PSI system house line regulator does not make the appliance regulator unnecessary.
- vi) Gas meter placement
- (1) The gas meter stub-out/meter set shall not be installed behind the establishment or behind a fence for access and safety reasons.
  - (2) The gas meter shall not be placed more than 30 feet from the street side of the house.
  - (3) The gas meter stub-out/meter set shall have a minimum distance of 3 feet from a functional window, door, vent, electrical box, etc.
  - (4) The gas meter stub-out/meter set shall be located on the same side of the establishment as the main power supply if possible.
- vii) Valves
- (1) A shutoff valve must be installed up stream of all regulators.
  - (2) A shutoff valve must be installed at all appliances with a maximum distance of 6 feet from the appliance
  - (3) Shutoff valves shall be located in places to provide access for operation and shall be installed so as to be protected from damage.
  - (4) Shutoff valves shall be prohibited in concealed locations and furnace plenums.
- viii) Pressure testing and inspections
- (1) The licensed gas fitter/installer is responsible for contacting the Fairhope Public Utilities Gas Department upon completion of all gas piping with a 20 PSI air test. All piping in the consumers gas system shall be exposed for the rough-in inspection. The inspection can only be approved by a Fairhope Public Utilities Gas Department Inspector. Construction material of any type that conceals the consumers gas system will be removed before an inspection will be performed or passed. This includes all outside underground piping. The removal of all construction material that conceals gas piping will be at contractors and or gas fitters/installers expense.
  - (2) The rough-in and final piping installation shall be inspected and tested for leaks at 20 PSI. This includes all fittings, included but not limited to house regulators and valves.
  - (3) Inspection cards will be placed on stub outs after each inspection. The inspection card explains whether the inspection passed or failed. Fairhope Public Utilities Gas Department is not responsible for lost or damaged inspection cards. We recommend all plumbers or contractors keep these inspections cards for their records.

## **9) Accessory uses**

- i) Free standing or detached outdoor fireplaces and fire pits
  - (1) Fireplaces as to be installed according to manufacturer's installation requirements. All clearance to combustibles.
  - (2) Outdoor fireplaces shall, at minimum, meet the 2'/10' rule as applies to all fireplace terminations as measured to the top of spark arrester.
  - (3) A Building permit is required for outdoor fireplaces and fire pits
  - (4) A Plumbing permit is required for gas line if provided.
  - (5) Spark arrester is required for fireplace chimney.
  - (6) Chimneys of outdoor fireplaces and all permanent or site built fire pits are required to have a minimum 5' setback from the property line and 10' setback from buildings.
    - (a) The 10' setback from buildings may be exempt if the Zoning Ordinance allows the chimney closer and the chimney meets the 2'/10' rule as applies to all fireplace terminations as measured to the top of the spark arrester.
- ii) Patios, porches and hardscapes shall meet the requirements of Section 1(v)(1)(f)(b) of this document and the Fairhope Zoning Ordinance.

## **10) Flood Damage Prevention Ordinance (Ordinance 1368)**

- i) The new National Flood Insurance Rate Maps (FIRM) will be effective as of April 19, 2019.
- ii) As required by FEMA and the Alabama Office of Water Resources (OWR), the City of Fairhope is adopting an updated Flood Damage Prevention Ordinance to coincide with the effective dates of the new maps. This ordinance has been submitted to OWR for review and will be adopted upon approval by the Fairhope City Council after proper advertising and public hearing.
  - (1) Some of the significant changes in the proposed ordinance are:
    - (a) Continued requirement of 1' freeboard for all Special Flood Hazard Areas
    - (b) Critical Facilities will not be allowed in the floodplain
    - (c) Any Letters of Map Revision (LOMR) obtained under the previous flood maps (dated July 7, 2007) will be null and void upon adoption of the new maps.
    - (d) Homeowners will be required to sign an Acknowledgement and Non Conversion agreement relating to areas below the Base Flood Elevation (BFE).
    - (e) Building materials used below the BFE will be required to be flood damage resistant materials in accordance with FEMA Technical Bulletin 2.
    - (f) Occupiable structures will be prohibited in a regulatory floodway.

## **11) Construction Site Layout and Maintenance**

- i) Construction activities within the Fairhope Corporate Limits are allowed between the hours of 7am – 7pm each day. Work may not begin before 7am without prior approval of the City Building Department and/or the Fairhope Police Department.
- ii) Each site will have sanitary facilities available. A maximum of 2 adjacent lots may share facilities as long as the combined number of workers does not exceed 10.
- iii) The building permit MUST BE posted clearly visible from the primary access road and mounted at least waist high. City Inspectors have the authority to refuse an inspection if the permit is not properly posted and accessible.
- iv) All Inspections requested require 48 hours' notice. The inspection may be performed ANYTIME WITHIN REGULAR BUSINESS HOURS (7AM-4PM) however AM (before 1200pm) and PM (before 400pm) requests will be honored if at all possible.
- v) Fires are not allowed on any project site within the City limits.

- vi) Project sites will be kept as neat and clean as possible. All loose trash MUST BE CONTAINED, and City Inspectors have the authority to assess fines and/or issue Stop Work Orders (SWO) for excessive or uncontained trash on any site. Also be advised that the City of Fairhope landfill will not accept any type of construction debris.

## 12) Erosion and Sediment Controls (Ordinance # 1603)

- i) All land disturbing activities must comply with the City of Fairhope Erosion and Sediment Control Ordinance #1398.
- ii) At the beginning of each project, a Sediment & Erosion Control inspection will be made to determine the potential for site run-off resulting from construction activities and to ensure site is in compliance with City of Fairhope Minimum requirements. While the topography of each site is different, Fairhope has minimum requirements that must be met for BMP (Best Management Practices) placement, mandatory for land disturbing activities and construction sites. The minimum standards are:
  - (1) **Silt Fencing** – Silt Fencing should be installed and entrenched on frontages, and any sides or back of lots that have a slope. Type A silt fencing is mandatory on commercial / multi-family sites, as well as all sites located in or near critical areas.
  - (2) **Construction Entrances** – A rocked entry must be installed on the entry point, to help minimize vehicle tracking. Aggregate size should be at least 1". Entry should be 20' X 50' for commercial; 10' X 20' for residential (minimum). Limited traffic should be allowed on the site.
  - (3) **Inlet Protection** – Any storm drain inlets located in front of or directly downhill of a construction site should be protected with acceptable inlet protection (such as sock pipes or mulch wattles). Monitor inlet protection devices during rain events to ensure street flooding is not evident.
- iii) Worksites deemed to be in non-compliance are subject to the following penalties:
  - (1) Work Order for the specific project
  - (2) Decline building inspection requests and assess subsequent reinspection fees
  - (3) Dispatch City street sweeper where there is excessive sediment in the road, with a minimum charge of \$300.
- iv) Sites 1 acre or larger, or sites within a common plan of development such as subdivisions are required to obtain a land disturbance permit from the Alabama Department of Environmental Management (ADEM). A copy of the permit shall be submitted to the Building Department before a Building Permit or Land Disturbance Permit will be issued.
- v) A complete copy of the Ordinance and a reference guide is available at <https://www.fairhopeal.gov/home/showdocument?id=21519>

## 13) Red Clay Ordinance (Ordinance # 1423)

- i) Ordinance # 1423 (Red Soil (Clay and Silt Ordinance) prohibits the use of red clay or staining soils within 100' of a critical area. The Ordinance defines critical areas as: Environmentally and ecologically sensitive areas to include but not limited to high risk areas for erosion and/or within one hundred (100) feet of floodplains, wetlands, watercourses and gullies.
- ii) A complete copy of the Ordinance is available at <https://www.fairhopeal.gov/home/showdocument?id=138>

#### 14) Wetland Protection (Ordinance # 1370)

- i) All wetlands within the permitting jurisdiction are subject to regulation by Ordinance # 1370, including, but not limited to, all wetlands shown on National wetlands Inventory maps issued by the United States Fish and Wildlife Service and now in existence or such other similar maps as may hereafter be issued from time to time, and all wetlands now or hereafter delineated as jurisdictional by the United States Army Corps of Engineers.
- ii) The City of Fairhope will require a full wetland delineation for any site that shows potential wetlands by either the current wetland mapping information from Baldwin County or identification of hydric soils on USDA Web Soil Survey (WSS). USDA/WSS information can be found at <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
- iii) Wetland delineations older than 5 years are not considered to be valid per US Army Corps of Engineers guidelines.
- iv) No person shall fill, excavate, dredge, clear-cut or partially clear-cut timber from, mow grass within, dump any materials in, drain, alter or otherwise conduct any regulated activity without a permit issued by the department in accordance with this article within (a) any wetland, (b) any established buffer, or (c) in the absence of any established buffer, within any area that is within twenty (20) feet of any wetland.
- v) Any permit application that will impact a wetland will be required to meet the submittal requirements listed in Ordinance # 1370. A \$500 Wetland Permit Fee will be required for any project that impacts a delineated wetland.
- vi) A complete copy of the Ordinance is available at <https://www.fairhopeal.gov/home/showdocument?id=138>

#### 15) Tree Protection (Ordinance # 1223)

- i) The City of Fairhope Tree Protection Ordinance applies to any tree located on City ROW or on commercially zoned property. A Tree Removal Permit will be required to be submitted and approved prior to any tree being removed, failure to obtain a permit prior to removing a tree on City ROW will result in a fine up to \$10,000.00.
- ii) A complete copy of the Ordinance is available at <https://www.fairhopeal.gov/home/showdocument?id=190>

#### 16) Right of Way (ROW) (Ordinance # 1254)

- i) **The City of Fairhope formally adopts the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right of Way (PROWAG)**
- ii) City Code prohibits construction of any kind upon or within any public right of-way or any utility or drainage easement without proper permits.
- iii) Alabama State Law mandates that Line Locates be obtained by calling Alabama One Call (811) prior to any digging beginning. Line Locaters have up to 48 hours to respond after notification.
- iv) Sodding shall be used for final site stabilization on any project conducted in City Right of Way.
- v) Mechanical excavation is prohibited anywhere Line Locate has marked existing utilities in the proposed project area.
- vi) Verifying the location of property lines or easements is the responsibility of the builder or owner.
- vii) Any obstruction placed within such easement or right-of-way is a violation of the terms of the building permit and is subject to an order for immediate removal by the owner or contractor.

- viii) A building permit issued for new construction of a building allows for construction of driveways or walkways to service that building.
- ix) No shell, gravel, crushed limestone, slag, or similar loose material shall be permitted within two feet (2') of a road or sidewalk (acceptable materials include asphalt, concrete, pavers, or other non-eroding material).
  - a. Note: Zoning Ordinance requires a three foot (3') green space between the edge of property (property line) and edge of driveway.
- x) No drive or walk may be so constructed as to result in an obstruction or tripping hazard over or across an established city sidewalk.
- xi) Neither driveways nor sidewalks may be constructed over or around a utility service box.
- xii) Applications to the Building Department must include application, diagram of area showing where work is to be done, and detail of materials to be installed.
- vii) A complete copy of the Ordinance is available at [xxxxx](#)

**APPENDIX 1**  
**Baldwin County High Wind**  
**Roofing Supplement**



**APPENDIX 2**

**Low Impact Development (LID)**  
**methods for stormwater**  
**management on individual lots**

Examples of Low Impact Development Methods- pervious paving













**APPENDIX 3**  
**Alabama Residential and Energy**  
**Code**

**APPENDIX 4**  
**Reserved for future**  
**interpretations and policy**  
**statements**