

**ORDINANCE NO. 2022-09**

*An ordinance of the City of Irondale to adopt by reference and to amend the (i) 2021 editions of the International Building Code, International Existing Building Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Fire Code, International Energy Conservation Code, International Property Maintenance Code, and International Swimming Pool and Spa Code and (ii) National Electrical Code (NFPA 70).*

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Irondale, Alabama, in regular meeting duly assembled, a quorum being present as follows:

**Section 1. Modification of Chapter 4, Buildings and Building Regulations, Article II. - Codes and Standards, Division 1, - Generally, Sec. 4-31 through Sec. 4-50 of The Code of Ordinances, City of Irondale, Alabama.**

A. Chapter 4, Buildings and Building Regulations, Article II. -Codes and Standards, Division 1, - Generally, Sec. 4-31 through Sec. 4-50 is hereby amended by deleting Sec. 4-31 through Sec. 4-50 in their entirety and replacing them with the following:

**Sec. 4-31. – Fuel Gas Code.**

The International Fuel Gas Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the standard gas code for the city for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code.

**Sec. 4-32. - Building Code.**

The International Building Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the standard building code for the city for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code.

**Sec. 4-33. – Plumbing Code.**

The International Plumbing Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the standard plumbing code for the city regulating and

governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code.

**Sec. 4-34. - Swimming Pool and Spa Code.**

The International Swimming Pool and Spa Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the standard swimming pool code for the city for regulating and governing the conditions and maintenance of all swimming pools and spas; by providing the standards for swimming pools and spas and conditions essential to ensure that swimming pools and spas are safe, sanitary and fit for use; and each and all of the regulations, provisions, penalties, conditions and terms of said Swimming Pool and Spa Code.

**Sec. 4-35. - Mechanical Code.**

The International Mechanical Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the standard mechanical code for the city regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code.

**Sec. 4-36. - Residential Code.**

The International Residential Building Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the residential building code of the city, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code, except as follows:

Section R309.5 (Fire sprinklers in garages and carports) shall be amended to add the following at the end of the sentence: "or shall have installed over each vehicle parking area a smoke detector and heat sensor which shall be installed as called for in IRC 2015, Section R314."

Section R313.2 (One- and two-family dwellings automatic fire systems) is not adopted.

Where a conflict exists between the provisions of the International Residential Code and the above amendments, the amendments shall prevail.

**Sec. 4-37. - Existing Building Code.**

The International Existing Building Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the existing building code of the city for regulating and governing the change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code.

**Sec. 4-38. - Property Maintenance Code.**

The International Property Maintenance Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the property maintenance code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use and providing for the issuance of permits and collection of fees thereof, with the following revisions:

Section 302.4 (Weeds) shall be amended to: “Premises and exterior property shall be maintained free from weeds or plant growth in excess of nine inches in height.”

Section 302.4 (Weeds) shall be amended to add the following to the end of the section: “Ornamental trees, shrubs, or other plant growth, planted next to or in close proximity to a structure, shall not exceed in height the roof line of the structure or in the City Official’s discretion the plant growth is overgrown.

The remainder of Section 302.4 shall remain unchanged. Where a conflict exists between the provisions of the International Property Maintenance Code and the above amendments, the amendments shall prevail.

**Sec. 4-39. - Energy Conservation Code.**

The International Energy Conservation Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted for regulating and governing energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems in all structures with the exception of one- and two-family residential dwellings and

townhomes, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code.

**Sec. 4-40. - Green Construction Code.**

The International Green Construction Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the green construction code of the city.

**Sec. 4-41. - Fire Codes.**

The International Fire Code, 2021 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted in its entirety as the fire code of the city for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of building and premises in the city and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such International Fire Code, 2021 Edition, published by the International Code Council. The National Fire Protection Association (NFPA) Codes and Standards, most current edition adopted by NFPA, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is also hereby adopted.

**Sec. 4-42. - Electrical Code.**

The National Electric Code (NFPA 70), most current edition adopted by NFPA, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted by reference as the electrical code of the city for regulating and governing the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code.

**Sec. 4-43. - Americans with Disabilities Act (ADA) Standards for Accessible Design.**

The Americans with Disabilities Act (ADA) Standards for Accessible Design – 2010 Edition, including all appendix chapters, a copy of which is made a part of this section by reference as if fully set out herein, is hereby adopted as the city’s standard for accessible design.

**Secs. 4-43 – 4-50. - Reserved.**

**Section 2. SEVERABILITY.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Irondale hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 3. LEGAL RIGHTS NOT IMPAIRED.** That nothing in this ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 4. PUBLICATION OF ORDINANCE.** That the City Clerk of the City of Irondale is hereby ordered and directed to cause this ordinance to be published as provided by law and that a copy of this Ordinance be entered upon the minutes of the meeting of the City Council.

**Section 5. EFFECTIVE DATE OF ORDINANCE.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall be in full force and effect on July 1, 2022 and shall continue in full force and effect from month to month and year to year from its effective date until repealed.

**ADOPTED & APPROVED:** This the 7th day of June, 2022.

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David Spivey, City Council President

**APPROVED:**

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James D. Stewart, Jr., Mayor

**ATTESTED:**

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Leigh Ann Allison, City Clerk

**CERTIFICATION**

I, Leigh Ann Allison, City Clerk of the City of Irondale, Alabama, hereby certify that the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Irondale at its regular meeting held on June 7, 2022, as same appears in the minutes of record of said meeting.

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Leigh Ann Allison, City Clerk