

ORDINANCE NUMBER 06-2022-08

AN ORDINANCE AMENDING SECTION 11.10 "FEES" OF ORDINANCE NUMBER 12-2017-05 DATED THE 18TH DAY OF DECEMBER, 2017 AND ANY OTHER ORDINANCE IN CONFLICT OF THE PROVISIONS OF THIS ORDINANCE, PROVIDING FOR BUILDING PERMITS AND SETTING FEES THEREOF; TO PROVIDE A PENALTY FOR THE VIOLATION OF SAID ORDINANCE AS LAST AMENDED AND TO PROVIDE AN EFFECTIVE DATE.

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

That any person, firm, company or corporation shall be required to secure any applicable building permit(s) from the Building Inspector/Zoning Enforcement Officer to construct any house or other building, to repair or remodel any house or building within the corporate limits of the City of Geneva, and

That any person, firm, company or corporation shall be required to secure any applicable building permit(s) from the Building Inspector/Zoning Enforcement Officer to move or demolish any structure or to construct or place any mobile home or detached building within the corporate limits of the City of Geneva, and

Prior to a permit being issued, all applications for permit shall be approved by the Building Inspector/Zoning Enforcement Officer to ensure that the construction, repair or alteration meets the City of Geneva's Zoning Ordinance and the International Building Code Ordinance currently adopted by the City of Geneva.

**1. SCHEDULE OF RESIDENTIAL PERMIT FEES**

**(A) New Construction:**

Permit fees shall be based upon total square footage as follows:

Up to 1,000 square feet           \$250.00  
1,001 square feet & up           \$250.00 plus 20 cents per sq. ft. over 1000 sq. ft.

Additional permit fees that may apply:

Electrical           \$50.00  
HVAC               \$50.00  
Plumbing           \$50.00

**(B) Remodeling or Repair:** Permit fees shall be based upon total valuation of remodeling as follows:

\$	1-\$2,000	\$10.00
\$	2,001-\$3,000	\$15.00
\$	3,001-\$4,000	\$20.00
\$	4,001-\$5,000	\$25.00
\$	5,001-\$6,000	\$30.00
\$	6,001-\$7,000	\$35.00

\$	7,001-\$8,000	\$40.00
\$	8,001-\$9,000	\$45.00
\$	9,001-\$10,000	\$50.00
\$	10,001-\$11,000	\$55.00
\$	11,001-\$12,000	\$60.00
\$	12,001-\$13,000	\$65.00
\$	13,001-\$14,000	\$70.00
\$	14,001-\$15,000	\$75.00
\$	\$15,001-\$20,000	\$100.00
\$	\$20,001-\$25,000	\$125.00
\$	25,001 and up	\$150.00

Additional permit fees that may apply:

Electrical	\$50.00
HVAC	\$50.00
Plumbing	\$50.00

- (C) **Roofing:** For the repair or re-roofing of a structure, the fee shall be \$50.00. (Not New Construction)
- (D) **Moving of Building or Structure:** For the moving of any building or structure, the fee shall be \$100, plus applicable Remodeling or Repair fees as needed.
- (E) **Demolition of Buildings or Structures:** For the demolition of any building or structure, the fee shall be \$50.00.
- (F) **Manufactured Homes:** \$100.00 permit fee, plus applicable Remodeling or Repair fees as needed.
- (G) **Modular Homes:** Same as new construction.
- (H) **Detached Buildings:** Same as new construction.
- (I) **An Open, Uninhabited Structure:** \$50.00 permit fee. This includes but is not limited to pole barns, etc.

**2. SCHEDULE OF COMMERCIAL PERMIT FEES**

**(A) New Construction:**

Permit fees shall be based upon total cost of the job in accordance with the following schedule:

Valuation	Fee
\$1,000 and less	\$150.00
\$1,001 to \$50,000	\$150 for the first \$1,000 plus \$5.00 for each additional thousand or fraction

	thereof, and including \$50,000
\$50,001 to \$100,000	\$395 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, and including \$100,000
\$100,001 to \$500,000	\$595 for the first \$100,000 plus \$3.00 for each additional thousand or fraction thereof, and including \$500,000
\$500,001 to \$1,000,000	\$1,795 for the first \$500,000 plus \$2.50 for each additional thousand or fraction thereof, and including \$1,000,000
\$1,000,001 and Over	\$3,045 for the first \$1,000,000 plus \$2.25 for each additional thousand or fraction thereof

Additional permit fees that may apply:

Electrical	\$150.00
HVAC	\$150.00
Plumbing	\$150.00
Foundation	\$150.00

(B) **Remodeling or Repair:** Permit fees shall be the same as those noted for New Construction.

(C) Roofing: For the repair or re-roofing of a structure, the fee shall be \$150.00 (Not New Construction)

(D) **Moving of Building or Structure:** Permit fees shall be based upon total cost of the job:

Up to \$1,000	\$250.00
\$1,001 and up	\$250.00 plus \$1.25 per \$1000 of total job cost

(E) **Demolition of Buildings or Structures:** Permit fees shall be based upon total cost of the job:

Up to \$1,000	\$250.00
\$1,001 and up	\$250.00 plus \$1.75 per \$1000 of total job cost

(F) **Detached Buildings:** Same as new construction.

**Re-Inspection Fees**

Fees will only be applied to items on the original list. Any new items will not be considered a re-inspection at the time of the next inspection. All re-inspection fees must be paid prior to the re-inspection.

1 <sup>st</sup> Inspection	No Charge
Re-inspection Fee (for rejected work) 1 <sup>st</sup> Re-inspection	\$20.00
Re-inspection Fee (for rejected work) 2 <sup>nd</sup> Re-inspection	\$25.00

Re-inspection Fee (for rejected work) 3<sup>rd</sup> Re-inspection \$35.00

Re-inspection Fee (for rejected work) for any subsequent inspections after the 3<sup>rd</sup> re-inspection shall be \$50 per inspection.

3. **Double permit and inspection fees.** When work for which a permit is required is commenced prior to the obtaining of a permit, or when a building or improvement is occupied prior to the issuance of the certificate of occupancy by the building inspection department, and completion of all required inspections, permit applicant shall be required to pay a one hundred dollar (\$100.00) penalty plus a double permit fee. In no event shall the applicant pay less than one hundred fifty dollars (\$150.00). The payment of the required fee shall not relieve any person from fully complying with all of the requirements of all applicable regulations and code, nor shall it relieve them from being subject to any of the penalties therein.
4. **Condition of issued permit.** The building inspection department shall act upon an application for a permit with drawings and/or specifications, as filed, or as amended, without unreasonable or unnecessary delay. A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this Code, no shall such issuance of a permit prevent the building inspection department from thereafter requiring correction of errors in construction or of violations of this Code. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within ninety (90) days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of ninety (90) days after the time the work is commenced, provided that for cause, one or more extensions of time for periods not exceeding ninety (90) days each, may be allowed in writing by the building inspection department. Any permit with the exception of a new construction permit shall become invalid if the work is not completed within one hundred and twenty (120) of starting of the project unless an extension is granted by the building inspector and shall require the purchase and issuance of a new permit for work to continue. Any new construction permit shall become invalid if the project is not completed within eighteen (18) months of starting of the project unless and extension is granted by the building inspector and shall require the purchase and issuance of a new permit for work to continue.
5. **Liability, penalties and remedies.**
  - (a) **Liability.** Any person who shall undertake work pursuant to any permit issued under the provisions of this chapter shall be liable for any damage occasioned to persons, animals, or property by reason of carelessness and negligence connected with such work and shall hold the city harmless therefore.
  - (b) **Penalties.**
    1. Failure of the applicant to comply with any of the terms and conditions of the permit shall be sufficient cause for cancellation of the permit by the building official, and may be cause for the refusal of future permits. The permit, the privileges granted by the permit, and the obligations of the permittee shall be binding upon the successors and subcontractors of the permittee.

2. Permit requirements shall apply to emergency repairs; however, a delay of forty-eight (48) hours is granted, excluding weekends and holidays, following the beginning of such repair before the lack of a permit shall warrant a fine.

3. Any excavation or construction in any street, alley, sidewalk, or other public right-of-way in the city (with or without a permit as required by this chapter) which constitutes an emergency presenting imminent danger or serious injury to person or property is hereby declared to be a public nuisance which may be summarily abated as provided in the zoning ordinance of the city.

(c) Civil remedy. In addition to the penalties established above, violations of this chapter shall be cause for the city to proceed against any surety, condemn any bond, or to commence an action in a court of competent jurisdiction for the appropriate legal and equitable relief, and any other action permitted by law.

(d) Summons and complaint.

1. Any summons and complaint ordinance authority of the City of Geneva shall serve upon the owner of property or each person, firm, or corporation engaged in the activities regulated thereunder, which activities are being conducted in violation of this section, a citation to appear in the Geneva Municipal Court of the City of Geneva at a time and date specified thereon to answer the charge of such violation(s) of this section. All citations shall be signed by inspectors finding such violations and shall be sent by certified mail to the contractor or persons responsible for the permit or the owner of the property on which the violation is found, as such owner's names and address appear in the records of the Geneva County Tax Assessor's Office.

2. Provided, however, that prior to 4:00 p.m. on the date this matter is to be set before the Geneva Municipal Court, such person, firm, or corporation charged in such citation, if he has not previously settled or been convicted of three (3) or more such violations within twenty-four (24) months of the date of such citation, may dispose of the citation by settlement in the following manner:

a. Payment to the clerk of the Geneva Municipal Court a fine for the offenses charged in the amount of five hundred dollars (\$500.00), plus any and all charges otherwise payable to the city pursuant to the terms and conditions of this section, and the summons and complaint ordinance.

b. If the settlement of the charges set out in the citation is not made prior to 4:00 p.m. on the date the case is set for trial in Geneva Municipal Court and if the party charged fails to appear and answer such charge in the Geneva Municipal Court at the time or place set out in such court a warrant shall be issued charging such party with the violation set out in the citation, which warrant shall be obtained and served and tried as provided by law for the arrest and trial of offenses involving violations of the ordinances of the city.

3. If within the twenty-four (24) months preceding the issuance of a citation such person, firm, or corporation charged in such citation has been convicted of three (3) or more such violations, settlement cannot be voluntarily made to the clerk of the Geneva Municipal Court as referred to above. Said person, firm, or corporation shall be required to stand trial in the Geneva Municipal Court.

4. Once the warrant has been issued and tried before the municipal court, a person found guilty of such violations shall be guilty of a misdemeanor and, on conviction, shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars

(\$500.00) which shall include the payment of any fines levied by the court, plus any court cost herein provided and issued by the court. Each day of violation of this ordinance shall be deemed a separate offense.

6. That Section 11.10 of Ordinance Number 12-2017-05 dated the 18<sup>th</sup> day of December, 2017 be hereby amended along with any other ordinance repealed that which may be in conflict with the provisions of this ordinance.

7. The invalidity or unenforceability of any particular provision of the Ordinance shall not affect any other provision, if any clause, sentence, section or provision of this ordinance is held invalid or inoperative or unenforceable, the remainder of the ordinance shall not be affected thereby.

8. This ordinance shall become effective on publication.

9. The City Clerk is hereby directed to cause this ordinance to be published one time in the Geneva County Reaper, a newspaper of general circulation in the City of Geneva, Alabama.

**ADOPTED AND APPROVED** on this 21<sup>st</sup> day of June, 2022.

The City of Geneva, Alabama

By: 

David B. Hayes, Mayor

ATTEST:

  
Lisa Johnson, City Clerk