

**ORDINANCE NO. 503**

**AN ORDINANCE TO ADOPT VARIOUS STANDING CODES  
RELATING TO INSPECTION ACTIVITIES OF THE CITY OF  
BAYOU LA BATRE, ALABAMA AND ENFORCEMENT OF  
BUILDING PROVISIONS AS PROVIDED IN SAID CODES AND  
REPEALING ORDINANCE NO. 439 IN ITS ENTIRETY**

**SECTION 1.** WHEREAS, it is the desire of the City of Bayou La Batre to adopt, in all respects, the various Standard Codes relating to amusement devices, building, fire prevention, gas, housing, mechanical, plumbing, electrical, and swimming pools, and,

WHEREAS, the adoption of these codes is done to facilitate proper inspection activities by the City of Bayou La Batre relating to construction and to maintenance of buildings within the said City of Bayou La Batre and relating to public safety, health and general welfare;

**NOW, THEREFORE, BE IT ORDAINED** BY the City of Bayou La Batre that the following codes are hereby adopted by reference as though they were copied herein fully:

International Building Code - 2003 Edition  
International Residential Code - 2003 Edition  
International Existing Building Code - 2003 Edition  
International Fire Prevention Code - 2003 Edition  
International Mechanical Code - 2003 Edition  
International Plumbing Code - 2003 Edition  
International Property Maintenance Code - 2003 Edition  
National Electrical Code (NEC) - 2002 Edition  
Standard Swimming Pool Code - 1997 Edition  
All revisions to the 2003 International Codes  
SSTD-10  
Type Method of Anchorage and Bracing of Structures for the City of Bayou La Batre, Alabama dated March, 2004.

**SECTION 2.** **BE IT FURTHER ORDAINED** by the City of Bayou La Batre that nothing herein shall prevent the owner of any home from effecting an electrical, plumbing or mechanical installation or repair of same within his own property boundaries, providing such privilege extends to the owner only. All work done hereunder shall conform to the provisions of this code and a permit must be obtained where required.

**SECTION 3. BE IT FURTHER ORDAINED** by the City of Bayou La Batre that the use of aluminum wire or conductor for the transmission or switching of electrical energy or current in the City of Bayou La Batre is expressly prohibited.

**SECTION 4. BE IT FURTHER ORDAINED** by the City of Bayou La Batre that all structural components of the framing envelope shall be designed to withstand the wind loads of one hundred twenty (120) miles per hour fastest mile winds ( or a 3 second wind gust of one hundred forty (140) miles per hour as provided in the International Building Code.

**WIND BORNE DEBRIS REGIONS** Areas within hurricane-prone regions within one mile of the coastal mean high waterline where the basic wind speed is zoned 110 miles per hour (177km/h) or greater; or where the basic wind speed zone is equal to or greater than 120 miles per hour (193 km/h).

**SECTION 5. BE IT FURTHER ORDAINED** that within said codes, when reference is made to the duties of a certain official named therein, that designated official of the City of Bayou La Batre who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned.

**SECTION 6. BE IT FURTHER ORDAINED** that all buildings and boat lifts constructed over or partially over water shall have all metal components grounded using #6 single strand bare or covered copper wire. The grounding run shall be a single unbroken wire from each electrical and metal component on the boat lift ending at a 5/8 inch diameter eight (8) foot long ground rod installed approximately four (4) feet landward from the waters edge. Every electrical motor and switch shall be in the grounding run. The lifting platform supported by cable is not required to be in the grounding loop. No branch grounding is allowed. The ground and power source shall be placed underground from the main electrical panel to the bulkhead. From the bulkhead to all components on the boatlift or buildings the power source shall be in marine conduit attached to the deck/building above the high tide line. From the bulkhead to all components on the boatlift or buildings the #6 solid copper ground shall be attached to the deck/building above the high tide line. All electrical lines shall be in approved conduit. All electrical components shall be accessible from a continuous unbroken deck at least two (2) feet wide. No aerial power lines shall be allowed from a line twenty (20) feet landward of a bulkhead/pier seaward/over a body of water. No aerial power lines shall be within ten (10) feet of a boat ramp or boat ramp access unless a vertical clearance of thirty (30) feet is provided.

**SECTION 7. BE IT FURTHER ORDAINED** that any request for thirty (30) day Temporary Permanent Power shall require a five hundred dollar (\$500.00) cash bond deposited with the Building Inspection Department and a signed affidavit. Should the contractor/owner fail to obtain a Certificate of Occupancy within the thirty (30) day Temporary Permanent Power period the bond shall be forfeited and the Temporary Permanent Power disconnected.

**SECTION 8. BE IT FURTHER ORDAINED** that all residential and commercial structures designed in digital format shall be provided to the City of Bayou La Batre in AutoCad (dwg), dxf, dgn, or PDF format on a CD-Rom. This is in addition to the paper copies required for permitting.

**SECTION 9. STOP WORK ORDER:**

1. Authority: Whenever the designated official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner or without a building permit, the designated official is authorized to issue a stop work order.
2. Issuance. A verbal “stop work” order shall be confirmed in writing within twenty-four (24) hours and shall be deemed served by posting “stop work” order at site or hand delivered or by certified mail to owner, as shown on the Mobile County Tax Rolls, or contractor. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.
3. Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by this ordinance.
4. Penalties: It shall be a Class a misdemeanor punishable as provided by State Law for any person, firm, partnership, association or corporation to violate any provision of this Ordinance.
5. Fines. In addition to the foregoing, any contractor, person, corporation or other entity found to be in violation of a “stop work” order shall, upon conviction, be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each day the violation shall continue and/or may be imprisoned or sentenced to hard labor for the City of Bayou La Batre for a period not exceeding six (6) months, at the discretion of the court trying the case. Nothing Herein shall prevent the City of Bayou La Batre from taking any other administrative or lawful action deemed necessary to prevent or remedy any violation.


**SECTION 10. Violation of Building Code:**

**BE IT FURTHER ORDAINED:**


1. Designation of Official. Whenever a code or standard adopted by reference herein and/or this ordinance refers to the duties of certain officials named therein, the designated official of the City of Bayou La Batre who has duties corresponding to those of the named official in said code or standard shall be deemed to the responsible official under the said code or standard and this ordinance.
2. Notice of Violation: Whenever the designated official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner or without a building permit, the designated official is authorized to give notice of the violation to the occupant, applicant, contractor, or owner as shown on the most recent tax roll of Mobile County.
3. Penalties. Any contractor, person, corporation or other entity found to be in violation of the provisions of this ordinance and/or any of the standard codes or standards adopted by reference herein shall, upon conviction, be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each day the violation shall continue and/or may be imprisoned or sentenced to hard labor for the City of Bayou La Batre for a period not exceeding six (6) months, at the discretion of the court trying the case. Nothing Herein shall prevent the City of Bayou La Batre from taking any other administrative or lawful action deemed necessary to prevent or remedy any violation.

**SECTION 11: BE IT FURTHER ORDAINED** if any section, clause, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this ordinance that is not in and of itself invalid or unconstitutional.

**PASSED AND APPROVED BY THE CITY OF BAYOU LA BATRE on the 11<sup>th</sup> day of October, 2005.**

  
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STAN WRIGHT Mayor

ATTEST:

  
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Donna H. Gainey, City Clerk