

ORDINANCE # 818

An Ordinance to amend Ordinance # 682, The Zoning Ordinance of the City of Roanoke, Alabama amending sections 90, 93, 94(b), 95(b), and 98 for establishing building permit fees, enforcement compliance and violation penalties, approval of plans, and issuance of certificate of occupancy.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, ALABAMA AS FOLLOWS:

SECTION 90. Enforcing Officer

The provisions of this Ordinance shall be administered by Zoning Administrator and enforced by the Code Enforcement Officer, who shall be an employee appointed by the Mayor to fulfill these duties. This official shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of building or premises necessary in carrying out his duties in the enforcement of this Ordinance.

SECTION 93. (A) Schedule of Permit Fees.

The City Clerk, Revenue Officer, its Authorized Agent, or Building Official of the City of Roanoke, Alabama is hereby authorized and directed to charge the following sums for the issuance of a permit for all construction, on new building and/or addition to new or existing buildings where the value of such project exceeds two thousand dollars (\$2,000.00) in value. The only exceptions/exemptions to these permit fees will be for repairs/remodeling to an existing dwelling including but not limited to painting, window repair, roofing, and siding. A permit shall be issued for each job/ project performed in construction of a new structure/and or additions to new/existing structures.

- (a) A minimum of sixteen dollars (\$16.00) plus a one dollar (\$1.00) issuance fee shall be paid for all construction activity, to include building, plumbing, electrical, and mechanical work, in excess of two thousand (\$2,000.00) minimum threshold.
- (b) For each building, plumbing, electrical or mechanical permit issued, the permit rate will be three dollars and fifty cents (\$3.50) per one thousand dollars (1,000.00) where the calculation of such permit cost meets or exceeds the minimum (\$2,000.00) fee of sixteen dollars (\$16.00) as stated above.
- (c) For each permit issued for new residential construction where a single permit is issued covering all aspects of the work to be undertaken, a single comprehensive permit covering all aspects of construction (building, plumbing, electrical and mechanical) may be issued to the general contractor or licensed homebuilder at the rate of three dollars and fifty cents (\$3.50) per one thousand (\$1,000.00) plus a one dollar (\$1.00) issuance fee.

- (d) For each permit issued for new nonresidential construction where a single permit is issued covering all aspects of work to be undertaken, a single comprehensive permit covering all aspects of construction (building, plumbing, electrical and mechanical) may be issued to the general contractor at the rate of three dollars and fifty cents (\$3.50) per one thousand (\$1,000.00) plus a one dollar (\$1.00) issuance fee.

SECTION 94. Approval of Plans and Building Permits.

- (b) After the owner or his agent submit their request for a building permit, the City will have five (5) business days to act upon the application.

SECTION 95. Certificate Of Occupancy Required.

- (b) Within five (5) business days after the owner of his agent has notified the Zoning Administrator that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Zoning Administrator/and or Code Enforcement Officer to make final inspection thereof, and to issue a Certificate of Occupancy if the building or premises or part thereof is found to conform with the provision of this Ordinance and other city codes or if such Certificate of Occupancy is refused, to state the refusal in writing with the cause.

SECTION 98. Violations and Penalties.

- (a) Citation for Violations.

The Code Enforcement Officer of the City of Roanoke shall issue a citation upon any person failing to obtain any or all necessary permits required prior to commencement of work or construction and as a penalty such person in violation shall as a penalty pay in accordance with the following schedule:

- (1) First Violation- Double permit fee
- (2) Second Violation within a 24-month period- Double permit fee plus.....\$25.00
- (3) Third Violation within a 24-month period- Double permit fee plus.....\$50.00
- (4) Fourth Violation within a 24-month period- Double permit fee plus... \$100.00
- (5) Fifth Violation within a 24-month period- Double permit fee plus.....\$500.00

- (b) For any violations over five (5) within a twenty-four month period, the Code Enforcement Officer may recommend suspension or revocation of the alleged violator's license to conduct business activity within the City of Roanoke. Such recommendation shall be made to the City Council of the City of Roanoke and such officials shall notify the alleged violator in writing of the charges made

against him and the City Council shall within ten (10) days of receiving the charges against the violator, conduct a hearing upon such charges provided however; that the person against whom such action is sought shall be given not less than five (5) days written notice by the City Council of the date, place, and time of the hearing for alleged charges. After conducting such hearing the City Council may refuse action against the individual's license, or may suspend or revoke the same.

(c) At any hearing before the City Council, the individual charged shall have the right to be present and to be represented by counsel or other person of his choice, the right to cross examine the witnesses, and the right to present witnesses and other evidence on his behalf.

(d) All citations shall be signed by the Code Enforcement Officer finding such violations and shall be served in person or sent by certified mail to the responsible person or to the owner of the property on which the violation is found.

(e) A warning of violation may be issued in writing, personal appearance, or telephone by the Code Enforcement Officer finding such violations. The warning shall give an opportunity for correction of any violations within 30 days or less before a citation is issued.

This Ordinance shall take effect and be in force 30 days after its passage.

Passed and Approved by the City Council of the City of Roanoke, Alabama this _____ day of _____, 2007.

ATTEST:

Ellen Farmer, City Clerk

Henry V. "Spec" Bonner, Mayor

Council member Mack Bell

Council member Walter Sudduth

Council member Buster Robinson

Council member Tammi Holley

Council member Richard Fetner