

ORDINANCE NO. 1639

**AN ORDINANCE TO PROMOTE THE SAFETY, HEALTH AND WELFARE OF
RESIDENTS OF THE CITY OF FAIRHOPE, ALABAMA
BY ADOPTING NEW BUILDING, MECHANICAL, PLUMBING,
FUEL AND GAS, FIRE AND ELECTRIC CODES**

Be it ordained by the City Council (the "Council") of the City of Fairhope, Alabama (the "City") as follows:

Section 1. **Findings.** Having made due and proper investigation of the matters hereinafter referred to, the Council has ascertained and does hereby find and declare that the following facts are true and correct:

- (a) On January 14, 2019, the City Council adopted that certain Resolution No. 3284-19 setting a public hearing to consider the adoption of the Proposed Codes (as defined in Resolution No. 3284-19 and hereinafter reiterated) during a regular meeting of the City Council on February 25, 2019;
- (b) On or before January 21, 2019, no less than three (3) copies of the Proposed Codes were placed on file with the City Clerk's office to permit use and examination of same by the public;
- (c) Resolution No. 3284-19 was published in the Fairhope Courier once a week for two (2) successive weeks, on Wednesday, January 30, 2019 and again on Wednesday, February 6, 2019; and
- (d) The specific codes that the City is considering for adoption are as follows (the "Proposed Codes"):
 - (1) 2018 International Code Council International Residential Code (IRC)
 - (2) 2018 International Code Council International Building Code (IBC)
 - (3) 2018 International Code Council International Mechanical Code (IMC)
 - (4) 2018 International Code Council International Plumbing Code (IPC)
 - (5) 2018 International Code Council International Fuel and Gas Code (IFGC)
 - (6) 2018 International Code Council International Fire Code (IFC)
 - (7) 2018 International Code Council International Existing Building Code (IEBC)
 - (8) 2018 International Code Council International Energy Conservation Code (IECC) (for other than one and two family dwellings)
 - (9) 2018 International Code Council International Swimming Pool and Spa Code (ISPSC)
 - (10) 2017 National Fire Protection Association 70, National Electric Code (NEC)

- (11) City of Fairhope Construction Code Supplement with all additions, deletions and amendments for all adopted codes and City specific requirements
 - (12) All applicable codes and standards as referenced in the International Code Series above;
 - (13) Alabama Energy and Residential Code as published and updated by the Alabama Department of Economic and Community Affairs (ADECA) (for one and two family dwellings)
 - (14) Public Rights of Way Accessibility Guidelines (PROWAG)
- (e) A public hearing was duly held at a regular meeting of the City Council held on February 25, 2019, at which the public was given the opportunity to speak with respect to the adoption of the Proposed Codes.
- (f) The adoption of the Proposed Codes by the City is necessary and appropriate for the protection and preservation of the health, welfare and safety of the City.

Section 2. Amendment. The Proposed Codes are hereby adopted by the City Council by reference as permitted by § 11-45-8(c) of the Alabama Code (1975). The existing codes of the City that pertain to the subject matter of the Proposed Codes are hereby deleted and replaced with the Proposed Codes.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. Effective Date. This Ordinance shall take effect immediately upon its due adoption and publication as required by law.

Approved and adopted by the City Council at a regular meeting thereof on the 7th day of March, 2019.



Karin Wilson, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk