



**CITY OF FAIRHOPE  
CITY COUNCIL WORK SESSION AGENDA**

**Monday, August 25, 2025 - 4:30 PM  
City Council Chambers**

**Council Members**

Kevin G. Boone  
Jack Burrell  
Jimmy Conyers  
Corey Martin  
Jay Robinson

1. Historic Structures Demolition Review, Erik Cortinas, Building Official
2. Committee Updates
3. Department Head Updates

**Next City Council Work Session, Monday, September 8, 2025, 4:30 p.m.**

Fairhope Municipal Complex  
Council Chambers  
161 North Section Street  
Fairhope, AL 36532



CITY OF FAIRHOPE  
AGENDA MEMORANDUM

Item ID: 2025-1740

|                         |                                       |
|-------------------------|---------------------------------------|
| <b>FROM:</b>            | Erik Cortinas, Building Official      |
| <b>SUBJECT:</b>         | Historic Structures Demolition Review |
| <b>AGENDA<br/>DATE:</b> | August 25, 2025                       |

**RECOMMENDED ACTION:**

Council Approval.

**BACKGROUND INFORMATION:**

Draft Ordinance - Fairhope Historic Structures Demolition Review Procedures

**BUDGET IMPACT/FUNDING SOURCE:**

**GRANT:**

**LEGAL IMPACT:**

**FOLLOW UP IMPLEMENTATION:**

**ORDINANCE NO. XXXX**

**Fairhope Historic Structures Demolition Review Procedures**

**WHEREAS** the unique history of the founding of the City of Fairhope has led to the creation of many structures that are historically significant to not only the City of Fairhope but to the State of Alabama; and

**WHEREAS**, as provided in this Ordinance, the City seeks to educate and assist the owners of historically significant structures as to opportunities available to save or rehabilitate structures that are historically significant to the City of Fairhope and it's character; and

**WHEREAS**, the adoption of the regulations, procedures, and requirements in this Ordinance will permit applicants for permits to demolish a historically significant structure the opportunity to learn about possible local, State, federal, and private funding and tax credit opportunities to financially assist the property owner in attempting to save or rehabilitate a historically significant property.

**THEREFORE, BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA AS FOLLOWS:**

**I. Title**

This ordinance shall be known as the Historically Significant Structures Demolition Review Procedures Ordinance.

**II. Jurisdiction**

The provisions of this ordinance shall apply to the Corporate limits of the City of Fairhope.

**III. Purpose**

**Demolition Review** provides an opportunity for the city to identify historically significant buildings slated for demolition. While preservation of historical structures is a goal, preservation is not required by this ordinance. The Demolition Review will allow the city sufficient opportunity to document the historical structure and explore with property owners alternative solutions to demolition, such as renovation or relocation and available financial incentives.

**IV. Definitions**

**Applicant** means any person or entity requesting or under a duty to request permission to obstruct or construct in a right-of-way.

**Application** means the process by which an applicant submits a request for permission to obstruct or construct in a right-of-way.

**Building:** Building is defined as in the International Building Code, "any structure used or intended for supporting or sheltering any use or occupancy."

**Building Department** shall denote the permitting authority for the City of Fairhope.

**City Building Official** shall mean the Building Official of the city, or his or her designee.

**City** means the City of Fairhope, Alabama, a municipal corporation organized under the laws of the State of Alabama.

**Demolition Review Committee (DRC):** Demolition Review Committee consists of a quorum of the Fairhope Historic Commission at a public meeting.

**Demolition:** The act of pulling down, destroying, disassembling, removing, or razing a building or part of a building or commencing any such action.

**Historically Significant Structures**

Historically Significant Buildings are those identified by any of the City of Fairhope’s current and future historic surveys and documentation, the Baldwin County Commission’s Banner and Shield program, the Alabama Historic Commission’s Preservation Map, and the National Park Service (NPS) listings.

**Municipal Offense Ticket (MOT)** means a citation issued for a violation of this article. An MOT may require payment of a fine as defined by the municipal offense ticket system (MOT) fine schedule, as may be amended from time to time, appearance in municipal court, and if determined by a judge of said court, jail or community service.

**Notice of Violation** means written warning issued by the City Building Official, or his or her designee, for a violation or possible violation of this article.

**V      Application to demolish a Historically Significant Building**

**Application to Demolish a Building**

All buildings in Fairhope that meet the criteria shall submit a Building permit application for demolition of a structure to the Building Department. The Application will consist of the following pieces:

- Photographs of the property and neighboring properties (all photographs must be keyed to a map);
- A map showing the property (maps are available on the Revenue Commissioner's website;
- An official or unofficial plot plan;
- Historical status of the property, as identified through the Building Department links to Criteria for Historically Significant Structures and the Alabama Historic Commission interactive map; and Historical profile of the property researched through Single Tax Online Archive

**VI.      Procedures**

Within five (5) business days of receiving an application for demolition of a structure, the Building Department shall:

1. Notify the applicant in writing that the demolition must be reviewed before proceeding, and that the delay will not exceed sixty (60) calendar days.
2. Forward the application to each member of the DRC.

(b) Within thirty (30) business days of the application, the DRC shall:

1. determine whether the building or structure is potentially historically or architecturally significant utilizing the Baldwin County Banner and Shield, Fairhope’s existing surveys, the Alabama State Register, and the NPS listings; and
2. notify the Building Department in writing whether the structure identified for demolition is historically significant and requires a meeting with property owners, or whether the structure can proceed to demolition.

(c) If the building or structure is found potentially significant, then the DRC shall:

- Inform the Building Department to prepare a sign identifying the building proposed for demolition; the sign shall be posted within 5 days by the Building Department on the applicant's property and displayed for a minimum of ten (10) calendar days. If the sign is not posted continuously and as required, the sixty (60) day delay period shall stop running and not resume until the sign is posted continuously and as required. (???)
- Set a meeting with the property owner within forty-five (45) days of the initial application for demolition to provide a history of the city/neighborhood/ and structure, discuss preservation incentives, and demolition alternatives. It is the responsibility of the property owner to attend the meeting with the DRC; if the property owner fails to attend the meeting, the sixty (60) day period shall be renewed until the meeting with the DRC takes place.
- After meeting with the property owner, the DRC will notify the Building Department within five (5) business days that the property owner has presented a complete application, and has met to discuss the history of the structure, incentives for preservation, and alternatives to demolition. The DRC shall authorize the Building Department to issue the permit, provided all other requirements are met.

## **VII. Demolition**

Prior to demolition, the DRC shall photographically document the building. The DRC shall also encourage the applicant to salvage and repurpose significant architectural features or materials and/or make them available to the community.

After demolition, the DRC will update Fairhope's local historic surveys as necessary.

Nothing in this article shall be construed to prevent immediate demolition where public safety is at stake and the building has been determined by the Building Official to be a public hazard and demolition is the only viable recourse.

## **X. Enforcement**

- A. It shall be unlawful to violate any provision(s) of this Ordinance.
  - 1. The City of Fairhope may issue Stop Work Orders, Municipal Offense Tickets and Notice of Violations, as well as suspend construction and building inspections for Violations of the terms of the permit.

Any person who violates this Ordinance shall, upon conviction thereof, shall be guilty of a misdemeanor and shall be fined not less than \$100 or more than \$500, and /or sentenced to not more than 6 months in jail; and in addition shall pay all costs and expenses involved in the case. Each day during which any violation of any of the provisions of this Ordinance is committed, continued, or permitted **may be considered to** constitute a separate offense. Nothing herein contained shall prevent the City of Fairhope from taking such other lawful actions as are necessary to prevent or remedy of any violation.

## **XII. Abrogation and Greater Restrictions**

This ordinance is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**IX. Interference**

No person shall hinder, prevent, delay or interfere with the City while engaged in carrying out the execution or enforcement of this ordinance; provided, however, that nothing herein shall be construed as an attempt to prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the municipality.

**X. Permit Fees**

The Permit Fee for demolition of a Historically Significant building shall be assessed in accordance with Ordinance 1804 (Schedule of Fees for Construction and Building Permits).

**XII. Severability**

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs and sections, since the same would have been enacted by the municipality council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

**XII. Effective Date.**

This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS XXXX DAY OF XXXXXX, 2025

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Sherry Sullivan, Mayor

ATTEST:

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Lisa A. Hanks, City Clerk