



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

**Monday, July 8, 2024 - 4:30 PM
City Council Chamber**

Council Members

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

1. Discussion to Amend Ordinance No. 1599, Code of Ordinances to alter the Schedule of Fees for Construction and Building Permits.
2. Discussion to Amend Ordinance No. 1575 an Ordinance Repealing and Replacing Ordinance No. 1438 and Ordinance No. 1488 to Protect the Public Health, Safety and Welfare by Providing Policy and Procedure for Park Usage within the City of Fairhope.
3. Discussion of the Annexation Handbook Update
4. Committee Updates
5. Department Head Updates

Next City Council Work Session, Monday, July 22, 2024, 4:30 p.m. - City Council Chamber



CITY OF FAIRHOPE
AGENDA MEMORANDUM

Item ID: 2024-515

FROM:	Erik Cortinas, BUILDING OFFICIAL
SUBJECT:	Discussion to Amend Ordinance No. 1599, Code of Ordinances to Alter the Schedule of Fees for Construction and Building Permits.
AGENDA DATE:	July 8, 2024

RECOMMENDED ACTION:

Erik Cortinas, Building Official to discuss with City Council amending Ordinance No. 1599, Code of Ordinances to alter the Schedule of Fees for Construction and Building Permits.

BACKGROUND INFORMATION:

BUDGET IMPACT/FUNDING SOURCE:

GRANT:

LEGAL IMPACT:

FOLLOW UP IMPLEMENTATION:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 1599,
CODE OF ORDINANCES TO ALTER THE SCHEDULE OF FEES
FOR CONSTRUCTION AND BUILDING PERMITS.

WHEREAS The City of Fairhope desires to ensure proper construction standards are utilized to provide for adequate health, public safety, and welfare of our citizens; and,

WHEREAS, The City of Fairhope desires to be competitive in the user fees charged so as to adequately cover the expenses incurred by the City in enforcing established construction standards;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRHOPE, ALABAMA:

1. **THAT**, the following schedule of user charges are hereby adopted:

New Construction Permit Fees		
Fees	residential	commercial
Building Permit Fee	\$6.00 per \$1000.00 of project value (minimum of \$100.00)	\$6.00 per \$1000.00 of project value (minimum of \$100.00)
Electrical Permit Fee	\$75.00	\$1.00 per \$1000 of project value (minimum of \$100.00)
Temporary Elect. Fee	\$25.00	\$25.00
Plumbing Permit Fee	\$75.00	\$1.00 per \$1000.00 of project value (minimum of \$100.00)
Mechanical Permit Fee	\$75.00	\$1.00 per \$1000.00 of project value (minimum of \$100.00)
Security/Structured Wire/ Fire Alarm stand alone permit	\$25.00	\$.50 per \$1000.00 of project value (minimum of \$50.00)
Fire Suppression hood (stand alone project)	N/A	\$1.00 per \$1000.00 of project value
Sprinkler System	\$50.00	\$1.00 per \$1000 of project value
Food Truck Inspections	N/A	\$50.00
Generator	\$100.00	\$5.00 per \$1000.00 of project value, (minimum of \$200.00)
Sewer Tap Inspection Fee	\$25.00	\$50.00
Gas Permit Fee	Fee determined by Gas Dept (Ordinance 1701)	Fee determined by Gas Dept (Ordinance 1701)
Plan Review Fee	\$75.00 (For informal reviews with no contractor of record listed, a review fee of \$200.00 may be charged)	\$2.50 per \$1000.00 of project value (For informal reviews, fee may be charged as calculated using the ICC Building Code Valuation Tables. 3rd party reviews shall be either the cost of the review or the standard charge of \$2.50/\$1000, whichever is greater)
Fence Permit Fee	\$5.00 per \$1000.00 of value (min \$25.00)	\$5.00 per \$1000.00 of project value (minimum of \$50.00)
Sign Permit Fee	N/A	\$5.00 per \$1000.00 of project value (minimum of \$50.00)
New Construction Permit Fees		
Fees	residential	commercial
Demolition Permit Fee	\$25.00	\$25.00 \$50.00
Reinspection Fees	\$100.00 for the first reinspection, \$200.00 for the second reinspection, \$300.00 for the third reinspection.	
Roofing Permit Fee	\$5.00 per \$1000.00 of project value (minimum of \$25.00)	\$5.00 per \$1000.00 of project value (minimum of \$50.00)

Swimming Pool Fees	\$50.00 \$100.00	\$100.00 \$250.00
Remodeling Permit Fees (residential and commercial)		
Fees	Project value \$0.00 - \$5,000.00	Project Value \$5,001.00 - \$20,000.00
Building Permit Fee	\$25.00	\$5.00 per \$1000.00 of project value (residential) \$6.00 per \$1000.00 of project value (commercial)
Electrical Permit Fee	\$25.00	\$35.00
Temporary Elect. Fee	\$25.00	\$25.00
Plumbing Permit Fee	\$25.00	\$35.00
Mechanical Permit Fee	\$25.00	\$35.00
Sewer Tap Inspection Fee	\$25.00	\$25.00
Gas Permit Fee	Fee determined by Gas Dept (Ordinance 1701)	Fee determined by Gas Dept (Ordinance 1701)
Fees	\$20,001.00 - \$50,000.00	\$50,001.00 - above
Building Permit Fee	\$5.00 per \$1000.00 of project value (residential) \$6.00 per \$1000.00 of project value (commercial)	\$5.00 per \$1000.00 of project value (residential) \$6.00 per \$1000.00 of project value (commercial)
Electrical Permit Fee	\$50.00	new construction rates
Temporary Elect. Fee	\$25.00	new construction rates
Plumbing Permit Fee	\$50.00	new construction rates
Mechanical Permit Fee	\$50.00	new construction rates
Sewer Tap Inspection Fee	\$25.00	new construction rates
Gas Permit Fee	Fee determined by Gas Dept (Ordinance 1701)	Fee determined by Gas Dept (Ordinance 1701)
Right of Way Permit Fee	Fee determined by Public Works Dept (Ordinance 1757)	Fee determined by Public Works Dept (Ordinance 1757)
Building Moving Permit Fees		
Building Moving Permit	\$50.00	
Required Police Escort	\$300.00 (minimum)	
Required Utility Department Work	\$120.00 per hour (minimum of 3 hours)	
Regulations governing the moving of existing buildings are outlined in City Ordinance 1035		
A convenience fee for all credit cards charges may apply and will be assessed directly by the credit card processing vendor.		
Waiver of Permit Fees		
Permit fees may be administratively waived at the discretion of the Mayor and City Council for projects including:		
• projects providing public infrastructure or facilities specifically for use by the citizens of Fairhope; • Required repairs that occur due to a natural disaster as determined at the time of such an event.		
FINES AND PENALTIES		
Where work for which a permit is required by this Code is started or proceeds prior to obtaining a permit, the fees herein specified shall be doubled. The payment of such double fees shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.		

<u>Fine for continuing work without approved inspections</u> \$500.00 fine per occurrence may be assessed to the applicant or contractor of record for beginning or continuing work without approved permits or inspections, as determined by the Building Official. After the 2nd documented case, further permit submittals from the applicant or contractor of record may be denied until the case has been adjudicated by the Fairhope Municipal Court.
<u>Fine for submitting incorrect contractors on a permit application</u> \$100.00 fine per occurrence may be assessed if an inspection is scheduled and performed with an incorrect subcontractor listed on the permit, as determined by the Building Official. There will be no fine or charge for contractor changes submitted to the Building Department prior to any inspection being performed.
<u>Occupying a Structure without a Certificate of Occupancy (CO)</u> \$500.00 fine may be assessed to the applicant or contractor of record if a structure is occupied prior to the issuance of a CO, as determined by the Building Official. Separate fines may be assessed for each day of occupancy without a CO. After the 2nd documented case, further permit applications from the applicant or contractor of record may be denied until the case has been adjudicated by the Fairhope Municipal Court.
<u>Refund Policy</u> Building Permit fees of \$200.00 or greater may be refunded within 180 days of the expiration of the permit if no work has taken place. The refund policy only applies to primary building permit and Impact Fees, and a written request to refund the fees and void the permit must be submitted by the permit applicant. An administrative fee of \$50.00 will be deducted from the amount of the refund to be issued.

2. **SEVERABILITY CLAUSE**, If any subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
3. **EFFECTIVE DATE**, This ordinance shall take effect upon its due adoption and publication as required by law.

ADOPTED THIS 8TH DAY of JULY 2024

Corey Martin, Council President

ATTEST:

Lisa A. Hanks, MMC
City Clerk

Sherry Sullivan, Mayor



CITY OF FAIRHOPE
AGENDA MEMORANDUM

Item ID: 2024-440

FROM:	Paige Crawford, DIRECTOR OF COMMUNITY AFFAIRS
SUBJECT:	Discussion to Amend Ordinance No. <u>1575</u> an Ordinance Repealing and Replacing Ordinance No. <u>1438</u> and Ordinance No. <u>1488</u> to Protect the Public Health, Safety and Welfare by Providing Policy and Procedure for Park Usage with the City of Fairhope
AGENDA DATE:	July 8, 2024

RECOMMENDED ACTION:

Paige Crawford, Director of Community Affairs to discuss amending Ordinance No. 1575 an Ordinance Repealing and Replacing Ordinance No. 1438 and Ordinance No. 1488 to Protect the Public Health, Safety and Welfare by Providing Policy and Procedure for Park Usage with the City of Fairhope.

BACKGROUND INFORMATION:

BUDGET IMPACT/FUNDING SOURCE:

GRANT:

LEGAL IMPACT:

FOLLOW UP IMPLEMENTATION:

ORDINANCE NO. 1575

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 1438 AND
ORDINANCE NO. 1488 TO PROTECT THE PUBLIC HEALTH, SAFETY AND
WELFARE BY PROVIDING POLICY AND PROCEDURE FOR PARK USAGE
WITHIN THE CITY OF FAIRHOPE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA, as follows:**

POLICY AND PROCEDURE FOR PARK USAGE ORDINANCE

It is expressly declared that the purpose of these regulations, policies and procedures is to provide a guideline for those people wishing to reserve outdoor facilities at Fairhope's bay front parks and bluffs and to establish a fee structure for such use to partially defray the cost of administering these services and the additional costs and expenses to maintain these parks. A user is responsible for adhering to and complying with all rules and regulations pertaining to the use of city parks. Any violation may result in additional fees.

This policy is applicable to all public parks listed below:

Fairhope Beach Pavilion

Henry George Park (park on bluff above fire hall)

Park on South End of Pier

PERMITTED USE

Only one event per day will be scheduled in each park. Only the following uses and activities are permitted in City parks:

1. Performing Arts events, when sponsored by a non-profit organization for the benefit of the non-profit organization or the public.
2. Weddings, catered receptions, banquets, and memorial services. Receptions or banquets will only be allowed in the pavilion.
3. Festivals. A "festival" shall be an event with the primary theme being subject of a national, ethnical, artistic, biographical or seasonal theme. Food may be offered in conjunction with a festival when sponsored by a non-profit organization or public agency in compliance with permits and regulations of the City of Fairhope revenue office and the Baldwin County Health Department.

RESERVATIONS

Reservations are on a first come, first served basis. All fees, Application, Cancellation Policy, and Indemnity/Hold Harmless Agreement are required prior to booking. The dates requested can not be guaranteed until all of these are received. Once received, your reservation will be placed on the calendar and all necessary City Personnel will be notified.

Final event details and/or special requests must be submitted in writing at least 8 weeks before the scheduled event. Details are to include all components of the event such as type of event, expected attendance, staging, tent usage, name of rental companies, entertainment, electricity needs, etc. (SEE ATTACHED RESERVATION FORM).

Any and all cancellations and/or date changes must be in writing and signed by the same person who signed the application and paid the rental fees and must be given to the Event Coordinator and/or his/her designee not less than 30 days prior to the event. Fee refunds will be made, by check, less a \$10 or 20% handling charge, whichever is greater and will be delivered by mail. No fee refunds will be made for cancellations made within 30 days of the event or due to inclement weather.

PERMIT FEES

The permit fee is \$150 for the first 4 hours and \$75 for each additional hour. This includes set-up, event, and take-down.

If electrical/water services are required, a one-time fee of \$50 will be charged. If a representative of the electrical department or water department is called out after hours or on the weekend, the user will be charged a fee for the service rate. All electrical/water needs should be taken care of with your City of Fairhope Site Coordinator prior to the event.

Other fees may apply for personnel and damage to property.

ALCOHOLIC BEVERAGES

Alcoholic beverages are not permitted in public parks.

INSURANCE REQUIREMENTS

Any group or individual using a public park must sign an indemnity and hold harmless agreement or obtain a special event insurance policy.

SECURITY FEES

The City of Fairhope Police Chief and/or his/her designee will determine if Law Enforcement Personnel must be provided for each event. The fee and the number of required officers will be determined by the Chief of Police or by his/her designee. The fee will be based on the number of people expected to attend and traffic diversion required.

Law Enforcement Personnel are responsible for ensuring all city policies are adhered to by the user, which includes monitoring sound levels, crowd control, preventing vehicular traffic in the parks, and any alcohol related issues.

VEHICULAR TRAFFIC

Absolutely no vehicular traffic is permitted on the lawn or sidewalks of our parks. This includes unloading and reloading supplies. It is the responsibility of the event organizer and security to ensure this policy is followed through. Any damage to lawns or sidewalks may result in a fine to cover the cost of repairs.

Vehicles loading or unloading cannot block any entry way or sidewalks.

SOUND

The City has a noise ordinance that prohibits excessive noise. We ask that you please be considerate at all times. The noise ordinance will be enforced by Law Enforcement Personnel and/or the City of Fairhope Police Dept. Please refer to Ordinance No. 1401 and 1424 (or Sections 12-3 through 12-5.3 of the City of Fairhope Code of Ordinances) regarding additional questions about noise.

SET-UP/CLEAN-UP (DEPOSIT REQUIRED)

A refundable clean-up deposit of \$500.00 is required for events with less than 50 participants. For events with 50 or more participants, the clean-up deposit will be \$1,000.00. Deposits and all permit fees must be paid in advance. The refundable clean-up deposit will be held until after the event.

Set-up for events cannot begin before 7:00 a.m. Events involving entertainment or sound equipment must end by 9:00 p.m. Breakdown and clean-up must end by 10:00 p.m.

Ordinance No. 1575

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Clean-up must be done during the events as needed and litter picked up. All trash accumulated during the event must be placed in receptacles for City and/or contractor pick-up. Recycling is encouraged. Additional garbage and recycle containers may be requested prior to the event.

All grease and charcoal must be disposed of properly.

At the conclusion of the event, the area will be inspected by a representative of the City. If the user has not cleaned up the park and restored it to its original condition, the City will clean up the park and charge the user for the services. The clean-up deposit will be refunded less the charges for these City services as assessed by the appropriate City staff.

TENTS/STAGING/INFLATABLES

All tent and staging placement must be approved by your City of Fairhope Event Coordinator and/or his/her designee. Tents must be sandbagged; no stakes will be allowed due to underground utility lines.

Inflatables are the responsibility of the Renter and will require insurance. They must be monitored at all times and are never to be left unattended.

Tents, inflatables, and other decorations and equipment must be placed on the day of the event and not before. They must be taken down immediately following the event.

RESTROOMS

Restroom facilities are not located in all of our parks. If portable toilets are to be used, please indicate this on your reservation form. Portable restroom facilities must be placed and removed within 24 hours of the event. Location will have to be coordinated with the City of Fairhope Public Works Dept. or your Site Coordinator.

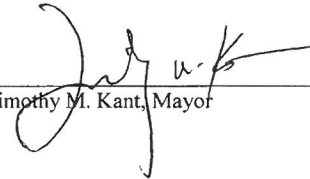
SEVERABILITY

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.

EFFECTIVE DATE

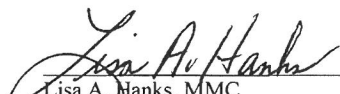
This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS THE 9TH DAY OF MAY, 2016



Timothy M. Kant, Mayor

Attest:



Lisa A. Hanks, MMC
City Clerk

Ord. No. 1575 Published in
FAIRHOPE COURIER
ON Friday, May 20, 2016
 City Clerk



CITY OF FAIRHOPE
AGENDA MEMORANDUM

Item ID: 2024-416

FROM:	Hunter Simmons – Director of Planning
SUBJECT:	Discussion – Annexation Handbook Update
AGENDA DATE:	July 8, 2024

RECOMMENDED ACTION:

Hunter Simmons, Director of Planning to provide discussion with the City Council on the Annexation Handbook update.

BACKGROUND INFORMATION:

BUDGET IMPACT/FUNDING SOURCE:

GRANT:

LEGAL IMPACT:

FOLLOW UP IMPLEMENTATION: