

**CITY OF DAPHNE
ORDINANCE NO: 2007-23**

**AN ORDINANCE PROVIDING FOR THE REPEAL OF ORDINANCE NO. 1996-12;
PROVIDING FOR THE ADOPTION OF CERTAIN TECHNICAL CODES BY
REFERENCE**

WHEREAS, the City Council of the City of Daphne desires to promote the health, safety and welfare of the citizens of the City of Daphne by establishing uniform rules and regulations for the building, constructing and all other related activities within the city of Daphne; and

WHEREAS, the City Council of the City of Daphne recognizes that the procedures set forth hereafter will protect both the City of Daphne and its citizens and the owners of properties coming under the jurisdiction of this ordinance and made the subject of these procedures, and

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

Ordinance No. 1996-12 is hereby repealed in its entirety and is replaced by the following ordinance:

SECTION I: TECHNICAL CODES- ADOPTED BY REFERENCE

(a) For the purposes of establishing uniform rules and regulations, the Council hereby adopts by reference the following codes and subsequent amendments issued thereto:

- 1.) ICC International Building Code, 2006 edition
- 2.) ICC International Residential Code, 2006 edition
- 3.) ICC International Fuel Gas Code, 2006 edition
- 4.) ICC International Mechanical Code, 2006 edition
- 5.) ICC International Plumbing Code, 2006 edition

Copyrights 2006 by the International Code Council Incorporated, and;

- 6.) National Electrical Code, 2005 edition

Copyright 2004 by the National Fire Prevention Association Incorporated.

b.) ICC International Building Code, 2006 edition, ICC International Fuel Gas Code, 2006 edition, ICC International Mechanical Code, 2006 edition, ICC International Plumbing Code, 2006 edition, National Electrical Code, 2005 edition, and ICC International Residential Code,

2006 edition are hereby adopted and incorporated as if fully set out in this section, with additions, deletions and changes to the ICC International Residential Code, 2006 edition, as prescribed in subsections (c) and (d), and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction or alteration, or repair of all buildings and other structures therein contained within the corporate limits of the City.

c.) The following section of the International Residential Code, edition 2006, is hereby revised in its entirety to read as follows:

R. 106.1 **Submittal documents.** Construction documents, special inspection and structural observation programs and other data shall be submitted in two sets with each application for a permit the construction documents shall be prepared by a registered design professional when the square footage meets or exceeds 2500 sq ft. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

EXCEPTION: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

905.2.3.1.1.1 **Underlayment.** Roofing underlayment shall be of a synthetic tear resistant polypropylene, polyester or fiberglass fabric certified by an approved testing agency or ICC-ES report. The building official may approve an equal or higher performing product. Asphalt felt roofing underlayment shall not be installed as a roof covering underlayment. Roof underlayment shall be fastened in accordance with the manufacturer's installation instructions.

905.2.6 **Attachment.** Asphalt shingles shall have the minimum numbers of fasteners required by the manufacturer. For normal application, asphalt shingles shall be secured to the roof with not less than six fasteners per strip shingle or two fasteners per individual shingle. Where the roof slope exceeds twenty (20) units horizontal (167% slope), special methods of fastening are required.

d.) The above referenced technical codes are hereby adopted as the International Building Code of the City of Daphne.

e.) Copies of the above referenced codes are on file in the office of the city clerk.

SECTION II: CONFLICT WITH OTHER ORDINANCES

That any Ordinance heretofore adopted by the council, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION III: EFFECT OF REPEAL

- (a) The repeal of Ordinance No. 1996-12 does not revive any previously repealed ordinance.
- b.) The repeal of Ordinance No. 1996-12 does not effect any punishment or penalty incurred before the repeal took effect, nor does such repeal effect any suit, prosecution or proceeding pending at the time of the repeal.

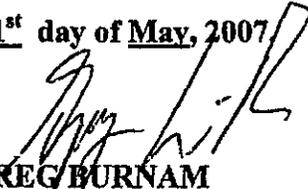
SECTION IV: SEVERABILITY

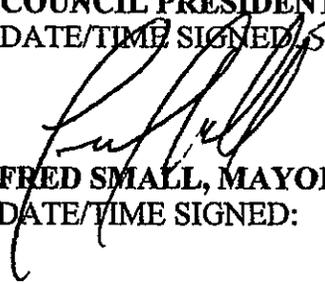
The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and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

SECTION V: EFFECTIVE DATE

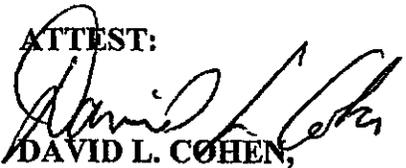
This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne and publication as required by law.

APPROVED AND ADOPTED this 21st day of May, 2007


**GREG BURNAM
COUNCIL PRESIDENT**
DATE/TIME SIGNED: 5-23-07 10:50 A.M.


FRED SMALL, MAYOR
DATE/TIME SIGNED: 5-24-07 13:12

ATTEST:


**DAVID L. COHEN,
CITY CLERK, MMC**