



# Construction and Development Fees

There are several fees that may apply to different construction and development projects:

- Building permit and inspection fees
- Utility tap and Aid to Construction fees
- Impact fees
- Subdivision submittal fees

The following information is intended to help applicants understand the fees that apply, and to help with estimating the fees for your project for approximate costs for budgeting and project estimates. See the attached map for the Fairhope Building Permit Jurisdiction.

## Building Permit Fees

Building permit fees are established by adopted codes and ordinances of the governing body of the Authority Having Jurisdiction (AHJ). In Fairhope, the adopting ordinance is Ord. 1268, and it provides a fee schedule for all fees that are assessed with a building permit application.

The following information is an informal listing showing how these fees are calculated, and the basis for these calculations is one of 2 metrics:

- Value of the construction contract for the project
- The International Code Council Building Valuation tables that establish an estimated per square foot cost for each of the construction types as defined in the International Building Code. The tables are updated twice yearly, and the most recently published table will apply:

<https://www.iccsafe.org/codes-tech-support/codes/code-development-process/building-valuation-data/>

Fees listed below are for new construction projects, residential and commercial renovations and alterations have a separate fee schedule. Please contact the Building Dept for more information:

- **Sec. 7-7. - Schedule of permit fees.**

**New Construction Permit Fees**

Fees	Residential	Commercial
Building Permit Fee	\$5.00 per \$1,000.00 of project value (min \$25.00)	\$6.00 per \$1,000.00 of project value (min \$100.00) (\$1.00 per \$1,000.00 of value additional fee for non-residential construction in compliance with Alabama Act 2015-308)
Electrical Permit Fee	\$75.00	\$1.00 per \$1,000 of value (min \$100.00)
Temporary Elect. Fee	\$25.00	\$25.00
Plumbing Permit Fee	\$75.00	\$1.00 per \$1,000 of value (min \$100.00)
Mechanical Permit Fee	\$75.00	\$1.00 per \$1,000 of value (min \$100.00)
Security/Structured Wire	\$25.00	\$.50 per \$1,000 of value (min \$25.00)

**New Construction Permit Fees**

Fees	Residential	Commercial
Sewer Tap Inspection Fee	\$25.00	\$50.00
Gas Permit Fee	\$40.00	\$75.00
Plan Review Fee	\$50.00 (For informal reviews with no contractor of record listed, a review fee of \$200.00 will be charged)	\$2.50 per \$1,000.00  (For informal reviews with no contract, fee will be charged at calculated rate with construction costs determined by ICC Building Code Valuation Tables)  (For projects sent for third party review, the review fee shall be either the cost of the review or the standard charge of \$2.50/\$1,000, whichever is greater)
Fence Permit Fee	\$5.00 per \$1,000.00 of value (min \$25.00)	\$5.00 per \$1,000.00 of value (min \$25.00)
Sign Permit Fee	N/A	\$5.00 per \$1,000.00 of value (min \$25.00)
Demolition Permit Fee	\$25.00	\$25.00

Fees	Residential	Commercial
Reinspection Fees	\$100.00 for the first reinspection, \$200.00 for the second reinspection, \$300.00 for the third reinspection. All fees must be paid in person at the Building Department.	
Swimming Pool Fees	\$50.00	\$100.00
Name of electrical contractor and electrical permit required for issuance of Swimming Pool Permit		
Fine for continuing work without approved inspections	\$500.00 per occurrence. Fine shall be paid in person at the Building Department and contractor/owner must correct all noted deficiencies	
Roofing permit fee	\$5.00 per \$1,000.00 of value (min. \$25.00)	\$5.00 per \$1,000.00 of value (min. \$25.00)

### Remodeling Permit Fees

Fees	Project Value	Project Value
	\$0.00—\$5,000.00	\$5,001.00—\$20,000.00
Building Permit Fee	\$25.00	\$6.00 per \$1,000.00 of value (\$1.00 per \$1,000.00 of value additional fee for non-residential construction in compliance with Alabama Act 2015-308)
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	\$25.00	\$25.00
----------------	---------	---------

Fees	\$20,001.00— \$50,000.00	\$50,001.00—above
Building Permit Fee	\$5.00 per \$1,000.00	\$6.00 per \$1,000.00 (\$1.00 per \$1,000.00 of value additional fee for non-residential construction in compliance with Alabama Act 2015-308)
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	\$35.00	new construction rates

**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.

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double



**Alabama Construction Industry Craft Training (CICT) fee**

\$1.00 per \$1,000.00 of construction value (does not apply to one and two family dwelling projects)

<http://www.bc.alabama.gov/PDFs/2016/MemoCollectionConstructionIndustryCraftTrainingFeesAct2015-308.pdf>

**Building permit**

\$5.00 for every \$1,000.00 of construction value

**Plan Review fee**

\$2.50 for every \$1,000.00 of construction value

\$50.00 for one and two family dwelling projects

**Security and Structured Wiring permit**

\$0.50 for every \$1,000.00 of construction value

\$25.00 for one and two family dwelling projects

**Mechanical permit and Inspection fee**

\$1.00 for every \$1,000.00 of construction value

\$75.00 for one and two family dwelling projects

**Electrical permit and Inspection fee**

\$1.00 for every \$1,000.00 of construction value

\$75.00 for one and two family dwelling projects

**Plumbing permit and Inspection fee**

\$1.00 for every \$1,000.00 of construction value

\$75.00 for one and two family dwelling projects

**Gas permit and Inspection fee**

\$75.00

\$40.00 for one and two family dwelling projects

**Sewer Inspection fee**

\$50.00 per unit

\$25.00 for one and two family dwelling projects

# Sample residential fee worksheet

Example: Single family residence with a 400 amp electrical service, gas service, a construction value of \$255,000.00 and a land cost of \$55,000.00 located inside the Fairhope City limits.

Fee changes for projects located outside the City limits are noted in bold parentheses (...)

Building permit	<u>\$1275.00</u>
Plan review fee	<u>\$50.00</u>
Security/Structured wiring fee	<u>\$25.00</u>
Electrical permit	<u>\$75.00</u>
Mechanical permit	<u>\$75.00</u>
Plumbing permit	<u>\$75.00</u>
Gas permit	<u>\$40.00</u>
Sewer inspection	<u>\$25.00</u>
Water tap fee (3/4")	<u>(SEE ATTACHED ORDINANCE)</u>
Sewer tap fee	<u>(SEE ATTACHED ORDINANCE)</u>
Electrical ATC cost	<u>(SEE ATTACHED ORDINANCE)</u>
Impact fee	<u>\$3100.00</u> (1% of combined \$255,000.00 and \$55,000.00)
	<b>(no charge for outside the City Limits)</b>
Total	<u>\$4740.00</u> ( <b>\$1640.00</b> )

**WATER AND SEWER TAP FEES AND ELECTRICAL AID TO CONSTRUCTION FEES FOR CITY OF FAIRHOPE ELECTRIC SERVICE ARE NOT INCLUDED IN TOTAL - SEE ATTACHED ORDINANCES FOR TAP COSTS**

# Sample commercial/ multi-family project fee worksheet

Example: Commercial building with 2 tenants, 600 amp electrical service with directionally bored line, gas service, a construction value of \$800,000.00 and a land cost of \$150,000.00 located inside the Fairhope City limits.

**Fee changes for projects located outside the City limits are noted in bold parentheses (XXXX)**

Alabama CICT fee	<u>\$800.00</u>
Building permit	<u>\$4000.00</u>
Plan review fee	<u>\$2000.00</u>
Security/Structured wiring fee	<u>\$400.00</u>
Electrical permit	<u>\$800.00</u>
Mechanical permit	<u>\$800.00</u>
Plumbing permit	<u>\$800.00</u>
Gas permit	<u>\$75.00</u>
Sewer inspection	<u>\$100.00 (one per unit)</u>
Water tap fee (3/4")	<u>(SEE ATTACHED ORDINANCE)</u>
Sewer tap fee	<u>(SEE ATTACHED ORDINANCE)</u>
Electrical ATC cost	<u>(SEE ATTACHED ORDINANCE)</u>
	<b>(no fee charged by City outside of Fairhope service area, separate fees may be required by service provider)</b>
Impact fee	<u>\$9500.00 (1% of combined \$800,000.00 and \$150,000.00)</u>
	<b>(no charge for outside the City Limits)</b>
Total	<u>\$19,275.00 (\$9,775.00)</u>

**WATER AND SEWER TAP FEES AND ELECTRICAL AID TO CONSTRUCTION FEES FOR CITY OF FAIRHOPE ELECTRIC SERVICE ARE NOT INCLUDED IN TOTAL - SEE ATTACHED ORDINANCES FOR TAP COSTS**



# Impact Fees

Per Ordinance 1331, the City of Fairhope charges Impact Fees for new development and substantial improvements within the Fairhope Corporate limits. New development is defined as the subdivision of land, the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; any use of the extension of the use of land; any of which increases the demand on governmental infrastructure. Impact fee charges are established in Ordinance 1331 (see attached), and are calculated by one of two possible ways:

- 1% of the total cost of the land AND construction cost combined
- Per the charges defined in EXHIBIT A (IMPACT FEE SCHEDULE)

Per the legislation approved by the Alabama State Legislature, a maximum of 1% of the combined cost of the land and construction cost may be assessed on any project. This total is the maximum that may be charged on any single building project, separate Impact Fees may be assessed on multiple building sites depending on any preexisting site conditions (i.e. previously multiple building on the site, single buildings with multiple tenants, etc).

If the fee as calculated using the Ordinance fee schedule equals less than 1% of the total project cost (land and structure), the lower amount as calculated using the fee schedule will be assessed.

**SEE ATTACHED ORDINANCE FOR FURTHER  
INFORMATION**

**ORDINANCE NO. 1625**

**AN ORDINANCE REPEALING AND REPLACING  
ORDINANCE NO. 1331**

**AN ORDINANCE ESTABLISHING IMPACT FEES  
ON NEW DEVELOPMENT IN THE CITY OF FAIRHOPE, ALABAMA**

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

**Section 1.**            **Findings.** In accordance with the Act, the City has been authorized by the Legislature of the State of Alabama to adopt and impose impact fees on new development within the City's corporate limits. In support the adoption and imposition of such impact fees, the Council makes the following findings:

- (A) The City is a municipal corporation vested with a portion of the state's sovereign power to protect and provide for the public health, safety, and welfare. The City is authorized to adopt and implement comprehensive plans, zoning ordinances and other land use regulations to assure its orderly development.
- (B) The City is a fast-growing community of over 15,000 full time residents. In calendar year 2005, approximately 490 new building permits were issued, and in calendar year 2006, approximately 504 new building permits were issued.
- (C) The City encourages development that will make the City a vital, attractive community to serve both residents of the City and the substantial and significant number of visitors who visit the City on a yearly basis.
- (D) New residential and nonresidential development, however, imposes increased and excessive demands upon public facilities. As demand for public facilities has increased, funding sources for those facilities have decreased at both the state and federal level. In addition, demand for new facilities necessitated by new development impairs the ability of the City to maintain existing facilities because funds must be diverted to construction or expansion of new facilities.
- (E) The City's current Comprehensive Plan projects that new development will continue and will place ever-increasing demands on the City to provide public facilities to serve new development.
- (F) Following the adoption of the Act by the Legislature of the State of Alabama, the City engaged the consulting firm TischlerBise for purposes of preparing an impact fee study. With input from the City, TischlerBise prepared an "Impact Fee Study" for the City dated March 8, 2007 (the "Study").
- (G) The Study demonstrates the monetary needs of the City in adding the additional governmental infrastructure necessary to keep pace with the City's growth.
- (H) In accordance with Section 7 of the Act, a public hearing was held on April 10, 2007 at City Hall to address the City's governmental infrastructure needs as a result of new development. At this public hearing, a representative of TischlerBise presented the Study to the Council and the public, and the public was given the opportunity to provide comments.
- (I) To the extent that new development places demands upon public facilities, those demands should be satisfied by shifting the responsibility for financing the provision of such facilities from the public to the development creating the demands.

- (J) An impact fee, established in accordance with this Ordinance, will benefit new development.

**Section 2. Authorization.** This Ordinance is enacted pursuant to the Act and the City's general police power and land use authority.

**Section 3. Purpose and Intent.** The purpose of this Ordinance is to establish procedures to:

- (A) determine what local capital improvements are reasonably necessary to serve New Development and the cost thereof;
- (B) determine the portion of the demand for local capital improvements created by particular types of New Development; and
- (C) assess against New Development an Impact Fee to finance the cost of local capital improvements proportional to the New Development's demand for said capital improvements.

**Section 4. Definitions.** Whenever used in this Ordinance, the following capitalized words, terms, and phrases, and their derivations, shall have the meanings ascribed to them below except where the context clearly indicates a different meaning:

"Act" shall mean 2006 *Ala. Acts* 300, as the same may hereafter be altered or amended from time to time.

"All Other Housing" means residential housing units and/or structures other than single-family residential structures, and includes, without limitation, duplexes, triplexes, apartments, condominiums and other multi-family developments.

"Applicant" shall mean any person or entity making an application for a Building Permit with the City.

"Benefit Area" means one or more areas as defined herein which are used to calculate the costs and expenses relative to the Governmental Infrastructure needs created by a particular type of New Development.

"Building Department" means the City's Building and Inspection Department.

"Building Permit" means a document issued by the City authorizing construction of new buildings and/or improvements within the City's corporate limits.

"Business Park" means a cluster of associated businesses, usually in a campus setting, typically consisting of the use of buildings for the administration of business, professional firms and other organizations.

"Calculate" means to determine the amount of the Impact Fees assessed against a particular New Development in accordance with the terms and conditions of this Ordinance and the Act.

"City" means the City of Fairhope, Alabama.

"Com/Shop Ctr" means a building or series of buildings in which retail and/or wholesale sales and services will be delivered to the public.

"Estimated Fair and Reasonable Market Value" shall have the meaning ascribed to such term in Section 5(a)(2) of the Act.



“Fire” means a Benefit Area for (i) the construction, development and/or improvement of fire stations, (ii) the acquisition of fire fighting vehicles, and (iii) the acquisition of firefighting apparatus, and (iv) the fire component of the Study and/or any other impact fee study obtained by the City in connection with the imposition of Impact Fees.

“Governmental Infrastructure” shall have the meaning ascribed to such term in the Act.

“Impact Fee” shall have the meaning ascribed to such term in the Act.

“Impact Fee Account” means a special interest-bearing account of the City established by the City at a banking institution whose deposits are insured by the Federal Deposit Insurance Corporation.

“Impact Fee Committee” means a committee chaired by the Mayor and comprised of the Mayor, the City Treasurer, the City Planning Director, the City Public Works Director and the City’s director of Parks and Recreation.

“Impact Fee Schedule” means the schedule of fees adopted by the Council setting the base fee amount for each Benefit Area and the total Impact Fee for each type of New Development, which schedule is attached hereto as Exhibit “A” and which is incorporated herein by reference.

“Light Industrial” means facilities used for the manufacturing or assembly of products to their final form. These uses could be enclosed or could have outside storage of equipment, materials or merchandise. In addition to the actual production of goods, industrial facilities generally also have incidental office, warehouse and associated functions.

“Lodging” means a building or group of buildings having five (5) or more guest rooms under a common or individual ownership and single management. These buildings are designed to give, for a fee, transient guests sleeping accommodations and may include, as incidental uses, restaurants, cafes, lounges or other guest services. These buildings typically, but do not necessarily have to, have an inner lobby and furnish a room cleaning service for their paying customers.

“Manufacturing” means a building or series of buildings for businesses engaged in economic activity involving construction, production, processing, transformation, warehousing, wholesale, and disposal of goods, products and component parts of goods and products, including related services.

“New Development” shall mean the subdivision of land, the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; any use of the extension of the use of land; any of which increases the demand on governmental infrastructure.

“Nonresidential Development Project” means all New Development in the City other than Residential Development Projects, and shall include, without limitation, any New Development project consisting of one or any combination of Comm/Shop Ctr, Office/Inst, Business Park, Light Industrial, Warehousing, Manufacturing and Lodging.

“Occupancy classification” means the intended use and of a structure or tenant spaces within a structure as defined by the International Building Code.

“Office/Inst” means a building used for professional, administrative, financial, clerical and similar uses. This definition includes, without limitation, institutional uses such as churches, schools, hospitals, libraries, clubs, police and fire stations and other public buildings.

“Parks and Recreation” means a Benefit Area for (i) the acquisition of new public park lands, (ii) the construction, development and/or improvement of public recreational facilities, (iii) the construction, development and/or improvement of public park amenities, (iv) the acquisition of new park vehicles, and (v) the parks and recreation component of the Study and/or any other impact fee study obtained by the City in connection with the imposition of Impact Fees.

"Police" means a Benefit Area for (i) the cost recovery of the City's cost and expense related to the construction, development and improvement of its justice center, (ii) the cost recovery of the City's cost and expense related to the construction, development and improvement of its animal shelter, (iii) the acquisition of police vehicles, and (iv) the acquisition of police-related apparatus and equipment, and (v) the fire component of the Study and/or any other impact fee study obtained by the City in connection with the imposition of Impact Fees.

"Residential Development Project" means any New Development in the City undertaken with respect to a Single-Family development and/or an All Other Housing development.

"Single Family" means a detached residential dwelling unit designed for and occupied by one family as a home.

"Transportation" means a Benefit Area for the cost of intersection improvements made to address additional demand generated by New Development.

"Warehousing" means the storage of materials, but may also include incidental office and maintenance areas.

**Section 5. Imposition of Impact Fees.** The City hereby imposes an Impact Fee in accordance with the Impact Fee Schedule against all New Development constructed within the City's corporate limits, subject to any limitations on the amount of the Impact Fee set forth in the Act. In the event any appraisal process is commenced in accordance with the Act, the City shall be responsible for the cost of any appraisal required by the City, and the City and the Applicant shall share equally in the cost of any appraisal obtained at the request of both the City and the Applicant. This Ordinance and/or the Impact Fee Schedule may be amended at any time hereafter and from time to time by the Council in accordance with the procedure set forth in the Act for the adoption of an Impact Fee. The Impact Fee shall be collected and administered as hereinafter provided.

**Section 6. Calculation and Collection of Impact Fees.** Impact Fees may be imposed only on New Development and subject to any limitations on the imposition and collection thereof in the Act. Impact Fees shall be Calculated and collected by the Building Department prior to the issuance of a Building Permit for New Development and in accordance with the Impact Fee Schedule. Except as is hereafter provided in Section 15 hereof, all Impact Fees shall be paid by an Applicant to the City in cash or other immediately available funds.

**Section 7. No Additional Capacity.** No Impact Fee may be assessed for or expended upon the construction, improvement, operation or maintenance of any Governmental Infrastructure that does not create additional capacity for use by the general public. The following shall be exempt from the payment of impact fees:

- A. Alteration or expansion of an existing dwelling unit which does not result in any additional dwelling units or increase in the number of families for which such dwelling unit is arranged, designed or intended to accommodate for the purposes of living quarters.
- B. The replacement of a building or dwelling unit where no additional square footage or dwelling units are created and when the existing and replacement or dwelling unit are located on the same lot. To be eligible for this exemption, official evidence such as, but not limited to, aerial photos, Revenue Commission property appraiser data, or building permit data must be provided that confirms a building of equivalent use existed within the parcel boundaries in which the replacement structure is to be located.

**Section 8. Change in Size and Use.** An impact fee shall be imposed and calculated for alteration, expansion or replacement of a building if the alteration, expansion or replacement of a building results in a use that it is determined to generate greater impact than the present under the applicable fee rate schedule. Impact fee shall be calculated as follows:



- A. If the impact fee is based on a per dwelling unit method, the impact fee shall be the amount due under the applicable impact fee rate schedule, less the calculated impact fee applicable prior to the alteration, expansion or replacement.
- B. If the impact fee is based on the square footage method, the impact fee due for the increased square footage shall be calculated by determine the impact fee due according to the square footage resulting from the alteration, expansion or replacement, less the impact fee that would have been imposed for the original square footage prior to the alteration, expansion or replacement.
- C. All single family residential fees in the fee schedule are based on an assumed 3-bedroom home. If the replacement structure has an increase in the number of bedrooms or sleeping rooms as defined by the City of Fairhope Building Code Supplement, any partial impact fee will be calculated on a percentage basis based on the increased number of sleeping rooms within the structure.
- D. If a building is demolished in preparation of a new structure, a pre-demolition inspection will be performed to determine the number of sleeping rooms in the existing structure to establish the baseline for the calculation of any partial impact fee imposed.
- E. All changes in use or Occupancy classification as defined by the International Building Code will be subject to full impact fees.

**Section 9. Nature of Impact Fee.** An Impact Fee is both a personal liability of the Applicant and a lien upon the real property upon which the New Development is to be constructed and/or improved. Said lien may be foreclosed upon in accordance with the procedure for the foreclosure of real estate mortgages in the State of Alabama.

**Section 10. Refund of Impact Fee.** Except as is specifically required by the Act, Impact Fees are not refundable, unless the applicable Building Permit is voided in writing by the Applicant and no construction or construction-related activities have taken place. In the event a refund is made pursuant to the foregoing sentence, a processing fee of five hundred and no/100 dollars (\$500.00) shall be withheld by the City from any such refund.

**Section 11. Impact Fee Accounts.** The funds collected pursuant to this Ordinance shall be deposited into the Impact Fee Account. The funds of the Impact Fee Account shall not be commingled with other funds of the City. The City shall separately account for fees collected for the Benefit Areas of Parks and Recreation, Fire, Police and Transportation. In the event that less than the full Impact Fee is assessed for any reason, including, without limitation, any cap on such fee contained in the Act, said partial Impact Fee shall be allocated to the applicable Benefit Areas in the same proportion as the full Impact Fee would be allocated to and among the applicable Benefit Areas.

**Section 12. Use of Impact Fees.** Impact Fees may be expended only for the Benefit Area for which they were imposed, calculated, and collected and according to the time limits and procedures established in this Ordinance and the Act, if any. All impact fees collected for a Benefit Area must be spent in that Benefit Area. Impact Fees generated by this Ordinance may be used for any purpose permitted by the Act.

**Section 13. Time Limitations on Use of Impact Fees.** The City shall expend or contract for the expenditure of all Impact Fees collected in accordance with this Ordinance within any time periods set forth in the Act; provided, however, that in the event the Act does not impose any limitation on the timing of the expenditure of Impact Fees, then the City shall have no obligation to expend any Impact Fees within any specific period of time. In the event it becomes necessary for the City to refund any Impact Fees due to the failure to expend or contract for the expenditure of such Impact Fees within a given period of time as required by the Act, the City shall refund such Impact Fees to the Applicant who paid such Impact Fees. Notwithstanding anything contained herein to the contrary, no party entitled to a refund of any Impact Fee hereunder shall be entitled to any interest on said refunded Impact Fee.



**Section 14. Appeals.** In the event the Building Department and an Applicant are unable to agree upon the Estimated Fair and Reasonable Value following the appraisal process set forth in Section 5(a)(2) of the Act, the Applicant against which an Impact Fee has been assessed may pay the Impact Fee as Calculated by the Building Department and preserve the right to appeal the amount of the Impact Fee by submitting with payment a written statement that payment is made "under protest" or that includes other language that would notify a reasonable person that the Applicant intends to preserve its right of appeal. Any Applicant intending to appeal the Calculation of an Impact Fee must file said appeal in writing with the City Clerk of the City within thirty (30) days of the last to occur of the Calculation of the Impact Fee by the Building Department and the payment of the Impact Fee by the Applicant to the City. In the written appeal provided to the City Clerk by the Applicant, the Applicant shall set forth enough detail to allow the City to reasonably determine the basis for the Applicant's appeal. All appeals of Impact Fee assessments shall be heard by the Council at a regularly held meeting of the Council within thirty (30) days of the date of the filing of the notice of appeal by the Applicant with the City Clerk. At such appeal hearing, the Applicant and the City shall have the right to present evidence relative to the establishment of the Estimated Fair and Reasonable Market Value of a New Development. In making such presentations, each of the Applicant and the City shall be limited to fifteen (15) minutes for the presentation of such evidence. Thereafter, a majority decision by the Council shall be required to overturn the decision of the Building Department with regard to the Calculation of the applicable Impact Fee.

**Section 15. Review of Impact Fee Structure.** The Impact Fee Committee shall report at least once every three (3) years to the Council with:

- (A) recommendations, if any, for amendments to this Ordinance;
- (B) proposals identifying capital improvements to be funded in whole or in part by the Impact Fees collected pursuant to this Ordinance;
- (C) proposals for changes to the Impact Fee Schedule.

In connection with the foregoing, the Impact Fee Committee is hereby authorized to engage such consultants as it deems reasonably necessary to prepare additional impact fee studies for purposes of arriving at an appropriate and reasonable impact fee rate structure.

**Section 16. Credits.** An Applicant who offers to dedicate land or otherwise provide or provide for the funding of Governmental Infrastructure may be eligible for a credit for such contribution against the Impact Fee otherwise due for that Benefit Area. In the event an Applicant desires to obtain a credit in accordance with the foregoing, the Applicant shall submit its proposal for a credit in writing to the Building Department. To the extent the City prepares forms for the credit process, the Applicant shall make its submittal on said City provided forms.

Thereafter, the Building Department shall transmit said proposal to the Impact Fee Committee. The Impact Fee Committee shall make written findings with regard to (a) the value of the Applicant's proposed contribution; (b) whether the proposed contribution meets capital improvement needs for which the particular Impact Fee has been imposed; and (c) whether the proposed contribution will substitute or otherwise reduce the need for Governmental Infrastructure anticipated to be provided with Impact Fees otherwise assessable against the Applicant.

The Impact Fee Committee shall transmit said written findings to the Council along with a recommendation for whether to accept or decline the Applicant's offer. The Council shall make the final determination as to whether to accept the Applicant's proposed contribution; provided, however, that in no event shall the credit given to any such Applicant exceed the amount of the otherwise applicable Impact Fee.

**Section 17. Recovery of Public Hearing Costs.** Any costs incurred by the City (a) in preparing for and conducting any public hearing required by the Act and (b) in connection with the Study or any similar study hereafter conducted may be recovered as a part of the Impact Fees assessed and collected in accordance with this Ordinance.

**Section 18. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-exemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

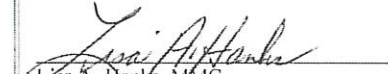
**Section 19. Effective Date.** This Ordinance shall be effective from and after its adoption by the Council.

ADOPTED THIS THE 13TH DAY OF AUGUST, 2018



Karin Wilson, Mayor

Attest:

  
Lisa A. Hanks, MMC  
City Clerk

Ord. No. 1625 Published in  
FAIRHOPE COURIER  
on Wednesday, August 29, 2018  
L. Hanks City Clerk

**EXHIBIT "A"**  
**Impact Fee Schedule**

Residential - Per Housing Unit (Occupancy classifications R-2, R-3, and R-4)					
	Fire	Police	Parks and Rec	Transportation	Total
Single Family (R-3)	\$879	\$742	\$2,998	\$1,211	\$5,830
Percentage allocation	15%	12.80%	51.40%	20.80%	1% max
Multi Family (R-2, R-4)	\$600	\$506	\$2,044	\$563	\$3,713
Percentage allocation	16.20%	13.70%	55%	15.10%	1% max
Non-Residential - Per 1,000 square feet of floor area (Occupancy classifications A, B, E, F, H, I, M, S, U)					
	Fire	Police	Parks and Rec	Transportation	Total
Commercial / retail (A, M)	\$1,467	\$1,195	\$0	\$2,826	\$5,488
Percentage allocation	26.70%	21.80%	0%	51.50%	1% max
Industrial (F, H, S, U)	\$292	\$238	\$0	\$562	\$1,092
Percentage allocation	26.70%	21.80%	0%	51.50%	1% max
Office / Institutional (B, I, E)	\$574	\$467	\$0	\$1,104	\$2,145
Percentage allocation	26.70%	21.80%	0%	51.50%	1% max
Non-Residential - Per room (Occupancy classification R-1)					
	Fire	Police	Parks and Rec	Transportation	Total
Lodging (R-1)	\$197	\$161	\$1,932	\$379	\$2,669
Percentage allocation	7.50%	6%	72.50%	14%	1% max



## Water and Sewer tap fees

**ORDINANCE NO. 1657**

**AN ORDINANCE TO AMEND ORDINANCE 953, AND TO REPEAL  
ORDINANCE NO. 675, ORDINANCE NO. 715, ORDINANCE NO. 1411,  
AND ORDINANCE NO. 1422, AN ORDINANCE TO AMEND  
CHAPTER 21, ARTICLE IV, SEWER, REPLACING SECTION 21-52  
CONNECTION REQUIREMENTS AND CONNECTION FEES,  
FAIRHOPE CODE OF ORDINANCES**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE,  
ALABAMA, as follows:

**ARTICLE IV. SEWERS\***

**Sec. 21-52 CONNECTION REQUIREMENTS AND CONNECTION FEES**

(a) The Specifications for connecting to the sanitary sewer system of the City of Fairhope include:

1. All connections shall be made at, or near, the boundary between the private property being served and the edge of the Right of Way or Easement. The customer is responsible for all maintenance of the service line from the connection up to and within the premises being served.
2. All service line pipe material shall be Schedule 40 PVC or Ductile Iron pipe. A cleanout shall be provided at the point of connection.
3. All work shall be in strict accordance with the current plumbing codes and guidelines adopted by the city of Fairhope. This includes the size of the service line material and the grade it is installed on to meet the flow requirements of the premises. Confirmation of available slope shall be determined by the owner prior to any work.
4. Grease traps, Grit traps and other protective devices shall be installed by the owner, subject to approval of the city of Fairhope building official or the Director of Operations for Utilities. All work must be inspected and approved prior to being backfilled and covered.
5. In no case shall any collection of rain water be allowed to enter the sewer system at any location on the property being served.

Half (1/2) of the tap fee shall be used for operating cost and half (1/2) shall be used for Capital Replacements and Improvements to the Sewer System only.

(b) Connection Fees and Expenses.

1. The Connection Fee schedule is established to recover costs relating to capital needs for treatment and transmission systems. This Capacity Asset Fee is based on an equivalent residential connection, ERC, using 225 gallons per day per ERC.
2. Inside the City of Fairhope city limits:

Meter Size	Capacity Asset Fee	ERC (Commercial)	Max ERC Multi-Family
¾"	\$ 1,500.00	1	1
1"	\$ 3,750.00	2.5	4
2"	\$ 11,250.00	7.5	28
3"	\$ 18,000.00	12	75
4"	\$ 27,000.00	18	125
>4"	As Determined by the Superintendent or Director of Operations		

For multi residential complexes, the Capacity Asset Fee shall not be less than either, 1.) The fee(s) stated above, or 2.) \$1,500.00 multiplied by 2/3 (Apartments or Condos) or ½ (Hotels or RV Parks) the number of units proposed.

(c) Additional Provisions

1. Outside the City of Fairhope city limits:

A multiplier of 1.5 shall be applied to the Capacity Asset Fee to determine the fee for connections out of the City of Fairhope city limits.

2. Connection Requirements:

When a gravity connection (lateral) is not available to the property requesting service, the owner shall be responsible for all costs relating to providing said service. The City of Fairhope, when possible, may provide a cost estimate of labor, materials and any repair of concrete or asphalt to the owner for this work. The owner may elect to use a licensed plumber, at his expense, for the installation if so desired. All such work must be inspected and approved prior to acceptance. The outside the city multiplier does not apply to any connection related costs required in this paragraph.

3. Miscellaneous Fees and Charges:

Where gravity sewer main extensions are required to serve a customer or a new development, the cost to provide the minimum needed sewer capacity, including all subsequent phases of the proposed project, will be the responsibility of the customer or developer. The City of Fairhope may elect to upgrade, or upsize, the minimum requirement to accommodate future growth potential at no additional cost to the customer or developer. Properties served from said upgrades, or where existing infrastructure has been provided by others, or installed after October 1, 2019, shall pay a Wastewater Access Fee, at the time of development, equal to \$35.00 per equivalent front foot of the property along the Right of Way from which the property is served. Equivalent front foot shall be equal to the frontage along the Right of Way from which service is provided or the square root of the area of the property, in feet, times \$35.00. When developments connect to an existing force main, the developer shall pay a Wastewater Access Fee equal to \$15.00 per equivalent front foot as defined above. A single-family residential connection (gravity or force main) shall be allowed on a single property with a maximum Wastewater Access Fee equal to a footage of 100 linear feet applied to an Access Fee of \$35.00 per linear foot. Subsequent subdivisions of such single-family properties will be required to pay the full Access Fee. The outside the city multiplier does not apply to any Wastewater Access Fee.

All proposed developments that require off site extensions for service shall participate in the cost of the off-site extensions, including the cost of any upgrades, at a minimum total cost equal to the Access Fee. The City may determine an economic limit to any amount of additional funding required between the total cost of the extension and the value of the Access Fee calculated for such off-site extensions, the balance of which would be added to the Access Fee charged to the developer.

(d) Penalty for Violation

Any person found guilty of violating any provision of this ordinance or of doing any act made unlawful by this ordinance shall be punished as provided in Section 1-8 of the Code of Ordinances of the City of Fairhope, Alabama.

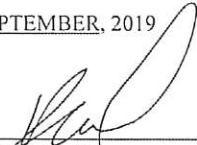
**SEVERABILITY**

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.

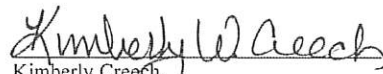
**EFFECTIVE DATE**

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

ADOPTED THIS THE 9TH DAY OF SEPTEMBER, 2019

  
\_\_\_\_\_  
Karin Wilson, Mayor

Attest:

  
\_\_\_\_\_  
Kimberly Crech,  
City Treasurer

Ord. No. 1657 Published in  
FAIRHOPE COURIER  
on September 25, 2019  
Sean Henke City Clerk  
by Shylé Fogarty



ORDINANCE NO. 1658

AN ORDINANCE TO AMEND ORDINANCE 953, AND TO REPEAL  
ORDINANCE NO. 675, ORDINANCE NO. 1196, AND ORDINANCE NO. 1217,  
AN ORDINANCE TO AMEND CHAPTER 21, ARTICLE III, WATER,  
REPLACING SECTION 21-32 CONNECTION FEES AND EXPENSES  
FAIRHOPE CODE OF ORDINANCES

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA,  
as follows:

ARTICLE III. WATER

Sec. 21-32 CONNECTION FEES AND EXPENSES:

(a) The City of Fairhope has established fees for metered connections to the water system based on an equivalent residential connection, ERC, using an average daily volume of 250 gallons. The total connection fee is a combination of costs that include a Capacity Asset Fee and an Installation Fee. The Capacity Asset Fee, for each new service, is to recover cost relating to the capital investment required to provide the source water (groundwater wells), treatment facilities and ground or elevated storage tanks and capital funding necessary to maintain said facilities. The fee will also provide capital funding for capacity improvement projects where growth or hydraulic capacity requirements to support needed fire flows are recommended.

Half (1/2) of the tap fee shall be used for operating cost and half (1/2) shall be used for Capital Replacements and Improvements to the Water System only.

(b) The Installation Fee, if required, is to recover the material and labor costs to install the service when an existing service to the property is not available. The Capacity Asset Fee and the Installation Fee are one-time fees to provide water service to a specific location and cannot be transferred to another site. Any water service upgrades to a location will be determined as the difference between the existing Capacity Asset Fee and the proposed Capacity Asset Fee. Installation upgrades will be based on the Installation Fee schedule for the Meter size of the requested upgrade.

(c) There are hereby established connection fees for new connections to city water service as follows:

1. Inside the City of Fairhope City Limits:

Meter Size	Capacity Asset Fee	ERC	Max ERC Units	Installation Fee (If Required)
		(Commercial)	Multi-Family	
¾"	\$ 1,500.00	1	1	\$ 500.00
1"	\$ 3,750.00	2.5	4	\$ 750.00
2"	\$11,250.00	7.5	28	\$ 2,000.00
3"	\$18,000.00	12	75	\$ 2,500.00
4"	\$27,000.00	18	125	\$ 3,500.00
>4"	As Determined by the Superintendent or Director of Operations			

For multi-residential, master metered complexes, the Capacity Asset Fee shall not be less than the either, 1.) The fee(s) stated above, or 2.) \$1,500 multiplied by 2/3 (Apartments or Condos) or ½ (Hotels or RV Parks) the number of units proposed. Installation Fee is based on meter size.

2. Outside the City of Fairhope city limits:

A multiplier of 1.5 shall be used to determine the fee for connections out of the City of Fairhope city limits using the fee calculated, based on meter size and any required installation fee determined in 1. above.

3. Irrigation:

Where an existing water customer desires a separate water meter for irrigation, the City of Fairhope may install a second water meter, using the existing service main at a cost equal to the Installation Fee stated above, to be used with an automatic sprinkler system. The size of the Irrigation meter shall be no larger than the existing meter. The Irrigation (water only) service shall be billed at the same rate of the primary meter of the existing service, or an approved "Irrigation Rate". The usage will not be included in the sewer portion of the bill for the account.

4. Miscellaneous Fees and Charges:

A. Where water main extensions or upgrades are required to serve a customer or a new development, the cost to provide the minimum needed water capacity, including fire protection, will be the responsibility of the customer or developer. The City of Fairhope may elect to upgrade or upsize the minimum requirement at no additional cost to the customer or developer.

B. Where a fire protection system requires an unmetered fire main/sprinkler system, the customer shall be responsible for all costs associated with the unmetered service, including a service tap on the main, with isolation valve and approved backflow prevention device at the edge of Right of Way or easement. A fire department connection shall be included on the discharge side of the backflow prevention device.

C. Where reduced pressure backflow devices are required, the customer shall be responsible for the installation and maintenance of such devices.

5. Penalty for Violation

Any person found guilty of violating any provision of this ordinance or of doing any act made unlawful by this ordinance shall be punished as provided in Section 1-8 of the Code of Ordinances of the City of Fairhope, Alabama.

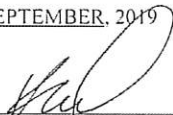
SEVERABILITY

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.

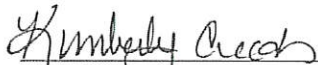
EFFECTIVE DATE


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

ADOPTED THIS THE 9<sup>TH</sup> DAY OF SEPTEMBER, 2019

  
Karin Wilson, Mayor

Attest:

  
Kimberly Creech,  
City Treasurer

Ord. No. 1658 Published in  
FAIRHOPE COURIER  
in September 25, 2019  
Lisa Hanko City Clerk  
by 

## Electrical Aid to Construction (ATC) fees

ORDINANCE NO. 1660

AN ORDINANCE TO ESTABLISH AND ADOPT FAIRHOPE  
PUBLIC UTILITIES ELECTRIC SERVICE STANDARDS WITHIN  
THE SERVICE TERRITORY OF THE CITY OF FAIRHOPE

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

These standards are issued by the City of Fairhope as requirements for obtaining electric service and electric line extensions and to put forth the service available, conditions for service, and the standards for construction. The requirements of this standard supersede all previous publications of "Electric Service Standards" issued by City of Fairhope prior to this date and is subject to change without notice. These standards are applicable within the service territory of the City of Fairhope Electric Department. For information on standards outside of the Fairhope Electric Department's service territory, contact the appropriate electric utility.

These are provided to assist customers, architects, engineers, contractors, developers, wiremen, and inspectors in planning and installing electric distribution and electric service. It is not intended that any requirements may be unduly restrictive or burdensome, but that these regulations and policies serve to provide safety guidelines and expedite service connection by establishing uniform and equitable standards for electric service.

No one rule or instruction covers all conditions. For conditions not specifically covered within these standards, the customer shall defer to the Electric Department Superintendent or his/her designee for a decision on the appropriate course of action.

The City of Fairhope welcomes and encourages all inquiries concerning unusual or special needs and to provide clarification of our requirements and standards.

**Section I. General.**

All new construction will be installed underground including residential, commercial and industrial.

The customers wiring and electrical equipment shall be installed in accordance with the latest versions of the National Electric Code (NEC), any state and local ordinances.

All wiring installations must be inspected and approved by the City of Fairhope Building Department. Connection to the City of Fairhope's electric system can only be completed after this inspection and approval has been obtained.

The City of Fairhope will refuse service to any new or altered installation which the City considers to be unsafe. The City may disconnect a service that shows physical evidence of tampering, hazardous conditions or diversion. Notice of disconnect will be provided to the customer in these instances.

The Customer will give the duly authorized agents and employees of City of Fairhope, when properly identified, full and free access to the premises of the Customer at all reasonable hours. This access will be for the purpose of installing, reading, inspecting, adjusting, repairing, maintaining, replacing or removing any of the City of Fairhope's facilities on the premises of the Customer or for any other purpose incidental to the electric service supplied by City of Fairhope.



The City of Fairhope will use reasonable diligence to supply continuous electric service to the customer but does not guarantee the supply of electric service against irregularities or interruptions. The City of Fairhope will not be considered in default of its service with the customer and will not otherwise be liable for any damages incurred by any irregularity or interruption of electric service.

### **Section II. Secondary Voltages.**

The following voltages are supplied by the City of Fairhope. For any voltage request outside of these, contact the Electric Superintendent.

- Single-phase, two-wire, 120 volts.
- Single-phase, three-wire, 120/240 volts.
- Two-phase, three-wire, 120/208 volts wye.
- Three-phase, four-wire, 120/208 volts wye.
- Three-phase, four wire 277/480 volts wye.

The actual secondary distribution voltage at the customer's meter will vary up to and including plus or minus 5 percent of the nominal voltage conforming to the ANSI Standard C84.1, which deals with electric power supply and utilization systems. It must be recognized that because of conditions outside the City of Fairhope's control, there will be infrequent and limited periods when sustained voltage outside these limits may occur. Additional voltage variation will occur between the meter and the customer's utilization equipment at normal operation.

### **Section III. Metering.**

Only one meter for each rate and/or voltage class under which the customer receives service will be installed and maintained by the City of Fairhope for each customer at each service address.

Additional meters may be used at the sole discretion of the City of Fairhope when the electric requirements to the building exceed the capacity of the largest transformers or other circumstance where it is required for the convenience of the City of Fairhope.

The customer will provide and maintain without cost to the City of Fairhope, sufficient and proper facilities for the installation of electric meters, including Current Transformer (CT) cabinet, and other electrical apparatus. Meter sockets will be provided by the City of Fairhope. The equipment will be installed at an easily accessible location on or within the premises to be supplied with service and in accordance with the rules contained herein. The electric meter socket and CT cabinet are owned by the customer and all costs to maintain this equipment are the owner's responsibility. CT cabinets are to be installed on the customers building. CTs will not be installed inside or connected to a transformer without prior approval of the Electric Superintendent or his/her designee.

The City of Fairhope will supply CTs and wiring from the CTs to the meter.

Single phase electric services rated at 200 amps (main size) and below, require a self-contained meter socket. Single phase electric services rated greater than 200 and up to 400 amps may install either a 320-amp self-contained meter socket (120/240V only) or a CT (current transformer) rated meter socket and CT Cabinet. Single phase self-contained meter sockets for electric services rated at 400 amps and below, are acceptable with, or without an integral disconnect [main breaker(s)]. Single phase electric services rated over 400 amps will require a CT (current transformer) rated meter socket and CT Cabinet.

#### Section IV. Electric Meter Locations.

The location of meters and metering equipment will be designated by the City of Fairhope where they will be readily accessible at all reasonable hours for reading, testing, inspecting, and other maintenance purposes. No wiring dependent upon the meter location should be started until the location has been assigned. Meter locations will meet the following requirements:

- Meter sockets will be plumb and securely fastened to the building wall (at framing members).
- All new or upgraded meter sockets will be installed where measurement at centerline of meter is 5 to 6 feet above finished grade or permanent platform. If this measurement cannot be met, a variance to this rule is required on a case-by-case basis through the Electric Superintendent.
- Meter sockets must NOT be installed under projections lower than 6-1/2 feet to allow for reading and maintenance of equipment.
- A minimum of three feet of clear space must be left in front of the meter for reading.
- A minimum of two feet of clear space measured from any part of the meter socket to all conduits, pipe, walls, etc. must be maintained for servicing.
- Electric meters, CT cabinets, panels or any source of ignition will be located at least three feet radially from gas meter regulator vents.
- All above-ground conduit on the line side of the meter will be SCH80 PVC. In all cases it will be as required by City of Fairhope Building Department to meet the NEC.
- Customer owned equipment shall not be physically attached to a City of Fairhope meter. Any customer equipment found attached to a City of Fairhope meter will be removed.
- Exterior meters will not be installed where they will interfere with traffic, sidewalks, driveways, or where they will obstruct the opening of doors or windows, or in any location which may be considered hazardous or cause damage to the metering equipment.
- If multiple meters are at the same location, the customer will tag each meter base with enough information to readily identify the location served. This will be a brass tag or other permanent, weatherproof mechanism, attached to the meter base with the unit number.

#### Section V. CT Cabinet Locations.

Where CT cabinets are required, they will be furnished and installed on the outside of an exterior wall by the customer.

All residential single-phase CT metered installations shall be wired using two CTs. The size of the cabinet shall allow a minimum bending space in accordance with Section 312 of the National Electrical Code. If the service wires enter the cabinet, terminate directly on the CTs and exit on the opposite side, then minimum cabinet dimensions shall be 18" wide x 24" high x 10" deep. This cabinet will accommodate installations with a maximum of two 350-kcmil conductors per phase. The City of Fairhope will designate a point to which a customer shall install either (1) 3 inch or 4 inch conduit from the CT's at a depth of 36 inches- typically to a j-box or transformer SCH80 PVC.

All commercial and residential CT cabinets shall meet the following requirements:

- CT cabinets requiring three CTs shall measure a minimum of 24" wide x 30" high x 10" deep.
- Rated and factory labeled "NEMA 3R."
- Rated 600 volts maximum and shall have a grounding lug.

- Doors shall be supplied with a hasp to accept a padlock (5/16 inch diameter shackle). All raceways and compartments ahead of the cabinet shall also be sealable. No breakers, fuses, or other customer accessible equipment is allowed in the cabinet.
- Incorporate a provision (lug or terminal) for bonding together line and load side service neutrals with electrical bond to the cabinet. If the CT cabinet is on the load side of the main disconnect, where the neutral is already grounded, do not bond neutral block to the CT cabinet. This termination shall also include a terminal for connecting #12 AWG solid or stranded copper wire to the neutral conductor within the enclosure for purpose of providing a secondary neutral to the meter.
- CT cabinets shall be installed immediately adjacent to the associated meter socket(s). A minimum clearance will be provided in front of the CT cabinet to fully open the door and have at least 3 feet of working space. The maximum height to the top of a CT cabinet will not exceed 7 feet above finished grade. Physical location of the CTs must be centered between 48 inches and 72 inches above finished grade. CTs must be installed with the white dot (H-1) facing the line side. The line side must be fed from the top of the CT cabinet, with the load side fed from the bottom. The contractor will be required to label the line side and load side of the CT cabinet. The line and load sides shall be marked accordingly as "LINE" or "LOAD". No other meter devices or customer equipment will be allowed within the CT cabinet. Any variance requires written approval from the City of Fairhope Electric Superintendent.

#### **Section VI. Temporary (Construction) Services.**

- No electric service will be disconnected for demo without a demo permit issued by the City of Fairhope Building Department.
- Locations of temporary services will be coordinated with the Fairhope Electric Department
  - Please call 928-8003 to coordinate location
- Electrician / Customer will supply all necessary hardware including pole, breakers, ground rod, meter socket and the required wiring from meter to the breakers.
- Installation must meet the then current NEC including GFI breakers and grounding.
- The City of Fairhope will verify the installation prior to energization of the temporary service.

#### **Section VII. Clearance around equipment.**

The City of Fairhope provides a safe work environment for its employees. As such, landscaping, walls, fences or other obstructions that prevent employees from safely performing their job functions shall be removed. The City of Fairhope shall not be responsible for the replacement of any landscaping, walls, fences or other items that were removed. Please see the clearances below, if the customer has any questions about these distances contact the Electric Superintendent.

- Minimum of 3' of clearance between the sides and back and 6' of clearance in the front of pad mounted transformers.
- Minimum of 8' of clearance around all sides of a pad mounted switch.
- Minimum of 3' of clearance around all sides of other equipment.

#### **Section VIII. Security Lighting.**

Security lighting is defined as year-round outdoor security lighting of yards, walkways, and other areas on property owned by individuals or organizations. Security lighting will be billed to the customer according to the current rate schedule.



Security lighting is not intended to take the place of or interfere with Street Lighting applications (public or private roadway lighting). Security lighting is not intended to take the place of engineered parking lot, storage lot or other commercial lighting requirements.

A limit of two structures and four lights will be installed on any commercial property and a limit of one structure and two lights for residential property.

Lights to be served shall be at locations which are easily and economically accessible to City of Fairhope vehicles, equipment and personnel for construction and maintenance.

It is intended that City of Fairhope owned security lights be installed on existing facilities (distribution poles with secondary conductor), or "short extensions." Short extensions are limited to the installation of a single pole and span of secondary (up to 75') per light. Lighting may be fed underground at the sole discretion of the Electric Superintendent or his/her designee.

The number of outdoor lights is limited to four (4) lights per pole on those poles entirely devoted to the support of outdoor lights, and two lights on all other poles. These limits may be reduced due by the City of Fairhope when existing infrastructure will not support 4 lights.

Luminaires installed on poles along an adjacent roadway **must** be faced towards private property. The bracket length for conventional luminaires is 2-1/2 feet.

Security lighting will comply with the City of Fairhope lighting ordinance.

#### **Section IX. Streetlights.**

New streetlights in residential areas will be installed or removed by the City of Fairhope at the request of the homeowner or HOA provided:

- The location of the streetlight or removal is approved by the Electric Superintendent or his/her designee.
- The homeowner or HOA requesting the streetlight or removal has provided to the City written acknowledgement and consent from all homeowners within three houses on each side of the light and on both sides of the street. This consent shall include the owners name, address and signature.

For sub-divisions outside of the City of Fairhope's electric service territory but within City limits, the streetlights will be installed according to the requirements of the utility serving that area. Ownership and maintenance of the light will remain with that utility with the energy cost being paid for by the City of Fairhope.

#### **Section X. Aid to Construction (ATC).**

##### **General Information:**

- The building department will collect the appropriate fees when application for permit is made.
- No permanent service will be energized prior to inspection and approval by the City of Fairhope Building Department.
- Any service installations larger than 400 Amp require load calculations completed by a licensed Electrical Engineer or Master Electrician prior to approval.

**Commercial and Industrial Buildings:**

- The minimum charge for a commercial / industrial service is \$1000.00. Actual cost will be determined by the formula \$1000.00 per 200 Amps of service.
- Exception may be made if no trenching or boring is required to provide service. In this case, Aid to Construction will be determined by the cost of the equipment needed to supply the service. In no case will the cost be less than \$1000.00.
- The contractor supplies and installs the conduit from the takeoff pole or alternate location determined by the Electric Superintendent or his/her designee to the transformer. The contractor is also responsible for the secondary conduit and wire from the transformer to the service point.
- The point of demarcation for electric service will be the secondary bushings of the transformer. The customer will own all conduit and wire downstream of the demarcation point, except for metering equipment (meters, CT's) which will remain the property of the City of Fairhope.
- The contractor supplies the concrete pad for the transformer. Specifications will be provided by the Electric Department.
  - Prior to the concrete pad being poured the site must be compacted to a minimum of 95% proxy. Compaction test results must be sent to the Electric Lead Lineman prior to framing.
  - Once transformer pad framing is complete, the contractor will contact the Electric Lead Lineman for inspection prior to pouring of concrete.
- The Electric Department will supply and pull the primary wire from the takeoff pole to the Transformer and terminate.

**Residential Buildings:**

- For residential services including overhead to underground conversions, the City of Fairhope will trench / bore in the secondary pipe and wire from the transformer to the service and terminate.
- The minimum charge for a residential service is \$250.00. This charge is for an open trench up to 50 feet and includes the pipe and wire. Services over 50 feet will be charged accordingly at \$5.00 per foot.
- The minimum charge for a residential service requiring a bore is \$500.00. This charge is for a service requiring a bore to be made of up to 50 feet and includes the pipe and the wire. Services over 50 feet that require a bore will be charged accordingly at \$9.00 per foot.
- Other than overhead to underground conversion, all distances will be calculated from the property line to the meter location. If no meter location is known, distance will be calculated to the center of the lot. For overhead to underground conversion, distances will be calculated using the existing service length from the takeoff pole to the meter.
- Residential services in new subdivisions will be charged a flat \$400.00.

**Primary Overhead to Underground Conversion:**

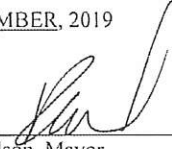
- Overhead to underground conversion of poles framed for primary voltages at a customer's request or resulting from new construction will be charged the full costs of the conversion, including conversion of services as needed.
  - An estimate will be provided by the Electric Department and must be paid prior to any construction.
  - The scope of the required conversion will be determined solely by the Electric Superintendent or his/her designee.

- Conversion of single-phase primary will be from tap point to the end of the lateral.
- Conversion of three-phase primary typically be from the protective device to protective device, but each case will be individually determined.

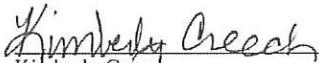
Severability. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs 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 upon its due adoption and publication as required by law.

ADOPTED THIS 9TH DAY OF SEPTEMBER, 2019

  
\_\_\_\_\_  
Karin Wilson, Mayor

ATTEST:

  
\_\_\_\_\_  
Kimberly Creech,  
City Treasurer

Ord. No. 1660 Published in  
FAIRHOPE COURIER  
on September 25, 2019  
Lisa Hanks, City Clerk  
by Daye Hogarty