STATE OF ALABAMA

MADISON COUNTY

RESOLUTION OF THE MADISON COUNTY COMMISSION

WHEREAS, on September 17, 1993, the Madison County Commission adopted building laws and codes for residential construction in the unincorporated areas of Madison County, and has amended said building laws and codes from time to time; and

WHEREAS, the Madison County Commission has determined that it is in the best interest of the citizens of Madison County to further amend such building laws and codes as provided herein; and

NOW, THEREFORE, BE IT RESOLVED BY THE MADISON COUNTY COMMISSION that the ORDINANCE ADOPTING BUILDING LAWS AND CODES FOR THE UNINCORPORATED AREAS OF MADISON COUNTY, originally adopted on September 17, 1993, related to residential improvements in Madison County is amended as follows:

ARTICLE I
RESIDENTIAL BUILDING LAWS AND CODE

SECTION 1. International Residential Code Adopted. The International Residential Code, 2003 edition, save and except R103 and Appendix Chapters "F", "I" and "K" " (hereinafter referred to as the "International Residential Code"), published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401, the Building Officials and Code Administrators International, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California 90601-2298, and the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206, is adopted by reference and made a part of this chapter as if fully set out, save and except such parts or portions thereof as are specifically deleted, added or changed in Article I, Sections 3 through and including 23. The subject matter of the adopted code includes comprehensive provisions and standards regulating the construction, alteration, moving, demolition, occupancy, use, height, area and maintenance of all residential buildings or other structures within the unincorporated areas of Madison County for the purpose of protecting the public health, safety and general welfare.

SECTION 2. Marked copies of Code on file. There shall be at least one (1) copy of the code adopted by reference in Article I, Section 1 kept on file in the office of the building official, which shall be available for public inspection at the office of the Building Safety Department between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday, legal holidays excepted.

SECTION 3. Code Official. The Building Inspector or his or her designee will be known as the code official or building official for the purposes of this chapter and will have the duty of enforcing provisions of this chapter.

SECTION 4. Subsection R101.1 Amended- Title. Subsection R101.1 of the International Residential Code entitled "Title" is hereby amended to read as follows:

Subsection R101.1 Amended - Title. These provisions shall be known as the Residential Code of Madison County, and shall be cited as such and will be referred to herein as "this code."

SECTION 5. Subsection R101.2 Amended- Scope. Subsection R101.2 of the International Residential Code entitled "Scope" is hereby amended to read as follows:

Subsection R101.2 Amended - Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures within the unincorporated area of Madison County. The provisions of this code shall not apply to the following:

1. Improvements intended to be used for agricultural purposes, unless any part of the building is to be used for residential purposes.

2. Commercial buildings other than houses or multi-family housing units, unless any part of the building is to be used for residential purposes.

3. When the value of the work performed is One Thousand Dollars ($1,000.00) or less, unless it is necessary to disconnect from the main power source or the work involves a change in the sewer or septic system. In these listed situations, a permit will be required.

4. Existing buildings undergoing repair, alteration or addition and change of occupancy which may be required to comply with the International Existing Building Code.

SECTION 6. Subsection R104.6 Amended- Right of entry. Subsection R104.6 of the International Residential Code entitled "Right of entry" is hereby amended to read as follows:

Subsection R104.6 Amended - Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

R104.6.1 Repair of dangerous equipment. When any building or equipment is found by the building official or his or her designee to be dangerous to persons or property because it is defective or defectively installed, the person, firm or corporation responsible for the building or equipment shall be notified in writing and shall make any changes or repairs required in the judgment of the building official or his or her designee to place such equipment in safe condition, and if such work is not completed within fifteen (15) days, the building official or his or her designee shall have the authority to disconnect or order the discontinuance of electric, gas, or plumbing equipment. In cases of emergency, where necessary for safety to persons or property, or where electrical, gas, or plumbing equipment may interfere with the work of a fire department, the building official or his or her designee shall have the authority to immediately disconnect or cause the disconnection of any electrical, gas, or plumbing equipment.

SECTION 7. Subsection R105.1 Amended- Required. Subsection 105.1 of the International Residential Code entitled "Required" is hereby amended to read as follows:

Subsection R105.1 Amended - Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or other residential structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done whenever the reasonable cost of the material and labor for such work is in excess of One Thousand Dollars ($1,000.00), shall first make application to the building official and obtain the required permits. Whenever the work being performed includes any construction, alteration, addition, or modification to the plumbing drainage system, or requires disconnection of the electrical system in any way whatsoever, any owner or authorized agent shall first make application to the building official and obtain the required permit regardless of the reasonable cost of the material and labor for such work.

Exceptions: No permit shall be issued where sanitary sewer service is not available to the house, multi family housing unit or other residential structure being constructed, erected, remodeled, or repaired without the written approval of the Madison County Health Officer.

A permit shall not be issued to any person for the construction, erection, remodeling, or repair of any house, residential structure or multi-family housing unit within Madison County except the bona fide owner or occupant of the land on which the building is to be constructed, erected, remodeled, or repaired, or to a duly licensed contractor. The building official may

require such proof as may be necessary to insure that such building or other residential structure, upon completion, shall be used for the benefit of the owner or occupant.

SECTION 8. Subsection R105.2 Amended- Work exempt from permit. Subsection R105.2 of the International Residential Code entitled "Work exempt from permit" is hereby amended to read as follows:

Subsection R105.2 Amended - Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 200 square feet (18.58 m^2). A garage, tool shed or other similar structure is expressly excluded from this exception.

2. Fences not over 6 feet (1829 mm) high.

3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.

6. Painting, papering, floor covering, counter tops and similar finish work.

7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

8. Swings and other playground equipment accessory to a one or two-family dwelling.

9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Those exceptions listed in Subsection R101.2(4), as amended.

Electrical:

Repairs and maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliance.

2. Portable ventilation appliances.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

6. Portable evaporative cooler.

7. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

SECTION 9. Subsection R105.5 Amended- Expiration. Subsection R105.5 of the International Residential Code entitled "Expiration" is hereby amended to read as follows:

Subsection R105.5 Amended - Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension submitted to the building official shall be requested in writing and justifiable cause demonstrated.

SECTION 10. Subsection R105.9 Penalty. Section R105.9 entitled "Penalty" is hereby added to and supplements the International Residential Code and shall read as follows:

Subsection R105.9 Penalty. If any person, firm or corporation commences work in or on a building, house, multi-family housing unit, swimming pool, or other residential structure subject to these regulations before obtaining the necessary permits from Madison County, the permit fees shall be tripled.

SECTION 11. Subsection R106.1 Amended-Submittal documents. Subsection R106.1 of the International Residential Code entitled "Submittal documents" is hereby amended to read as follows:

Subsection R106.1 Amended – Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction inwhich the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. The building/trade plans and design calculations, including, without limitation, mechanical, electrical, plumbing and gas plans and design calculations, for all dwellings, other than detached one-family dwellings or detached accessory structures, submitted to the building official shall be stamped and signed by a licensed design professional (i.e., a licensed architect, engineer or other design professional, as applicable) of the state of Alabama.

SECTION 12. Subsection R108.2 Amended– Schedule of permit fees. Subsection R108.2 of the International Residential Code entitled "Schedule of Permit Fees" is hereby amended to read as follows:

Subsection R108.2 Amended - Schedule of Permit Fees. On new buildings, structures, or alterations, additions, or modifications to existing buildings or structures, a fee for each permit shall be paid as required at the time of filing the application, in accordance with the schedule established by the building official and approved by the Madison County Commission. The said schedule of permit fees may be amended from time to time without requiring the amendment of this code. The initial schedule of permit fees shall be as follows:

1. BUILDING PERMIT FEES.

1.1 Building permit fees for the construction of, or, addition to, buildings or other residential structures governed by this code shall be the greater of One Hundred Dollars ($100.00) or the amount assessed in the following manner:

TOTAL SQUARE FOOTAGE (UNDER ROOF LINE) x $0.12 PER SQUARE FOOT.

The multiplier of $0.12 per square foot in the above equation shall be in plan until September 30, 2009. On October 1, 2009, the applicable multiplier shall be $0.07 per square foot.

1.2 Moving of buildings or structures. For the moving of any building or structure, the fee shall be One Hundred Dollars ($100.00).

1.3 Demolition of buildings or structures. For the demolition of buildings or structures, the fee shall be Twenty-Five Dollars ($25.00).

1.4 Repair of buildings or structures. For the repair of any building or structure damaged by natural or manmade forces, the fee shall be the greater of One Hundred Dollars ($100.00) or the amount assessed in the following manner:

TOTAL ESTIMATED COST OF THE REPAIR x $0.01.

This fee shall not be in lieu of any other fee set forth in this code, including, without limitation, fees for electrical, gas, mechanical or plumbing work.

1.5 Special flood hazard area. For all activities in a special flood hazard area (as defined by the corresponding Madison County Flood Damage Prevention Ordinance) under this code, the fee shall be One Hundred Dollars ($100.00).

1.6 If for any reason an installation does not pass inspection, an additional inspection shall be made after the installation has been changed so as to conform to the requirements set forth in this code. A reinspection fee shall be charged in an amount of Twenty-Five Dollars ($25.00) for each and every additional inspection.

1.7 Plan review fees for buildings or structures. The fee for plan review shall be:

1.7.1	0 to 1500 square feet, under beam	$25.00
1.7.2	1501 to 2500 square feet, under beam	$30.00
1.7.3	2500 to 4000 square feet, under beam	$40.00
1.7.4	Over 4000 square feet, under beam	$50.00

This shall be a one-time fee charged to each builder for each original plan submitted to the building official for review; provided, however, no changes are subsequently made to the original plan. In the event an original plan is changed, altered, modified, varied or amended in any way whatsoever, then the builder shall pay the applicable plan review fee pursuant to this code.

2. ELECTRICAL PERMIT FEES.

2.1 Electrical permit fees for the construction of, or, addition to, any and all buildings or other residential structures governed under this code shall be the greater of Twenty-Five Dollars ($25.00) or the amount assessed in the following manner:

TOTAL SQUARE FOOTAGE (UNDER BEAM) x $0.015 PER SQUARE FOOT.

2.2 For a service change, repair, or alteration of electrical equipment, the permit fee shall be calculated as follows:

2.2.1 For service entrance not exceeding four hundred (400) amperes, a permit fee of Fifty Dollars ($50.00).

2.2.2 For service entrance over four hundred (400) amperes through eight hundred (800) amperes, a permit fee of Seventy-Five Dollars ($75.00).

2.2.3 For service entrance exceeding eight hundred (800) amperes, a permit fee of One Hundred Dollars ($100.00).

2.3. If for any reason an installation does not pass inspection, an additional inspection shall be made after the installation has been changed so as to conform to the requirements set forth in this code. A reinspection fee shall be charged in an amount of Twenty-Five Dollars ($25.00) for each and every additional inspection.

3. EXISTING BUILDING PERMIT FEES.

3.1 The schedule of permit fees for existing buildings or other residential structures shall coincide with the schedules provided in this code and the International Building Code, as adopted and amended, depending on the type of existing building or structure involved. For existing buildings or structures subject to this code, as adopted and amended, the schedule of permit fees shall be the same as those in Subsection R108.2(1) entitled "Building Permit Fees," as amended above.

4. MECHANICAL PERMIT FEES.

4.1 Mechanical permit fees for the construction of, or, addition to, any and all buildings or other residential structures governed under this code shall be the greater of Twenty-Five Dollars ($25.00) or the amount assessed in the following manner:

TOTAL SQUARE FOOTAGE (UNDER BEAM) X $0.015 PER SQUARE FOOT.

4.2 Mechanical permit fees for the change out of components or a mechanical unit shall be Fifty Dollars ($50.00) for each mechanical system. For purposes of this Subsection, a mechanical system is a single package unit or both pieces of a split system. To the extent applicable, the fees contained in subsections 4.3 and 6.2 below shall still apply in addition to the fees provided by this Subsection.

4.3 In addition to the standard mechanical permit fees noted in Subsection R108.2.4.1 hereinabove, there shall be a permit fee in the amount of Twenty-Five Dollars ($25.00) for any person responsible for making an electrical connection to, or, installing an electrical circuit or outlet for, any HVAC unit(s) or related equipment.

4.4 If for any reason an installation does not pass inspection, an additional inspection shall be made after the installation has been changed so as to conform to the requirements set forth in this code. A reinspection fee shall be charged in an amount of Twenty-Five Dollars ($25.00) for each and every additional inspection.

5. PLUMBING PERMIT FEES.

5.1 Plumbing permit fees for the construction of, or, addition to, any and all buildings or other residential structures governed under this code shall be the greater of Twenty-Five Dollars ($25.00) or the amount assessed in the following manner:

TOTAL SQUARE FOOTAGE (UNDER BEAM) x $0.015 PER SQUARE FOOT.

5.2 House moving plumbing permit shall be Twenty-Five Dollars ($25.00).

5.3 If for any reason an installation does not pass inspection, an additional inspection shall be made after the installation has been changed so as to conform to the requirements set forth in this code. A reinspection fee shall be charged in an amount of Twenty-Five Dollars ($25.00) for each and every additional inspection.

6. GAS PERMIT FEES.

6.1 Gas permit fees for the construction of, or, addition to, any and all buildings or other residential structures governed under this code shall be the greater of Twenty-Five Dollars ($25.00) or the amount assessed in the following manner:

TOTAL SQUARE FOOTAGE (UNDER BEAM) x $0.015 PER SQUARE FOOT.

6.2 For a remodeling requiring installation or alteration of gas equipment, permit fees shall be calculated as follows: permit fees shall be based on the total British Thermal Units (hereinafter referred to as "BTUs") input load for the installation. Permit fees shall be as follows:

6.2.1	150,000 BTUs or less	$50.00
6.2.2	150,001 BTUs to 250,000 BTUs	$60.00
6.2.3	250,001 BTUs to 500,000 BTUs	$70.00
6.2.4	500,001 BTUs to 1,000,000 BTUs	$100.00
6.2.5	1,000,001 BTUs and over	$150.00
6.2.6	Gas Piping only	$50.00

3. If for any reason an installation does not pass inspection, an additional inspection shall be made after the installation has been changed so as to conform to the requirements set forth in this code. A reinspection fee shall be charged in an amount of Twenty-Five Dollars ($25.00) for each and every additional inspection.

SECTION 13. Subsection R109.1.2 Amended- Plumbing, mechanical, gas and electrical systems inspection. Subsection R109.1.2 of the International Residential Code entitled "Plumbing, mechanical, gas and electrical systems inspection" is hereby amended to read as follows:

Subsection R109.1.2 Amended - Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to installation of insulation.

Exception: Ground-source heat pump loop systems tested in accordance with Section M2105.1 shall be permitted to be backfilled prior to inspection.

R109.1.2 Inspection and approval of equipment. The building official shall not inspect or approve any plumbing, electrical wiring, gas piping, or gas burning equipment in any building within the unincorporated area of Madison County, unless such work is done by a person, firm or corporation duly licensed under the laws of the State of Alabama or a person doing work on his own property as provided for in the laws of the State of Alabama.

SECTION 14. Subsection R109.4 Amended- Approval required. Subsection R109.4 of the International Residential Code entitled "Approval required" is hereby amended to read as follows:

Subsection R109.4 Amended - Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official upon notification, shall make the requested inspection within twenty four (24) hours of the time such notice is given, exclusive of Saturdays, Sundays, and legal holidays, unless prevented by an Act of God, emergency or act of the person, firm or corporation making the installation; provided, however, that the inspector shall make no inspection unless the person, firm, or corporation responsible for the work shall provide the inspector with sufficient evidence that all permits for the building in which said installation was made have been obtained and paid for in full. Any work that does not comply shall be corrected and such work shall not be covered or concealed until authorized by the building official.

R109.4.1 Equipment hidden from view. When any part of the building, plumbing, gas, or electrical equipment is to be hidden from view by the permanent placement of parts of the building, the person, firm or corporation installing the equipment shall notify the building official and such equipment shall not be concealed until it has been inspected and approved by the building official or until twenty four (24) hours, exclusive of Saturdays, Sundays, and holidays, shall have elapsed from the time of such notification; provided that on large installations, where concealment of equipment proceeds continuously, the person, firm or corporation installing the equipment shall give the building official due notice, and inspections shall be made periodically during the progress of the work.

SECTION 15. Section R110 Amended– Certificate of Occupancy and Certificate of Approval. Section R110 of the International Residential Code entitled "Certificate of Occupancy" is hereby amended and shall read as follows:

SECTION R110
CERTIFICATE OF OCCUPANCY

R110.1 Amended - Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

Exception: Certificates of occupancy are not required for work exempt from permits under Section R105.2.

[EB] R110.2 Amended- Change in use. Changes in the character or use of an existing structure shall not be made except as specified in Sections 3405 and 3406 of the International Building Code.

R110.3 Amended- Certificate issued. Where the building official inspects the building or structure and finds no violations of the provisions of this code or other laws, and that any and all permits for the building in which the work is being performed have been obtained and paid for, and that all contractor's licenses for said building have been obtained and paid for, the building official shall issue a certificate of occupancy, a copy of which may be obtained upon request, and shall contain the following:

1. The building permit number.

2. The address of the structure.

3. The name and address of the owner.

4. A description of that portion of the structure for which the certificate is issued.

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.

Exceptions: No certificate of occupancy shall be issued until all required inspections are received by the building official. In addition, no certificate of occupancy shall be issued until the building official receives either (1) all required septic tank approvals, or (2) official

correspondence from the public or private sewer authority or entity representing to the building official that it will service the applicable dwelling or property.

R110.4 Connection to Installations. It shall be unlawful for any person to make any connection from a supply of gas or electricity or to supply gas or electricity to any gas or electrical equipment for the installation of which a permit is required, or which has been disconnected or ordered to be disconnected by the building official, until approval has been issued by the building official, authorizing the connection and use of such equipment.

R110.5 Amended- Temporary occupancy. In cases of exceptional hardship or in cases affecting public health, safety or welfare resulting from any natural disaster, the building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

R110.6 Revocation. The building official shall, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 16. Section R112 Amended– Board of Appeals. Section R112 of the International Residential Code entitled "Board of Appeals" is hereby amended to read as follows:

SECTION R112
BOARD OF APPEALS

R112.1 Amended - General. There is hereby established in Madison County a board to be called the Board of Building Inspection Appeals which shall consist of sixteen (16) members who shall be appointed by the Madison County Commission. The persons appointed to serve on this Board shall be residents of the unincorporated area of Madison County with the sole exception that if the Madison County Commission cannot identify a person who lives in the unincorporated area of Madison County, who possesses the required qualifications and who is willing to serve, a person residing elsewhere in Madison County may be appointed. Such Board shall be composed of:

1. One person engaged in the electrical contracting business.

2. One person engaged in the plumbing contracting business.

3. One person engaged in the residential construction business.

4. One person engaged in the heating and/or air conditioning business.

5. One certified gas pipe fitter.

6. One registered architect.

7. One registered engineer.

8. One licensed general contractor.

9. One representative of the Madison County Water Department.

10. A resident of Madison County District One who shall not be engaged in the business of residential or commercial construction or repair, who shall be selected by the member of the Madison County Commission from District One.

11. A resident of Madison County District Two who shall not be engaged in the business of residential or commercial construction or repair, who shall be selected by the member of the Madison County Commission from District Two.

12. A resident of Madison County District Three who shall not be engaged in the business of residential or commercial construction or repair, who shall be selected by the member of the Madison County Commission from District Three.

13. A resident of Madison County District Four who shall not be engaged in the business of residential or commercial construction or repair, who shall be selected by the member of the Madison County Commission from District Four.

14. A resident of Madison County District Five who shall not be engaged in the business of residential or commercial construction or repair, who shall be selected by the member of the Madison County Commission from District Five.

15. A resident of Madison County District Six who shall not be engaged in the business of residential or commercial construction or repair, who shall be selected by the member of the Madison County Commission from District Six.

16. A resident of the unincorporated area of Madison County who shall not be engaged in the business of residential or commercial construction or repair, who shall be selected by the Chairman of the Madison County Commission.

R112.2 Limitations on authority, appeals and variances. The Board of Building Inspection Appeals shall have the power, upon proper request, to reverse or modify a refusal, order or disallowance of the Building Official as to the proper application of the code and to grant a variance when the literal enforcement of the code will create an unnecessary hardship on the property owner, provided, that in the opinion of the Board, no hazard to life or property is created and the intent of the code is substantially adhered to. Any variance granted shall become invalid six (6) months after issuance unless a permit to perform the work authorized by said variance has been issued. In granting any variance, the Board may prescribe appropriate conditions and safeguards. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this code and punishable as provided herein..

R112.3 Determination of substantial improvement in areas prone to flooding. When the building official provides a finding required in Section R105.3.1.1, the board of appeals shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:

1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of an historic building or structure provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:

2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or

2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or

2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

R112.3.1 Criteria for issuance of a variance for areas prone to flooding. A variance shall only be issued upon satisfaction of each of the following conditions:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R323 inappropriate.

2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.

3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

R112.4 Amended - Term of office.

1. All members shall be appointed for a term of three (3) years EXCEPT the initial term of those persons appointed to positions (1), (4), (7), (10) and (13), above, shall be one (1) year, the initial term of those persons appointed to positions (2), (5), (8) and (11), above, shall be two (2) years and the initial term of those persons appointed to positions (3), (6), (9) and (12), above, shall be three (3) years.

2. Any member whose term has expired shall hold over until his or her successor is appointed.

R112.5 Amended - Quorum. Seven members of the Board shall constitute a quorum. No Board member shall act in any case in which the Board member or any member of the member's family as defined in Code of Alabama, § 36-25-1, or any business of which they are associated, as defined in Code of Alabama, § 36-25-1, has a direct interest or stands to obtain direct financial gain. Any official action of this Board must be by a majority vote of those present and voting.

R112.6 Amended - Election of officers and records of proceedings. The Board shall elect its own officers and shall keep or cause to be kept a full and complete record of all its proceedings which shall set forth the reasons for its decisions. The records of said Board shall be open to public inspection during business hours.

R112.7 Amended - Procedure. The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The Board shall hold regular meetings at any time fixed by rule or resolution of said Board. The chairman or any four (4) members of said Board may call special meetings for any stated purpose on at least twenty four (24) hours notice to each member in person, by mail, or by telephone.

R112.8 Amended - Decisions.

1. Every decision of the Board of Building Inspection Appeals shall be final; subject, however, to such remedy as any aggrieved party might have at law or in equity. The decision of the Board shall be made known to the applicant in writing. Every decision shall be filed promptly in the office of the building official and shall be open to public inspection during business hours.

2. The Board of Building Inspection Appeals shall reach a decision in every case without unreasonable or unnecessary delay.

3. If a decision of the Board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of any of the codes adopted below, the building official shall immediately take action in accordance with such decision.

R112.9 Amended - Legal advisor. The County Attorney, or such other attorney designated by the County Attorney, shall serve as legal advisor to the Board of Building Inspection Appeals.

SECTION 17. Section R113 Amended – Violations and Penalties. Section R113 of the International Residential Code entitled "Violations" is hereby amended to read as follows:

Section R113 Amended – Violations and Penalties. Any person, firm or corporation who shall violate any provisions of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish, or move any structure, or who has erected, constructed, altered, moved, or demolished a building or structure in violation of a detailed statement or drawing submitted and approved hereunder, or shall fail to comply with an order made under the provisions of this code, shall be deemed guilty of a Class C misdemeanor. Each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued.

SECTION 18. Section R115 Contractors. Section R115 entitled "Contractors" is hereby added to and supplements the International Residential Code and shall read as follows:

SECTION R115
CONTRACTORS

R115.1 License. It shall be the duty of every contractor to pay a privilege license to Madison County as provided in Ordinance No. 1 (Privilege License Code) adopted by the Madison County Commission on March 21, 1977, as last amended, and to register his name in a book provided for that purpose with the building official, giving full name, residence, and place of business, and in case of removal from one place to another in Madison County, to have made corresponding changes in said register accordingly. Every contractor shall be duly licensed as required by the laws of the State of Alabama.

R115.2 Insurance.

(a) Any person engaged as a contractor shall be covered by a public liability insurance policy to include the coverage known as manufacturers and contractors liability and products and completed operations, issued by a solvent insurance company, licensed to do business in the State, which said policy shall be subject to the following minimum limitations.

(b) For every contractor said policy shall provide a minimum coverage for all damages arising out of the bodily injury to any one person of Fifty Thousand Dollars ($50,000) and bodily injury in any one accident with an aggregate amount of One Hundred Thousand Dollars ($100,000.00). Said policy shall provide minimum coverage for all damages to the property of others of Fifty Thousand Dollars ($50,000.00) arising out of any one accident with an aggregate amount of Fifty Thousand Dollars ($50,000.00). The minimum coverage for one occurrence must be One Hundred Fifty Thousand Dollars ($150,000.00). These limits apply to both public liability and completed operations.

(c) Such policy shall include an endorsement acceptable to the Building Inspector providing for ten (10) days prior written notification to the Building Inspector of a material change or cancellation of such policy. A certificate of insurance signed by the authorized agent of said company shall be filed with the Building Inspector and shall remain on file with him.

R115.3 Use of name by another contractor. No person, firm or corporation shall allow his name to be used, directly or indirectly, by any other person engaged as a contractor or subcontractor for the purpose of obtaining a permit or for construction of any work, unless such person, firm or corporation whose name is to be used actually supervise such work.

R115.4 Removal of a contractor. An owner, occupant or holder of any building permit desiring to remove any contractor, who shall be required to first obtain a permit to practice his or her particular trade by this code or other state or local law, must furnish the building official a copy of the written notification to said contractor that he or she has been relieved of his or her contract. The holder of the building permit must sign the other required forms at the office of the building official in person, or mail a notarized copy of the required forms to the building official.

SECTION 19. Section R202 Amended- Definitions. Section R202 of the International Residential Code entitled "Definitions" is hereby supplemented with the following definitions, which shall be incorporated in this code in the proper alphabetical order, as follows:

CONTRACTOR. Any person, firm or corporation who contracts to do work for another, including but not limited to, a electrical, gas, general, heating and air conditioning, plumbing or residential contractor, as herein defined.

CONTRACTING. Any job or project in Madison County regularly or customarily performed by any contractor, including, but not limited to, an electrical contractor, gas contractor, general contractor, heating and air conditioning contractor, plumbing contractor or residential contractor, as herein defined.

ELECTRICAL CONTRACTOR. Any person, firm or corporation who, for a fixed price, commission, fee or wage, is engaged in the business of installing electrical power or control systems; maintaining, altering, or repairing any electrical wiring devices, equipment or any other electrical apparatus.

GAS CONTRACTOR. Any person, firm or corporation who, for a fixed price, commission, fee or wage, is engaged in the business of installing and/or repairing gas pipes, gas furnaces, and gas appliances.

GENERAL CONTRACTOR. Any person, firm or corporation who, for a fixed price, commission, fee or wage, is engaged in the business of the construction, erection, alteration, repair, or demolition of buildings or structures, or one who contracts for the completion of an entire project, including purchasing materials, hiring and paying subcontractors, and coordinating all the work.

HEATING AND AIR CONDITIONING CONTRACTOR. Any person, firm or corporation who, for a fixed price, commission, fee or wage, is engaged in the installation, service, or repair of heating and/or cooling apparatus consisting of an air, heating, and/or cooling fixture from pipes, plenums, or blowers including any accessory and equipment installed in connection therewith; excluding, however, window units, automotive, or farm implement type heating and/or air conditioning equipment.

JOURNEYMAN ELECTRICIAN. Any person who possesses the necessary qualifications, training and technical knowledge to install electrical wiring, apparatus or equipment for lighting, heating, power or controls, as covered by the terms and provisions of this code, must work under master or state certified electrical contractor, also he shall be capable of doing said work according to plans and specifications furnished by him and in accordance with standard rules and regulations governing such work.

MASTER ELECTRICIAN. A person who possesses the necessary qualifications, training and technical knowledge to plan, lay out and supervise the installation of electrical wiring, apparatus or equipment for lighting, heating, power or controls, and who possesses any of the following: (a) has obtained four (4) years of practical experience as a journeyman electrician in charge of jobs; (b) has a professional electrical engineering degree; or (c) has five (5) years experience in the design and construction of electrical systems.

PLUMBING CONTRACTOR. Any person, firm or corporation who, for a fixed price, commission, fee or wage, is engaged in the business of plumbing, steam fitting, installing sewers, excavating, or blasting for same.

RESIDENTIAL CONTRACTOR. Any person, firm or corporation who, for a fixed price, commission, fee or wage, is engaged in the business of the construction, erection, alteration, repair, or demolition of buildings or structures.

SECTION 20. Table R301.2(1) of Section 301 of the International Residential Code entitled "Table R301.2(1) Climatic and Geographic Design Criteria" is hereby amended to read as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

ROOF SNOW LOAD	WIND SPEED	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY	
10 lb/ft²	90 mph	B	Moderate	12"	Very Heavy	Moderate to Severe	16° F

*** Table 301.2(1): 1 pound per square foot = 0.0479 kN/m.02, 1 mile per hour = 1,609 km/h.**

SECTION 21. Subsection R323.2.1 Amended- Elevation requirements. Subsection R323.2.1 of the International Residential Code entitled "Elevation requirements" is hereby amended to read as follows:

Subsection R323.2.1 Amended - Elevation requirements.

1. Buildings and structures shall have the lowest floors elevated to one (1) foot above the design elevation.

2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet (mm) on the FIRM, or at least three (3) feet if a depth number is not specified.

3. Basement floors that are below grade on all sides shall be elevated to one (1) foot above the design flood elevation.

Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R323.2.2.

SECTION 22. Subsection R403.1.1 Amended- Minimum size. Subsection R403.1.1 of the International Residential Code entitled "Minimum size" is hereby amended to read as follows:

Subsection R403.1.1 Amended- Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1, as amended, and Figure R403.1(1). The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 12 inches (305 mm) in thickness. Footing projections, *P*, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1(2) and R403.1(3).

SECTION 23. Table R403.1 of Section 403 of the International Residential Code entitled "Table R403.1 Minimum Width of Concrete or Masonry Footings" is hereby amended to read as follows:

TABLE R403.1
MINIMUM WIDTH OF CONCRETE OR MASONRY FOOTINGS
(INCHES)

	LOAD - BEARING VALVE OF SOIL (psf)			
	1,500	2,000	3,000	> 4,000
Conventional light-frame construction				
1-story	18	18	18	18
2-story	18	18	18	18
3-story	23	18	18	18

4-inch brick veneer over light frame or
8-inch hollow concrete masonry

1-story	20	20	20	20
2-story	21	20	20	20
3-story	32	24	20	20

8-inch solid or fully grouted masonry

1-story	20	20	20	20
2-story	29	21	20	20
3-story	42	32	21	20

SECTION 24. Subsection R602.10.4 Deleted- Length of braced panels.

SECTION 25. Subsection R602.10.5 Deleted- Continuous structural panel sheathing.

SECTION 26. Table R602.10.5 of Section 602 Deleted- Length Requirements for Braced Wall Panels in a Continuously Sheathed Wall.

SECTION 27. Subsection R602.10.6 Deleted- Alternate braced wall panels.

SECTION 28. Subsection N1102.1.4 Deleted- Floors.

SECTION 29. Subsection N1102.1.6 Deleted- Slab-on-grade floors.

SECTION 30. Subsection N1102.1.7 Deleted- Crawl space walls.

SECTION 31. Subsection P2603.6 Amended- Freezing. Subsection R2603.6 of the International Residential Code entitled "Freezing" is hereby amended to read as follows:

Subsection P2603.6 Amended- Freezing. In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2(1) of this code, a water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in attics, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 12 inches (305 mm) deep or less than 6 inches (152 mm) below the frost line.

SECTION 32. Subsection P2603.6.1 Deleted- Sewer depth.

SECTION 33. Subsection P3103.1 Deleted- Roof extension.

SECTION 34. Subsection E3802.11 Deleted- Bedroom outlets.

SECTION 35. Subsection AE301.1 Amended- Initial installation. Subsection AE301.1 of the International Residential Code entitled "Initial installation" is hereby amended to read as follows:

Subsection AE301.1 Amended- Initial installation. A manufactured home shall not be installed on a foundation system, reinstalled or altered without first obtaining a permit from the building official. A separate permit shall be required for each manufactured home installation. When approved by the building official, such permit may include accessory buildings and structures and their building service equipment when the accessory buildings or structures will be constructed in conjunction with the manufactured home installation.

AE301.1.1 Schedule of permit fees. Manufactured housing permit. For the inspection and verification of setup, electrical connections, and connection to an approved septic tank, the fee shall be Fifty Dollars ($50.00).

ARTICLE II
ELECTRICAL LICENSE REQUIREMENT

SECTION 1. Declaration of Purpose. This article is enacted for the purpose of safe guarding home owners and other property owners and tenants against faulty, inadequate,

inefficient or unsafe electrical installations and to protect the life, health and property of homeowners and other property owners and tenants in Madison County. Electrical contracting is hereby declared to affect the public interest, and this article shall be liberally construed so as to accomplish the foregoing purpose.

SECTION 2. License Required and Exemptions. No person shall engage in the electrical contracting business or perform work as a master or journeyman electrician unless such person shall have a valid and current license from the State of Alabama or an equivalent license or certification from an entity which has been approved by the building official; provided, however, the provisions of this article shall not apply:

1. To the installation, construction or maintenance of power systems for the generation and secondary distribution of electric current constructed under the provisions of the national electrical safety code which regulates the safety requirements of utilities;

2. To the installation, construction, maintenance or repair of telephone or signal systems by or for public utilities or their corporate affiliates, when such work pertains to the service furnished by such utilities;

3. To the owner of any premises or any employee of any such owner when performing electrical work or installing, constructing, maintaining, altering or repairing electrical wiring, equipment or apparatus on such premises; provided, however, the owner or employee shall obtain the proper permits, including payment of the required fees, comply with all building standards set forth in the building codes of Madison County;

4. To an employee of an electric utility when installing or repairing electric appliances and equipment for a customer;

5. To any retail merchant, or its employees making the installation of or the repair or maintenance on any appliance that the merchant has sold; or

6. To the installation, construction or maintenance of systems that operate on twenty-five (25) volts or less; or

7. To any electrical contractor who holds a current license from another local authority provided that the person shall have achieved a passing grade on an examination administered by such other local authority and that such examination has been approved by the board of examinations and appeals for construction industries. All other fees and requirements required for the issuance of that license must be met. Further, this Article II, Section 2, Subsection 7 shall be effective for the period of one (1) year from the effective date of this code, and thereafter shall be repealed without further action.

The licensing requirement set forth herein is for the purpose of establishing that a person engaged in the electrical contracting business or performing work as a master or journeyman electrician meets certain minimum qualifications for such work. All persons performing work under a license issued by the State of Alabama or an equivalent license or certification from an entity which has been approved by the building official must abide by all state and local laws and ordinances.

SECTION 3. Compliance Period for Residential Construction. Any person engaged in the electrical contracting business or performing work as a master or journeyman electrician, who meets each of the three (3) criteria below, shall have one (1) year from August 1, 2005 to comply with the licensing requirements of this chapter.

The said person shall have:

1. previously obtained or pulled an electrical permit from the building official of Madison County;

2. a valid Alabama business, vocation or occupation privilege license(s) as of August 1, 2005, which shall remain valid and current thereafter during the compliance period; and

3. a public liability insurance policy in full force and effect as of August 1, 2005, which remains in full force and effect thereafter during the compliance period.

SECTION 4. Display of License. Every person holding a license issued by the State of Alabama or an equivalent license or certification from an entity which has been approved by the building official shall display it in a conspicuous manner at the person's principal place of business.

SECTION 5. Board of Appeals. Any person aggrieved by a decision of the building official may appeal in writing to the Board of Building Inspection Appeals as provided in Article I, Section 15 hereof..

SECTION 6. Injunctive Power. Electrical contracting is hereby declared to involve activities affecting the public interest and involving the health and safety and welfare of the public. Such activities when engaged in by a person who is not licensed are declared to be a public nuisance, harmful to the public health, safety and welfare. The building official or the district attorney for Madison County may bring a petition to restrain and enjoin such unlicensed practice in Madison County. It shall not be necessary in order to obtain the equitable relief provided herein to allege or prove that there is no adequate remedy at law.

SECTION 7. Criminal Penalty for Violation. It shall be unlawful for any person to violate any provision of this chapter regulating electrical contracting and any person convicted of such violation shall be punished as prescribed for a Class B misdemeanor.

ARTICLE III
MISCELLANEOUS

SECTION 1. Madison County Flood Ordinance. Nothing contained in the ORDINANCE ADOPTING COMMERCIAL BUILDING LAWS AND CODES FOR THE UNINCORPORATED AREAS OF MADISON COUNTY is intended to repeal any section, subsection, sentence, clause or phrase of the Madison County Flood Ordinance. If this code is, for any reason, held to conflict with the Madison County Flood Ordinance, such decision shall not affect the validity of the remaining portions of this code or the Madison County Flood Ordinance.

SECTION 2. Civil Actions. Notwithstanding contrary provisions hereinabove, the decisions of the building official or the decisions of the Board of Building Inspection Appeals reviewing the decision of the building official shall be enforceable in the District Court of Madison County, Alabama, or any other court of competent jurisdiction upon action brought by the county attorney, or such other legal counsel authorized to maintain such action for enforcement of the provisions of this chapter. This provision is not intended to and does not create a private right of action or authorize any person to act as a private attorney general.

SECTION 3. Liability. The purpose of the ORDINANCE ADOPTING BUILDING LAWS AND CODES FOR THE UNINCORPORATED AREAS OF MADISON COUNTY is to secure to Madison County as a whole the benefits of a well-ordered county government, or to protect the health and secure the safety of occupants of buildings or other residential structures, and not to protect the personal or property interests of individuals. This code, the issuance of permits, review of applications, construction documents or other supporting documents, and any inspections made by or on behalf of Madison County are not intended to be an insurance policy by which Madison County guarantees that each building or other residential structure is built in compliance with this code, nor do such actions constitute in any way a representation, warranty, assurance or statement that this code or other applicable enactments respecting safety have been complied with by the owner or authorized agent. It shall be the full and sole responsibility of the owner authorized agent to carry out the work in respect of which the permit was issued in compliance with this code or other applicable laws or enactment respecting safety. No person shall rely upon any permit as establishing compliance with this code or assume or conclude that this code has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her authorized agent shall be responsible for making such determination.

The building official, his or her officers, agents or employees act exclusively for the benefit of the public. The provisions established in this code hereinabove shall not be construed as imposing upon Madison County, its officers, agents or employees any liability or responsibility for neglectful, careless, unskillful, negligent, wanton or defective inspection or approval of any installation, building, application, construction documents or other residential structure governed by this code, nor for neglectful, careless, unskillful, negligent or wanton failure to review, inspect or approve any installation, building, application, construction documents or other residential structure governed by this code. Madison County shall not be liable or responsible for damages to any property or injury to any person due to neglectful, careless, unskillful, negligent, wanton or defective construction or installation of any building or other residential structure.

SECTION 4. Effect on certain causes or causes of action. Nothing in this code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5. Amendments to Standard Codes. All amendments and changes hereinafter made to the 2003 editions of the International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Fire Code, International Existing Building Code, International Plumbing Code, and 2002 edition of the National Electrical Code as well as the appendices and indices adopted therewith shall take effect within the unincorporated areas of Madison County, Alabama, on October 1 following the adoption and publication of any such amendments and changes without any further action by the Madison County Commission with the sole exception that any change in permit fees must be made by amendment to this Ordinance adopted by a Resolution of the Madison County Commission. The Codes in effect at the time a permit is issued shall govern all inspections conducted in regard to that permit.

SECTION 6. Conflict of Interest. The building official and all persons employed in the office of the building official, and their families, as the terms is defined in the Code of Alabama, § 36-25-1, shall not solicit or receive any money or anything of value, including a gift, favor or service or promise of future employment, from any contractor or from any person who has applied for a building permit. A violation of this provision shall be just cause for termination.

SECTION 7. Effective date. This Ordinance shall become effective thirty (30) days after adoption by the Madison County Commission (the "Effective Date"). Structures existing prior to the Effective Date, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this code.

SECTION 8. Severability. If any section, subsection, sentence, clause or phrase of this code is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Madison County Commission hereby declares that it would have passed this code, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared invalid or unconstitutional.

DONE this the 4th day of May, 2009.

MADISON COUNTY COMMISSION

By: Mike Gillespie
Mike Gillespie, Chairman

ATTEST:
Howard Barton
County Administrator