

ORDINANCE NO. 2025-1527

AN ORDINANCE AMENDING AND RESTATING  
CHAPTER 42, ARTICLE II, DIVISION 2, SECTION 42-41 OF THE CODE OF ORDINANCES  
FOR THE CITY OF ORANGE BEACH, ALABAMA  
TO UPDATE TECHNICAL CODES FOR LAND DEVELOPMENT

---

FINDINGS:

1. This ordinance of the City of Orange Beach, Alabama adopts technical codes regulating and governing the construction, alteration, repair, conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities, systems and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Orange Beach, Alabama; provides for the issuance of permits and collection of fees therefore.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That Chapter 42, Article II, Divisions 2-5 of the Code of Ordinances for the City of Orange Beach is hereby amended as follows:

DIVISION 2. - TECHNICAL CODES

Sec. 42-41. - Technical codes.

Pursuant to Code of Ala. 1975, § 11-45-8(c), the following rules and regulations which have been printed as a code in book or pamphlet form, copies of which are on file in the offices of the building official, city clerk, and the City of Orange Beach Public Library, are hereby adopted as rules and regulations in, of and for the city with the additions, insertions, deletions and changes, if any, as prescribed.

- (a) The 2024 *International Building Code* including Appendix Chapters B, I, K and P as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Orange Beach, in the State of Alabama and the following sections are hereby revised:

*Section 101.1* Insert: City of Orange Beach, Alabama

*Section 101.4.6* Insert: And the Alabama Energy Code.

*Section 103.1* Insert: The City of Orange Beach Building Department.

*Section 105.2* Delete item 1 under "Building" in its entirety

*Section 105.2* Under item 2 under "Building", delete "not over 7 feet (2134mm) high"

*Section 105.2* Delete item 9 under "Building" in its entirety

*Section 105.2.1* Delete in its entirety and replace with: "Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted and inspections scheduled within the next working business day to the Building Department.

*Section 105.3.2* Insert: "There will be a \$50 charge for extensions granted for permit applications in accordance with Section 105.3.2"

*Section 105.4* Delete "of this jurisdiction" and Insert: "or other relevant Local, State or Federal laws, rules or regulations, as determined by the Building Official."

*Section 105.5* Insert: "A minimum of one inspection must be requested within this 180 day period."

*Section 105.5* Insert: "There will be a \$100 charge for extensions to permits in accordance with Section 105.5."

*Insert new Section 107.1.1* SUBCONTRACTORS. The applicant shall submit a list of all known subcontractors on a form provided by the jurisdiction at the time of application. Such list shall include the name, address and phone number of each subcontractor. The sub-contract amount shall also be specified on the list. The subcontractor list shall be updated periodically, but not less than prior to rough inspection; meter release inspection; and final inspection.

*Section 107.2* Insert: "All construction documents shall be prepared by an architect or engineer registered in the state of Alabama and shall be signed and sealed as required by law."

*Section 107.2.6* Insert: "All setbacks, easements and buffers are the direct responsibility of the builder or homeowner and not the responsibility of the building department or the City of Orange Beach, Alabama. Therefore, on all structures moved to or constructed upon any properties within the corporate limits of the City of Orange Beach, a spot survey prepared by an Alabama-licensed surveyor must be submitted to the building department upon completion of pile supports on the first level. For slab supported structures this shall be a "Form Board" or "As Staked" survey done prior to concrete placement. This survey shall account for the proposed outside dimensions of building(s), accounting for wall thickness, band placement, or pile cap and slab placement. Dimensions are required from all lot lines. The survey shall depict grade elevations and proposed elevations of the lowest finished floor. Assumed elevations may be used if construction does not require an elevation certificate. Further building construction shall cease until the requirements of this paragraph are met. If an elevation certificate is required in accordance with Article III, it will have to be verified and amended for finished construction."

*Section 107.2.6.1* Delete section in its entirety and insert: "All commercial and residential structures constructed within the corporate limits of the City of Orange Beach shall have the finished floor elevation (FFE) of any enclosed space one foot above the average centerline of the nearest paved road or public street, or be in accordance with Article III FLOOD DAMAGE PREVENTION, and any revisions thereto, whichever is greater. The one-foot-above-centerline requirement may be adjusted or waived in writing by the Director of Community Development due to obvious or unusual site conditions that would make strict application of this section impractical."

*Section 109.3* Insert: "For new construction, the valuation used to determine the applicable fees shall be calculated from the most current version of the Building Valuation Data published by the International Code Council."

*Section 109.6* Insert: "The policy for applications and permits issued in accordance with this Code is as follows: Plans Review fees, Issuance fees, Data Processing fees and Penalties are non-refundable. Permits that expire in accordance with Section 105.5 prior to commencement of any work may, upon written request, be granted a refund for the permit fee less a \$100 administration fee; no refund will be given where work on the permit has commenced."

*Section 111.3* Delete in its entirety.

*Section 1108.6.2.2.1* Delete Exception.

*Section 1609.3* Exceptions, Insert: "3. Prospective Owners purchasing a Unit designated during the design and review to be a Type A Unit may submit a signed statement indicating their desire to alter their Type A Unit to Type B standards. With consent of the developer, the Unit may be constructed or altered to Type B standards. If the sale of the subject property/Unit does not close, the designated Unit must be retrofitted or built to Type A standards prior to Developer/Owner again offering the Unit for sale to the public." A "prospective owner" for purposes herein is contemplated to be an independent third party purchaser and not an affiliate of the Developer/Owner. This exception may be withheld at the discretion of the Community Development Director or Building Official.

*Section 1609.3* Insert: The ultimate design wind speed,  $V_{ult}$  as determined by the City of Orange Beach Alabama is as follows:

RISK CATEGORY I	RISK CATEGORY II	RISK CATEGORY III
145 MPH	160 MPH	174 MPH

Risk Category IV must provide design wind speed determination by calculation.

*Section 1612.3* Insert: City of Orange Beach April 19, 2019.

*Section 2902.2* Delete Exception 6.

- (b) The *2025 Coastal Construction Supplement* published by Smart Home America, Inc., is hereby adopted as an appendage to the International Building Code for design and construction of structures within the City of Orange Beach, in the State of Alabama.
- (c) The *2024 International Residential Code* including Appendix Chapters AA, BA,BF, as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Orange Beach, in the State of Alabama and the following sections are hereby revised:

The *2024 Coastal Construction Supplement* published by Smart Home America, Inc., and attached hereto is hereby adopted as an appendage to the International Residential Code for design and construction of structures within the City of Orange Beach, in the State of Alabama.

*Section R101.1* Insert: City of Orange Beach, Alabama.

*Section R103.1* Insert: The City of Orange Beach Building Department.

*Section R105.2* Delete item 1 in its entirety.

*Section R105.2* Under item 2, delete "not over 7 feet (2134mm) high".

*Section R105.2* Under item 3, insert "or located adjacent to tidally influenced waters."

*Section R105.2* Delete item 5 in its entirety.

*Section R105.2* Delete item 7 in its entirety.

*Section R105.2* Delete item 10 in its entirety.

*Section R105.3* Insert new item: "8. SUBCONTRACTORS. The applicant shall submit a list of all known subcontractors on a form provided by the jurisdiction at the time of application. Such list shall include the name, address and phone number of each subcontractor. The sub-contract amount shall also be specified on the list. The subcontractor list shall be updated periodically, but not less than prior to rough inspection; meter release inspection; and final inspection."

*Section R105.3.2* Insert: "There will be a \$50 charge for extensions granted for permit applications in accordance with Section R 105.3.2."

*Section 105.4* Delete "of this jurisdiction" and insert: "or other relevant Local, State or Federal laws, rules or regulations, as determined by the Building Official."

*Section R105.5* Insert: "A minimum of one inspection must be requested within this 180 day period."

*Section R105.5* Insert: "There will be a \$100 charge for extensions to permits in accordance with Section R105.5."

*Section R106.1* Insert: "Structural portions of construction documents shall be prepared by an architect or engineer registered in the state of Alabama and shall be signed and sealed as required by law."

**EXCEPTION:**

- 1) Additions of not more than 50% of the area under roof or 1000sf whichever is less, may be constructed in accordance with the most recent edition of ICC 600 STANDARD FOR RESIDENTIAL CONSTRUCTION IN HIGH WIND REGIONS without engineered drawings.
- 2) Accessory buildings not exceeding 1,000 sf may be constructed in accordance with ICC 600 STANDARD FOR RESIDENTIAL CONSTRUCTION IN HIGH WIND REGIONS without engineered drawings.

*Section R106.1.4* Under item 2, insert: "All residential structures moved to or constructed within the corporate limits of the City of Orange Beach shall have the finished floor elevation (FFE) of any enclosed space one foot above the average centerline of the nearest paved or public street, or be in accordance with Article III FLOOD DAMAGE PREVENTION, and any revisions thereto, whichever is greater. The one-foot-above-centerline requirement may be adjusted or waived in writing by the City Engineer due to obvious or unusual site conditions that would make strict application of this section impractical."

*Section R106.2* Insert: "All setbacks, easements and buffers are the direct responsibility of the builder or homeowner and not the responsibility of the building department or the City of Orange Beach, Alabama. Therefore, on all structures moved to or constructed upon any properties within the corporate limits of the City of Orange Beach, a spot survey prepared by an Alabama-licensed surveyor must be submitted to the building department upon completion of pile supports on the first level. For slab supported structures this shall be a "Form Board" or "As Staked" survey done prior to concrete placement. This survey shall account for the proposed outside dimensions of building(s), accounting for wall thickness, band placement, or pile cap and slab placement. Dimensions are required from all lot lines. The survey shall depict grade elevations and proposed elevations of the lowest finished floor. Assumed elevations may be used if construction does not require an elevation certificate. Further building construction shall cease until the requirements of this paragraph are met. If an elevation certificate is required in accordance with Article III it will have to be verified and amended for finished construction."

*Section R108.3* Insert: "For new construction, the valuation used to determine the applicable fees shall be calculated from the most current version of the Building Valuation Data published by the International Code Council."

*Section R108.5* Insert: "The policy for applications and permits issued in accordance with this Code is as follows: Plans Review fees, Issuance fees, Data Processing fees and Penalties are non-refundable. Permits that expire in accordance with Section 105.5 prior to commencement of any work may, upon written request be granted a refund for the permit fee less a \$100 administration fee; no refund will be given where work for which the permit was issued has commenced."

*Section R108.5.1* REBATES. A rebate in accordance with this section shall be given to the applicant upon application and evidence of certification of one of the listed programs. All fees must be paid in full and a Certificate of Occupancy issued for the subject property in order for the applicant to be eligible for the rebates under this Section.

LEED Certification ..... 15%

Developed by the U.S. Green Building Council (USGBC) LEED certification provides independent, third-party verification that a home was designed and built using strategies aimed at achieving high performance in key areas of human and environmental health, sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality.

FORTIFIED HOME GOLD Certification ..... 25%

FORTIFIED GOLD requires development of a continuous load path from roof to foundation; chimneys must be adequately anchored; and windows and entry doors, even those that are protected from wind-borne debris, must meet wind design pressure requirements for the location.

*Section R110.3* Delete in its entirety.

*Section R202:* Add Definition: AGGREGATE GROSS FLOOR AREA. The total floor area inside the building envelope, including the exterior walls, and excluding uninhabitable attic spaces and spaces enclosed by screening or louvered walls.

*Table R301.2(1)* Delete and insert:

- Ground Snow Load – 0
- Wind Design
  - Speed (mph) – 160
  - Topographic Effect – No
  - Special Wind Region – No
  - Windborne Debris Zone – Yes
- Seismic Design Category – A
- Subject to Damage From
  - Weathering – Negligible
  - Frost Line Depth – 12”
  - Termite – Very Heavy
- Winter Design Temp. – 30°
- Ice Barrier Underlayment Required – No
- Flood Hazards – NFIP 1985, FIS April 19,2019, Community Number 015011
- Air Freezing Index – 33
- Mean Annual Temp. – 67.5
- Manual J Design Criteria
  - Elevation – 23
  - Latitude – 30.2688757
  - Winter Heating – 29
  - Summer Cooling – 93

*Section R301.2.1.2* Delete the Exception in its entirety.

*Table R301.2.1.2* Delete in its entirety.

*Section R306.1* Insert: "with an aggregate gross floor area exceeding 5000sf or a building height in stories exceeding two. For the purposes of this Section, a structure constructed on piers, pilings, shear walls or columns where the distance between the lowest horizontal supporting member and any portion of the grade or slab below the first elevated floor is 70" or greater shall be considered a story."

- (d) The 2024 *International Fire Code* including Appendix Chapters A, B, C, D E, F, H, and I as published by the International Code Council, be and is hereby adopted as the Fire Code of the City

of Orange Beach, in the State of Alabama and the following sections are hereby revised:

*Section 101.1* City of Orange Beach, Alabama and its Police and Planning Jurisdiction.

*Section 110.4* (SPECIFY OFFENSE) Fire Code Violation

(AMOUNT) As outlined in §1-7 of the city code.

(NUMBER OF DAYS) As outlined in §1-7 of the city code.

*Section 112.4* Delete in its entirety and replace with: "Failure to comply. It shall be unlawful and a violation of the city code for any person to continue work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition. Penalties shall be provided in §1-7 of the city code."

*Section 307.1.1* Insert: "Prohibited Open Burning. Open burning is prohibited unless approved by the fire chief."

*Section 307.1.2* Insert: "Burning of dangerous or hazardous materials. No permit shall be issued for the burning of organic or other debris from lot clearing activities, or the burning of any materials which may produce dangerous, noxious, or toxic fumes, smoke, odors, or which may be considered dangerous to the health and general welfare of the people of the city."

*Section 307.4.3* Exception; Delete and Insert: "Portable outdoor fireplaces used at one- and two-family dwellings equipped with approved spark arrestors."

*Section 308.1.6.1* Insert "Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on balconies or within 10 feet of combustible construction."

Exceptions:

1. One and two family dwellings.
2. Where buildings, balconies, and decks are protected with an approved automatic sprinkler system.

*Section 505.1* Insert: "Address Identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained. Address and building numbers for commercial properties shall be as follows:

1. 50' or less setback from addressed street curb – 4"
2. 51' to 100' or less setback from addressed street curb – 6"
3. 101' - 150' setback from addressed street curb – 8"
4. 151' - 200' setback from addressed street curb – 10"
5. 201' or greater setback from addressed street curb – Permanent sign that is not more than 50' from the street curb"

*Section 505.1.1* Insert: "Beach address Identification. New and existing buildings (excluding single family dwellings) located on the south side of State Highway 182 (Perdido Beach Boulevard) with

frontage on the Gulf of Mexico shall comply with the following requirements for identification signs:

1. All new and existing buildings (excluding single family residential) with dune walkovers or boardwalks in excess of one hundred (100) feet in length, an *minimum of eighteen (18) inch by twenty-four (24) inch and a maximum of twenty-four (24) by thirty-six (36) inch* sign shall be installed at the south end of the boardwalk or walkover and shall face southward. Such sign shall comply with the specifications in paragraph 2, below.
2. All new and existing buildings (excluding single family residential) without dune walkovers or boardwalks, or with dune walkovers or boardwalks less than one hundred (100) feet in length, one (1) eighteen (18) inch by twenty-four (24) inch to twenty-four (24) inch by thirty-six (36) inch sign with (3) inch high letters and the background shall be white. Signs shall be properly mounted and shall be placed north of the Construction Control Line (CCL) established by the Alabama Department of Environmental Management. The sign shall be no less or greater than four (4) feet above grade.
3. Signs shall be attached to posts with two (2) inch minimum stainless steel screws or bolts as applicable.
4. Content of sign: Name of establishment and its street address.
5. The sign shall be maintained in good condition at all times.”

*Section 507.5.7* Insert: “A private service fire hydrant shall be banded with a durable, high visibility (reflective) fire hydrant collar that is 1.75" in width green with white letters.

*Section 901.2.1.1* Insert: “All sprinkler and fire alarm design drawings submitted to the fire department for review shall abide by the Alabama State Board of Licensure for Professional Engineers and Land Surveyors' fire protection position statement. NICET certification does not replace the requirement for professional licensure. The designing of fire protection and detection systems is engineering and as such must be designed by or under the direct supervision of professional engineers qualified to design fire protection and detection systems. Only fire protection and detection designs that have been signed and sealed by a qualified Alabama licensed professional engineer shall be approved for construction.”

*Section 901.2.1.2* Insert: “Contractor Qualification Requirements. Copies of applicable permits and Certifications as required shall be submitted to the Fire Marshal for review.

Restaurant Fixed Extinguishing Systems:

The qualifier must possess manufacturer certification (which restricts them to that manufacturer) and/or NAFED/ICC certification (which would allow them to be unrestricted and service, maintain, or install any system).

Sprinkler Systems:

Must possess a current sprinkler permit through the Alabama State Fire Marshal's Office and applicable NICET certification.

Fire Alarm Systems:

Must possess a fire alarm permit through the Alabama State Fire Marshal's Office and applicable NICET certification. Must possess a minimum of NICET II to perform technician work, or work under the direct supervision of a NICET II.

Portable Fire Extinguishers:

Current certificate of training on portable fire extinguishers in compliance with NFPA 10.”

*Section 903.4.4* Insert: "Multi-Tenant Buildings. In multi-tenant buildings requiring automatic fire sprinkler systems, and where no fire alarm is required by Section 907, each tenant shall have at least one notification device (horn/strobe) to provide audible and visual notification upon activation of the listed sprinkler monitoring system."

*Section 905.4.3* Insert: "Pressure Regulating Devices. Where hose valve pressure regulating devices are installed on 2 1/2 in. (65 mm) outlets, they shall be field adjustable, capable of being adjusted through the full adjustment range by a 3/8 in. (12 mm) rod with a maximum required torque of 30 foot-pounds (41 nm) while flowing water. Field adjustment shall not require any hose valve disassembly."

*Section 905.6.3* Insert: "Pressure Regulating Devices. Where hose valve pressure regulating devices are installed on 2 1/2 in. (65 mm) outlets, they shall be field adjustable, capable of being adjusted through the full adjustment range by a 3/8 in. (12 mm) rod with a maximum required torque of 30 foot-pounds (41 nm) while flowing water. Field adjustment shall not require any hose valve disassembly."

*Section 912.6.1* Insert: "All above-ground piping exposed to the weather shall be insulated to protect from freezing."

*Section 913.5* Delete in its entirety and replace with: "Testing and maintenance. Fire pumps shall be inspected, tested and maintained in accordance with this section and NFPA 25. More specifically, a weekly test of electric fire pump assemblies shall be conducted without flowing water due to the susceptibility to lightning in our area. Records of inspection, testing and maintenance shall be maintained."

*Section 1103.5.1* Insert: "Occupancies shall have 2 years from the date of the adoption of this code to comply with the fire sprinkler installation requirements."

*Section 1103.5.3* Insert: "[December 31, 2028]"

- (e) The 2024 *International Mechanical Code* including Appendix Chapter A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Orange Beach, in the State of Alabama and the following sections are hereby revised:

*Section 101.1* Insert: "City of Orange Beach, Alabama"

*Section 108.2* Mechanical permit fees shall be in accordance with Section 42-3(C)4 of the Code of Ordinances.

*Section 108.6* Delete in its entirety and replace with: The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than twenty five percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*Section 114.4* (SPECIFY OFFENSE) Code Violation

(AMOUNT) As outlined in §1-7 of the city code.

(NUMBER OF DAYS) As outlined in §1-7 of the city code.

*Section 115.4* Insert: Any person who shall continue any work on the system after having been served with a stop work order, except such work as the person is direct to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than fifty dollars or more than one hundred dollars.

- (f) The *2024 International Plumbing Code* including Appendix Chapters C & E, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Orange Beach, in the State of Alabama and the following sections are hereby revised:

*Section 101.1* Insert: "City of Orange Beach, Alabama"

*Section 108.4* Delete in its entirety and replace with, "Any person who commences work on an installation before obtaining the necessary permits shall be subject to penalty fees in accordance with Section 42-3(C)10 of the Code of Ordinances."

*Section 108.5* Insert: "Plumbing permit fees shall be in accordance with Section 42-3(C)6 of the Code of Ordinances."

*Section 114.4* (SPECIFY OFFENSE) Code Violation

(AMOUNT) As outlined in §1-7 of the city code.

(NUMBER OF DAYS) As outlined in §1-7 of the city code.

*Section 305.4.1* Delete in its entirety.

*Section 403.2* Delete Exceptions 5 and 6.

*Section 903.1.1* Insert: "Six (6)"

- (g) The *2024 International Existing Building Code*, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Orange Beach, in the State of Alabama and the following sections are hereby revised:

*Section 101.1* Insert: "The City of Orange Beach, Alabama"

Delete all Sections of Chapter 14 and Insert 1401.1 "All commercial or residential structures (including one and two family dwellings), relocated or moved, to be utilized in a different location must be in compliance with all currently adopted building, plumbing, electrical, mechanical, and gas codes and standards. Additionally, each of the four items shall be met.

1. The owner of the structure shall provide proof that the structure was permitted and constructed under the building code edition(s) referenced in Section 42-41 of this ordinance. For building, plumbing, mechanical, electrical and gas installations not permitted in accordance with the code edition(s) referenced in Section 42-41 of this Ordinance, the owner may agree to make all necessary improvements required in order for said installations to comply with this ordinance and any local codes or standards within 30 days from the date of issuance of the moving permit. An additional one-time extension of 30 days may be granted by the building official after payment of an additional moving fee.
2. The owner must submit a letter showing that the structure has been inspected by a licensed professional pest service to be free of termites.
3. The structure must be set on the permanent foundation within 30 days of being placed onto the lot or the associated moving permit becomes void.
4. Failure to complete improvements under this section will be subject to penalties as provided by law. Proof of compliance with this section will be accompanied by a Certificate of Completion issued by the building official upon successful final inspection.

EXCEPTION: These requirements shall not apply to structures relocated within a platted lot for the purpose of correcting nonconformity in regards to setbacks or elevation."

- (h) The *2024 International Fuel Gas Code*, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Orange Beach, in the State of Alabama and the following sections are hereby revised:

*Section 101.1* Insert: "City of Orange Beach, Alabama"

*Section 105.1* Delete: "An Owner, Owners authorized agent" and Insert: "Licensed by the State of Alabama"

*Section 108.2* Insert: "Gas permit fees shall be in accordance with Section 42-3(C)7 of the Code of Ordinances."

*Section 108.4* Delete in its entirety and replace with, "Any person who commences work on an installation before obtaining the necessary permits shall be subject to penalty fees in accordance with Section 42-3(C)10 of the Code of Ordinances."

*Section 108.6* Insert: "A refund of 50 percent if work has not commenced."

*Section 113.4* (SPECIFY OFFENSE) Code Violation

(AMOUNT) As outlined in §1-7 of the city code.

(NUMBER OF DAYS) As outlined in §1-7 of the city code.

- (i) The 2024 *International Swimming Pool and Spa Code*, as published by the International Code Council, be and is hereby adopted as Swimming Pool and Spa Code of the City of Orange Beach in the State of Alabama and the following sections are hereby revised:

*Section 101.1* Insert: "The City of Orange Beach, Alabama"

*Section 105.1* Insert: "A separate permit is required for the pool barrier. The application shall be made at time of swimming pool application. The barrier shall be in accordance with section section 305 of this code. The application shall be reviewed for compliance before issuance."

*Section 109.2* Insert: "Swimming Pool and Spa Permit fees shall be in accordance with Section 42-3 of the Code of Ordinances."

*Section 113.4* (SPECIFY OFFENSE) Code Violation

(AMOUNT) As outlined in §1-7 of the city code.

(NUMBER OF DAYS) As outlined in §1-7 of the city code.

*Section 322.2.2*, "Illumination Intensity," Add exception:

Within the Beach Overlay District (hereafter referred to as the BOD) artificial lighting for outdoor pools, indoor pools and underwater lighting shall minimize the potential for negative effects to the nocturnal behaviors of nesting and hatching sea turtles and other wildlife. Outdoor pool lighting in the BOD shall provide an average of 3 foot-candles of illumination at the pool water surface and the pool wet deck surface and comply with the provisions of Section 321.2. For the purposes of this exception, the "Wet Deck Surface" shall mean the 4-foot wide (1219 mm) unobstructed pool deck area around the outside of the pool water perimeter, curb, ladders, handrails, diving boards, diving towers, pool slides, waterfalls, water features, starting blocks, planters, or lifeguard chairs. Other areas of the deck shall provide a minimum of 1 foot-candle of illumination. The pool deck light source shall be mounted as low to the ground or floor as practicable through the use of fixtures such as low-mounted wall fixtures, low bollards, and ground-level fixtures. Pole-mounted lights are not permitted for pool and pool deck lighting within the BOD. The light source shall be contained within a full cut-off or fully-shielded fixture such that no light is broadcast above a horizontal plane, and the point source of light and any reflective surfaces of the fixture are not directly visible from the beach. The lamps shall emit predominately long-wavelength light (> 580 nm). These long-wavelength light sources include low-pressure sodium vapor lamps, amber and red LEDs, true red neon lamps, and other lamps as permitted by the U.S. Fish and Wildlife Service regulations.

Indoor pool lighting within the BOD shall provide a minimum of 10 foot-candles of illumination at the pool water surface and wet deck surface and comply with Section 321.2. The glass in all exterior windows and glass doors shall be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nm wavelength) and is measured as the percentage of light that is transmitted through the glass.

All pool illumination in the BOD requires final approval from the U.S. Fish and Wildlife Service prior to the building(s) receiving a Certificate of Occupancy or the pool receiving a Certificate of Completion. Nothing in this article shall be construed to authorize, license or permit any lighting or other act or condition in violation of the federal Endangered Species Act. Artificial lighting not prohibited by this law which may be in violation of the federal Endangered Species Act may be reported to the United States Department of Interior, Fish and Wildlife Service, for resolution and enforcement under federal law. Lighting not meeting the provisions of this exception may be authorized at any time during a period of emergency.

- (j) The *2023 National Electrical Code (NFPA 70)*, as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the City of Orange Beach, in the State of Alabama and the following sections are hereby revised:

*Article 210.8(A)(9)* Insert: "The required GFCI protection for outlets below design flood elevation shall be located in the panel."

*Article 210.8(A)(13)* Insert: "For structures located in a Special Flood Hazard Area, the required GFCI protection for these outlets shall be located in the panel."

*Article 210.8(B)(4)* Insert: "Protection required by this section for outdoor receptacles at grade level and located within the Special Flood Hazard Area shall be located within the panel."

*Article 210.8(F)(3)* Insert: "for plug and cord connected hoists, the required GFCI protection shall be located in the panel."

*Article 210.52(E)* Insert: "for structures located in a Special Flood Hazard Area, the required GFCI protection for grade level outlets shall be located in the panel."

*Article 230.70(A)(1)* Delete: "or inside nearest the point of entrance of the service conductors."

- (k) For the purposes of regulating energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems in residential and commercial structures, the following codes are hereby adopted:

(1) Residential Structures—the Alabama Energy and Residential Codes including all amendments, as set forth in sections 305-2-4-.07, 305-2-4-.09, and 305-2-4-.10 of the Alabama Administrative Code.

(2) Commercial and Multi-Family Structures—the Alabama Energy and Residential Codes, including all amendments, as set forth in sections 305-2-4-.07 and 305-2-4-.08 of the Alabama Administrative Code.

- (l) The *2024 International Property Maintenance Code*, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Orange Beach in the State of Alabama and the following sections are hereby revised:

*Section 101.1* Insert: "The City of Orange Beach, Alabama"

*Section 103.1* Insert: The Community Development Department is responsible for administration and enforcement of this code. The building official is hereby designated as the "code official" for the purposes of this code.

*Section 104* Delete in its entirety.

*Section 106* Delete in its entirety and Insert: Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal to the city council, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

*Section 302.4, "Weeds,"* Insert: 12 inches

*Section 304.14* Delete in its entirety.

*Section 404* Delete in its entirety and Insert: Occupancy limitations shall be regulated by the International Building Code or International Residential Code.

*Section 602.3* Insert: November 1<sup>st</sup> - February 28<sup>th</sup>

2. All ordinances, resolutions or parts in conflict with this ordinance, to the extent of such conflict, are repealed.
3. That this Ordinance shall become effective January 1, 2026.

ADOPTED THIS 16<sup>th</sup> DAY OF DECEMBER, 2025.

  
\_\_\_\_\_  
Renee Eberly  
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing ORDINANCE 2025-1527 was posted on 12/19/2025 in the following three (3) public places:

- Orange Beach City Hall \_\_\_\_\_
- Orange Beach Post Office (n) \_\_\_\_\_
- Orange Beach Public Library (n) \_\_\_\_\_

  
\_\_\_\_\_  
Renee Eberly, City Clerk

