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**Department of Building & Revenue Services  
Building Permitting Procedures Handbook**

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Office Hours  
8:00AM – 5:00PM  
Monday – Friday

Inspection Time Frames  
Morning – 6:30AM – 9:30AM  
Afternoon – 12:00PM – 2:30PM

Mitch Morgan – Building Inspector  
Chris Cousins/Andrew Golden – City Engineer  
Justin Palmer – Fire Marshal  
Wes Greene – Fire Inspector  
Kelsey Cunningham – Permit Coordinator  
Cathy Sweeney – Business License  
Phil Brashier - Taxes

**\*\*REQUIREMENTS FOR OBTAINING A COMMERCIAL PERMIT\*\***

*Our staff at the Department of Building and Revenue Services look forward to working with everyone for the duration of your project to ensure a smooth progression of work.*



## REQUIREMENTS FOR OBTAINING A COMMERCIAL PERMIT

- \_\_\_ Copy of State of Alabama Certification on file with license
- \_\_\_ Submit Two (2) Complete stamped & signed sets of plans
- \_\_\_ Submit a PDF file with the following:
  - \_\_\_ Site Plan (including parking) and erosion control plan
  - \_\_\_ Utility Plan
  - \_\_\_ Wall Detail
  - \_\_\_ Plumbing, Mechanical & Electrical Drawings
  - \_\_\_ Landscape Drawings (Including Irrigation Plans)
  - \_\_\_ Ledger Size layout map for addressing Purposes
- \_\_\_ ALL pages are to be stamped & signed by Engineer or Architect
- \_\_\_ Plans for restaurants and pools at public assembly locations are to be submitted and approved by Health Department.

Verification of Zoning Ordinance for correct setbacks is required on each lot **before** being permitted. The builder is responsible for meeting all requirements on property setbacks.

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Contractors Signature

**\*\*NOTE: No plans will be accepted or permit issued unless all items listed above are addressed and met. \*\***

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Tom Seale, City Clerk/Treasurer



**I UNDERSTAND THAT ALL BEST MANAGEMENT PRACTICES WILL BE ENFORCED. WHICH INCLUDES SILT FENCES, HAY BALES AROUND THE LOT AND GRAVEL ON THE DRIVEWAY FOR ACCESS TO THE STRUCTURE. THE STREETS WILL BE KEPT CLEAN FROM SILT AND MUD AT ALL TIMES DURING THE CONTRUCTION. I ALSO UNDERSTAND THAT NO INSPECTIONS WILL BE GIVEN UNTIL THE BEST MANAGEMENT PRACTICES ARE IN PLACE AND APPROVED BY EITHER THE BUILDING OFFICIAL OR THE BUILDING INSPECTOR.**

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**(Please Sign)**

## Procedures for Obtaining Building Permits

### Permit Application

Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building 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 the technical codes, or to cause any such work to be done, shall first make an application to the Department of Building and Revenue Services and obtain the required permit for work. Applicants for permits must be contractors licensed to do business in the City of Pelham, or owners of the property when acting as their own contractor providing material supervision themselves.

All requests to construct, alter or change the occupancy of a building structure within the City of Pelham, require that two (2) sets of signed and stamped drawings by an engineer or architect, specifications, documents or other items to be submitted to this department for review.

### Building & Fire Codes

Effective as of this date, *September 8, 2018*, be it ordained by the Mayor and City Council of the City of Pelham, Alabama that the Pelham Code Ordinance be amended or omitted as follows in *Ordinance No. 067-09*. The Pelham Code of Ordinances has adopted the 2015 International Residential Code, 2015 International Building Code, and the 2015 International Fire Code for the City of Pelham, Alabama. See the attached ordinance.

### Types of Permits issued by Pelham

Alarm Systems	Electrical Permit	Mechanical Permit	Shell & Slab Permit
Banner Permit	Garage Sale Permit	Office Trailer Permit	Sign Permit
Blasting Permit	Gas Permit	Paving Permit	Site Activity Permit
Building Permit	House Moving Permit	Plumbing Permit	Swimming Pool Permit
Demolition Permit	Low Voltage	Roofing Permit	Tower Permit

\*\*Burn permits are issued by the Pelham Fire Department, Station 1. 205-620-6500

## **Building Permit Coverage**

A building permit covers the general contractor and the subcontractors that work under his direction on the job. The general contractor and all subcontractors are required to have a current City of Pelham Business License when working on a job in Pelham. The general contractors are required to have a State of Alabama Certification Card before a license can be issued, to insure public safety, health and general welfare to everyone concerned.

## **Inspections**

When requesting an inspection you must provide the permit number and address. All inspections must be set up by 5:00PM the preceding day (24 Hour Notice). Please leave a name and number where you can be reached. The inspector will call you if there are any questions concerning your inspection.

Your subcontractors / suppliers list is to be submitted to the Department of Building & Revenue Services as soon as possible after purchasing your permit. If you do not submit this and call to request a framing/roughs inspection, it will not be scheduled until this form has been returned to our office and all subcontractors / suppliers have been reviewed for a license with the City of Pelham, Alabama.

Inspection Time Frames are as follows; morning inspection 6:30AM – 9:30AM or afternoon inspection 12:00PM – 2:30PM.

To set up inspections please contact Kelsey Cunningham at 205-620-6411.

**\*\*Please see the attached subcontractors list\*\***

**SUBCONTRACTORS LIST**

**CITY OF PELHAM  
P. O. BOX 1238  
PELHAM, AL 35124**

PHONE: 620-6111

FAX: 663-3116

THIS FORM MUST BE COMPLETED AND PRESENTED TO THE BUILDING DEPARTMENT WHEN YOUR PERMIT IS ISSUED. YOU MUST LIST ALL SUBCONTRACTORS WHO WILL BE WORKING ON THIS JOB.

GENERAL CONTRACTOR: \_\_\_\_\_  
CONTRACTORS ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ PERMIT NUMBER: \_\_\_\_\_ STATE LICENSE: \_\_\_\_\_

Job site: \_\_\_\_\_

**\*\*IF SUPPLYING, INSTALLING, OR BOTH CIRCLE APPROPRIATE BOX\*\***

**AC / HEATING:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**CABINETS / BOOKCASES:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**CEILING / ACOUSTICAL:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**CONCRETE:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**ELEVATOR / SHAFTS:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**FENCING:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**ALARM SYSTEM:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**CARPENTERS / FRAMING:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**CLEAN UP:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**ELECTRICIAN:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**EXTERMINATOR:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**FLOORING:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**\*\*SUPPLIER    INSTALLER    BOTH**

**GLASS:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_  
**\*\*SUPPLIER INSTALLER BOTH**

**GARAGE DOORS:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_  
**\*\*SUPPLIER INSTALLER BOTH**

**LANDSCAPING / SHRUBS:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_

**METAL WALLS / PANELS:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_  
**\*\*SUPPLIER INSTALLER BOTH**

**PAINTER:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_

**PLUMBING / GAS:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_

**ROADS / STREET / DRIVEWAY:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_

**GRADING / EXCAVATING:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_

**INSULATION:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_  
**\*\*SUPPLIER INSTALLER BOTH**

**MASONRY:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_

**ORNAMENAL METAL:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_  
**\*\*SUPPLIER INSTALLER BOTH**

**INTERIOR DECORATOR:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_

**PRECAST / ROOF / DECKS:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_  
**\*\*SUPPLIER INSTALLER BOTH**

**ROOFING:**  
NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE NO: \_\_\_\_\_





## **Re-Inspections**

Effective as of this date, December 3, 2018, there will be a \$50.00 re-inspection fee for all inspections that are set up but not ready at said time and have to be rescheduled. This also applies to inspections that do not pass and have to be rescheduled. Your City of Pelham Building Permit Card has to be located on your job site in a waterproof enclosure and visible from the front of the structure being built. Failure to display your building permit card will result in no inspection and a \$50.00 re-inspection fee if the building inspector arrives at the construction site and the permit card is not displayed in the above manner.

This permit card will reflect the status of your job; if the inspector signs and dates the approval of the inspection, continue with work or call 205-620-6411 and ask about the status of the inspection. But, if the inspection is turned down, the contractor will be charged a \$50 re-inspection fee and the inspector will call the contractor to let them know what needs to be fixed. All contractors are given 10 business days to pay for re-inspection fees. However, all re-inspection fees must be paid before a final inspection can be scheduled.

## **Certificate of Occupancy (CO)**

**Commercial Properties:** After the City of Pelham Building Inspector and Fire Inspector inspects the building or structure and it is in accordance with the currently adopted codes, the Department of Building & Revenue Services will issue a Certificate of Occupancy.

**Residential Properties:** After the City of Pelham Building Inspector inspects the dwelling or structure and it is in accordance with the currently adopted codes, the Department of Building & Revenue Services will issue a Certificate of Occupancy.

## **“Typical” Erosion Control General Notes**

Sequence of erosion control activities for construction project.

1. Install Silt Fences along the side slope boundaries of the property.
2. Protect storm drain inlets downstream of construction with hay barrier and/or other protective measures.
3. Clearing and grubbing as required.
4. Apply stone to driveway to stabilize entrance to property.
5. Install silt fence around stockpiles.
6. Construct project.

7. Temporarily or permanently stabilize stripped areas and stockpiles within fourteen (14) days of last construction activity in that area.
8. Complete grading and install permanent seeding and planting.
9. Complete final paving and roads.
10. When all construction activity is complete remove silt fence and reseed bare spots or washouts.

### **Erosion Control Notes**

1. Erosion Control measures are to be accomplished to any other construction on the job site and maintained until permanent ground cover is established.
2. All construction shall be done in a logical sequence to minimize the area of exposed soil at any one time.
3. The contractor shall be responsible for all construction site safety.
4. The contractor shall be responsible for obtaining all required permits. No work is to begin until copies of all required permits are on site.
5. The contractor is to install all erosion control devices before any construction begins, such devices shall be inspected after every 0.50" of rainfall and be repaired and maintained until all construction is completed.
6. All disturbed ground left inactive for fourteen (14) or more days shall be stabilized by seeding or sodding.
7. Any sediment reaching the road way shall be removed by street cleaning, and not by flushing, before the end of each day.
8. All disturbed areas shall be seeded & mulched as per AL. D.O.T. standards and specifications or landscaped.
9. Prior to final inspection, silt fencing or filled sock bags will need to be placed at locations based on a preliminary walk through by the City of Pelham.
10. Contractor shall obtain a land disturbance permit from the City of Pelham prior to starting construction.
11. All federal, local, etc. laws shall be complied with before, during and after completion of job.

### **Developers in the corridor Overlay District (COD)**

Effective October 9, 2006, upon submittal of architectural and engineering plans for projects in the Corridor Overlay District, plans must reflect each item in the Ordinance No. 135-218. In order to clarify compliance with the ordinance, when addressing each item indicate whether or not the item has been addressed, or if it applies to the project. If the item is not reflected or obvious on the drawings, the letter should include an explanation of why the item does not apply

or of where in the plans each item has been addressed. In lieu of a letter, COD items can be noted directly on the plans.

**Streets in the COD:**

Alabama State Highway 31  
Alabama State Highway 119  
Alabama State Highway 261  
Amphitheater Road  
Applegate Parkway  
Business Park Drive  
Commerce Boulevard  
Huntley Parkway  
Interstate 65  
Metro Parkway

Oak Park Drive  
Oak Mountain State Park Road  
Old Montgomery Highway  
Shelby County Highway 11  
Shelby County Highway 17  
Shelby County Highway 35, a distance of .5 miles  
in a general northerly direction from its intersection  
with Shelby County Highway 52 W  
Shelby County Highway 52  
Southgate Drive

**Landscaping and Buffers**

Ordinance No. 135-136, See the attached.

**Construction Noise**

Ordinance No. 330, See the attached.

**Additional Information**

To look up Agendas, Budgets, Minutes, Ordinances and Resolutions please go to [www.pelhamalabama.gov](http://www.pelhamalabama.gov), scroll and click "Agenda & Minutes", click "Search our Document Archives" and the User Name and Password is lowercase pelham.

## ORDINANCE NO. 135-136

AN ORDINANCE TO AMEND THE ZONING ORDINANCE PROVIDING FOR ARTICLE XVIII, SECTION 9, SUPPLEMENTAL REGULATIONS LANDSCAPING AND BUFFERS

### ARTICLE XVIII

#### SECTION 9

#### SUPPLEMENTAL REGULATIONS

#### LANDSCAPING AND BUFFERS

##### Section 9 Landscaping and Buffers

The intent of this Section is to require landscaping and a minimum number of trees in residential areas, to establish standards for buffers required between incompatible land uses and to provide for landscaping surrounding and within vehicular areas in commercial zoning.

##### 9.01 Landscaping for Residential Dwellings

A landscaping plan shall be required as part of every zoning application, variance application and building permit application for new construction.

The following standards shall apply to the construction of residential dwellings:

- A. Prior to issue of a certificate of occupancy for residentially zoned property, on a lot that is one hundred (100) or less feet in width, the owner shall landscape and plant at least one shade tree in the front or side yards and at least two shade trees in the rear yard.
- B. Prior to issue of a certificate of occupancy for residentially zoned property, on a lot that is more than one hundred (100) feet in width, the owner shall landscape and plant at least three shade trees in the front or side yards and at least two shade trees in the rear yard.
- C. Only shade trees listed in Section 9.07 may be planted to comply with the requirements of this Section.
- D. Existing trees which are at least six (6) inches in diameter may be used toward meeting the requirements of Section 9.07, if the area within the dripline of the trees has been left in its natural condition and no filling, grading, excavation or parking of vehicles or equipment or other activity which could damage or kill the tree, has occurred within the dripline of said existing trees.
- E. To prevent sedimentation runoff, yards shall be sod laid on topsoil.

##### 9.02 Buffers

- A. **Applicability.** A Landscape Plan shall be required as part of every zoning application, variance application and building permit application for new construction that is required by this Ordinance to have a buffer.
- B. **Standards.** In order to decrease incompatibility between neighboring land uses, the following standards shall apply to all buffers required by the Zoning Ordinance whether the buffer is comprised of planted, natural or a combination of planted and natural vegetation.
  1. Prior to occupancy of the building or premises, the buffer shall provide a visually impervious barrier, uniformly dense at all heights from the ground, and a minimum of five (5) feet above

grade throughout the entire length of the buffer. Within one year after installation the buffer shall be at least six (6) feet above grade throughout the entire length of the buffer. The buffer shall be comprised of vegetation which meets or exceeds these minimum standards throughout the calendar year.

2. In the case of planted buffers, the entire surface area of the buffer shall be planted as prescribed in this Section. Only evergreen plant materials may be planted within a required buffer.
3. Public utilities and storm drainage facilities may be constructed in required buffer, provided the buffer is installed in compliance with the approved Landscaping Plan. The City may require supplemental evergreen plantings in order to mitigate the effect of land disturbance in the buffer.

**All detention and retention areas shall be sod laid on topsoil to prevent sedimentation runoff.**

4. The owner shall be responsible for the maintenance, repair and replacement of all landscaping materials and irrigation systems required by this Section. All plant material shall be maintained in a healthy growing condition, replaced when dead and kept free of weeds, refuse and debris.
5. All planted buffers shall be irrigated by an automatic irrigation system.

**9.03 Landscaping for Vehicular Areas in Commercial Zoning**

**Applicability.** These regulations apply to all areas which are located within all commercial zoning, and used for drives; off-street parking and/or loading; vehicular storage, display, maneuvering and washing; and the dispensing of motor fuels; (hereinafter referred to as vehicular areas).

A Landscaping Plan shall be required as part of every zoning application, variance application and building permit application for new construction which includes vehicular areas as herein described. This Section shall apply to new vehicular areas for all uses, except residentially zoned property. If the size of an existing vehicular area is increased by ten (10) percent or more, the new vehicular area and the existing vehicular area shall comply with the requirements of this Section; except that landscaping in the existing vehicular area shall be exempt from the irrigation requirement.

**9.04 Interior Vehicular Area Landscaping Requirements**

- A. Each vehicular area shall have interior landscaping covering not less than five (5) percent of the total vehicular area. Such landscaping shall be in addition to all planting within six (6) feet of a building.
- B. The primary landscaping materials used in vehicular areas shall be shade trees which comply with the standards of Section 9.07. Shrubs and other planting materials may be used to compliment the shade tree planting, but shall not be the sole component of the landscaping.
- C. The interior dimensions of any planting area shall be sufficient to protect all landscaping materials planted therein.
- D. All required landscaping shall be irrigated by an automatic irrigation system.

**9.05 Perimeter Landscaping Requirements Adjacent to Public Rights-of-Way**

- A. Only shade trees listed in Section 9.07 may be used to comply with the requirements of this subsection.
- B. A landscaped strip at least five (5) feet wide, which shall not include a sidewalk or trail, shall be located between the vehicular area and the public right-of-way, except where driveways cross the property line.
- C. The entire five (5) foot wide strip shall be planted with a double staggered row of shrubs. The shrubs shall be evergreen and a minimum of thirty (30) inches high at installation.
- D. At least one shade tree for every thirty (30) linear feet of required landscape strip, or portion thereof, shall be planted in the landscaped strip.
- E. Landscaping shall not be planted in a manner or location which causes a hazard to vehicles entering or within the public right-of-way.
- F. All required landscaping shall be irrigated by an automatic irrigation system.

**9.06 Maintenance and Irrigation**

- A. The owner shall be responsible for the maintenance, repair and replacement of all landscaping materials required by Section 9 of this Article. All plant material shall be tended and maintained in a healthy growing condition, replaced when dead and kept free of weeds, refuse and debris.
- B. All landscaping required in Section 9 of this Article shall be irrigated by an automatic irrigation system.

**9.07 Shade Tree List**

Only the following shade trees may be planted in order to comply with the requirements of Section 9 of this Article. All such trees shall be at least two and one half (2 and ½) inches in diameter, measured five feet above the root ball of the tree.

American Holly	Oak
Chinese Elm	Crape Myrtle
Ginkgo	Zelcova
Bradford Pear	Magnolia
Red Bud	Willow
Birch	Cherry
Dogwood	Maple
Poplar	

**9.08 Landscaping Plan**

A Landscaping Plan shall be required as part of every zoning application, variance application and building permit application for new construction that requires a buffer and/or landscaping in vehicular areas. The Landscape Plan shall be drawn to a scale no larger than one inch equals 50 feet and shall contain the following information:

- A. The location and dimension of all areas proposed for landscaping and planting, including a description of the proposed plant materials.
- B. All dimensions and distances, property lines, easements, rights-of-way and buffers.

- C. Existing and proposed buildings and structures, including signs, trash and garbage containers, utility and drainage structures.
- D. Existing and proposed buildings and structures on the subject property and adjacent property affected by a required buffer. When the finished floor elevation of buildings on the subject property differs by ten (10) feet or more from the finished floor elevation of the buildings on the adjacent property affected by the buffer, the plan shall include a cross section which accurately shows the comparative elevations of the buildings in relationship to the buffer.
- E. Bodies of water including water detention and retention areas.
- F. Driveways, vehicular areas, existing and proposed parking spaces, access aisles and other vehicular areas.
- G. Sufficient information and detail to demonstrate compliance with the requirements of this Section.

**9.09 Modification or Waiver**

The screening and planting requirements of this Section shall be applied equally to similarly classified and situated properties but may be modified or waived altogether in certain cases where a building site is subject to any of the following circumstances as determined by the Planning Commission and/or the Building Official.

- A. Where natural vegetation (trees and/or shrubs) exist on a piece of property, when application is made for a building permit, a strip of natural vegetation shall be left undisturbed until the Building Official has inspected such area. The Official will evaluate with regard to the width requirements set forth in the Zoning Ordinance for that specific use and zone, as well as suitability. The Building Official may require that the developer retain a portion of the natural vegetation as a greenbelt/buffer, where such already exists, rather than require a man-made planting strip or other methods of screening; however, such greenbelt/buffer must be sufficient in both height and/or density to achieve the desired purpose as a natural barrier.
- B. Where future development of adjacent property would make these standards unreasonable or impractical.
- C. Where, after inspection by the Building Official, it is found that two (2) different and incompatible zone districts abut each other but are already separated by a street or alley or where the view from the adjoining district is blocked by a change in grade or other natural or man-made features.

THEREUPON Jim Phillips, a member moved and Rosie Metcalf, a member seconded the move that said Ordinance be given vote. Said Ordinance passed by vote of all members of the Council present and the Mayor declared the same passed.

ADOPTED this the 21 day of Jan 2002.

Bobby Hayes  
Mayor

Rosemary Metcalf  
Council Member

Jim Phillips  
Council Member

Nieland C. Boyer  
Council Member

Karyl D. Rice  
Council Member

Michael J. Snel  
Council Member

Seal

ATTEST

Gregg A. Baker  
City Clerk



ORDINANCE #~~329~~<sup>330</sup>

AN ORDINANCE TO LIMIT OBJECTIONABLE NOISE EMANATING FROM CONSTRUCTION SITES ON CERTAIN DAYS AND DURING CERTAIN HOURS.

Whereas, the City of Pelham has determined that it is in the best interests of the residents of the City to limit noise originating from construction sites in the City that is audible and objectionable in residential areas of the City during the nighttime hours and on Sundays; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA AS FOLLOWS:

**SECTION ONE: DEFINITIONS.** For purposes of this ordinance, the following definitions shall apply:

A. "CONSTRUCTION" - shall include construction of buildings, homes or any other structure, remodeling, demolition, excavation, site preparation, site clearing, earth moving, earth contouring, site filling, site backfilling, logging, landscaping, the operation of any construction equipment and any other construction activity that requires a building or construction permit from the City of Pelham.

B. "SOUND" - energy that is transmitted by longitudinal pressure waves in air or other material and is the objective cause of the sensation of hearing.

C. "NOISE" - any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect of humans.

D. "RESIDENTIAL ZONE" - any area officially zoned by the City of Pelham as residential or any official variant of the category of residential zoning approved and adopted by the City of Pelham.

**SECTION TWO:**

A. No person, firm or corporation shall, Sunday through Friday, within the hours from 8:00 P.M. until 7:00 A.M. the following morning, operate or cause to be operated on any construction site any source of sound or other noise in such a manner as to create a sound level which is subject to detection by the normal un-aided human ear in any residential zone within the City of Pelham.

B. No person, firm or corporation shall, within the hours from 8:00 P.M. Saturday until 1:00 P.M. the following Sunday afternoon, operate or cause to be operated on any construction site any source of sound or other noise in such a manner as to create a sound level which is subject to detection by the normal un-aided human ear in any residential zone within the City of Pelham.

**SECTION THREE: EXCEPTIONS** - this ordinance shall not apply to the following:

A. Any construction activity carried out by or at the direction of any local, state or federal governmental agency or entity;

B. Any construction activity carried out by or at the direction of any public utility;

C. Any construction activity carried out by any person, firm or corporation, duly licensed by the City, during the period of any disaster, so declared by the Mayor of the City of Pelham.

**SECTION FOUR:** Any person, firm or corporation who violates any of the provisions of this ordinance shall, on conviction, be fined five hundred and 00/100 (\$500.00) Dollars and may also be sentenced to hard labor for the City, not exceeding thirty (30) days, one or both.

**SECTION FIVE:** The violation of this ordinance, or any part thereof, on more than one (1) day shall each constitute separate offenses.

**SECTION SIX:** All Ordinances, or parts of Ordinances, contrary to the provisions of this Ordinance, are specifically repealed.

**SECTION SEVEN:** The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

**SECTION EIGHT:** This Ordinance shall become effective

on 10/26, 1998.

ADOPTED AND APPROVED THIS 19 DAY OF Oct, 1998.

Bobby Hayes  
Mayor

ATTEST:

Deanna D. Batten  
City Clerk

## Contact Information

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