

1 70587-3 : n : 02/10/2005 : County and Municipal Government /  
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4 HB228 HOUSE COUNTY AND MUNICIPAL GOVERNMENT COMMITTEE  
5 ENGROSSED SUBSTITUTE

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11 A BILL  
12 TO BE ENTITLED  
13 AN ACT

14  
15 Relating to the enforcement of building codes by  
16 counties and municipalities; to amend Section 41-9-166 of the  
17 Code of Alabama 1975, to remove the prohibition against  
18 counties and municipalities applying building codes to certain  
19 state buildings.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 41-9-166 of the Code of Alabama  
22 1975, is amended to read as follows:

23 "§41-9-166.

24 "Any municipality in the State of Alabama may adopt  
25 any model building code published by the ~~Southern Building~~  
26 ~~Code Congress International~~ International Code Council and the  
27 National Electrical Code published by the National Fire

1 Protection Association as a municipal ordinance, enlarging the  
2 applicability thereof to include private buildings and  
3 structures other than private schoolhouses, hotels, public and  
4 private hospitals, and moving picture houses as it deems  
5 necessary and to prescribe penalties for violations thereof in  
6 the same manner in which other ordinances and related penalty  
7 provisions are adopted and prescribed.

8 "Any county commission similarly may adopt and  
9 enlarge the applicability of any model building code published  
10 by the ~~Southern Building Code Congress International~~  
11 International Code Council and the National Electrical Code  
12 published by the National Fire Protection Association for the  
13 county, prescribing penalties for violations thereof, by  
14 resolution duly recorded in its minutes and, after notice of  
15 four weeks, by publication once weekly in some county  
16 newspaper, if there is one published in the county, and by  
17 posted notices at the door of each courthouse in the county.

18 "Changes in the provisions of the building code  
19 effected by the building commission may be adopted similarly  
20 by counties and municipalities.

21 "~~No county or municipality shall apply the building~~  
22 ~~code to state buildings and the construction of public~~  
23 ~~schoolhouses schools or to building and construction at 2 year~~  
24 ~~public colleges and universities.~~

25 "Model building codes adopted by a county or  
26 municipality pursuant to this section shall only apply to  
27 structures and facilities on the customer's side of the

1 electric meter and shall not apply to any electric power  
2 generation, transmission, or distribution facilities on the  
3 electric service provider's side of the electric meter.

4 "Nothing contained in this section shall be  
5 construed as requiring the advertising or posting of the code  
6 itself. The provisions of this section shall be satisfied by  
7 giving of notice that it is proposed to adopt a code."

8 Section 2. This act shall become effective on the  
9 first day of the third month following its passage and  
10 approval by the Governor, or its otherwise becoming law.