

**Appendix B**

**ALABAMA BUILDING COMMISSION  
CHAPTER 170-X-1  
ORGANIZATION AND AUTHORITY**

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**170-X-1-.01 CREATION and EMPOWERMENT.**

The Alabama Building Commission was created by Act No. 128 of the 1945 regular session of the Alabama Legislature. Act No. 290, also of the 1945 regular session, authorized and directed the Alabama Building Commission to promulgate and enforce a code of minimum building standards for state building and construction, school houses, hotels, and moving picture theaters. Act No. 766 of the 1978 regular session required the Alabama Building Commission to adopt, promulgate and enforce a state building code containing energy conservation measures to be used in all future construction or remodeling of buildings which are constructed with state appropriated funds. These acts are codified in Title 41, Chapter 9, Article 6 of the Code of Alabama, 1975.

**Author:** Stedmann B. McCollough

**Authority:** Code of Ala. 1975, §§41-9-140 through 174

**History:** New, Filed: Apr 17, 1997: Certified Aug 29, 1997: Effective Oct 3, 1997

**170-X-1-.02 ORGANIZATION.**

The membership of the Alabama Building Commission consists of the Governor as chairman, the State Health Officer, the Director of Finance, the State Superintendent of Education, four (4) members from the Senate to be elected by that body at each regular session of the Legislature, and four (4) members from the House of Representatives to be elected by that body at each regular session of the Legislature. The Budget Officer of the State Department of Finance serves as the secretary, but is not a member. The Commission maintains a full-time Technical Staff, headed by a Director, through which its policies and duties are carried out.

**Author:** Stedmann B. McCollough

**Authority:** Code of Ala. 1975, §§ 41-9-140 & 41-9-141

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**170-X-1-.03 DEFINITIONS.**

As used in this administrative code the following words and phrases shall have the following meanings, respectively:

- (a) **Commission:** The Alabama Building Commission composed of the Governor, the State Health Officer, the Director of Finance, the State Superintendent of Education, four members from the Senate, and four members from the House of Representatives.

**(b) Director:** The person appointed by the Commission to serve in the senior administrative position of the Technical Staff.

**(c) Manual:** Short for the Manual of Procedures of the Alabama Building Commission, which is prepared and published by the Technical Staff to establish procedures to effect compliance with the rules of this administrative code, applicable state laws and regulations, and the policies of the Commission.

**(d) Primary Design Professional:** The Alabama registered architect, engineer, or architectural or engineering firm under contract with an awarding authority or owner.

**(e) State Building Code:** The body of building standards published by code writing organizations which has been adopted by the Commission as minimum building standards applicable to state building and construction, schoolhouses, hotels, and moving picture theaters.

**(f) Technical Staff:** The full-time staff of architects, engineers, administrators, inspectors, support personnel, and contract personnel employed to carry out the policies and duties of the Commission on a daily basis.

**Author:** Stedmann B. McCollough

**Authority:** Code of Ala. 1975, § 41-9-141

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#### **170-X-1-.04 POWERS and DUTIES.**

- (1) The Commission has full power and authority to provide for and supervise the planning, design, construction, renovation, and improvement of state buildings, including entering into contracts as necessary to implement this power and authority and to acquire land for the location of state buildings.
- (2) The Commission is authorized and empowered to make and adopt all necessary rules, regulations, and plans for its own guidance and for the proper conduct of the duties imposed upon it.
- (3) The Commission is authorized and directed to adopt, promulgate, and enforce a state building code and to keep the code updated and consistent with acceptable architectural and engineering practices. The state building code is to include an energy conservation code which shall be applicable to all buildings constructed or remodeled after May 2, 1978, with state appropriated funds or funds from any other instrumentality of the state. The Director shall prepare and offer such training and assistance as the Commission deems necessary in implementing this code.
- (4) The Commission is responsible for reviewing plans and specifications for compliance with accessibility standards prescribed by the State Fire Marshal for public buildings and facilities. The Director is authorized to construe and interpret such standards and to adopt and enforce rules and regulations prescribing additional standards prescribed by the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities: State

and Local Governments (ADAAG). (See §§ 21-4-5 & 6 for shared authority and responsibility.)

- (5) The Commission may appoint and dismiss any officers, employees and agents including competent architectural and technical employees as may be necessary to effectuate its powers and duties. All employees of the commission are subject to the provisions of the merit system.

**Author:** Stedmann B. McCollough

**Authority:** Code of Ala. 1975, §§41-9-141, 161, & 171, and 21-4-5 & 6

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