

**AMENDED BY ORD. NO. 4017**  
**AT THE MARCH 27, 2007 LAFOURCHE PARISH COUNCIL MEETING**

The following ordinance was introduced by Mr. Michael Matherne in regular session convened on November 28, 2006.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by Mr. Mark Atzenhoffer, seconded by Mr. Michael Matherne.

**ORDINANCE NO. 3998**

**ORDINANCE AMENDING ORDINANCE 3790 CREATING SECTION 5:99 AND AMENDING SECTIONS 100-110, AND ADDING SECTIONS 111-121 OF CHAPTER 5, SUB-CHAPTER B OF THE LAFOURCHE PARISH CODE OF ORDINANCE RELATIVE TO THE LAFOURCHE PARISH BUILDING CODE AND PERMIT SCHEDULE.**

**BE IT ORDAINED**, by the Lafourche Parish Council, convened in Regular Session on February 13, 2007, that:

**SECTION 1.**

**LAFOURCHE PARISH BUILDING CODE ESTABLISHED**

In accordance with Act 12 of the Louisiana Legislature's 1<sup>st</sup> Extraordinary Session, 2005, the Lafourche Parish Governing Authority adopts the 2003 International Building Code for all construction, residential and commercial within the boundaries of Lafourche Parish including the municipalities of Thibodaux, Lockport and Golden Meadow. Section \_\_\_\_\_ creates a Permitting and Inspection program within parish government in order to insure compliance with said building codes:

**5:99 Uniform Construction Code Adopted** - Effective January 1, 2007, pursuant to LA R.S. 40:1730.21 et seq., there is hereby adopted, for the purpose of regulating the construction, alterations, repair, equipment, use and occupancy and maintenance of every building or structure or any appurtenance connected or attached to such buildings or structures, excluding farm structures and recreational camps, the Louisiana State Uniform Construction Code. The Louisiana State Uniform Construction Code is incorporated as fully as if set out at length therein and shall be controlling within the boundaries of the Parish of Lafourche. The Louisiana State Uniform Construction Code shall consist of the following:

- A. International Building Code, 2006 Edition, not including Chapter 1 – Administration, Chapter 11 – Accessibility, Chapter 27 – Electrical and Chapter 29 – Plumbing Systems. The applicable standards referenced in that code are included for regulations of construction within this state.
- B. International Existing Building Code 2006 Edition, not including Chapter 1 – Administration, and the standards referenced in that code for regulations of construction within this state.
- C. International Residential Code, 2006 Edition, not including Parts I – Administrative, V – Mechanical, VII – Plumbing and VIII – Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. Appendix J. Existing Buildings and Structures, is also included for mandatory regulation. For the purposes of this Part, IRC R301.2.1.1 (Design Criteria) shall be amended as follows and shall only apply to the International Residential Code, 2006 edition.
  1. Amendment of R301.2.1.1 (Design Criteria)
  2. Item 6, The American Concrete Institute, Guide to Concrete Masonry Residential Construction in High Winds Areas, shall be added.
  3. Item 7, Institute for Business & Home Safety, Optional Code-plus Fortified for Safer Living, shall be added
  4. Item 8, Federal Alliance for Safe Homes, Optional Code-plus Blueprint for Safety, shall be added.

- D. International Mechanical Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this state.
- E. The Louisiana State Plumbing Code (Part XIV (Plumbing) of the State Sanitary Code) as amended by the state health officer acting through the office of public health of the Department of Health and Hospitals. Nothing in this Part shall be construed so as to prevent the state health officer for enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.
- F. International Fuel Gas Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this state.
- G. National Electrical Code, 2005 Edition

In lieu of an interpretation of ~~state~~ zones, wind provisions shall be applied in two zones within Lafourche Parish. The northern zone shall comply with the 130-140 mile per hour requirements with the northern zone comprising locations north of the southern end of the Larose to Golden Meadow flood gates and including areas north of the intersection of Bayou Pointe Aux Chenes and the Cut Off Canal. The southern zone shall comply with the 150 mile per hour requirements with the southern zone comprising locations south of the southern end of the Larose to Golden Meadow flood gates and areas south of the intersection of Bayou Pointe Aux Chenes and the Cut Off Canal.

The above mentioned line shall be adjusted with the initiation of the construction in Lafourche Parish of connecting comprehensive hurricane protection levees into Terrebonne and St Charles Parishes.

## PERMITS, PLAN REVIEW AND FEE SCHEDULES

### **5:100 Permit Fee Collection and Accounting**

~~**Permit Requirement**—Any and all buildings, structures and/or alterations thereto constructed in within the boundaries of Lafourche Parish or moved for placement within the boundaries of Lafourche Parish shall be required to acquire a permit from the Lafourche Parish Permit Office. Applicants must prepare an application including detailed plan drawings to be submitted as a part of said application. The structure must undergo and pass inspections including foundation, framing/roofing, electrical, gas **mechanical and energy efficiency** and plumbing. Electrical, gas, mechanical and plumbing provisions will not effect until January 1, 2007.~~

- A. **Prescribed Fees.** A building permit shall not be issued nor application for inspection (filing) accepted until the fees ~~prescribed in Section 104~~ have been paid or variances made or approved by the governing authority. Fees prescribed in Section 108 and detailed in the approved Fee Schedule shall apply toward compliance with the International Building Code. Fees prescribed in Section 121 shall apply toward right of way reviews not related to the International Building Codes and Cooperative Endeavor Agreements approved with South Central Planning and Development and the South Central Regional Code Council.

**Waivers:** Section 121 fees shall be waived when they are submitted in connection with a paid Building Code permit prescribed in Section 108

- B. **Fee Collection.** The Permit Officer shall collect all fees for permits, filings, and appeals, and shall give receipts for same. Such fees shall be deposited as directed by and with the Finance Department or other official designated by the Governing Authority of the Parish of Lafourche.
- C. **Accounting.** The Code Official shall keep a permanent and accurate accounting of all permits, licensing, filing fees and all other monies collected, the location of the building or premises to which they relate, along with the date and amount thereof, and, if applicable, names of all persons upon whose account same was paid.
- D. **Independent Third Party Use.** While provisions and fees assume that residents and property owners utilize parish inspectors and/or inspectors designated by the Lafourche Parish Government, residents and property owners may choose to retain independent certified plan reviewers and inspectors approved by the state through the Louisiana Department of Public Safety (the Louisiana Fire Marshall) or others designated by the State of Louisiana.

To opt out of parish plan review and inspection processes, a resident or property owner may contract directly or through a licensed contractor to retain certified plan reviewers and/or building inspectors. A copy of the agreement with the certified third party inspector

**D. Independent Third Party Use.** While provisions and fees assume that residents and property owners utilize parish inspectors and/or inspectors designated by the Lafourche Parish Government, residents and property owners may choose to retain independent certified plan reviewers and inspectors approved by the state through the Louisiana Department of Public Safety (the Louisiana Fire Marshall) or others designated by the State of Louisiana.

To opt out of parish plan review and inspection processes, a resident or property owner may contract directly or through a licensed contractor to retain certified plan reviewers and/or building inspectors. A copy of the certified third party agreement is required to waive the plan review and inspection portion of the fees.

**5:101 Schedule of Permit Fees.**

**A. Permit Fees.** ~~For all buildings, structures, or alterations thereto requiring a permit, a fee shall be paid, as required, at the time of application. The minimum, base permit fee for all construction work requiring permits shall be Fifty Dollars (\$50.00)~~

<b>New Residential</b> 46 8 cents per square foot
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<b>New Commercial</b> 60 11 cents per square foot
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<b>New Institutional</b> 60 11 cents per square foot
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<b>Residential and Commercial Renovations - Interior or Exterior</b>		
Minor under \$2,500	\$25.00	Includes 1 Inspection and then each additional inspection required will cost \$75.00
Minor \$2,501 to \$10, 000	\$100.00	Includes 1 Inspection and then each additional inspection required will cost \$75.00
Major \$10,001 and above	\$200.00	Includes 1 Inspection and then each additional inspection required will cost \$75.00
landscaping to follow the same renovation fee schedule + trade permits if applicable		
pools to follow the same renovation fee + trade permits if applicable		

<b>Trade Permits</b> (license holder is required to be present at inspection)
<b>Plumbing Permit</b> \$125.00 (Includes base fee of \$50.00 and \$75.00 inspection fee) Each additional inspection required will be \$75.00
<b>Electrical Permit</b> \$125.00 (Includes base fee of \$50.00 and \$75.00 inspection fee) Each additional inspection required will be \$75.00
<b>Gas Permit</b> \$125.00 (Includes base fee of \$50.00 and \$75.00 inspection fee) Each additional inspection required will be \$75.00
<b>Mechanical Permit</b> \$125.00

<b>Mobile Homes</b> \$150.00
<b>Change of Occupancy Permit</b> \$100
<b>Certificate of Compliance</b> \$100
<b>Sign Permits</b> \$100
<b>Fireworks Stands, Mardi Gras Viewing Stands and other miscellaneous Permits</b> \$100

1. A permit fee of \$50.00 is applied for the construction of the following structures:  
~~Carpports and Patios (new Construction),  
 Shed and Outbuildings (new construction under 500 square feet),  
 Fences and , Billboards, Driveways and Swimming Pools~~
2. A permit fee of \$50.00 is applied for alterations (remodel/renovate) of existing structures where the square footage of the overall structure remains the same or is increased by no more than two hundred square feet. Examples:-  
~~Garage to living area  
 Carport to living area  
 Carport to garage or storage  
 Patio cover to living area or screened room  
 Interior remodeling involving plumbing, electrical or gas~~

The construction of a building, whether commercial, residential, carport, patio cover or other associated outbuilding is strictly prohibited on a public right of way. The construction of a fence, billboard, driveway or swimming pool is strictly prohibited on public right of ways unless it can be shown that they do not interfere with the purpose and maintenance of the right of way. This determination must be made via an application and decision of the permit office.

3. ~~A permit fee is applied for commercial or residential structures based on the total area of all new construction or additions under roof. The fees are as shown in Table 5:101 A 3.~~

<b>Table 5:101 A 3 Permit Fees</b>	
<b>Size of Building Total Area of New Construction</b>	<b>Permit Fee</b>
201-1500 sq. ft.	\$250.00
1501-2500 sq. ft.	\$400.00
2501-3500 sq. ft.	\$500.00
3501 sq. ft. or 4500*	\$600.00

\*For buildings exceeding 4500 square feet, the permit fee is applied at a rate of \$.15 per square foot up \$1,500.

No amendment to a permit shall be released until the additional fee, if any, is due because of an increase in size or type of the structure.

4. Any person who commences any work on a building, structure, renovation or addition before obtaining the necessary permits, shall be subject to a penalty equal to up to one hundred percent (100%) of the usual permit fee. A fifty percent (50%) penalty shall be assessed when the violator applies on his/her own without notice of the violation by the Lafourche Parish Government. The hundred percent (100%) assessment shall be assessed after notice of the violation has been made by the Permit Officer. These penalties shall be in addition to the original required permit fees. But, the payment of such penalty fee(s) shall not relieve any person from fully complying with the requirements of this Code in the execution of the work, nor from any other penalties prescribed herein. Additional penalties shall be assessed if after inspection if it is found that the nonpermitted activity is also in violation of a specific building code requirement.

**B. PLAN REVIEW AND INSPECTION FEES (OPTIONAL)**

**In addition to Permit Fees, all permits will be required to have certified plan review and inspections provided through the parish or through hiring of third-party inspector(s). If applicant desires to have this service provided through the Parish, the fees for each service will be as follows:**

PLAN REVIEW

<u>NEW RESIDENTIAL</u>	<u>12 cents per square foot</u>
<u>NEW COMMERCIAL</u>	<u>15 cents per square foot</u>
<u>NEW INSTITUTIONAL</u>	<u>15 cents per square foot</u>

SITE INSPECTIONS

<u>NEW RESIDENTIAL</u>	<u>26 cents per square foot</u>
<u>NEW COMMERCIAL</u>	<u>34 cents per square foot</u>
<u>NEW INSTITUTIONAL</u>	<u>34 cents per square foot</u>

**NOTE: Parish provided inspection fees will include inspections for each trade stage requiring inspection per table in Section 5:104 - INSPECTIONS.**

SECTION 101  
ADMINISTRATION

**5:101.1 Title.** These provisions shall be known as the construction code of Lafourche Parish, and will be referred to herein as “this code or the code.”

**5:101.2 Scope.** The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**5:101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted herein or made a part of.

**5:101.3 Purpose.** The purpose of this code is to provide minimum requirements to safeguard the public health, safety and general welfare through, structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from hazards attributed to the built environment.

**5:101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**5:101.4.1 Building.** The provisions of the 2006 edition of the *International Building Code*, excluding Chapter 27-Electrical and Chapter 29-Plumbing Systems and including only Appendix Chapters C, “Group U—Agricultural Buildings;” Appendix D, “Fire Districts;” Appendix E, “Supplementary Accessibility Requirements;” Appendix F, “Rodent Proofing;” Appendix G, “Flood Resistant Construction;” Appendix H, “Signs;” Appendix I, “Patio Covers;” and Appendix J, “Grading,” is hereby adopted as the Building Code of [NAME OF JURISDICTION], for the purpose of regulating and governing the conditions and maintenance of all property, buildings, and structures in Lafourche Parish.

**5:101.4.2 Electrical.** The provisions of the *National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

**5:101.4.3 Gas.** The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**5:101.4.4 Mechanical.** The provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

**5:101.4.5 Plumbing.** The provisions of the 2000 edition of the Louisiana State Plumbing Code, published by the Department of Health and Hospital shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of said code shall apply to private sewage disposal systems.

**5:101.4.6 Property maintenance.** The provisions of the International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

**5:101.4.7 Fire prevention.** The provisions of the Louisiana State Uniform Fire Prevention Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**5:101.4.8 Energy.** The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

~~**5:102 Posting of Permit.** Work requiring a building permit shall not commence until the building permit has been issued and the placard placed on the premises. The permit placard shall be protected from the weather. The placard shall be located in such a position on the premises which shall allow the Code Official, or representative, to easily and continually observe. The posted placard shall authorize the Code Official to make any required entries upon the posted premises. The permit holder shall maintain the permit placard in the approved position until the Code Official issues the Certificate of Compliance.~~

## **SECTION 102** **APPLICABILITY**

**5:102.1 General.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**5:102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**5:102.3 Application of references.** References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**5:102.4 Referenced codes and standards.** The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

**5:102.5 Partial invalidity.** In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

**5:102.6 Existing structures.** The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Property Maintenance Code or the Louisiana State Uniform Fire Prevention Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

**5:102.6.1 Additions, alterations or repairs.** Additions, alterations or repairs to any structure shall conform to the requirements for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building.

**SECTION 103**  
**DEPARTMENT OF BUILDING SAFETY**

**5:103.1 Creation of enforcement agency.** The South Central Regional Construction Code Council is hereby created and shall be responsible for the overall administration of this code and the official in charge thereof shall be known as the building official. Whenever the term “department of building safety” is used in the codes adopted in this chapter, it shall mean the South Central Regional Construction Code Council.

**5:103.2 Appointment.** The regional building official shall be appointed by the chief appointing authority of the jurisdiction.

**5:103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

**5:104 Inspections:**

~~A. Existing Building Inspections. Before issuing a building permit, the Code Official may examine or cause to be examined any building, or service system(s) for which an application (filing) has been submitted to install, enlarge, alter, repair, move, demolish, or change the occupancy. The Code Official may periodically inspect all building, structures, and service systems, which are required to be maintained in compliance with this Code.~~

~~B. Grandfather Provisions. New construction, additions or renovation projects initiated prior to January 1, 2006 shall be exempt from the provisions of Ordinance (*insert this ordinance number*) as long as the applicant had a valid permit in place or can evidence the initiation of the project where no permit was required. In accordance with Act 12 and its exceptions, projects initiated after January 1, 2006 must be in compliance with the 2003 International Building Code and must comply with inspection requirements beginning on the effective date of this ordinance.~~

~~C. Inspections Prior to Certificate of Occupancy or Completion. The Code Official shall inspect or cause to be inspected periodically all construction or work for which a building permit is issued or filing has been accepted. The Code Official shall make a record of every such inspection and cite any apparent violations of the technical codes. A final inspection shall be made of every building, structure, or service system(s) upon completion, and prior to the issuance of the Certificate of Compliance.~~

~~D. Required Construction Inspections. The Code Official, upon notification from the building permit holder or agent, shall make the following inspections and such other inspections as deemed necessary, and shall either release that portion of the construction or shall notify the permit holder or agent of any apparent defects or violations which must be corrected, to comply with the technical codes. No construction may further proceed until cited deficiencies are corrected and/or approved by the Code Official:~~

~~E. Building:~~

~~1. Foundation Inspection:~~

~~Slab—Performed after all beams are excavated, forms erected, proper elevation certified, reinforcement placed, and all necessary plumbing and/or electrical installations are in place.~~

~~Pier—Floor frame inspection performed on all pier construction after sills and floor joists are installed and before floor sheathing is installed.~~

~~2. Frame Inspection: Performed after all framing, fire blocking, and bracing are in place. Framing inspection shall not be performed until all service systems, (intended to be concealed), are completed, inspected, and approved.~~

~~3. Rough-In Inspection: Performed after the roof, framing, fire blocking, and bracing are installed and prior to the installation of wall or ceiling finishing materials.~~

~~4. Final Inspection: Performed after the building is completed, proper grade and drainage is established.~~

F. Electrical:

- ~~1. Underground Inspection: Performed after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.~~
- ~~2. Final Inspection: Performed after the building is complete, all required electrical fixtures are installed and properly connected or protected, and the structure is ready for occupancy.~~

G. Gas:

- ~~1. Rough Piping Inspection: Performed after all new piping authorized has been installed, and before any such piping has been covered or concealed and before any fixtures or gas appliances have been connected.~~
- ~~2. Final Piping Inspection: Performed after all piping authorized has been installed and after all portions have been concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.~~
- ~~3. Final Inspection: Performed on all new gas work authorized and on such portions of existing systems which may be affected by new work or any changes. Such final inspection is performed to ensure compliance with all the requirements of this Code and to assure that the installation and construction of the gas system is in accordance with reviewed plans (where applicable).~~

H. Plumbing:

- ~~1. Underground Inspection: Performed after trenches or ditches are excavated, piping and hangers installed, and before any backfill is put in place. Further, a second "hanger count" approval is also required prior to pouring of foundation.~~
- ~~2. Rough-In Inspection: Performed after the roof, framing, fire blocking, and bracing is installed and all soil, waste, and vent piping is complete, and prior to this installation of wall or ceiling final materials.~~
- ~~3. Final Inspection: Performed after the building is complete, all plumbing fixtures are installed and properly connected, and the structure is ready for occupancy.~~

~~In all cases, the Code Official shall have authority to inspect at all reasonable hours any phase of any work regulated by the provisions of this Code.~~

I. Written Release:

~~Work shall not be done on any part of a building, structure, electrical, gas, mechanical, or plumbing system beyond the point indicated in each successive inspection without first obtaining a written release from the Code Official. Such written release shall be given only after an inspection has been made of each successive step in the construction or installation as indicated by each of the aforementioned inspections.~~

J. Reinforcing Steel and Structural Frames:

~~Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining a release from the Code Official.~~

**SECTION 104**  
**DUTIES AND POWERS OF BUILDING OFFICIAL**

**5:104.1 General.** The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

**5:104.2 Applications and permits.** The building official or his designee shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

**5:104.3 Notices and orders.** The building official or his designee shall issue all necessary notices or orders to ensure compliance with this code.

**5:104.4 Inspections.** The building official shall have the authority to make all of the required inspections and/or accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**5:104.5 Identification.** The building official and his designees shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**5:104.6 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 is 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.

**5:104.7 Department records.** The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

**5:104.8 Liability.** The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**5:104.9 Approved materials and equipment.** Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

**5:104.9.1 Used materials and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Used materials, equipment and devices shall not be reused unless approved by the building official or his designee.

**5:104.10 Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special circumstance makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety requirements or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the local jurisdiction.

**5:104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with the specific performance-based provisions of the *International Codes* in lieu of specific requirements of this code shall also be permitted as an alternate.

**5:104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

**5:104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

5:105 Inspection Fees

~~A. An inspection fee is applied for commercial or residential structures based on the total area of all new construction or additions under roof. Final inspection fees shall be calculated based on the number of actual times that the permit office is required to send an inspector to the project site. When in-house inspectors are available, these basic inspections shall be calculated at a rate of \$75 per inspection. Table 104.2.3.1 shall provide for minimum fees charged by category and collected with the application.~~

Table 104.2.3.1 Initial Minimum Inspection Fees	
Size of Building Total Area of New Construction	Inspection Fee
201-1500 sq. ft.	\$400.00
1501-2500 sq. ft.	\$400.00
2501-3500 sq. ft.	\$.16 per square foot
3501 sq. ft. or more	\$.16 per square foot

~~B. Re-Inspection Fees. In all cases where re-inspections are requested by the permit, license, or certificate holder (or agent) or is mandated by the Code Official, the following pro-rated schedule of re-inspection fees shall apply for all trades (Building, Electrical, Gas, and Plumbing):~~

~~1. Re-Inspection Fees Schedule~~

<del>1<sup>st</sup> re inspection</del>	<del>\$ 75.00</del>
<del>2<sup>nd</sup> re inspection</del>	<del>\$150.00</del>
<del>3<sup>rd</sup> re inspection</del>	<del>\$225.00</del>

~~2. Failure to pass successfully the 3<sup>rd</sup> re inspection shall prompt the Code Official to review the Contractor's license or certificate and/or the issued building permit. Said review may result in the suspension of the Contractor's license or certificate, revocation of the building permit and/or require the builder to hire a licensed contractor to complete the construction.~~

~~C. Outside Normal Business Hours Inspections. When an inspection by the Building, Electrical, Gas, or Plumbing Sections is requested by a licensed contractor for inspections before or after designated working hours, the contractor shall be charged as follows for the first three (3) hours:~~

<del>After-hours inspection (Monday through Friday)</del>	<del>\$150.00</del>
<del>Weekend inspection (Saturday or Sunday)</del>	<del>\$175.00</del>
<del>Holidays</del>	<del>\$200.00</del>

~~A fee of Fifty Dollars (\$50.00) per hour shall be charged for each additional hour or fraction thereof.~~

**SECTION 105**  
**PERMITS**

**5:105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or 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, shall first make application to the building official and obtain the required permit.

**5:105.1.1 Annual Maintenance permit.** In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit.

**5:105.1.2 Annual Maintenance permit records.** The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

**5:105.2 Work exempt from permit.** Exemption from 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. Permits shall not be required for the following:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet.
2. 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 or impounding Class I, II or IIIA liquids.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.
6. Prefabricated swimming pools that are installed entirely above ground.
7. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional structural support.
10. Nonfixed and movable fixtures, cases, racks, counters and partitions.

**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.

Minor repair work shall be defined as any work to repair, remove or replace existing electrical systems with a project value of less than \$500 including labor and material. The resident will be responsible for using code approved material.

**Install or replacement:** A permit shall not be required to install or replace a manufactured appliance utilizing an existing electrical outlet that meets the manufacturers requirements.

**Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

**Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**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 appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
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 coolers.
7. Self-contained refrigeration systems containing 10 pounds (5 kg) or less of refrigerant and/or that are actuated by motors or compressors of 1 horsepower (746 W) or less.
8. 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 that for purposes of complying with the exemption that it is removed or replaced with like or improved new material in accordance with this code and that the project value is less than \$500 including labor and material.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of lavatories and water closets, provided such repairs do not involve or require the rearrangement of valves, pipes or fixtures and the project value is less than \$500 including labor and material.

**5:105.2.1 Emergency repairs.** Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within three (3) working business day to the building official.

**5:105.2.2 Repairs.** Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**5:105.2.3 Public service agencies.** A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

**5:105.3 Application for permit.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the local jurisdiction for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

**5:105.3.1 Action on application.** The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

**5:105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**5:105.4 Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

**5:105.5 Expiration.** Permits shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period exceeding 180 days after the time the work is commenced. The building official or his designee is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**5:105.6 Suspension or revocation.** The building official or his designee is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

**5:105.7 Placement of permit.** The building permit or copy thereof shall be kept on the site of the work and remain visible from the road or nearest public property until the completion of the project.

**5:105.8 Responsibility.** It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.

~~5:106 Building Investigation/Violation Fees. Whenever alleged any work, for which a building permit is required, under the provisions of this Code, has commenced without a proper building permit authorizing same, an investigation shall be made. The penalty for not having a permit is detailed in Section 5:101(A)4. An additional \$300 **100.00** violation fee shall be imposed when a permit holder proceeds without inspection. This fee shall be assessed for each inspection missed. Exception may be made when the parish fails to send an inspector within 72- **48** hours of the request excluding weekends and holidays.~~

## **SECTION 106** **CONSTRUCTION DOCUMENTS**

**5:106.1 Submittal documents.** Construction documents, statement of special inspection and structural observation programs and other data shall be submitted in one or more sets with each permit application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which 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.

**Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

**5:106.1.1 Information on construction documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

**5:106.1.1.1 Fire protection system shop drawings.** Shop drawings for the fire protection system(s) for commercial buildings shall be submitted to the Louisiana State Fire Marshal's office.

**5:106.1.2 Manufacturer's installation instructions.** Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

**5:106.1.3 Means of egress.** The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. For commercial/industrial, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

**5:106.1.4 Information for construction in flood hazard areas.** For buildings and structures located in whole or in part in flood hazard areas as established by the local jurisdiction, construction documents shall include:

1. Delineation of flood hazard areas, floodway boundaries and flood zones and the design flood elevation, as appropriate;
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade; and
3. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V Zone); and
4. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

**5:106.1.5 Exterior wall envelope.** Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

**5:106.2 Site plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, and distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

**5:106.3 Examination of documents.** The building official shall examine or cause to be examined the accompanying construction documents for code compliance and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**5:106.3.1 Approval of construction documents.** When the building official issues a permit, the construction documents shall be approved, in writing or by a stamp, as “Reviewed for Code Compliance.” One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his duly authorized representative.

**5:106.3.2 Previous approvals.** This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

**5:106.3.3 Phased approval.** The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder’s own risk with the building operation and without assurance that a permit for the entire structure will be granted.

**5:106.3.4 Design professional in responsible charge.**

**5:106.3.4.1 General.** When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

**5:106.3.4.2 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official.

**5:106.4 Amended construction documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

**5:106.5 Retention of construction documents.** One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

~~5:107 Electrical Investigation/Violation Fees. Whenever above investigation discovers an electrical code violation the violation fee shall be Three One Dollars (\$3 \$100.00). This violation fee is in addition to the original required permit or other penalties imposed by this code.~~

**SECTION 107**  
**TEMPORARY STRUCTURES AND USES**

**5:107.1 General.** The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

**5:107.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

**5:107.3 Temporary power.** The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *National Electrical Code*.

**5:107.4 Termination of approval.** The building official or his designee is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

~~5:108 Gas and Mechanical Investigation/ Violation Fees. Whenever above investigation discovers a gas and mechanical code violation, the violation fee shall be Three **One** Hundred Dollars (\$3 **\$100.00**). This violation fee is in addition to the original required permit or other penalties imposed by this Code.~~

**SECTION 108**  
**FEES**

**5:108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**5:108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

A building permit shall not be issued, nor shall the application for a building permit be accepted, until the fees prescribed in this section shall have been paid. Nor shall an amendment to a permit application be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure shall have been paid. A certificate of occupancy shall not be issued, nor shall the certificate of occupancy application be accepted, until the fees prescribed in this section shall have been paid.

All building permits expire one (1) year from the date of issuance. A written extension may be applied for continuance of permit but in no instance shall extensions exceed one (1) additional year.

**5:108.3 Building permit valuations.** Building permit valuation shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor.

**5:108.4 Work commencing before permit issuance.** Any person who without prior permission from the building official commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the local jurisdiction that may be in addition to the required permit fees.

**5:108.5 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of compliance to the law.

**5:108.6 Refunds.** The South Central Regional Construction Code Council is authorized to establish a refund policy.

~~5:109 Plumbing Investigation/ Violation Fees. Whenever above investigation discovers any plumbing code violation, the violation fee is shall be Three **One** Hundred Dollars (\$3 **\$100.00**). This violation fee is in addition to the original required permit or other penalties imposed by this code.~~

## SECTION 109 INSPECTIONS

**5:109.1. Foundation inspection.** Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.

**5:109.1.1 Concrete slab and under-floor inspection.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the sub floor.

**5:109.1.2 Plumbing, mechanical, gas and electrical systems inspections.** 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 framing inspection.

**Exception:** Back-filling of ground-source heat pump loop systems tested in accordance with Section M2105. 1 prior to inspection shall be permitted.

**5:109.1.3 Floodplain inspections.** For construction in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement, required in Section R324.

**5:109.1.4 Frame and masonry inspection.** Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved.

**5:109.1.5. Fire-resistance-rated construction inspection.** Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished.

**5:109.1.5.1 Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection.** Reinforced masonry walls, insulating concrete form (ICF) walls and conventionally formed concrete walls shall be inspected after plumbing, mechanical, and electrical systems embedded within the walls, and reinforcing steel are in place and prior to placement of grout or concrete. Inspection shall verify the correct size, location, spacing, and lapping of reinforcing. For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of this code.

**5:109.3.7 Energy efficiency inspections.** Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation  $R$  and  $U$  values, fenestration  $U$  value, duct system  $R$  value, and HVAC and water-heating equipment efficiency.

**5:109.1.5 Other inspections.** In addition to the called inspections above, the building official may make or require any other inspections to ascertain compliance with this code and other laws enforced by the building official.

**5:109.1.6 Final inspection.** Final inspection shall be made after the permitted work is complete and prior to occupancy.

**5:109.2 Inspection agencies.** The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**5:109.3 Inspection requests.** It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

**5:109.4 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 inspections and shall either indicate the portion of the construction

that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

**5:109.1 General.** Construction or work for which a permit is required shall be subject to inspection by the building code official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

**5:109.2 Preliminary inspection.** Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

#### 5:110 Certificates

~~A. Certificate of Compliance. Upon satisfactory completion of permitted construction of a building (or structure) and installation of the required service systems, in accordance with the adopted codes, reviewed plans and specifications, and after all final inspections are satisfactory, the Code Official shall issue a Certificate of Compliance. The Certificate of Compliance shall state the nature of the use(s) permitted and shall authorize the connection to utility service systems. No building shall be lawfully occupied until the appropriate Certificate of Compliance has been issued by the Code Official. The Code Official retains full right of entry to the premises, building, or structure until the appropriate Certificate of Compliance has been issued.~~

~~However, the Certificate of Compliance does not grant authority to occupy or connect the service systems of a building permitted as a “shell only” building. For the purposes of this section, the term “shell only” shall mean a building with a structural foundation, enclosing walls and a roof, but containing no electrical, mechanical, or above-grade plumbing service systems.~~

~~B. Use and Occupancy. A building or portion thereof shall not be used or occupied nor shall a change in the nature of use or occupancy of a building or portion thereof be made until the Code Official has issued such written authorization.~~

~~Where permitted construction work has been completed, the issued Certificate of Compliance shall authorize Use and Occupancy.~~

~~1. Temporary/Partial Occupancy. At the discretion of the Code Official, a temporary/partial Use and Occupancy may be granted for a portion or portions of a building which may be safely occupied prior to final completion of the entire building (or permitted work area). Said partial use and occupancy granted during ongoing construction work shall be maintained in full compliance with the applicable NFPA Standard(s) for occupying portions of a building with ongoing construction work. Under no circumstances should any entity, using or occupying areas under such limited terms, be granted a Certificate of Compliance.~~

### **SECTION 110** **CERTIFICATE OF OCCUPANCY**

**5:110.1 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 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.

#### Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under Section 105.2.
2. Accessory buildings or structures.

**5:110.2 Change in use.** Changes in the character or use of an existing structure shall not be made except as specified in Sections 3406 and 3407 of the *International Building Code*.

**5:110.3 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the local jurisdiction, the building official or his designee shall issue a certificate of occupancy which 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 for the occupancy and division of occupancy and the use for which the proposed occupancy was permitted.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The type of construction.
9. The design occupant load.
10. If an automatic sprinkler system is provided, whether or not the sprinkler system is required.
11. Any special stipulations and conditions of the building permit.

**5:110.4 Temporary occupancy.** 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.

**5:110.5 Revocation.** The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion 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 111** **SERVICE UTILITIES**

**5:111.1 Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

**5:111.2 Temporary connection.** The building official shall have the authority to authorize and approve the temporary connection of the building or system to the utility source of energy, fuel or power.

**5:111.3 Authority to disconnect service utilities.** The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the required approval. The building official shall notify the serving utility and, whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

**SECTION 112**  
**BOARD OF APPEALS**

**5:112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the South Central Regional Construction Code Council and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

**5:112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**5:112.3 Qualifications.** The board of appeals shall consist of members who are chief elected officials of each participating jurisdiction or their designee.

**5:112.4 Administration.** The building official shall take immediate action in accordance with the decision of the board.

**SECTION 113 VIOLATIONS**

**5:113.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

**5:113.2 Notice of violation.** The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detailed statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**5:113.3 Prosecution of violation.** If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**5:113.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

**SECTION 114**  
**STOP WORK ORDER**

**5:114.1 Notice to owner.** Upon notice from the building official that work on any building or structure is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work and shall state the conditions under which work will be permitted to resume.

**5:114.2 Unlawful continuance.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

**SECTION 115**  
**UNSAFE STRUCTURES AND EQUIPMENT**

**5:115.1 Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and

as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

**5:115.2 Record.** The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

**5:115.3 Notice.** If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

**5:115.4 Method of service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

**5:115.5 Restoration.** The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of this code.

#### 5:120 Right of Way Considerations

The construction of a building, whether commercial, residential, carport, patio cover or other associated outbuilding is strictly prohibited on a public right of way. The construction of a fence, billboard, driveway or swimming pool is strictly prohibited on public right of ways unless it can be shown that they do not interfere with the purpose and maintenance of the right of way. The construction of buried private water lines and natural gas lines are restricted within public right of ways. They must be buried longitudinally along the outer edge of the right of way and crossed perpendicularly to the right of way to minimize interference with the use of the right of way. Should the parish or public utility require the removal or relocation of said water or natural gas line, the cost of removal or relocation shall be borne by the private owner of the line.

#### 5:121 Permit for Right of Way Considerations

A permit fee of \$50.00 is applied for the construction of the following structures:

Fences, Billboards, Driveways, and above ground Swimming Pools, Water Line and Natural Gas Lines.

**SECTION 2.** If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not effect other provisions, items of this ordinance which can be given affect without the invalid provisions, items or application, and to this end the provisions of this ordinance are declared severable.

**SECTION 3.** All Ordinance or parts of Ordinances by the Lafourche Parish Council conflicting with or inconsistent with the provisions of these regulations are hereby repealed.

**SECTION 4.** This Ordinance shall be published in the Official Journal of the Lafourche Parish Council in the manner provided by law.

**SECTION 5.** This Ordinance, having been submitted in writing, having been read and adopted by sections at a public meeting of said council, was then submitted to an official vote as a whole, the vote thereon being as follows:

<b>YEAS:</b>	Mr. Tyrone Williams	Dr. Tommy Lasseigne	Mr. Brent Callais
	Mr. Michael Delatte	Mr. Mark Atzenhoffer	Mr. Daniel Lorraine
	Mr. Michael Matherne	Mr. Lindel Toups	
<b>NAYS:</b>	None		
<b>ABSENT:</b>	Mr. Phillip Gouaux		

SECTION 6. This Ordinance shall become effective on April 1, 2007.

/s/ Tommy Lasseigne  
**TOMMY LASSEIGNE, CHAIRMAN**  
**LAFOURCHE PARISH COUNCIL**

/s/ Sheila B. Boudreaux  
**SHEILA B. BOUDREAUX, COUNCIL CLERK**  
**LAFOURCHE PARISH COUNCIL**

\* \* \* \* \*

**Delivered to the Parish President on**

February 22, 2007, at 11:00 a.m.

**APPROVED:**            X    

**UNAPPROVED:**              

**VETOED:**                   

/s/ Charlotte A. Randolph  
**Lafourche Parish President**

**Returned to the Council Clerk on**

February 28, 2007, at 4:00 p.m.

\* \* \* \* \*

I, SHEILA B. BOUDREAUX, Council Clerk for the Lafourche Parish Council, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 3998, enacted by the Assembled Council in Regular Session on February 13, 2007, at which meeting a quorum was present, and was finally adopted on February 28, 2007.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 1ST, DAY OF MARCH, 2007.

/s/ Sheila B. Boudreaux  
**SHEILA B. BOUDREAUX, COUNCIL CLERK**  
**LAFOURCHE PARISH COUNCIL**

DATE PUBLISHED: MARCH 9, 2007

DATE EFFECTIVE: APRIL 1, 2007