

A motion was made by Pat Cluse and seconded by Lisa Nelson that the following ordinance be adopted:

ORDINANCE NO. 11-02-0940-OR

AN ORDINANCE TO AMEND ORDINANCE NUMBERS 06-12-0718-OR, 07-04-0725-OR, AND 10-04-0882-OR OF THE CODE OF ORDINANCES FOR ST. MARTIN PARISH, LOUISIANA, BY THE REPEAL, AMENDMENT, REVISION, AND/OR RE-ENACTMENT THEREOF, ALL RELATIVE TO THE ADOPTION OF THE LOUISIANA STATE UNIFORM CONSTRUCTION CODE PURSUANT TO THE REQUIREMENTS AND MANDATES OF L.A.R.S. 40:1730.21, ET SEQ, TO PROVIDE FOR THE ENFORCEMENT THEREOF, AUTHORITY FOR COOPERATIVE AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES AND SERVICES FROM THIRD PARTIES, THE ADOPTION AND PROMULGATION OF A FEE SCHEDULE, AN EFFECTIVE DATE THEREOF, AND ALL MATTERS RELATED THERETO.

BE IT ORDAINED by the St. Martin Parish Council, duly convened in regular session on the 1st day of February, 2011, that:

Chapter 6 of the Code of Ordinances for St. Martin Parish and Ordinance Numbers 06-12-0718-OR, 07-04-0725-OR, and 10-04-0882-OR of the Code of Ordinances for St. Martin Parish, Louisiana, be amended by the repeal, revision, and re-enactment of Sections 6-2 through 6-2.3 thereof as follows:

Section 6-2. Adoption of Louisiana State Uniform Construction Code.

A. The Louisiana State Uniform Construction Code as adopted and amended by the Louisiana State Uniform Construction Code Council is hereby adopted by the Parish Government of St. Martin Parish, Louisiana, for the purpose of the regulation of the construction, reconstruction, alteration, repair, installation of mechanical devices and equipment, the use, 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 is incorporated as fully as if set out in length herein and shall be controlling within the unincorporated areas of St. Martin Parish, Louisiana.

B. The following nationally recognized codes and standards are hereby adopted fully by reference, to-wit:

1. ***International Building Code, 2009 Edition***, 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 regulation of construction within St. Martin Parish , Louisiana, and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.
2. ***International Existing Building Code, 2009Edition***, including Chapter 1 - Administration and the standards referenced in that code for regulation of construction within St. Martin Parish, Louisiana, and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.
3. ***International Residential Code, 2009 Edition***, including Parts I - Administration, V - Mechanical, VII - Plumbing, and VIII - Electrical. The enforcement of such standards shall be mandatory only with respect to new construction, reconstruction, additions to homes previously built to the International Residential Code, and extensive alterations. The applicable standards referenced in that code are included for regulation of construction within St. Martin Parish, Louisiana. Appendix J - Existing Building and Structures is also included for mandatory regulation of construction within St. Martin Parish and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council. For purposes of this part, IRC R301.2.1.1 (Design Criteria) is amended as follows and shall only apply to the ***International Residential Code, 2009 Edition***:

- A. Amendment of R301.2.1.1 (Design Criteria)
- B. Item 6, the American Concrete Institute, *Guide to Concrete Masonry, Residential Construction in High Winds Areas*, is added.
- C. Item 7, Institute for Business and Home Safety, *Optional Code Fortified for Safer Living*, is added.
- D. Item 8, Federal Allegiance for Safe Homes, *Optional Code - plus Blueprint for Safety*, is added.
- E. Item 9, International Code Council ICC Standards for Residential Construction in High Wind Regions (ICC-600), shall be added.
- F. Item 10, Structural Insulated Panel (SIP) wall shall be designed in accordance of the 2009 IRC.

Additionally, Section 302, R302.1 Exterior Walls shall be amended to add the following exception: on lots that are fifty (50) feet or less in width and that contain a one or two family dwelling or townhouse that was in existence prior to October 1, 2005, the following are permitted for rebuilding:

- A. A projection two (2) feet from the property line with a one hour minimum fire-resistance rating on the underside.
- B. A wall three (3) feet or more from the property with a zero minimum fire-resistance rating.

Moreover, the International Residence Code shall be amended as follows:

- A. Substitute Chapter 3, Section R317 Dwelling Unit Separation of the 2006 IRC, in lieu of Section 313 Automatic Fire Sprinkler Systems of the 2009 IRC. Also, Chapter 3, Section R 302.2 Townhouses, of the 2009 IRC, is amended as follows: a common 2 hour fire-

resistance rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be installed in accordance with Chapters 34-43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4. Furthermore, Chapter 3 Section R302.2.4 Structural Independence, of the 2009 IRC is amended as follows: Number 5 Townhouses separated by a common two hour fire-resistance rated wall as provided in Section R302.2 Townhouses as amended above.

- B. Amend Chapter 3, Section R315.2 where required in existing dwellings. When alterations, repairs, or additions occur or where one or more sleeping rooms are added or created in existing dwellings that have attached garages or in existing dwellings within which fuel fired appliances exist, carbon monoxide alarms shall be provided in accordance with Section R315.1.
- C. Substitute Chapter 11, Energy Efficiency of the 2006 IRC, in lieu of Chapter 11 Energy Efficiency of the 2009 IRC.

4. ***International Mechanical Code, 2009 Edition***, and the standards referenced in that code for regulation of construction within St. Martin Parish, Louisiana, and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council. Also included for regulation, the Louisiana One and Two Family Supplement to the 2006 International Mechanical Code. Furthermore, the International Mechanical Code, 2006 Edition, Chapter 1, Section 101.2 Scope is amended as follows: Detached one and two family dwellings

and multiple single family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the Louisiana One and Two Family Supplement to the 2006 International Mechanical Code. Furthermore, the IMC shall be amended to include the following:

- A. Amend Chapter 1, Section 103.2. The code official shall be appointed by the chief appointing authority of the Parish; and, the code official shall be subject to removal under the same circumstances and pursuant to the identical procedures for the removal of any other Parish employee.
- B. Amend Chapter 6, Section 606.4.1 Supervision. The duct smoke detectors shall be connected to a fire alarm system where a fire alarm system is required by Section 907.2 of the International Fire Code or a substitute code adopted by the Parish Government. The actuation of a duct smoke detector shall activate a visible and audible supervisory signal at a constantly attended location.

5. **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 from enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.

6. ***International Fuel Gas Code, 2009 Edition***, and the standards referenced in that code for regulation of construction within St. Martin Parish, Louisiana, and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.

7. *National Electrical Code, 2008 Edition*, effective January 1, 2010.

Section 6-2.1. Appointment of Parish Inspector, Certification, and Enforcement Authority.

A. The Parish Inspector shall be that employee of St. Martin Parish, Louisiana, so designated by the Parish President in his capacity as the Chief Executive Officer for Parish Government.

B. The Building Official and Inspector shall enforce only the international codes and regulations specifically adopted in this article, as amended and as mandated under the provisions of *La.R.S. 40:1730.21*, et seq.

C. The Parish Inspector and any official/inspector shall become certified in accordance with the requirements for certification and education of code enforcement officers, code enforcement inspectors, and building officials as required by the Louisiana State Uniform Construction Code Council, all in accordance with law.

Section 6-2.2. Authorization for Cooperative Agreements and Enforcement Services from Certified Third Party Providers.

A. The Parish President is hereby authorized, with approval by the Parish Council, to negotiate, establish, and execute cooperative agreements with other governmental entities of the State of Louisiana, parishes and/or municipalities, and/or to engage by contract certified third party providers to provide services, including, but not limited to, the review of plans, inspection of premises, enforcement, training, and/or other services as may be necessary and appropriate in his sole discretion, including discharging the duties of the officials referenced in Section 6-16.1.

B. The Parish President, is hereby further authorized and empowered to negotiate, fix, and/or accept fees and charges with or established by the State of Louisiana or other parish or municipality and/or to negotiate fees and charges with certified third party providers in his sole discretion.

Section 6-2.3. Permits and Fees.

The fees set forth in Exhibit A shall be imposed and collected by the duly designated agent of St. Martin Parish, Louisiana, prior to the issuance of any building permit. In connection therewith, any applicant for a building permit shall, contemporaneously with the application, present to the said agent plans, specifications, and/or blueprints setting in precise numbers the total square footage of the proposed building. The building permit fee shall then be imposed in accordance with the schedule set forth in Exhibit A.

All outbuildings such as unattached garages, workshops, sheds, pool houses, and the like shall be permitted on a square footage basis as set forth herein. Furthermore, all towers, pylon signs, and related structures shall be permitted at the rate of \$5.00 per \$1,000.00 cost or value, with a minimum fee of \$50.00.

All electrical hookup costs and any transfer of electrical services from one person or firm to another are hereby fixed at \$25.00.

In the event that any person, firm, or juridical entity commences any construction activities for which a permit and the payment of fees is required, then any permit fee due shall be double the amount which would otherwise be due under the provisions of this Chapter.

BE IT FURTHER ORDAINED by the Parish Council for St. Martin Parish, Louisiana, duly convened in regular session on the 1st day of February, 2011, that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.

BE IT FURTHER ORDAINED by the Parish for St. Martin Parish, Louisiana, duly convened in regular session on the 1st day of February , 2011, that this ordinance shall become effective as provided by Section 2-12 of the Home Rule Charter of St. Martin Parish, Louisiana.

This Ordinance shall become effective immediately upon approval of the St. Martin Parish Council and the signature of the Parish President.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Carroll Delahoussaye, Lisa Nelson, Jason Willis, Mike Huval,
Jill Hebert, Pat Cluse, and Dean Dore'.

NAYS: None.

ABSTAIN: None.

ABSENT: Lloyd Higginbotham (excused) and James Hebert.

And the Ordinance was declared adopted this 1st day of February, 2011.

I, LACI LAPEROUSE, CLERK OF THE ST. MARTIN PARISH COUNCIL, do hereby certify that this is a true and correct copy of the Ordinance adopted by the St. Martin Parish Council, in Regular Session convened on the 1st day of February, 2011, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE, this 4th day of February, 2011, St. Martinville, Louisiana.

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LACI LAPEROUSE, CLERK
ST. MARTIN PARISH COUNCIL