

Title 55 PUBLIC SAFETY

Part VI. Uniform Construction Code Enforcement

Editor's Note: The Uniform Construction Code, LAC 55:VI.Chapters 1-3, has been moved to LAC 17-Construction.

Chapter 5. Enforcement of Louisiana State Uniform Construction Code

§501. General

A. Effective January 1, 2007, all municipalities and parishes shall enforce the Louisiana State Uniform Construction Code. Municipalities and parishes may establish agreements with other governmental entities or registered and certified third party providers to issue permits and enforce the state uniform construction code. No municipality or parish shall require that residential building plans for one and two family dwellings be prepared or stamped by a licensed architect or engineer if the dwelling falls within the prescriptive codes of the Louisiana State Uniform Construction Code, except as required by Chapter 12 of the Louisiana State Plumbing Code.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007).

§503. Farm or Recreational Structures

A. Definitions

1. For the purposes of these regulations the words defined in this Section have the following meaning.

Farm Structure—a structure which is constructed on a farm, other than a residence or structure attached to it, for use on the farm including, but not limited to barns, sheds and poultry houses.

Private Outdoor Recreational Structure—a hunting or fishing camp or other structure that is:

- i. not used as a residence; ii. not attached to a residence; iii. not utilizing the same physical address of a residence;
- iv. not located on the same property as a residence;
- v. not capable of qualifying for a homestead exemption;
- vi. not used for commercial purposes;
- vii. not located within the corporate limits of a municipality; and
- viii. not located in an approved subdivision within a jurisdiction:

(a). for purposes of this Section, residence shall have the following meaning: a dwelling unit used or occupied or intended to be used or occupied for permanent living purposes as opposed to one's place of temporary sojourn.

B. Exemptions to State Uniform Construction Code

1. The governing authority of a parish or municipality may not enforce the Louisiana State Uniform Construction Code pertaining to the construction or improvement of a

farm structure or private outdoor recreational structure. For private outdoor recreational structures only, the property owner of record, in applying for an exemption, shall execute an affidavit attesting to the property's or structure's exempt status. The affidavit shall be filed into the parish conveyance records.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:2407 (November 2008).

§504. Exemption for Industrial Facilities

A. For purposes of R.S. 1730.29, the exemption (excluding the applicable requirements of the Louisiana State Plumbing Code) for industrial facilities shall apply to any structure or building constructed inside the restricted access area of the facility. However, any structure or building that is constructed outside the restricted access area of the facility or any structure or building located inside the restricted access area of the facility that is accessible by the public are subject to the requirements of the Louisiana State Uniform Construction Code.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 34:2408 (November 2008).

§505. Commercial Plan Review

A. Until December 31, 2007, where a parish or municipality is not providing plan review, architects, engineers, owners, parishes or municipalities on commercial projects may request International Building Code plan review by the Office of the State Fire Marshal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 33:1683 (August 2007), amended LR 35:2819 (December 2009), repromulgated LR 36:327 (February 2010).

Chapter 7. Certificates of Registration

§701. General

A. On and after January 1, 2007, no person shall practice as a code enforcement officer in this state unless registered with the Louisiana State Uniform Construction Code Council (council). A person desiring to be registered as a parish or

municipality building code enforcement officer or a third party provider shall apply to the council for a

certificate of registration. The applicant shall apply on the application form prescribed by the council. An applicant shall furnish satisfactory proof to the council of valid certification. A certificate of registration is valid for one year and expires on the last day of the month of issuance. Those possessing Certificates of Registration must renew their certificates in order to remain in good standing with the council.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:292 (February 2007), amended LR 35:2819 (December 2009), repromulgated LR 36:327 (February 2010).

§703. Classifications and Required Certifications for Municipal or Parish Building Code Enforcement Officers

A. General

1. In order to obtain a certificate of registration from the council for a particular classification, an individual must meet the following qualifications.

B. Definitions

Building Code Enforcement Officer (BCEO)—a person employed by a public entity who is primarily responsible for the overall inspection or enforcement of applicable building code requirements within the jurisdiction of the employer.

Building Official—the BCEO employed and charged by a public entity with the administration and enforcement of the Louisiana State Uniform Construction Code (LSUCC).

Inspector—a BCEO, who under the authority of the building official, is charged with the inspection of structures for compliance with his or her specialty classification(s) of the LSUCC.

Plans Examiner or Reviewer—a BCEO, who under the authority of the building official, is charged with the inspection of construction documents for compliance with his or her specialty classification(s) of the LSUCC.

Third-Party Provider (TPP)—any individual, entity, or an individual employed by an entity, contracted to act in the capacity of a BCEO by an authority having jurisdiction, a licensed contractor, or a homeowner who is exempted from the contractor licensing law under R.S. 37:2170.

Wind Mitigation Surveyor—the wind mitigation surveyor classification of third party provider is limited to performing a survey to complete the Louisiana Hurricane Loss Mitigation Survey Form. The Survey Form, LAC 37 Part XIII, Section 12721. Appendix A, is to be utilized by consumers applying for justifying discounts for features that comply with building codes, or, for installed mitigation improvements utilizing construction techniques demonstrated to reduce the amount of

hurricane loss from a windstorm. This classification does not qualify applicant to perform building code inspections in compliance with the Louisiana State Uniform Construction Code Council (LSUCCC) or International Code Council (ICC) classifications for building inspectors.