

The following ordinance was introduced by Mr. Michael Delatte in regular session convened on March 1, 2006.

PROPOSED ORDINANCE

The following ordinance, having been previously introduced and published, was offered for final adoption by \_\_\_\_\_, seconded by \_\_\_\_\_.

ORDINANCE NO. \_\_\_\_\_

ORDINANCE ESTABLISHING THE LAFOURCHE PARISH BUILDING CODE AND PERMIT SCHEDULE; AND CREATING CHAPTER 5, SUB-CHAPTER B OF THE LAFOURCHE PARISH CODE OF ORDINANCES.

BE IT ORDAINED, by the Lafourche Parish Council, convened in Regular Session on \_\_\_\_\_, 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.

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 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 and plumbing.

**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

**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.

#### **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)

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

Carports and Patios (new Construction),  
Shed and Outbuildings (new construction under 500 square feet),  
Fences, 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.

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.

**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.

**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.

#### **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.

<b>Table 104.2.3.1 Initial Minimum Inspection Fees</b>	
<b>Size of Building Total Area of New Construction</b>	<b>Inspection Fee</b>
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

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

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:

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

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

**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 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 hours of the request excluding weekends and holidays.

**5:107 Electrical Investigation/Violation Fees.** Whenever above investigation discovers an electrical code violation the violation fee shall be Three Hundred Dollars (\$300.00). This violation fee is in addition to the original required permit or other penalties imposed by this code.

**5:108 Gas and Mechanical Investigation/Violation Fees.** Whenever above investigation discovers a gas and mechanical code violation, the violation fee shall be Three Hundred Dollars (\$300.00). This violation fee is in addition to the original required permit or other penalties imposed by this Code.

**5:109 Plumbing Investigation/Violation Fees.** Whenever above investigation discovers any plumbing code violation, the violation fee is shall be Three Hundred Dollars (\$300.00). This violation fee is in addition to the original required permit or other penalties imposed by this code.

### **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 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:

YEAS:  
NAYS:  
ABSENT:  
NOT VOTING:

SECTION 6. This Ordinance shall become effective on the tenth day after final publication.

BRENT CALLAIS, CHAIRMAN  
LAFOURCHE PARISH COUNCIL

SHEILA B. BOUDREAUX, COUNCIL CLERK  
LAFOURCHE PARISH COUNCIL

\* \* \* \* \*

**Delivered to the Parish President on**

\_\_\_\_\_, 2005, at \_\_\_\_\_, \_\_. m.

**APPROVED:** \_\_\_\_\_

**VETOED:** \_\_\_\_\_

**Lafourche Parish President**

**Returned to the Council Clerk on**

\_\_\_\_\_, 2005, at \_\_\_\_\_, \_\_.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 an Ordinance adopted by the Assembled Council in Regular Session on January 25, 2005, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS \_\_\_\_\_,  
DAY OF \_\_\_\_\_, 2005.

\_\_\_\_\_  
SHEILA B. BOUDREAUX, COUNCIL CLERK  
LAFOURCHE PARISH COUNCIL

DATE PUBLISHED: \_\_\_\_\_

DATE EFFECTIVE: \_\_\_\_\_