

**ORDINANCE NO. 2006-20 (BCO)**

**AN ORDINANCE TO ENACT THE COMPREHENSIVE BUILDING REGULATIONS FOR THE TOWN OF STERLINGTON, LOUISIANA, RELATIVE TO THE BUILDING CODE; TO ADOPT THE LOUISIANA STATE UNIFORM CONSTRUCTION CODE PURSUANT TO THE REQUIREMENTS AND MANDATES OF LA. R.S. 40:1730.21, ET SEQ. TO INCLUDE NATIONALLY RECOGNIZED CODES AND STANDARDS SPECIFIED IN LA. R.S. 40:170.28, AS AMENDED BY THE LOUISIANA STATE UNIFORM CONSTRUCTION CODE COUNCIL FOR STRUCTURES WITHIN THE TOWN OF STERLINGTON; TO PROVIDE FOR THE ENFORCEMENT THEREOF; TO PROVIDE AUTHORITY FOR COOPERATIVE AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES AND SERVICES FROM THIRD PARTIES; TO AUTHORIZE THE ADOPTION AND PROMULGATION OF A FEE SCHEDULE; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; TO PROVIDE THE PROVISIONS THEREOF TO BE SEVERABLE; TO REPEAL ALL ORDINANCE OR PARTS OF ORDINANCES IN CONTRAR THERETO AND/OR IN CONFLICT THEREWITH; AND TO PROVIDE FOR ALL MATTERS RELATIVE THERETO.**

**ARTICLE I. Louisiana State Uniform Construction Code Adopted.**

(A) There is hereby adopted by the town, for the purpose of regulation the construction, reconstruction, alteration, repair, installation of mechanical devices and equipment, the 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 as adopted and amended by the Louisiana State Uniform Construction Code Council. The Louisiana State Uniform Construction Code is incorporated as fully as if set out at length herein and shall be controlling within the corporate limits of the town.

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

(1) 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 regulation of construction within this town and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.

(2) International Existing Building Code, 2006 Edition, not including Chapter 1 – Administration, and the standards referenced in that code for regulation of construction within this town and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.

- (3) International Resident 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 town. Appendix J. Existing Buildings and Structures, is also included for mandatory regulation of construction within this town and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council. For the purposes of this Part, IRC R301.2.1.1 (Design Criteria) is amended as follows and shall only apply to the International Residential Code, 2006 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 & Home Safety, Optional Code Fortified for Safer Living, is added.
  - (d) Item 8, Federal Alliance for Safe Homes, Optional Code-plus Blueprint for Safety, is added.
- (4) International Mechanical Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this town and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.
- (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 for enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.
- (6) International Fuel Gas Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this town and the specific appendixes referenced by name or letter designation adopted by the Louisiana State Uniform Construction Code Council.
- (7) National Electrical Code, 2005 Edition.

**ARTICLE II. Appointment of City Inspector, Certification and Enforcement Authority.**

- (A) The City Inspector shall be the Chief Building Inspector and Enforcement Official of the town.

- (B) The Building Official and Inspector shall enforce only the International Codes and Regulations specifically adopted in this chapter, as amended and required under the provisions of LA. R.S. 40:1730.21.
- (C) The City Inspector and any officials/inspectors 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 in accordance with law.

**ARTICLE III. Authorization for Cooperative Agreements and Engagement of Services from Certified Third Party Providers.**

- (A) The Mayor of the Town of Sterlington is hereby authorized to negotiate, establish and execute Cooperative Agreements with other governmental entities of the State of Louisiana, parishes or municipalities and/or engage certified third party providers to provide services, including but not limited to the review of plans, inspection of premises, enforcement, training or other services as may be deemed necessary or appropriate in his/her sole discretion and with the approval of the City Attorney.
- (B) The Mayor of the Town of Sterlington is hereby further authorized and empowered to negotiate, fix or accept fees and charges with or established by the State of Louisiana or other parish or municipality and/or to negotiate fees or charges with certified third party providers in his/her sole discretion.

**ARTICLE IV. Imposition of Fees and Charges.**

Unless specifically included in the Schedule of Charges and Fees by other state entities, including but not limited to the State Fire Marshall's Office or other governmental entity, which have been included in a Cooperative/Intergovernmental Agreement as authorized herein, all fees and charges for permits, inspections, licenses and all items as may be required under the provisions of this chapter or any other chapter of the Code of Ordinances of the Town of Sterlington relative to building and construction shall be the minimum amount to be charged for same plus any additional amount established under the authority promulgated hereunder and shall remain enforceable notwithstanding the repeal other ordinances hereinafter.

**ARTICLE V. Effective and Enforceable Date.**

This ordinance shall become effective and enforceable January 1, 2007, pursuant to LA. R.S. 40:1730.28 (B).

**ARTICLE VI.**

If any provision, part, word, section, subsection, sentence, clause or phrase of this ordinance should be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions, item or applications of this ordinance

which can be given effect without the invalidated provisions and do hereby declare the provisions hereof to be severable, then in that event, only that particular provision, part, word, section, subsection, sentence, clause or phrase shall be deemed unconstitutional or invalid and the remaining provisions, parts, words, sections, subsections, sentences, clauses or phrases shall not be affected and shall continue in full force and effect; and

**ARTICLE VIII.**

All ordinances or parts of ordinances inconsistent with or in conflict herewith be and the same are hereby repealed;

WHEREAS, this ordinance has been duly introduced November 14, 2006 and notice of This ordinance and public meeting having been published; and

WHEREAS, the Town of Sterlington has adopted the Uniform State Construction Code In accordance with the provisions of Act 389 of the 2003 Regular Session of the Louisiana Legislature; and

WHEREAS, Act 12 of the 2005 First Extraordinary Session of the Louisiana Legislature mandates the adoption of the Louisiana State Uniform Construction Code in accordance with the International Codes and Regulations as adopted and amended by the Louisiana State Uniform Construction Code Council; and

WHEREAS, the Mayor and Board of Aldermen are required to fully adopt the Louisiana State Uniform Construction Code by Legislative Act and to protect lives and property through the use of better construction methods and materials.

THUS DONE AND ADOPTED in regular session duly convened with the title hereof having been read on this the 28<sup>th</sup> day of November, 2006, at Sterlington, Louisiana, after a roll call vote taken thereon as follows:

YEAS:	5
NAYS:	0
ABSENT:	0

And the Ordinance was declared adopted as Ordinance No. 2006-20 (BCO).

---

Clifford L. Bullock, Mayor

Attest:

---

Marilyn Dilmore, Town Clerk