

Regular Session, 2012

HOUSE BILL NO. 776

BY REPRESENTATIVE FANNIN

BUILDING CODES: Provides relative to the state uniform construction code

1 AN ACT

2 To amend and reenact R.S. 40:1730.24(A) and 1730.25 and to repeal R.S. 40:1730.32,
3 relative to the state uniform construction code; to transfer the authority to establish
4 fees for enforcement of the state uniform construction code from local governing
5 authorities to the Louisiana State Uniform Construction Code Council; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1730.24(A) and 1730.25 are hereby amended and reenacted to
9 read as follows:

10 §1730.24. Agreements with other governmental entities for provision of services;
11 private agreements

12 A. Municipalities and parishes may establish agreements with other
13 governmental entities of the state or certified third-party providers to issue permits
14 and enforce the state uniform construction code in order to provide the services
15 required by this Part. In the event of the establishment of such an agreement, the
16 maximum fees applicable to the issuance of permits ~~and the enforcement of the code~~
17 shall be established by the governing body of the municipality or parish. The
18 maximum fees applicable to the enforcement of the code, including plan review and
19 inspections, shall be established by the council. The council may assist in arranging
20 for municipalities, parishes, or certified third-party providers to provide the services

1 required by this Part to other municipalities or parishes if a written request from the
2 governing body of the municipality or parish is submitted to the council.

3 * * *

4 §1730.25. Appointment of building official or contractual arrangement for such
5 services; affidavit for exemption

6 Each parish and municipality shall appoint a council-certified building
7 official or contract with other governmental entities or third parties as authorized in
8 R.S. 40:1730.24 of this Part so that the unincorporated area of the parish is under the
9 jurisdiction of a council-certified building official. A parish or municipality may use
10 a certified building inspector in lieu of a certified building official for a period not
11 to exceed four years from the date the state uniform construction code becomes
12 effective in the parish or municipality. No building official or certified building
13 inspector shall be appointed if he has any interest in any legal entity that performs
14 commercial or residential construction within the jurisdiction in which he would be
15 appointed. Nothing in this Part shall prevent a municipality or parish from
16 appointing and employing other council-certified personnel and assistants necessary
17 to perform the required inspections and technical duties and prescribing fees for
18 construction permits and inspections as provided by law.

19 Section 2. R.S. 40:1730.32 is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Fannin

HB No. 776

Abstract: Establishes the La. State Uniform Construction Code Council as the authority for promulgating fees for the enforcement of the state uniform construction code.

Present law provides that municipalities and parishes may establish agreements with other governmental entities of the state or certified third-party providers to issue permits and enforce the state uniform construction code.

Proposed law retains present law.

Present law provides that, in the event of the establishment of such an agreement, the maximum fees applicable to the issuance of permits and the enforcement of the code shall be established by the governing body of the municipality or parish.

Proposed law limits the authority of the governing body of the municipality or parish to the establishment of the maximum fees applicable to the issuance of permits.

Proposed law further provides that the maximum fees applicable to the enforcement of the code, including plan review and inspections, shall be established by the La. State Uniform Construction Code Council.

Present law requires each parish and municipality to appoint a council-certified building official or contract with other governmental entities or third parties so that the unincorporated area of the parish is under the jurisdiction of a council-certified building official.

Proposed law retains present law.

Present law provides that nothing in present law shall prevent a municipality or parish from appointing and employing other council-certified personnel and assistants necessary to perform the required inspections and technical duties and prescribing fees for construction permits and inspections.

Proposed law repeals the authority of the municipality or parish to prescribe fees for inspections.

Present law provides that nothing in present law shall prohibit the governing authority of a parish or municipality from imposing fees necessary to implement and continue the provisions required by present law.

Proposed law repeals present law.

(Amends R.S. 40:1730.24(A) and 1730.25; Repeals R.S. 40:1730.32)