

**ADOPTED**  
METROPOLITAN COUNCIL

DEC 14 2016

16 875

ORDINANCE

16408

Casey Cash  
COUNCIL ADMINISTRATOR TREASURER

AMENDING TITLE 8 (BUILDING REGULATIONS), CHAPTER 1 (BUILDING CODE), PART I (IN GENERAL), SECTION 8:1 OF THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE RELATIVE TO THIRD PARTY PLAN REVIEW PROVIDERS.

BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and City of Baton Rouge that:

Section 1. Title 8 (Building Regulations), Chapter 1 (Building Code), Part I (In General), Section 8:1, of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge, is hereby amended as follows:

**"TITLE 8. BUILDING REGULATIONS**

Chapter 1. Building Code

Part I. In General

**Sec. 8:1. Adoption of International Building Code (IBC), International Residential Code (IRC), and International Existing Building Code (IEBC).**

(a) The regulations of the most recent edition of the International Building Code (IBC), International Residential Code (IRC) and International Existing Building Code (IEBC) as of the date of adoption by the Louisiana State Uniform Construction Code Council (LSUCCC) as amended and published by the International Code Council, Inc., published in book form and the whole thereof, and such portions of the building code as are hereinafter deleted, modified or amended, are hereby adopted as the regulations governing the construction of buildings and other structures in the city and parish except as hereafter set forth in section 105.2 of the International Building Code and International Residential Code.

(b) Except as hereinafter provided, it shall be unlawful to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes,

or to cause any such work to be done, without first making application to the building official to obtain the required permit(s) for the work.

(c) The building official shall accept certified third-party providers engaged in plan reviews on behalf of commercial and residential contractors. Third party providers shall be certified and in good standing with the Louisiana State Uniform Construction Code Council established by R.S. 40:1730.23. Prior to any submittal, the third party provider shall submit evidence that it is certified in accordance with R.S. 40:1730.23 to the building official. The building official shall maintain listing of qualified providers and notation as to any provider that maintains a Disadvantage Business Enterprise "DBE" designation. The building official reserves the right to suspend or remove any third-party provider for just cause. The third-party provider may seek review of any suspension or removal to the director of development. If the director of development upholds the suspension or removal, there shall be a right of judicial review to the 19th Judicial District Court. The building official shall establish a listing of all elements of a plan review that third-party providers may submit and certify for a contractor or homeowner. The building official reserves the right to approve all third-party plan reviews for compliance with sewer capacity, draining, traffic, UDC review, code oversight and flood zone determination and shall provide all third-party providers with online access to the Building Official's database that includes the applicable sewer, drainage, traffic, and zoning information. The building official within seven (7) business days of submission for residential and within twenty-one (21) days for commercial, shall issue an approval of the building permit or a report outlining any deficiencies in such submitted application. In the event that the third party provider resubmits an application for plan review that addresses each of the specific deficiencies detailed in the building officials' report, the building official shall, within five (5) business days following submission, issue an approval of the building permit or a detailed report outlining any specific deficiencies in such submitted application. In the event that the building official fails to approve or disapprove the application within the deadlines set forth herein, the application shall be deemed approved.

(d) In connection with the construction of any building, structure or other improvement to immovable property, neither the performance of any enforcement procedure nor any provision of a building code shall constitute or be construed as a warranty or guarantee by the building official or third-party provider as a durability or fitness, that said building or structure or other improvement to immovable property or any materials, equipment, or method or type of construction used therein is or will be free from defects, will perform in a particular manner, is fit for a particular purpose or will last in any particular way."

Section 2. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

In accordance with Section 2.15 of Chapter 1 of the Plan Of Government, I certify this to be the original ordinance adopted by the Metropolitan Council at a Regular meeting on September 14, 2016  
Council Administrator.

APPROVED:

Melvin S. Kip Holden

Mayor - President

Received from the Mayor - President on the 16th

day of December, 2016

DISAPPROVED:

Mayor - President

Received from the Mayor - President on the 16th

day of December, 2016

Casey Caren

Council Administrator.