19-00695

ORDINANCE

AMENDING AND RE-ENACTING TITLE 8, CHAPTER 1 (BUILDING CODE), PART I, OF THE CODE OF ORDINANCES OF THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE SO AS TO INCREASE THE COMMERCIAL PLAN REVIEW FEE AND THE COMMERCIAL / RESIDENTIAL PERMIT FEES.

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

Section 1. Title 8, Chapter 1, Part I, of the Code of Ordinances of the City of Baton Rouge and Parish of East Baton Rouge is hereby amended and re-enacted, so as to read as follows:

TITLE 8. BUILDING REGULATIONS

Chapter 1. Building Code

Part I. In General

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

Sec. 8:2. Amendments to Chapter 1 of the International Building Code (IBC), International Residential Code (IRC) and International Existing Building Code (IEBC).

Sec. 8:3. Requirements in the event of flood hazard

Sec. 8:4. Swimming Pools

Sec. 8:5. Fire Hydrants

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 by the LSUCCC and published by the International Code Council, Inc., published in book form and the whole thereof, and such portions of Chapter 1 of the building codes as are hereinafter deleted, modified or amended, are hereby adopted as the regulations governing the construction of buildings and other structures in the City of Baton Rouge and Parish of East Baton Rouge.

(b) The following chapters shall be included and enforced:

International Building Code
Chapters 1 – 10
Chapters 12 – 26
Chapter 28
Chapters 30 - 35
Appendices B,C,D,F & I

International Residential Code
Chapters 1 – 11
Chapter 24
Chapter 43
Appendix H, J

International Existing Building Code
Chapters 1 - 15

SEC. 8:2. AMENDMENTS TO INTERNATIONAL BUILDING CODE (IBC), INTERNATIONAL RESIDENTIAL CODE (IRC) and INTERNATIONAL EXISTING BUILDING CODE.

The International Building Code (IBC), International Residential Code (IRC) and International Existing Building Code (IEBC) adopted by Section 8:1 are amended as follows:

Section 101.1(IBC)(IRC)(IEBC): Title is amended as follows. For [NAME OF JURIDSICTION], insert City of Baton Rouge & Parish of East Baton Rouge.

Section 101.2(IBC): Scope. "Exceptions" are hereby amended to add the following:

Exception #2 is hereby added to read as follows:

Anything contained herein or in the building regulations of the city-parish to the contrary

notwithstanding, the provisions of this code shall not apply to new plant or industrial construction, where the developer or owner of such facility presently operates or owns a plant or industrial installation located within an industrial area of the parish established pursuant to the provision of Section 1.08(b) of the Plan of Government or created by the council pursuant to the provisions of Section 1.10 of the Plan of Government, and the new plant or industrial facility is being constructed on property adjacent and contiguous to the industrial area, zoned M-2 industrial under the provisions of comprehensive zoning ordinances of the city-parish. It is the intention of the council that in the case of a new plant or industrial facilities constructed on property meeting the requirements set forth above, the regulations applicable to such new construction shall be only those regulations which would apply if the property were actually situated in an industrial area created or established under the provisions of the Plan of Government. (Ord. No. 7128, Sec. 2, 5-11-83)

Section 101.4 Referenced Codes is amended as follows:

The following codes shall be adopted as if specifically referenced in this code and shall be considered part of the requirements of this code to the prescribed extent of each such reference:

Section 101.4.1(IBC), 102.4.1(IEBC) and R102.4.1(IRC): Gas. The most recent edition of the International Fuel Gas Code as adopted and amended by the LSUCCC and all references herein.

Section 101.4.2(IBC), 1021.4.2 (IEBC) and R102.4.2(IRC) Mechanical. The most recent edition of the International Mechanical Code as adopted and amended by the LSUCCC and all references herein.

Section 101.4.3(IBC), 102.4.3(IEBC) and R102.4.3(IRC) Plumbing. The most recent edition of the Louisiana State Plumbing Code as of the date of adoption by the LSUCCC and all references herein.

Section 101.4.7(IBC), 101.4.4(IEBC) Electrical is hereby added. The most recent edition of the NFPA 70 National Electrical Code as adopted and amended by the LSUCCC and all references herein.

Section 104.2 (IBC) and Section R104.2 (IRC) Applications and Permits is amended to read as follows:

Any person, owner or agent applying for, and obtaining a building permit for any structure regulated by this code, shall comply with all applicable Louisiana laws governing contractors and owner-contractors as regulated by the Louisiana State Contractors Licensing Board.

Section 104.7(IBC) Department Records is amended to read as follows:

The Building Official shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection pursuant to applicable public records laws. Records pertaining to commercial structures shall be retained so long as any part of the building or structure is in existence. Once the documents and plans have been electronically stored, the originals may be destroyed after six (6) years from the date of completion.

Section R104.7(IRC) Department Records is amended to read as follows:

The Building Official shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection. Records pertaining to residential structures shall be retained so long as any part of the building or structure is in existence, with the exception to the plans and specifications. The plans and specifications may be destroyed one (1) year from date of completion without being microfilmed or electronically digitized. Any other documents maybe destroyed after two (2) years from the date of completion, once the originals have been microfilmed or electronically digitized.

Section 105.2(IBC) Work Exempt from Permit is amended to add the following exemptions for building permits:

(14) Demolition of non-structural, non-load bearing interior walls provided there is no significant change to the required means of egress.

(15) Repair/replace roof finish material and/or replacing not more than 100 square feet of roof decking.

(16) Repair/replace gypsum board or paneling in not more than one interior wall, provided the wall is not a rated assembly or part of the means of egress.

(17) Repair/replace soffit/fascia board.

(18) Repair/replace not more than 25 lineal feet of existing fence.

Section R105.2(IRC) Work Exempt from Permit is amended to add the following exemptions for building permits:

(11) Demolition of non-structural, non-load bearing interior walls, provided there is no significant change to the required means of egress.

(12) Repair/replace roof finish material or replacing not more than 100 square feet of roof decking.

(13) Repair/replace gypsum board or paneling in not more than one interior wall, provided the wall is not a rated assembly or part of the means of egress.

(14) Repair/replace soffit/fascia board.

(15) Repair/replace not more than 25 lineal feet of existing fence.

(16) Garden/courtyard arbors and pergolas that are accessory to a residence.

(17) Replacing existing residential driveways provided there are no alterations or modifications with the location and/or

drainage profile of the existing driveway.

(18) Replacing existing windows provided they are not located in a bedroom or sleeping area or in an area requiring safety glazing.

Section 105.7(IBC)(IRC) Placement of Permit is amended to read as follows:

The permit holder or his agent shall post the permit on the jobsite in an accessible and conspicuous place. The permit shall be kept on the site of the work until the completion of the project.

Section R106.1 (IRC) Submittal Documents is amended to add the following:

Design professional's seal shall be required for all one and two family dwellings, except where the building design is in strict accordance with the prescriptive requirements of the code.

Section R106.1.1 (IRC) Information on Construction Documents is amended to add the following:

Applications for permits shall include the following minimum items:

(1) Site plan sealed by a Louisiana registered land surveyor, engineer or architect drawn to scale showing all lot dimensions, building lines, servitudes and rights-of-way, as well as distances from all lots lines and existing structures to the proposed new structure. The site plan shall also indicate all drainage, which must be in accordance with the approved drainage layout for the subdivision, and directed to an appropriate outfall so as not to cause any undue burden on adjoining properties. Where applicable, the Building Official may waive the requirement for a design professional's seal.

(2) Detailed foundation plans drawn to scale.

(3) Detailed and dimensioned floor

plan drawn to scale illustrating all new work and labeling the specific use of each room or space. In the case of renovations and additions, the plans shall include drawings of the existing structure and shall clearly indicate all proposed new work.

(4) Building roof plans, elevation drawings, section details and structural details sufficient to completely define the proposed new work.

(5) Detailed Mechanical, Electrical and Plumbing plans to completely define the proposed new work.

Section R106.1.2 (IRC) Manufacturer's Installation Instructions is amended to add the following:

Where a permit issued is for a modular building, the building official may accept, in lieu of required local inspections, a written statement from a Louisiana-licensed architect, engineer or approved third party inspection agency. The statement shall certify that the building has been inspected by the design professional or approved third party agency and is in compliance with the requirements of the most recent edition of the International Residential Code (IRC), National Electrical Code, International Mechanical Code and LA State Plumbing Code 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.

Section 107.1 (IBC) Submittal Documents (General) is amended to add the following:

A Louisiana-licensed design professional's seal shall be required for all commercial structures with the exception of the following:

(1) Renovations or alterations of any size building that do not affect the structural integrity of the building and

do not exceed a valuation of one hundred twenty-five thousand ($125,000) dollars.

(2) Changes in occupancy classification which do not exceed the gross floor areas as listed below. Occupancy classifications and gross floor area are as defined by the most current edition of the state uniform construction code.

a.	Assembly	2,650
b.	Business	4,000
c.	Educational	2,500
d.	Factory/Industrial	5,000
e.	Hazardous	1,500
f.	Institutional	2,500
g.	Mercantile	4,000
h.	Storage	6,250
i.	Utility	5,000

(3) Outdoor billboards and signs weighing less than or equal to seven hundred (700) pounds, including supporting members.

In the case of the above referenced exceptions, the owner and builder shall sign a Certificate of Responsibility to accompany such application for the permit to the effect that he/she assumes complete and full responsibility for compliance with all code requirements.

When necessary to ensure compliance with the code, the building official may require plans to be prepared by a licensed architect or engineer.

Section 107.2.1 (IBC) Information on Construction Documents is amended to add the following:

Applications for permits shall include the following minimum items:

(1) Site plan sealed by a Louisiana registered land surveyor, engineer or architect drawn to scale showing all lot dimensions, building lines, servitudes and rights-of-way, as well as distances from all lots lines and existing structures to the proposed new structure.

(2) Detailed civil plans showing all parking and associated drives and aisles, sewer, drainage and all other applicable utilities. The drainage shall be in accordance with the approved drainage layout for the subdivision or drainage impact study and directed to an appropriate outfall so as not to cause any undue burden on adjoining properties. Where applicable, the Building Official may waive the requirement for a design professional's seal.

(3) Detailed foundation plans and details drawn to scale.

(4) Detailed and dimensioned floor plan drawn to scale illustrating all new work and labeling the specific use of each room or space. In the case of renovations and additions, the plans shall include drawings of the existing structure and shall clearly indicate all proposed new work.

(5) Building roof plans, elevation drawings, section details and structural details sufficient to completely define the proposed new work.

(6) Detailed Mechanical, Electrical and Plumbing plans to completely define the proposed new work.

(7) Design Supervision Statement and Structural Design Statement signed and sealed by the Professional(s) of Record.

(8) Structural calculations showing the weights carried by the supports, including columns, posts, girders, lintels, pillars, foundations and footings, when the building is fully loaded, and the safe loads such supports will carry based on the design criteria required by the code.

(9) Where applicable, plans shall be submitted and approval obtained from the State Fire Marshal's Office and State Board of Health (DHH) prior to

the issuance of the permit.

(10) The Traffic Engineer shall approve the location of all entrances and exits in accordance with sound traffic safety principles prior to the issuance of the permit.

Section 109 (IBC) and Section R108 (IRC) Fees are amended to add the following:

Section 109.2 (IBC) and Section 108.2 (IRC) Schedule of Permit Fees is amended to add the following fees:

(a) **Commercial plan review fee.** Commercial plan review fee shall be 0.025% of valuation with a minimum of $70.00, payable before plans are reviewed.

(b) **Residential plan review fee.** Residential plan review fee shall be $60.00 for each single-family residential unit including duplexes, and for additions/renovations. All fees are payable before plans are reviewed. (City Code 1951, Title 8, Sec. 4; Parish Code 1962, Title 8, Sec. 4; Ord. No. 7230, Sec. 2, 8-10-83; Ord. No. 8321, Sec. 1, 12-10-86)

(c) **Commercial and Residential Permit fees.** The schedule of permit fees for construction shall be as follows:

(1) For valuations up to $100,000.00, the fee shall be $5.00 per thousand dollars.

(2) For valuations from $100,000.00 through $500,000.00, the fee shall be $300.00 plus $5.00 per thousand.

(3) For valuations above $500,000.00, the fee shall be $1,100.00 plus $1.50 per thousand dollars.

(d) Minimum permit fee for Commercial Construction will be $70.00.

(e) Minimum permit fee for Residential Construction will be $60.00. (Includes fences, swimming pools, and driveways.)

(f) Building valuation data. The following building valuation data represents the average costs for buildings. These unit costs include plumbing, electrical, mechanical equipment, architectural, engineering, and contractor profits. This building valuation (cost per square foot) shall be used in determining all permit fees.

BUILDING VALUATION TABLE (Cost per square ft)

Occupancy **CONSTRUCTION TYPE**

Group (2009 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	$150	$130	$110	$104	$112	$104	$110	$104	$96
A-1 Assembly, theaters, without stage	150	130	110	104	112	104	110	104	96
A-2 Assembly, nightclubs	150	130	110	104	112	104	110	104	96
A-2 Assembly, restaurants, bars, banquet halls	150	130	110	104	112	104	110	104	96
A-3 Assembly, churches	150	130	110	104	112	104	110	104	96
A-3 Assembly, general, community halls, libraries, museums	150	130	110	104	112	104	110	104	96
A-4 Assembly, arenas	150	130	110	104	112	104	110	104	96
B Business	130	122	110	104	112	104	110	104	96
E Educational	130	122	110	104	112	104	110	104	96
F-1 Factory and industrial, moderate hazard	90	80	60	52	58	52	60	52	44
F-2 Factory and industrial, low hazard	90	80	60	52	58	52	60	52	44
H-1 High Hazard, explosives	90	85	80	75	70	65	70	55	N.P.
H234 High Hazard	90	85	80	75	70	65	70	55	50
H-5 HPM	120	110	110	100	90	85	90	75	70
I-1 Institutional, supervised environment	222	214	206	200	192	190	206	162	158
I-2 Institutional, hospitals	222	214	206	200	192	N.P.	206	162	N.P.
I-2 Institutional, nursing homes	222	214	206	200	192	N.P.	206	162	N.P.
I-3 Institutional, restrained	222	214	206	200	192	185	206	162	130
I-4 Institutional, day care facilities	222	214	206	200	192	185	206	162	130
M Mercantile	130	110	92	84	96	80	60	96	80
R-1 Residential, hotels	114	106	102	60	98	92	102	84	78
R-2 Residential, multiple family	114	106	102	60	98	92	102	84	78
R-3 Residential, one- and two-family	114	106	102	60	98	92	102	84	78
R-4 Residential, care/assisted living facilities	114	106	102	60	98	92	102	84	78
S-1 Storage, moderate hazard	66	58	52	46	52	46	52	52	46
S-2 Storage, low hazard	66	58	52	46	52	46	52	52	46
U Utility, miscellaneous	66	58	52	46	52	46	52	52	46

Table Notes:

1. NP—not permitted by code.
2. Apartment basement: Add $25.00/sq.ft to valuation
3. Sprinklers: Add $2.00/sq.ft to valuation
4. Renovations, open porches and canopies: Use one third (1/3) of average cost per sq.ft.
5. Complete interior: Use one half

(1/2) of average cost per sq ft.

6. Shell buildings with no electrical, mechanical or plumbing: Use one half (1/2) of average cost per sq ft.
7. Fireplace: Add $ 4,000.00/each to valuation
8. Parking lot: Use $2.00/sq ft.
9. In lieu a permit fee based on valuation calculated from the above table, the building official may accept a written contract or agreement signed by the owner and contractor indicating the total actual construction cost.

(g) **Double permit fee.** A double permit fee, not to exceed $500.00, may be assessed if construction work starts prior to the issuance of a required permit.

(h) **Re-inspection fee.** A re-inspection fee of $20.00 may be assessed for each second and subsequent rejection for each craft. All re-inspection fees shall be paid prior to the authorization of utilities, the issuance of the Certificate of Occupancy, or the issuance of any future permits to the owner, agent, or contractor responsible for the fee.

(i) **After hours inspection fee.** Before and after hours, **non-emergency**, inspection fee shall be $150.00 and shall be paid prior to inspection. All requests for inspection must be made during working hours and inspections will be subject to availability of Inspection Division personnel. The final determination of emergency versus non-emergency status will be by the Building Official or his duly authorized representative.

(j) **Technology Fee.** A technology fee of $15.00 shall be assessed for

each permit issued. Technology fee revenues shall be dedicated and used for annual computer permit software costs and all associated computer hardware costs.

(k) **Document scanning fee**. A document handling/scanning fee of $3.00 per plan sheet shall be assessed for all applications for a building permit whenever hard copies of plans are submitted. Electronic plan submittals shall not be assessed this fee.

(l) **Demolition permit fee** shall be as follows:

(1) For structures through fifteen (15) feet in height, the fee is $50.00.

(2) For structures above fifteen (15) feet in height, the fee is $50.00 for the first fifteen (15) feet and $5.00 per five (5) feet or part thereof above fifteen (15) feet.

(m) **Commercial occupancy permit fee** shall be $40.00. A **Fire Prevention inspection fee** of $25.00 shall be added to all sites located within the Baton Rouge City limits. A commercial occupancy permit shall be required for each change in owner or tenant or disconnection/reconnecti on of utilities in a commercial building. No construction work is allowed to be performed under the occupancy permit, with the exception of minor repairs not requiring a building permit. Minor electrical, mechanical, and plumbing repairs may be performed with appropriate permits if

approved by Inspection Division personnel. A change in the occupancy classification of a structure or building will require a submittal of plans for review and approval by the commercial plan review section.

(n) **Residential occupancy permit fee** shall be $40.00. A residential occupancy permit shall be required for all single family residential structures where the utilities (electrical and/or gas) have been disconnected for a period of six (6) months or more. No construction work is allowed to be performed under the occupancy permit, with the exception of minor repairs not requiring a building permit. Minor electrical, mechanical, and plumbing repairs may be performed with appropriate permits if approved by Inspection Division personnel.

(o) **House moving permit fee** shall be $100.00 per piece. A house moving permit shall be required for the relocation of a single-family residential building or structure to a lot within the parish or to relocate on the same lot. In conjunction with a house moving permit, a foundation permit and general remodeling permit shall also be required.

(p) **Manufactured home relocation permit fee** shall be $25.00. In conjunction with a manufactured home relocation permit, electrical and plumbing permits shall also be required.

(q) **Document retrieval fee** shall be $20.00. This fee

shall be assessed for retrieval of plans, documents or other records from the established records archives. Requests for such documents shall be in writing and in accordance with current Freedom of Information Act laws. If requested and approved, copies of documents will be provided at a cost established by the Permit & Inspection Division for copies.

(r) **Refunds.** Refunds shall not be issued for applications for building permits once the plan review has been completed. Refunds shall not be issued for any permit in excess of one (1) year from the date of issuance.

Section 10.3 (IRC) Certificate Issued is amended to add the following:

No certificate of occupancy shall be issued for any building until the design professional has submitted a Certificate of Completion, signed and dated and imprinted with the professional's seal. This form shall certify the building has been completed in accordance with the plans and specifications submitted to the East Baton Rouge DPW Permit & Inspection Division for permitting. The professional shall certify all maximum live structural loads on this certificate.

Section 111.2 (IBC) Certificate Issued is amended to add the following:

No certificate of occupancy shall be issued for any building until the design professional has submitted a Certificate of Completion, signed and dated and imprinted with the professional's seal. This form shall certify the building has been completed in accordance with the plans and specifications submitted to the East Baton Rouge DPW Permit & Inspection Division for permitting. The professional shall

certify all maximum live structural loads on this certificate.

Section 112.1 (IRC) and Section 113.1 (IBC) Board of Appeals General is amended to add the following:

Membership of Board:

There is hereby established in the municipality a board to be called the Board of Appeals, consisting of nine (9) members who are qualified by experience and training to pass upon matters pertaining to building construction, one of whom shall be a member of the Capital Region Builders' Association of Greater Baton Rouge, and all of whom shall be appointed by the mayor-president, but with the consent of the council. The members of the board of appeals presently appointed and serving shall continue to hold their appointments for the term of office for which they were originally appointed. Upon the expiration of their original appointments, new members shall be appointed as herein provided to serve the terms of office set forth below. The mayor-president shall appoint one (1) member of the board of appeals for a term of one (1) year, two (2) members for terms of two (2) years, two (2) members for terms of three (3) years, one (1) member for a term of four (4) years, and one (1) member for a term of five (5) years. Upon expiration of a term of office of a member of the board, his successor shall be appointed for a term of five (5) years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Continued absence of any member from regular meetings of the board shall, at the discretion of the mayor-president, render any such member liable to immediate removal from office by the mayor-president. The present members of the board of appeal shall continue to serve until the expiration of their respective terms.

Quorum.

Five (5) members of the board shall constitute a quorum. In varying the application of any provision of this

code or in modifying an order of the building official, affirmative votes of five (5) members shall be required. No member of the board shall pass upon any question in which he, or any corporation in which he is a stockholder, is interested.

Section 112.2 (IBC) and Section R111.2 (IRC) Service Utilities Temporary Connection is amended to add the following:

Requests for temporary utility connection shall be in accordance with the administrative procedures established by the Permit & Inspection Division.

Section R113.2 (IRC) Notice of Violation is amended to add the following:

No owner of any building or structure or portion thereof upon whom a notice has been served that violations of this code exist in such building or on its premises shall sell, transfer, grant, mortgage, lease or otherwise dispose of such property until compliance with such notice or order has been secured, or until such owner shall transferee, grantee, mortgagee or lessee a true copy of such notice or order and at the same time shall have given adequate notification to the building official of his intent to enter into such transaction, including supplying the name and address of the person or persons or firm to whom the sale, transfer, grant, mortgage or lease is proposed. A purchaser who has been informed of the existence of any notice or order pursuant to this code shall be found thereby.

Section R113.4 (IRC) Violation Penalties is amended to add the following:

(a) Any person, firm, corporation or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure, or has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing

submitted and approved there under, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued; and upon conviction of any such violation, such person shall be fined not less than twenty- five dollars ($25.00), nor more than five hundred dollars ($500.00) or by imprisonment for not more than sixty (60) days, or by both fine and imprisonment.

(b) The Building Official may issue a misdemeanor summons to any person, firm, corporation or agent who is in violation of any provision of the adopted codes.

(c) Penalty for such violation shall be as set forth in paragraph (a) of this section. (Ord. No. 7055, Sec. 1, 2-23-83)

Section 114.2 (IBC) Notice of Violation is amended to add the following:

No owner of any building or structure or portion thereof upon whom a notice has been served that violations of this code exist in such building or on its premises shall sell, transfer, grant, mortgage, lease or otherwise dispose of such property until compliance with such notice or order has been secured, or until such owner shall transferee, grantee, mortgagee or lessee a true copy of such notice or order and at the same time shall have given adequate notification to the building official of his intent to enter into such transaction, including supplying the name and address of the person or persons or firm to whom the sale, transfer, grant, mortgage or lease is proposed. A purchaser who has been informed of the existence of any notice or order pursuant to this code shall be found thereby.

Section 114.4 (IBC) Violation Penalties is amended to add the following:

(a) Any person, firm, corporation or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure, or has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing submitted and approved there under, shall be guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued; and upon conviction of any such violation, such person shall be fined not less than twenty- five dollars ($25.00), nor more than five hundred dollars ($500.00) or by imprisonment for not more than sixty (60) days, or by both fine and imprisonment.

(b) The Building Official may issue a misdemeanor summons to any person, firm, corporation or agent who is in violation of any provision of the adopted codes.

(c) Penalty for such violation shall be as set forth in paragraph (a) of this section. (Ord. No. 7055, Sec. 1, 2-23-83)

Appendix "D" Section D101.2 (IBC) is amended to add the following:

For the purpose of this Code, the Fire District shall include that territory or area consisting of all property zoned C-5 as shown on maps known as the official East Baton Rouge Parish Zoning Maps as prepared and maintained by the East Baton Rouge Parish Office of Planning and Zoning.

SEC. 8:3. REQUIREMENTS IN EVENT OF FLOOD HAZARD

(1) Before a building permit is issued, the building official shall determine whether or not the proposed building site is reasonably safe from flooding; and if a flood hazard exists, shall notify the permit applicant that any proposed new construction or substantial improvement should:

(2) Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;

(3) Use construction materials and utility equipment that are resistant to flood damage; and

(4) Use construction methods and practices that will minimize flood damage.

(5) Elevation requirements for permits. No building permit for any new construction or substantial improvements of existing construction shall be issued until the building official has determined, on the basis of any base flood elevation data available, that:

(a) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level; and

(b) All new construction and substantial improvements of nonresidential structures have the lowest floor (including basement) elevated to flood-proofed to or above the base flood level.

(c) Basis for establishing the areas of special flood hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled,

"The Flood Insurance Study for East Baton Rouge Parish, Baton Rouge & Vicinity," dated November 15, 1985, which accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance. (Ord. No. 7128, Section 4, 5-11- 83; Ord. No. 7968, 9-11-85)

SEC. 8:4. SWIMMING POOLS.

(a) No person, firm or corporation in possession of land within the city-parish, upon which is situated a swimming pool or other outside body of water designed for or used for swimming, dipping or immersion purposes by men, women or children, of a minimum of depth of eighteen (18) inches, shall fail to maintain on the lot or premises upon which such pool or body of water is located and completely surrounding such body of water, a five (5) foot chain link or wrought iron fence with no opening greater than four (4) inches in a horizontal direction or a one hundred (100) percent solid fence or wall constructed not less than five (5) feet in height; provided, however, a dwelling or accessory building may be used as part of such enclosure.

(b) All gates or doors opening through such closing and self-latching device designed to keep, and capable of keeping, such door or gate securely closed at all times when not in actual use; provided, however, that the door of any dwelling occupied by human beings and forming any part of the enclosure hereinabove required need not be so equipped.

(c) All plans hereafter submitted for swimming pools to be constructed shall show compliance with the requirements specified herein, and final inspection and approval of all pools hereafter constructed shall be withheld until all requirements

specified herein shall have been complied with.

(d) Modification may be made in individual cases upon a showing of good cause with respect to the height, nature or location of the fence, wall gates, or latches or the necessity therefore provided the degree of protection is not reduced thereby.

(e) Other protective devices or structures may be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the fence, gate and latch described herein.

SEC. 8:5. FIRE HYDRANTS.

(1) Definition. For purposes of this Section, the term "Fire Official" shall mean the Chief of the Baton Rouge City Fire Department or his designee. Except that in Central Fire Protection District, District 6 Fire Protection District, East Side Fire Protection District and St. George Fire Protection District, the term shall mean the Chief of each respective district or his designee.

(2) Water Supply. Approved fire hydrants shall be provided for buildings to meet the necessary fire flow requirements as determined by the Fire Official. Where public water supply is inadequate or not available, an approved alternative water source meeting the fire flow requirements shall be provided.

(3) Location. The location and number of hydrants shall be designated by the Fire Official, but in no case shall the distance between installed fire hydrants exceed 1000 ft. Maximum distance from the nearest hydrant to the most remote exterior point of any building shall be 500 ft. The distance shall be measured on a roadway surface meeting the Fire Department access requirements of Section 602.6 of the Standard Fire Prevention Code and

all amendments and/or modifications thereto.

(4) Plans and specifications. Plans, specifications and hydraulic calculations for installation, modification, or alterations of any fire service main or fire hydrant shall be submitted to the Fire Official for review and approval prior to installation.

(5) Preliminary approval. No building permit shall be issued without preliminary approval of the Fire Official under this section. Additionally, The Building Official shall not issue a certificate of occupancy or a temporary certificate of occupancy within the boundaries of the St. George Fire Protection District without proof that the place of occupancy has been inspected and accepted by the Fire Prevention Bureau of the St. George Fire Department.

(6) Fire flow tests shall be witnessed by the Fire Official prior to final approval.

(7) Before final approval and acceptance of fire suppression, alarm, detection or any fire protection device including standby power facilities and fire ventilating systems, in any building or structure, the installation shall be subjected to an acceptance test. These tests shall be adequate to determine that the system or fire protection device has been properly installed and will function as intended. It shall be unlawful to occupy within portions of a structure until the required fire protection systems within that portion of the structure have been tested and approved.

(8) No person shall install, make alterations or additions to a fire protective signaling, detection or fire suppression system before securing a permit from the Fire Official.

(9) The Fire Official may waive the provisions of the section and/or issue temporary or provisional approvals.

(10) The provisions of this section do not apply to one and two family dwellings or their detached accessory structures.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.