JOHN BEL EDWARDS
GOVERNOR

State of Louisiana

Department of Public Safety and Corrections
Public Safety Services

March 28, 2017

House Committee on Commerce
Thomas Carmody, Chairman

Senate Committee on Commerce, Consumer Protection and International Affairs
Senator Daniel "Danny" Martiny, Chairman

Re: Summary Report per Rule Proposed by the Louisiana State Uniform Construction Code Council to adopt current editions of construction codes.

Dear Gentlemen,

The Louisiana State Uniform Construction Code Council, hereafter referred to as the "LSUCCC" or the "Council", hereby submits the following summary report pursuant to La. R.S. 49:968(D)(1)(b) and asserts its intention to proceed with rule-making by finalizing the January 20, 2017 Notice of Intent.

The Notice of Intent, which is found at LAC XVII:I.Chapter1 in the state Uniform Construction Code as authorized by R.S. 40:1730.26 and R.S. 40:1730.28, amends the previously adopted amendments for the purpose of implementing current editions of construction codes. In particular, the rule amendments allow for the adoption of the 2015 edition of the *International Building Code (IBC), International Residential Code (IRC)*, the *International Plumbing Code (IPC)*, the *International Existing Building Code (IEBC)*, the *International Fuel Gas Code (IFGC)*, the *International Mechanical Code (IMC)* and the 2014 edition of the *National Electrical Code (NEC)*.

A copy of the promulgated Notice of Intent, as published in the January 2017 *Louisiana Register* (Vol. 43, No. 01), is attached hereto and labeled as Exhibit "A". The Notice of Intent had a public comment period that ended February 10, 2017 at 4:30 p.m. Due to the public comments received and in accordance with La. R.S. 49:953(A)(2), a public hearing was held on March 1, 2017. The notice for the aforementioned hearing was published in Potpourri Section of the February 2017 edition of the *Louisiana Register*, a copy of which is attached hereto and labeled as Exhibit "B".

The public hearing held by the Council on March 1, 2017 solicited testimony in favor of and in opposition to the proposed amendments. A summary of the testimony is included in the public comments response letter. As previously stated, public comments were also received by the Council during the public comment period. All public comments and written summaries of testimony received are attached hereto and labeled as Exhibit "C" in globo. In addition, response letters from LSUCCC Administrator Mark Joiner are also attached hereto and labeled as Exhibit

"D" in globo.

The LSUCCC has not made changes to the proposed rule. Please advise if you have any questions or concerns or if you intend to conduct a hearing on this matter. Subject to legislative oversight by either the House Commerce Committee or Senate Committee on Commerce, Consumer Protection and International Affairs, the LSUCCC intends to submit a Rule to the Office of the State Register. Please contact me at (225) 925-6103 if I may be of any assistance to you. With best regards, I remain

Sincerely,

MELINDA L. LONG, Attorney
Louisiana State Uniform Construction Code Council
Office of the State Fire Marshal

C.c. Chief H. "Butch" Browning
LA State Fire Marshal

Enclosures

and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on poverty.

Small Business Analysis

The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR 107) of the 2014 Regular Session of the Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have a positive impact on providers. However, the particular proposed Rule does not impact or affect the staffing level requirements required to provide the same level of service.

Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Such comments should be submitted no later than February 10, 2017, at 4:30 p.m. to Melinda L. Long, Office of Legal Affairs, 7979 Independence Blvd., Baton Rouge, LA 70806. A public hearing will be scheduled if the requisite number of comments are received by the deadline date.

John W. Alario
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Broker Permits and General Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes will result in a one-time marginal increase in administrative costs for the Liquefied Petroleum Gas Commission associated with generating and processing forms associated with Class III permit location approval forms. The associated costs and workload will be marginal and absorbed using the agency's current personnel and budget authority. The proposed rule changes reflect policies adopted by the Commission to permit third-party brokers of liquefied petroleum gas.

The proposed amendments to Rule 107(A)(1) alter the provision requiring applicants to pay an application filing fee of $100 per Class I and IV permit, $50 per Class VI permit, and $25 for all other permit classes, and sets a flat $150 filing fee for all permit classes. The proposed changes to Rule 107(A)(6) amend the permit fee schedule to include the permit fee for the new Class III permit, which shall be $500. The proposed amendments to Rule 113 implements the criteria for the Class III permits. The proposed amendments to Rule 159 establish the "L-cation Approval Form" for the Class III permits.

changes will not result in any costs for its, nor will it result in any savings to ntal units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will change will increase revenue collections for the LP Gas Commission by an indeterminable amount. Present rule states that there is a one-time application filing fee of $100 per Class I and IV permit, $50 per Class VI permit, and $25 per permit for all other permit classes. The proposed amendment states that the associated filing fee for all applicants, including the new Class III, will be $150. The proposed rule also states that a Class III permit fee is $500. Furthermore, any revenues generated by the proposed rule change will be offset by an indeterminable amount as a result of different permittees previously paying different filing fees. The revenue offset is indeterminable using historical data, because the number of applications for each different permit type vary from year to year.

The LP Gas Commission anticipates 55-57 total permit applications in FY 17 based upon historical totals. As a result, the new $150 application filing fee may generate a total increase of approximately $8,250-$8,550 in gross revenues. However, any increased revenues would be offset by an indeterminable amount, as different permit classes previously paid different filing fees ranging from $25 - $100. For informational purposes, the three-year average of revenues derived from LP gas application filings from FY 14 – 16 totaled approximately $9,800.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will affect new third party brokers of liquefied petroleum gas and dealers that have to apply for a permit. Previously dealers paid a filing fee of $25-$100. The proposed change to Rule 107(A)(6) states that all applicants will now pay $150. Dealers of LP gas will realize a cost increase related to permit filing fees ranging from $50 - $125 as a result of the new $150 fee for all permits. Furthermore, the proposed rule change establishes the $500 fee for Class III permits, which LP gas dealers hoping to receive Class III status must pay. There is currently one LP gas dealer waiting to register as a Class III dealer.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule increases the cost of business for liquefied petroleum gas dealers statewide by increasing the permit filing fee to $150 from a previous range of $25-$100. Some dealers may be adversely affected by the higher filing fee, though the effect of the higher fee will likely be marginal and not affect aggregate business activity statewide.

The proposed rule will not affect employment.

Jason S. Starnes
Interim Undersecretary
1701#075

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Department of Public Safety and Correction
Uniform Construction Code Council

Uniform Construction Code
(LAC 17:I.Chapter 1)

In accordance with the provisions of R.S. 40:1730.26 and R.S. 40:1730.28, relative to the authority of the Louisiana State Uniform Construction Code Council (LSUCCC) to promulgate and enforce rules and in accordance with R.S. 49:953(B), the Administrative Procedure Act, the

Department of Public Safety and Corrections, Office of the State Fire Marshal, Louisiana State Uniform Construction Code Council (LSUCCC) hereby gives notice that it proposes to amend and adopt the following rule. The purpose of adopting and amending the currently adopted construction codes is to replace them with the more recent 2015 editions of the *International Building Code, International Residential Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code* and *International Mechanical Code* and the 2014 edition of the *National Electric Code.*

Title 17
CONSTRUCTION
Part I. Uniform Construction Code
Chapter 1. Adoption of the Louisiana State Uniform Construction Code
(Formerly LAC 55:VI.Chapter 3)

§101. Louisiana State Uniform Construction Code
(Formerly LAC 55:VI.301.A)

A. In accordance with the requirements set forth in R.S. 40:1730.28, effective July 1, 2017 the following is hereby adopted as an amendment to the *Louisiana State Uniform Construction Code.*

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 41:2380 (November 2015), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, Uniform Construction Code Council, LR 42:1672 (October 2016), LR 43:

§103. International Building Code
(Formerly LAC 55:VI.301.A.1)

A. *International Building Code* (IBC), 2015 Edition, not including Chapter 1, Administration, Chapter 11, Accessibility, Chapter 27, Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. Furthermore, IBC shall be amended as follows and shall only apply to the *International Building Code.*

1. Amend Chapter 2 Definitions.

Mini-Storage Facility---A self-service storage facility which rents or leases individual storage space to occupants for the storage and/or removal of personal property.

2. Amend Chapter 9 to adopt and amend 2015 *International Building Code,*

a. Section 903.2.1.2, Group A-2.

i. Amend item number (2.) The fire area has an occupant load of 300 or more.

ii. Add item number (4.) Open air pavilions on three sides or more, not exceeding 12,000 square feet, shall not be required to comply with 903.2.1.3(1) and 903.2.1.3(2) where each side has unobstructed access to a public way (10'-0" wide by 10'-0" high). No fixed elements, equipment, seating, etc. are permitted within the 10'-0" by 10'-0" access.

iii. Exception:

(a). The requirements of Section 903.2.1.2(1) and 903.2.1.2(2) shall not apply to a single multi-purpose room less than 12,000 sf when all of the following conditions are met:

(i). The single multi-purpose room shall not be used for display or exhibition, bars or taverns;

(ii). The single multi-purpose room shall not share exit access with other occupancies. Non-separated accessory uses that are incidental or ancillary to the single multi-purpose room shall be considered as part of the assembly occupancy. The accessory uses shall not be limited to 10% of the single multi- purpose room floor area and/or building, but shall be included and considered as part of the limited assembly room floor area;

(iii). The single multi-purpose room shall not be part of a fire area containing other assembly occupancies;

(iv). A single multi-purpose room with an occupant load greater than 300 persons shall be provided with a fire alarm system in accordance with 907.2.1.

(v). The single multi-purpose room with its accessory or ancillary uses shall be separated, when part of a multiple occupancy, in accordance with Table 508.4 and Section 707 from the remainder of the building. The single multi-purpose room fire area containing the single multi-purpose room and its accessory or ancillary uses shall be less than 12,000 sf.

(vi) Provide system smoke detection in all areas in accordance with Section 907 throughout the entire building.

b. Section 903.2.1.3 Group A-3.

i. Add item number (4) Open air pavilions on three sides or more, not exceeding 12,000 square feet, shall not be required to comply with 903.2.1.3(2) where each side has unobstructed access to a public way (10'-0" wide by 10'-0" high). No fixed elements, equipment, seating, etc. are permitted within the 10'-0" by 10'-0" access.

ii. Exception:

(a). The requirements of Section 903.2.1.2(1) and 903.2.1.2(2) shall not apply to a single multi-purpose room less than 12,000 sf when all of the following conditions are met:

(i).The single multi-purpose room shall not be used for display or exhibition;

(ii).The single multi-purpose room shall not share exit access with other occupancies. Non-separated accessory uses that are incidental or ancillary to the single multi-purpose room shall be considered as part of the assembly occupancy. The accessory uses shall not be limited to 10% of the single multi- purpose room floor area and/or building, but shall be included and considered as part of the limited assembly room floor area;

(iii).The single multi-purpose room shall not be part of a fire area containing other assembly occupancies;

(iv). A single multi-purpose room with an occupant load greater than 300 persons shall be provided with a fire alarm system in accordance with 907.2.1.

(v). The single multi-purpose room with its accessory or ancillary uses shall be separated, when part of a multiple occupancy, in accordance with Table 508.4 and Section 707 from the remainder of the building. The single multi-purpose room fire area containing the single multi-purpose

room and its accessory or ancillary uses shall be less than 12,000 sf.

(vi) Provide system smoke detection in all areas in accordance with Section 907 throughout the entire building.

c. Section 903.2.9 Group S-1.

i. Add under item number 5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m2).

(a). Exception:

(i).The requirement of 903.2.9(5) shall not apply to mini-storage facilities less than 12,000 sf. Mini-storage facilities, including mini-storage facilities which are climate-controlled, shall comply with 903.2.9(1) thru 903.2.9(4).

d. Section 903.2.7 Group M.

i. Amend item number (4) A Group M occupancy used for the display and sale of upholstered furniture or mattresses where the floor area occupied by the upholstered furniture or mattresses exceeds 5,000 square feet (464 m2).

e. Section 903.2.8 Group R.

i. Exeption:

(a). An automatic sprinkler system is not required when not more than two dwelling or sleeping units are attached to a commercial or non-residential occupancy where all of the following conditions exist:

(i). The dwelling or sleeping units shall be separated vertically and/or horizontally from the non-residential occupancy as well as each other by two-hour construction in accordance with Sections 707 and 711.

(ii).The entire building shall be smoke protected in accordance with Section 907.

(iii). Egress from the dwelling or sleeping units shall NOT pass through the non-residential occupancy.

(iv).The building shall not exceed two stories.

b. An automatic sprinkler system is not required in Residential Group R-3, boarding houses (transient and nontransient) as defined by Section 310.5, where one of the following conditions exist:

i. Every sleeping room has a door opening directly to the exterior at the street or finish grade;

ii. Every sleeping room has a door opening directly to the exterior which leads to an outside stair protected in accordance with Section 1027;

3. Amend and revise Tables 1006.3.2(1) and 1006.3.2(2).

a. Delete from footnote "a"

i. and provided with emergency escape and rescue openings in accordance with Section 1030.

4. Amend Section 1010.1.9.6, Controlled egress doors in Groups I-1 and I-2.

a. Electric locking systems, including electromechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group I-1 or I-2 occupancies where persons receiving care require their containment. Controlled egress doors shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following:

i. The door locks shall unlock on actuation of the automatic sprinkler system or automatic fire detection system.

ii. The door locks shall unlock on loss of power controlling the lock or lock mechanism.

iii. The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock.

iv. Amend Item (4.) A means of manual mechanical unlocking must be provided at each door that is not in direct view of the remote release location required by Item 3.

v. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the *International Fire Code.*

vi. All cliical staff shall have the keys, codes or other means necessary to operate the locking systems.

vii. Emergency lighting shall be provided at the door.

viii. The door locking system units shall be listed in accordance with UL 294.

(a.) Delete Exceptions 1 and 2.

ix. Add Item (9) "Automatic" Re-Locking, after an emergency release as described above, shall be prohibited. A specific human action dedicated for re-locking doors must be provided at the remote control location or at each lock location.

x. Add Item (10) Document the "Staff/Patient Ratio" for the occupants of the locked area to the authority having jurisdiction. The ratio shall be within state and federal licensing/certification guidelines. Please note that only "Nurses" and "Nurses' Aids" assigned to the locked area shall be considered acceptable responsible staff in regard to this ratio documentation.

xi. Add Item (11) Provide the reason for installing specialized security measures to the authority having jurisdiction.

xii. Add Item (12) Documentation addressing each condition itemized above shall be provided to the authority having jurisdiction and shall include the signature of the building owner or the facility administrator.

5. Amend Section 1010.1.9.7, Delayed egress.

a. Delayed egress locking systems shall be permitted to be installed on doors serving any occupancy except the main entrance/exit for a Group A, and all exits for a Group H in buildings that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907. The locking system shall be installed and operated in accordance with all of the following:

i. The delay electronics of the delayed egress locking system shall deactivate upon actuation of the automatic sprinkler system or automatic fire detection system, allowing immediate, free egress.

ii. The delay electronics of the delayed egress locking system shall deactivate upon loss of power controlling the lock or lock mechanism, allowing immediate free egress.

iii. The delayed egress locking system shall have the capability of being deactivated at the fire command center and other approved locations.

iv. Amend Item (4.)

(a) An attempt to egress shall initiate an irreversible process that shall allow such egress in not more than 15 seconds when a force of not more than 15 pounds

(67 N) is applied to the egress side door hardware for not more than 3 seconds. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the delay electronics have been deactivated, rearming the delay electronics shall be by manual means only.

(b) Amend Exception:

(i) Where approved by the authority having jurisdiction, a delay of not more than 30 seconds is permitted on a delayed egress door.

v. Item (5.) The egress path from any point shall not pass through more than one delayed egress locking system.

(a) Delete Exception:

vi. Item (6) A sign shall be provided on the door and shall be located above and within 12 inches (305 mm) of the door exit hardware:

(a) Item (6.1) For doors that swing in the direction of egress, the sign shall read: Push until alarm sounds. Door can be opened in 15 [30] seconds.

(b) Item (6.2) For doors that swing in the opposite direction of egress, the sign shall read: Pull until alarm sounds. Door can be opened in 15 [30] seconds.

(c) Amend Item (6.3).

(i) The sign shall comply with the visual character requirements in ICC A117.1. Americans with Disabilities Act and Architectural Barriers Act – Accessibilities Guidelines (ADA/ABA-AG).

(ii) Delete Exception.

vii. Emergency lighting shall be provided on the egress side of the door.

viii. The delayed egress locking system units shall be listed in accordance with UL 294.

6. Amend Section 1010.1.9.8, Sensor release of electrically locked egress doors.

a. The electric locks on sensor released doors located in a required means of egress are permitted where installed and operated in accordance with all of the following criteria:

i. The sensor shall be installed on the egress side, arranged to detect an occupant approaching the doors. The doors shall be arranged to unlock by a signal from or loss of power to the sensor.

ii. Loss of power to the lock or locking system shall automatically unlock the doors.

iii. Amend Item (3).

(a) The doors shall be arranged to unlock from a manual unlocking device located 40 inches to 48 inches (1016 mm to 1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by a sign that reads "Push to Exit" When operated, the manual unlocking device shall result in direct interruption of power to the lock—independent of other electronics—and the doors shall remain unlocked for not less than 30 seconds. The sign shall comply with the visual character requirements in *Americans with Disabilities Act and Architectural Barriers Act – Accessibilities Guidelines (ADA/ABA-AG).*

iv. Activation of the building fire alarm system, where provided, shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.

v. Add item (5).

(a) The activation of manual fire alarm boxes that activate the fire alarm system shall not be required to unlock the doors.

vi. Activation of the building automatic sprinkler system or fire detection system, where provided, shall automatically unlock the doors. The doors shall remain unlocked until the fire alarm system has been reset.

vii. The door locking system units shall be listed in accordance with UL 294.

viii. Add Item (8).

(a) Doors in buildings with an occupancy in Group A shall not be secured from the egress side during periods that the building is open to the general public.

ix. Add Item (9).

(a) Doors in buildings with an occupancy in Group R-3 or Group I-3 shall not be equipped with this locking system

x. Add Item (10).

(a) Doors serving any Group M occupancy shall be permitted to be equipped with this locking system in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or an *approved* automatic smoke or heat detection system installed in accordance with Section 907.

xi. Add Item (11.)

(a) Emergency egress lighting shall be provided at the door.

7. Amend Section 1010.1.9.9, Electromagnetically locked egress doors.

a. Doors in the required means of egress shall be permitted to be locked with an electromagnetic locking system where equipped with hardware and where installed and operated in accordance with all of the following:

i. The hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions.

ii. The hardware is capable of being operated with one hand.

iii. Operation of the hardware directly interrupts the power to the electromagnetic lock and unlocks the door immediately.

iv. Loss of power to the locking system automatically unlocks the door.

v. Where panic or fire exit hardware is required by Section 1010.1.10, operation of the panic or fire exit hardware also releases the electromagnetic lock.

vi. The locking system units shall be listed in accordance with UL 294.

8. Amend Section 1020.1, Construction.

a. Exceptions:

i. Add item number (6). A fire-resistance rating is not required for corridors where the space or area served does not exceed the occupant load and common path of egress travel values, for each occupancy, listed in Table 1006.2.1. The travel distance to the exit from the space or area served shall not exceed the common path of travel.

9. Amend Chapter 10, Section 1020.5, Air Movement in corridors. Corridors that require protection under Table 1020.1—Corridor Fire-Resistance Rating, shall not serve as supply, return, exhaust, relief or ventilation air ducts.

10. Amend Chapter 10, Section 1027.6.

a. Add Exception 4. Exterior stairs or ramps which serve no more than one story above the level of exit

discharge and constructed with non-combustible materials or constructed with fire retardant treated lumber, shall be allowed when the fire separation distance is between 5 and 10 feet measured from the exterior edge of the stairway or ramp.

11. Amend Section 1030.1.

a. Exception:

i. Item (4) In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

12. Amend Chapter 16, Section 1603.1.5, Earthquake design data. The following information related to seismic loads shall be shown, regardless of whether seismic loads govern the design of the lateral-force-resisting system of the building:

a. seismic importance factor, I, and occupancy category;

b. mapped spectral response accelerations, SS and S1;

c. site class;

d. spectral response coefficients, SDS and SD1;

e. seismic design category;

f. basic seismic-force-resisting system(s);

g. design base shear;

h. seismic response coefficient(s), CS;

i. response modification factor(s), R;

g. analysis procedure used;

h. Exceptions:

i. construction documents that are not required to be prepared by a registered design professional;

ii. construction documents for structures that are assigned to Seismic Design Category A.

13. Amend Chapter 16, Section 1609.1.2, Protection of Openings. In wind-borne debris regions, glazing in buildings shall be impact resistant or protected with an impact-resistant covering meeting the requirements of an approved impact-resistant standard or ASTM E 1996 and ASTM E 1886 referenced herein as follows.

a. Glazed openings located within 30 feet (9144 mm) of grade shall meet the requirements of the large missile test of ASTM E 1996.

b. Glazed openings located more than 30 feet (9144 mm) above grade shall meet the provisions of the small missile test of ASTM E 1996.

c. Exceptions:

i. wood structural panels with a minimum thickness of 7/16 inch (11.1 mm) and maximum panel span of 8 feet (2438 mm) shall be permitted for opening protection in one- and two-story buildings classified as Risk Category 2. Panels shall be precut so that they shall be attached to the framing surrounding the opening containing the product with the glazed opening. Panels shall be predrilled as required for the anchorage method and shall be secured with the attachment hardware provided. Attachments shall be designed to resist the components and cladding loads determined in accordance with the provisions of ASCE 7, with corrosion-resistant attachment hardware provided and anchors permanently installed on the building. Attachment in accordance with Table 1609.1.2 with corrosion-resistant attachment hardware provided and anchors permanently installed on the building is permitted for buildings with a mean roof height of 45 feet (13 716 mm) or less where V_{asd} determined in accordance with Section 1609.3.1 does not exceed 140 mph (63 m/s).

ii. glazing in Risk Category I buildings as defined in Section 1604.5, including greenhouses that are occupied for growing plants on a production or research basis, without public access shall be permitted to be unprotected;

iii. glazing in Risk Category II, III or IV buildings located over 60 feet (18 288 mm) above the ground and over 30 feet (9144 mm) above aggregate surface roofs located within 1,500 feet (458 m) of the building shall be permitted to be unprotected.

14. Amend Chapter 16, Section 1612.4, Design and Construction.

a. Delete Referenced ASCE 24-14 Freeboard requirements and Table 1-1 Flood Design Class of Buildings and Structures.

15. Chapter 16 Section 1613.1, Scope. Every structure, and portion thereof, including nonstructural components that are permanently attached to structures and their supports and attachments, shall be designed and constructed to resist the effects of earthquake motions in accordance with ASCE 7, excluding Chapter 14 and Appendix 11A. The seismic design category for a structure is permitted to be determined in accordance with Section 1613 or ASCE 7.

a. Exceptions:

i. detached one- and two-family dwellings, assigned to Seismic Design Category A, B or C, or located where the mapped short-period spectral response acceleration, *SS*, is less than 0.4 g;

ii. the seismic-force-resisting system of wood-frame buildings that conform to the provisions of Section 2308 are not required to be analyzed as specified in this Section;

iii. agricultural storage structures intended only for incidental human occupancy;

iv. structures that require special consideration of their response characteristics and environment that are not addressed by this code or ASCE 7 and for which other regulations provide seismic criteria, such as vehicular bridges, electrical transmission towers, hydraulic structures, buried utility lines and their appurtenances and nuclear reactors;

v. structures that are not required to have a registered design professional in responsible charge;

vi. structures that are assigned to Seismic Design Category A.

b. Amend Chapter 16, Section 1613.1, Scope. Every structure, and portion thereof, including nonstructural components that are permanently attached to structures and their supports and attachments, shall be designed and constructed to resist the effects of earthquake motions in accordance with ASCE 7, excluding Chapter 14 and Appendix 11A. The seismic design category for a structure is permitted to be determined in accordance with Section 1613 or ASCE 7-10. Figure 1613.5(1) shall be replaced with ASCE 7-10 Figure 22-1. Figure 1613.5(2) shall be replaced with ASCE 7-10 Figure 22-2.

16. Amend Chapter 29, Plumbing Systems.

a. Section 2901, Scope.

i. The provisions of this chapter and the *International Plumbing Code* shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use

or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing and equipment shall be constructed, installed and maintained in accordance with the *International Plumbing Code*.

(a). Delete Private Sewage disposal systems shall conform to the *International Private Sewage Disposal Code*.

b. Delete Section 2902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 41:2380 (November 2015), LR 43:

§105. International Existing Building Code (Formerly LAC 55:VI.301.A.2)

A. *International Existing Building Code* (IEBC), 2015 Edition, not including Chapter 1, Administration, and the standards referenced in that code for regulation of construction within this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 41: 2383 (November 2015), LR 43:

§107. International Residential Code (Formerly LAC 55:VI.301.A.3.a)

A.1. *International Residential Code*, 2015 Edition, not including Parts I-Administrative, and VIII-Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. The enforcement of such standards shall be mandatory only with respect to new construction, reconstruction, additions to homes previously built to the *International Residential Code*, and extensive alterations. Appendix J, Existing Buildings and Structures, may be adopted and enforced only at the option of a parish, municipality, or regional planning commission.

a. Adopt and amend 2012 IRC Section R301.2.1., Part IV-Energy Conservation of the latest edition of the *International Residential Code* is hereby amended to require that supply and return ducts be insulated to a minimum of R-6.

2. Amend Section R302.5.1 Opening Protection.

a. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors.

i. Delete equipped with a self-closing device.

3. Amend Section R303.4, Mechanical Ventilation. When a blower door test is performed, and the air infiltration rate of a dwelling unit is less than 3 air changes per hour when tested in accordance with the 2009 IRC Section N1102.4.2.1, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3.

4. Additionally, IRC shall be amended as follows and shall only apply to the *International Residential Code*.

a. Adopt and amend 2015 IRC Section 313.1, Townhouse Automatic Sprinkler System. Per Act No. 685 of the 2010 Regular Session of the Louisiana Legislature, the council shall not adopt or enforce any part of the *International Residential Code* or any other code or regulation that requires a fire protection sprinkler system in one- or two-family dwellings. Further, no municipality or parish shall adopt or enforce an ordinance or other regulation requiring a fire protection sprinkler system in one- or two-family dwellings.

i. Exception: If an owner voluntarily chooses to install an automatic residential fire sprinkler system it shall be installed per Section R313.1.

b. Adopt and amend 2015 IRC Section 313.2, One- and Two-Family Dwellings Automatic Fire Systems. Per Act No. 685 of the 2010 Regular Session of the Louisiana Legislature, the Council shall not adopt or enforce any part of the *International Residential Code* or any other code or regulation that requires a fire protection sprinkler system in one- or two-family dwellings. Further, no municipality or parish shall adopt or enforce an ordinance or other regulation requiring a fire protection sprinkler system in one- or two-family dwellings.

i. Exception: if an owner voluntarily choses to install an automatic residential fire sprinkler system it shall be installed per Section R313.2.1, Design and installation.

c. Amend Section R322.2.1, Elevation Requirements.

i, Buildings and structures in flood hazard areas including flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation or the design flood elevation.

(a). Delete plus 1 foot (305 mm) requirement.

ii. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated to a height of not less than the highest adjacent grade as the depth number specified in feet (mm) on the FIRM or not less than 2 feet if a depth number is not specified.

(a). Delete plus 1 foot (305 mm) requirement.

iii. Basement floor that are below grade on all sides shall be elevated to or above base flood elevation or the design flood elevation, whichever is higher.

(a). Delete plus 1 foot (305 mm) requirement.

d. Amend Section R322.3.2, Enclosed area below design flood elevation.

i. Delete plus 1 foot (305 mm) requirement.

e. Amend Section R 1006.1, Exterior Air. Factory-built or masonry fireplaces covered in this chapter shall be equipped with an exterior air supply to assure proper fuel combustion.

5. Substitute Chapter 11, Energy Efficiency of the 2009 IRC, in lieu of Chapter 11, Energy Efficiency of the 2015 IRC.

a. Amend Section N1102.3, Access Hatches and Doors. Access doors from *conditioned spaces* to unconditioned spaces shall be weather-stripped and have a minimum insulation value of an R-4.

b. Amend Section N1102.4.2, Air Sealing and Insulation. The air tightness demonstration method of compliance is to be determined by the contractor, design professional or homeowner.

c. Amend Section N1102.4.2.1, Testing Option. Tested air leakage is less than 7 ACH when tested with a blower door at a pressure of 50 pascals (0.007 psi). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances. When the contractor, design professional or homeowner chooses the blower door testing option, blower door testing shall be performed by individuals certified to perform blower door tests by a nationally recognized organization that trains and provides certification exams for the proper procedures to perform such tests. The responsible BCEO shall accept written blower door test reports from these certified individuals to verify the minimum requirements of Section N1102.4.2.1 Testing Option are attained.

i. During testing:

(a). exterior windows and doors, fireplace and stove doors shall be closed, but not sealed;

(b). dampers shall be closed, but not sealed; including exhaust, intake, makeup air, back draft, and flue dampers;

(c). interior doors shall be open;

(d). exterior openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;

(e). heating and cooling system(s) shall be turned off;

(f). HVAC ducts shall not be sealed; and

(g). supply and return registers shall not be sealed.

d. Amend Section N1102.4.3, Fireplaces, New wood-burning fireplaces shall have outdoor combustion air.

e. Amend Section N1103.2.1, Insulation

i. Supply and return ducts in attics shall be insulated to a minimum of R-6.

f. Amend Section N1103.2.2, Sealing, Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with section M1601.4. Duct leakage testing shall be performed by individuals certified to perform duct leakage tests by a nationally recognized organization that trains and provides certification exams for the proper procedures to perform such tests. The responsible BCEO shall accept written duct leakage test reports from these certified individuals to verify the minimum requirements of Section N1103.2.2 Sealing are attained.

i. Exception: HVAC Contractors. HVAC contractors, who are not certified to perform duct leakage tests, may perform the test with the responsible BCEO visually verifying test procedures and results on site.

ii. Joints and seams shall comply with section M1601.4. Duct tightness shall be verified by either for the following:

(a). Post-Construction Test. Leakage to outdoors shall be less than or equal to 8 cfm (3.78 L/s) per 100 ft^2 (9.29 m^2) of conditioned floor area or a total leakage less than or equal to 12 cfm (5.66 L/s) per 100 ft^2 (9.29 m^2) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler end closure. All register boots shall be taped or otherwise sealed during the test.

(b). Rough-In Test. Total leakage shall be less than or equal to 6 cfm (2.83 L/s) per 100 ft^2 (9.29 m^2) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the roughed in system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm (1.89 L/s) per 100 ft^2 (9.29 m^2) of conditioned floor area.

iii. Exception: duct tightness test is not required if the air handler and all ducts are located within *conditioned space*.

g. Amend Section N1103.8.3, Pool Covers. Pool covers shall not be required to meet the energy efficiency requirements of this Section.

h. Amend Section M1307.3.1, Protection from Impact. Appliances shall not be installed in a location subject to automobile or truck damage except where protected by approved barriers

i. Amend Section M1507.3.1, System Design. The whole-house ventilation system shall consist of a combination of supply and exhaust fans, and associated ducts and controls. Local exhaust and supply fans are permitted to serve as such a system. Outdoor air ducts connected to the return side of an air handler shall be considered to provide supply ventilation.

j. Amend Section M1507.3.2, System Controls. The whole-house mechanical ventilation system shall be provided with controls that enable manual override and a method of air-flow adjustment.

k. Amend Section M1507.3.3, Mechanical Ventilation Rate. The whole-house mechanical ventilation system shall be able to provide outdoor air at a continuous rate of at least that determined in accordance with Table M1507.3.3(1).

l. Amend Section M1507.4, Minimum Required Local Exhaust. Local exhaust systems shall be designed to have the capacity to exhaust the minimum air flow rate as follows.

i. Kitchen: 100 cfm intermittent or 25 cfm continuous, a balanced ventilation system is required for continuous exhaust.

ii. Bathrooms: exhaust capacity of 50 cfm intermittent or 20 cfm continuous, a balanced ventilation system is required for continuous exhaust.

6. Amend Chapter 30, Sanitary Drainage.

a. Amend Section P3104.1, Connection. Individual branch and circuit vents shall connect to a vent stack, stack vent or extend to the open air.

i. Delete Exception: Individual, branch and circuit vents shall be permitted to terminate at an air admittance valve in accordance with Section P3114.

b. Delete Section P3114, Air Admittance Valves.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshall, LR 41:2383 (November 2015), amended LR 42:1672 (October 2016), LR 43:

§109. International Mechanical Code
(Formerly LAC 55:VI.301.A.4)

A.1. *International Mechanical Code* (IMC), 2015 Edition, and the standards referenced in that code for regulation of construction within this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshall, LR 41:2386 (November 2015), LR 43:

§111. The International Plumbing Code
(Formerly LAC 55:VI.301.A.5)

A. The *International Plumbing Code*, 2015 Edition. The appendices of that code may be adopted as needed, but the specific appendix or appendices shall be referenced by name or letter designation at the time of adoption. (per R.S. 40:1730.28 eff. 1/1/16)

1. Amend Chapter One.

a. Amend Section [A] 101.2, Scope.

i. Section [A] 101.2, Scope. The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the *International Fuel Gas Code*. Provisions in the appendices shall not apply unless specifically adopted.

(a). Nothing in this Part or any provision adopted pursuant to this Part shall prohibit the Department of Health and Hospitals from the following:

(i). Regulating stored water temperatures through enforcement of the *Sanitary Code*.

(ii). Regulating medical gas and medical vacuum systems.

[a]. Exception

[i]. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. Amend Chapter Two, Definitions

Adult Day Care Center—any place or facility, operated by any person for the primary purpose of providing care, supervision and guidance of 10 or more people 18 years and older, not related to the caregiver and unaccompanied by parent or guardian, on a regular basis, for a total of at least 20 hours in a continuous seven day week in a place other than the person's home.

Barometric Loop—a fabricated piping arrangement rising at least 35 feet at its topmost point above the highest fixture it supplies. It is utilized in water supply systems to protect against backsiphonage backflow.

Building Drain—that part of the lowest piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside and that extends 30 inches (762 mm) in developed length of pipe beyond the exterior walls of the building and conveys the drainage to the building sewer.

NOTE: Delete definition *Combined—Building Drain*—"See building drain, combined".

a. *Sanitary*—a *building drain* that conveys sewage only.

b. *Storm*—a *building drain* that conveys storm water or other drainage, but not sewage.

Building Sewer—that part of the drainage system that extends from the end of the building drain and conveys the discharge to a community sewerage system, commercial treatment facility, or individual sewerage system or other point of disposal.

NOTE: Delete definition Combined Building Sewer—"See Building sewer, combined".

a. *Sanitary*—a *building drain* that conveys sewage only.

b. *Storm*—a *building drain* that conveys storm water or other drainage, but not sewage.

By-Pass—any system of piping or other arrangement whereby the water may be diverted around any part or portion of the water supply system including, but not limited to, around an installed backflow preventer.

Child Day Care Center—any place or facility, operated by any person for the primary purpose of providing care, supervision and guidance of seven or more children under the age of 18, not related to the care giver and supervision and guidance of seven or more children under the age of 18, not related to the care giver and unaccompanied by parent or guardian, on a regular basis, for a total of at least 20 hours in a continuous seven day week in a place other than the

children's home. A day care center that remains open for more than 20 hours in a continuous seven day week, and in which no individual child remains for more than 24 hours in one continuous stay shall be known as a full-time day care center.

Commercial Treatment Facility—any treatment facility which is required by the state health officer whenever the use of an individual sewerage system is unfeasible or not authorized.

Community Sewerage System—any sewerage system which serves multiple connections and consists of a collection and/or pumping system/transport system and treatment facility.

Containment—a method of backflow prevention which requires a backflow prevention device or method on the water service pipe to isolate the customer from the water main.

Continuous Water Pressure—a condition when a backflow preventer is continuously subjected to the upstream water supply pressure for a period of 12 hours or more.

Day Care Centers—includes adult and child day care centers.

Degree of Hazard—an evaluation of the potential risk to public health if the public were to be exposed to contaminated water caused by an unprotected or inadequately protected cross connection.

Domestic Well—a water well used exclusively to supply the household needs of the owner/lessee and his family. Uses may include human consumption, sanitary purposes, lawn and garden watering and caring for pets.

Dual Check Valve—a device having two spring loaded, independently operated check valves without tightly closing shut-off valves and test cocks. Generally employed immediately downstream of the water meter.

Fixture Isolation—a method of backflow prevention in which a backflow preventer is located to protect the potable water of a water supply system against a cross connection at a fixture located within the structure or premises itself.

Grade(G)—normally, this references the location of some object in relation to either the floor or ground level elevation.

Gravity Grease Interceptor – Plumbing appurtenances of not less than 125 gallons capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils, and grease from waste water discharge. Separation is accomplished by gravity during a retention time of not less than30 minutes.

Human Consumption—the use of water by humans for drinking, cooking, bathing, showering, hand washing, dishwashing, or maintaining oral hygiene.

Individual Sewerage System—any system of piping (excluding the building drain and building sewer), and/or collection and/or transport system which serves one or more connections, and/or pumping facility, and treatment facility, all located on the property where the sewage originates; and which utilizes the individual sewerage system technology which is set forth in LAC 51:XIII.Chapter 7, Subchapter B, or a commercial treatment facility which is specifically authorized for use by the state health officer.

NOTE: Delete definition *Individual Water Supply*—a water supply that serves one or more families, and that is not an approved public water supply.

Lead Free—

a. in general:

i. not containing more than 0.2 percent lead when used with respect to solder and flux; and

ii. not more than a weighted average of 0.25 percent lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures;

b. calculation:

i. the weighted average lead content of a pipe, pipe fitting, plumbing fitting, or fixture shall be calculated by using the following formula:

(a). for each wetted component, the percentage of lead in the component shall be multiplied by the ratio of the wetted surface area of that component to the total wetted surface area of the entire product to arrive at the weighted percentage of lead of the component. The weighted percentage of lead of each wetted component shall be added together, and the sum of these weighted percentages shall constitute the weighted average lead content of the product. The lead content of the material used to produce wetted components shall be used to determine compliance with Clause a.ii above. For lead content of materials that are provided as a range, the maximum content of the range shall be used.

Master Meter—a water meter serving multiple residential dwelling units or multiple commercial units. Individual units may or may not be sub-metered.

Potable Water Supply—a publicly owned or privately owned water supply system which purveys potable water.

Preschool—any child less than five years of age.

Private Water Supply—a potable water supply that does not meet the criteria for a public water supply including, but not limited to a domestic well.

NOTE: Delete definition *Public Water Main*—a water supply pipe for public use controlled by public authority.

Public Water Supply—public water system.

Public Water System—a particular type of water supply system intended to provide potable water to the public having at least 15 service connections or regularly serving an average of at least 25 individuals daily at least 60 days out of the year.

Putrescible Waste—waste which is subject to spoilage, rot, or decomposition and may give rise to foul smelling, offensive odors and/or is capable of attracting or providing food for birds and potential disease vectors such as rodents and flies. It includes wastes from the preparation and consumption of food, vegetable matter, and animal offal and carcasses.

Residential Facility—any place, facility, or home operated by any person who receives therein four or more people who are not related to such person for supervision, care, lodging and maintenance with or without transfer of custody. This shall include, but not be limited to group homes, community homes, maternity homes, juvenile detention centers, emergency shelters, halfway homes and schools for the mentally retarded.

Sanitary Sewage—see sewage.

Sewer—a pipe or other constructed conveyance which conveys sewage, rainwater, surface water, subsurface water, or similar liquid wastes.

a. *Building Sewer*—see "building sewer."

b. *Public Sewer*—a common sewer directly controlled by a public authority or utilized by the public

c. *Sanitary Sewer*—a sewer that carries sewage and excludes storm, surface and ground water.

d. *Storm Sewer*—a sewer that conveys rainwater, surface water, subsurface water and similar liquid wastes.

Sewerage System—any system of piping (excluding the building drain and building sewer) and/or collection and/or transport system and/or pumping facility and/or treatment facility, all for the purpose of collecting, transporting, pumping, treating and/or disposing of sanitary sewage.

Water Main—a water supply pipe or system of pipes installed and maintained by a city, township, county, Public Utility Company or other public entity, on public property, in the street or in an approved dedicated easement of public or community use. This term shall also mean the principal artery (or arteries) used for the distribution of potable water to consumers by any water supplier including, but not limited to, those public water systems which are not owned by the public and which may not be on public property.

Water Supplier—a person who owns or operates a water supply system including, but not limited to, a person who owns or operates a public water system.

Water Supply System—the water service pipe, water distribution pipes, and the necessary connecting pipes, fittings, control valves and all appurtenances in or adjacent to the structure or premise. This term shall also mean the system of pipes or other constructed conveyances, structures and facilities through which water is obtained, treated to make it potable (if necessary) and then distributed (with or without charge) for human consumption or other use.

NOTE: Delete definition *Well*—

Bored—a well constructed by boring a hole in the ground with an auger and installing a casing.

Drilled—a well constructed by making a hole in the ground with a drilling machine of any type and installing casing and screen.

Driven—a well constructed by driving a pipe in the ground. The drive pipe is usually fitted with a well point and screen.

Dug—a well constructed by excavating a large-diameter shaft and installing a casing.

C. Amend Chapter 3, General Regulations.

1. Amend Section 312.1, Required Tests.

a. The permit holder shall make the applicable tests prescribed in Sections 312.2 through 312.10 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the plumbing work is ready for tests. The code official shall verify the test results. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. All plumbing system piping shall be tested with either water or by air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The code official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.

2. Amend Section 312.3, Drainage and Vent Test.

a. An air test shall be made by forcing air into the system until there is a uniform gauge pressure of 5 psi (34.5 kPa) or sufficient to balance a 10-inch (254 mm) column of mercury. This pressure shall be held for a test period of not less than15 minutes. Any adjustments to the test pressure required because of changes in ambient temperatures or the seating of gaskets shall be made prior to the beginning of the test period.

3. Amend Section 312.5, Water Supply System Test.

a. Upon completion of a section of or the entire water supply system, the system, or portion completed, shall be tested and proved tight under a water pressure not less than 1.5 times the working pressure of the system, but not less than 140 psi; or, for piping systems other than plastic, by an air test of not less than 50 psi (344 kPa). This pressure shall be held for not less than 15 minutes. The water utilized for tests shall be obtained from a potable source of supply. The required tests shall be performed in accordance with this section and Section 107.

4. Amend Section 312.10, Installation, Inspection and Testing of Backflow Prevention Assemblies, Barometric Loops and Air Gaps.

a. Installation, inspection and testing shall comply with Sections 312.10.1 through 312.10.3.

5. Amend Section 312.10.1, Inspections.

a. Annual inspections shall be made of all backflow prevention assemblies, barometric loops and air gaps to determine whether they are operable, properly installed and maintained, and meet testing/code requirements. Inspections of backflow prevention devices including barometric loops and air gaps used to protect high degree of hazard cross connections shall be documented in writing and the report provided to the owner of the backflow prevention device.

6. Amend Section 312.10.2, Testing.

a. Reduced pressure principle, double check, pressure vacuum breaker, reduced pressure detector fire protection, double check detector fire protection, and spill-resistant vacuum breaker backflow preventer assemblies shall be tested at the time of installation, immediately after repairs or relocation and at least annually. The testing procedure shall be performed in accordance with one of the following standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10.1, USC's FCCC and HR's "Manual of Cross-Connection Control", or UFL's TREEO's "Backflow Prevention—Theory and Practice". Any backflow preventer which is found to be defective shall be repaired.

7. Add Section 312.10.3, Owner Responsibilities.

a. The owner of the backflow prevention assemblies shall comply with the following.

i. It shall be the duty of the owner of the backflow prevention assembly to see that these tests are made in a timely manner in accord with the frequency of field testing specified in 312.10.2 of this code.

ii. The owner shall notify the building official, and/or water supplier (for those devices associated with containment) in advance when the tests are to be undertaken so that the building official and/or water supplier may witness the tests if so desired.

iii. Upon completion, the owner shall provide records of such tests, repairs, overhauls, or replacements to the building official or water supplier (for those devices associated with containment). In addition, all records shall be kept by the owner of the backflow prevention device or

method for at least 5 years and, upon specific request, shall be made available to the building official or water supplier.

iv. All tests, repairs, overhauls or replacements shall be at the expense of the owner of the backflow preventer.

D. Amend Chapter 4.

1. Amend Section 403.3.3, Location of Toilet Facilities in Occupancies other than Malls and Educational Buildings.

a. In occupancies other than covered and open mall buildings, and educational buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

2. Add Section 403.3.7, Location of Toilet Facilities in Educational Buildings.

a. For primary schools, and other special types of institutions with classrooms, for children through 12 years of age, separate boys' and girls' toilet room doors shall not be further than 200 feet from any classroom doors. For secondary schools, and other special types of institutions with classrooms, for persons of secondary school age, separate boys' and girls' toilet room doors shall not be further than 400 feet from any classroom door. In multi-storied buildings, there shall be boys' and girls' toilet rooms on each floor, having the number of plumbing fixtures as specified in Table 403.1 of this Code for the classroom population of that floor. When new educational buildings are added to an existing campus, the restroom facilities and drinking fountains located in the existing building(s) may be used to serve the occupants of the new educational building(s) only when all of the following provisions are met:

i. covered walkways consisting of a roof designed to protect the students and faculty from precipitation having a minimum width of 6 feet and located above a slip-resistant concrete or other acceptable hard surfaces leading to and from the restrooms shall be provided whenever children or faculty have to walk outside to access the toilet room;

ii. the path of travel from the classroom door to the toilet room doors (boys' or girls') does not exceed the applicable distance specified in this Section; and

iii. the number of occupants of the new building does not cause an increase in the school population that would trigger the need for more fixtures per Table 403.1 (Minimum Number of Required Plumbing Fixtures).

3. Add Section 403.6, Other fixture requirements for licensed pre-schools, day care centers, and residential facilities.

a. Additional plumbing fixtures shall be provided in day care centers and residential facilities as required by this Section.

4. Add Section 403.6.1, Food Preparation.

a. The food preparation area in pre-schools, day cares, and residential facilities shall meet the following requirements. The food preparation, storage and handling where six or less individuals are cared for shall provide a two-compartment sink and an approved domestic type dishwasher. Where the number of individuals cared for is between 7 and 15, either a three-compartment sink, or an approved domestic or commercial type dishwashing machine and a two-compartment sink with hot and cold running water shall be provided. Where 16 or more individuals are cared for, a three-compartment sink must be provided. If a dishwasher is also utilized in these instances (16 or more individuals), it must be a commercial type and it shall be in addition to the required three-compartment sink. One laundry tray, service sink, or curbed cleaning facility with floor drain shall also be provided on the premises for cleaning of mops and mop water disposal (for facilities caring for 16 or more individuals).

5. Add Section 403.6.2, Caring for Children between 0 and 4 Years of Age.

a. In child day care facilities, a hand washing sink shall be in or adjacent to each diaper changing area. In addition, one extra laundry tray, service sink, or similar fixture is required to clean and sanitize toilet training potties immediately after each use. Such fixture shall be dedicated solely for this purpose and shall not be in the food preparation/storage, utensil washing, or dining areas. Training potties shall not be counted as toilets in determining the minimum fixture requirements of Table 403.1. Fixtures shall be size appropriate for the age of the children being cared for (toilets 11 inches maximum height and lavatories 22 inches maximum height), or if standard size fixtures are used, safe, cleanable step aids shall be provided.

6. Add Section 410.6, Minimum Required Separation from Contamination.

a. Drinking fountain fixtures shall provide a minimum requirement of 18 inches of separation from its water outlet (spigot) to any source of contamination. Combination sink/drinking fountain units shall provide a minimum of 18 inches between the drinking fountain water outlet (spigot) and the nearest outside rim of the sink bowl [or other source(s) of contamination].

i. Exception:

(a). This 18 inch minimum separation may only be reduced by the use of a vertical shield made of a smooth, easily cleaned surface that is attached flush with the top surface of the unit and extends to a distance at least 18 inches in height above the drinking fountain water outlet (spigot) level.

(b). Prohibited Fixture. Combination sink/drinking fountain units which share the same sink bowl are prohibited except in individual prison cells."

7. Amend Section 412, Floor and Trench Drains.

a. Add Section 412.5, Miscellaneous Areas.

i. A floor drain shall be required in public toilet rooms, excluding hotel/motel guest rooms or patient rooms of a hospital or nursing home.

ii. A floor drain shall be required in the recess room for sterilizers in a medical facility.

iii. Floor drains are not permitted in general food storage areas, unless in accordance with Section 802.1.1 or 802.1.2 of this code.

8. Amend Section 417.3, Shower Water Outlet.

a. Waste outlets serving showers shall be not less than 2 inches (50.8 mm) in diameter and, for other than waster outlets in bathtubs, shall have removable strainers not less than 3 inches (76 mm) in diameter with strainer openings not less than 1/4 inch (6.4 mm) in least dimension. Where each shower space is not provided with an individual

waste outlet, the waste outlet shall be located and the floor pitched so that waste from one shower does not flow over the floor area serving another shower. Waste outlets shall be fastened to the waste pipe in an approved manner.

9. Add Section 418.4, Handwash Sinks.

a. Dedicated handwash sinks shall be located to permit convenient use by all employees in food processing, food preparation, and other food handling areas.

b. Each commercial body art (tattoo) facility shall provide a hand washing sink to be used solely for hand washing in body art procedure area for the exclusive use of the operator. A separate instrument sink shall also be provided for the sole purpose of cleaning instruments and equipment prior to sterilization.

c. A hand washing sink may not be used for purposes other than hand washing.

d. Sinks used for food preparation or for washing and sanitizing of equipment and utensils shall not be used for hand washing.

10. Add Section 418.5, Manual Warewashing, Sink Requirements.

a. A sink with at least three compartments constructed of smooth, impervious non-corrosive material such as stainless steel or high density food grade polymer plastic shall be provided in slaughter rooms, packing rooms, retail food establishments, and other food handling areas for manual washing, rinsing and sanitizing equipment and utensils except where there are no utensils or equipment to wash, rinse and sanitize; i.e., such as in a facility with only prepackaged foods.

11. Add Section 422.11, Handwashing Facilities.

a. Medical facilities, including doctor's office and clinics, shall be provided with hand washing facilities within each patient examination and treatment room. The hand wash facility shall be provided with hot and cold water delivered via a mixing faucet.

E. Amend Chapter 5, Water Heaters.

1. Amend Section 504.7.1, Pan Size and Drain.

a. The drain pan shall be a minimum of 2-inches (2") (50.8 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 1-inch (25.4 mm). Piping for safety pan drains shall be of those materials listed in Table 605.4.

F. Amend Chapter 6, Water Supply and Distribution.

1. Amend Section 602.3, Individual Water Supply.

a. Where a potable public water supply is not available, a private water supply meeting the applicable requirements of LAC 51:XII (Water Supplies) and LAC 56:I (Water Wells) shall be utilized.

i. Delete and remove Sections 602.3.1, 602.3.2, 602.3.3, 602.3.4, 602.3.5 and 602.3.5.1, Pump Enclosure.

2. Add Section 603.3, Potable Water (Pressure) Lines Near Soil Absorption Trenches, Sand Filter Beds, Oxidation Ponds, and any Effluent Reduction Option (Effluent Reduction Fields, Rock Plant Filters, Spray Irrigation Systems, Overland Flow Systems, Mound Systems, or Subsurface Drip Disposal Systems).

a. Underground potable water (pressure) lines shall not be located within 25 feet (7.6 m) of any soil absorption trenches, sand filter beds, oxidation ponds, or any effluent reduction option including, but not limited to effluent reduction fields, rock plant filters, spray irrigation systems (from the edge of the spray and its drainage), overland flow systems (from the discharge point and field of flow), mound systems, or subsurface drip disposal systems which have been installed for either the disposal of septic tank effluent or mechanical treatment plant effluent.

3. Add Section 603.4, Potable Water (Pressure) Lines Near Septic Tanks, Mechanical Sewage Treatment Plants, and Pump Stations.

a. Underground potable water (pressure) lines shall not be located within 10 feet (3.0 m) of any septic tank, mechanical sewage treatment plant, or sewage pump station.

4. Add Section 603.5, Potable Water (Pressure) Lines Near Seepage Pit, Cesspool, or Sanitary Pit Privy.

a. Underground potable water (pressure) lines shall not be located within 50 feet (15.2m) of any seepage pit, cesspool, or sanitary pit privy.

5. Add 603.6, Reclaimed Water Lines.

a. Reclaimed water lines shall be considered and treated as though they are sewerage lines and shall be installed in accord with the spacing requirements of this Section for the protection of potable water lines.

6. Amend Section 605.2.1, Lead content of water supply pipe and fittings used for human consumption.

a. Water Piping Quality. All potable water pipes, fittings, valves, and fixtures used to provide water for human consumption shall be lead free and shall be evaluated and listed as conforming with NSF/ANSI 372. Any solder or flux which is used in the installation or repair of any public water system or any plumbing in a residential or nonresidential facility providing water for human consumption shall be lead free.

i. Exception. The lead free requirement above shall not apply to:

(a). leaded joints necessary for the repair of existing cast iron pipes;

(b). fire hydrants, pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for nonpotable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption; or

(c). toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are 2 inches in diameter or larger.604.

7. Amend Section 605.3, Water Service Pipe with Corresponding Table 605.3.

a. Water service pipe shall conform to NSF 61 and shall conform to one of the standards listed in Table 605.3. Water service pipe or tubing, installed underground and outside of the structure, shall have a working pressure rating of not less than 160 psi (1100 kPa) at 73.4°F (23°C). Where the water pressure exceeds 160 psi (1100 kPa) piping material shall have a working pressure rating not less than the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate at or before the full open valve located at the entrance to the structure. All ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.

i. Table 605.3—Water Service Pipe

Material	Standard
Acrylonitrile butadiene styrene (ABS) plastic pipe	ASTM D 1527; ASTM D 2282
Brass pipe	ASTM B 43
Chlorinated polyvinyl chloride (CPVC) plastic pipe	ASTM D 2846; ASTM F 441; ASTM F 442; CSA B137.6
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K, WK, L, or WL only. i.e., Type M and WM copper is prohibited.)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Cross-linked polyethylene (PEX) plastic pipe and tubing	ASTM F 876; ASTM F 877; AWWA C904; CSA B137.5
Cross-linked polyethylene/aluminum/cross-linked polyethylene (PEX-AL-PEX) pipe	ASTM F 1281; ASTM F 2262; CSA B137.10M
Cross-linked polyethylene/aluminum/high-density polyethylene (PEX-AL-HDPE)	ASTM F 1986
Ductile iron water pipe	AWWA C151/A21.51; AWWA C115/A21.15
Galvanized steel pipe	ASTM A 53
Polyethylene (PE) plastic pipe	ASTM D 2239; ASTM D 3035; AWWA C901; CSA B137.1
Polyethylene (PE) plastic tubing	ASTM D 2737; AWWA C901; CSA B137.1
Polyethylene/aluminum/polyethylene (PE-AL-PE) pipe	ASTM F 1282; CSA B137.9
Polyethylene of raised temperature (PE-RT) plastic tubing	ASTM F 2769
Polypropylene (PP) plastic pipe or tubing	ASTM F 2389; CSA B137.11
Polyvinyl chloride (PVC) plastic pipe	ASTM D 1785; ASTM D 2241; ASTM D 2672; CSA B137.3
Stainless steel pipe (Type 304/304L)	ASTM A 312; ASTM A 778
Stainless steel pipe (Type 316/316L)	ASTM A 312; ASTM A 778

8. Amend Section 605.3.1, Dual check-valve-type backflow preventer.

a. Dual check-valve backflow preventers installed on the water supply system shall comply with ASSE 1024 or CSA B64.6. These devices, which are commonly installed immediately downstream of water meters by water suppliers, are not approved backflow prevention devices and are only allowed to be installed when no cross connections exist downstream of the device or when all downstream cross connections are properly protected by approved backflow prevention devices, assemblies, or methods in accordance with Section 608 of this code.

9. Amend Table 605.4, Water Distribution Pipe.

a. Table 605.4—Water Distribution Pipe

Material	Standard
Brass pipe	ASTM B 43
Chlorinated polyvinyl chloride (CPVC) plastic pipe and tubing	ASTM D 2846; ASTM F 441; ASTM F 442; CSA B137.6
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K, WK, L, or WL only. *i.e.*, Type M and WM copper is prohibited.)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Cross-linked polyethylene (PEX) plastic tubing	ASTM F 876; ASTM F 877; CSA B137.5
Cross-linked polyethylene/aluminum/cross-linked polyethylene (PEX-AL-PEX) pipe	ASTM F 1281; ASTM F 2262; CSA B137.10M
Cross-linked polyethylene/aluminum/high-density polyethylene (PEX-AL-HDPE)	ASTM F 1986
Ductile iron pipe	AWWA C151/A21.51; AWWA C115/A21.15
Galvanized steel pipe	ASTM A 53
Polyethylene/aluminum/polyethylene (PE-AL-PE) composite pipe	ASTM F 1282
Polyethylene of raised temperature (PE-RT) plastic tubing	ASTM F 2769
Polypropylene (PP) plastic pipe or tubing	ASTM F 2389; CSA B137.11
Stainless steel pipe (Type 304/304L)	ASTM A 312; ASTM A 778
Stainless steel pipe (Type 316/316L)	ASTM A 312; ASTM A 778

10. Amend Section 606.5.5, Low-Pressure Cutoff Required on Booster Pumps.

a. A low-pressure cutoff shall be installed on all booster pumps in a water pressure booster system to prevent creation of a vacuum or negative pressure on the suction side of the pump when a positive pressure of 20 psi (137.9 kPa) or less occurs on the suction side of the pump.

11. Amend Section 608.1, General.

a. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from non-potable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventers shall conform to the applicable Standard referenced in Table 608.1. Backflow preventer applications shall conform to Table 608.1, except as specifically stated in Sections 608.2 through 608.16.27 and Sections 608.18 through 608.18.2.

12. Amend Section 608.8, Identification of Nonpotable Water.

a. Where nonpotable water systems are installed, the piping conveying the nonpotable water shall be identified either by color marking, metal tags or tape in accordance with Sections 608.8.1 through 608.8.3.

i. Exception:

(a). Overall Exception to this Section (§608.8 of this code). Pursuant to R.S. 40:4.12, industrial-type facilities listed therein shall not be required to comply with this section (§608.8 of this code) provided that such facilities have a potable water distribution identification plan in conformity with the requirements of R.S. 40:4.12. The required formal cross-connection control survey of the facility referenced in R.S. 40:4.12 shall be performed by an individual holding a valid cross-connection control surveyor certificate issued under the requirements of ASSE 5120, or other individuals holding a surveyor certificate from a

nationally recognized backflow certification organization approved by the state health officer.

13. Amend Section 608.14, Location of Backflow Preventers.

a. Access shall be provided to backflow preventers as specified by the manufacturer's instructions for the required testing, maintenance and repair. A minimum of 1-foot of clearance shall be provided between the lowest portion of the assembly and grade or platform. Elevated installations exceeding 5-feet above grade(g) shall be provided with a suitably located permanent platform capable of supporting the installer, tester, or repairer. Reduced pressure principal type backflow preventers, and other types of backflow preventers with atmospheric ports and/or test cocks (e.g., atmospheric type vacuum breakers, double check valve assemblies, pressure type vacuum breaker assemblies, etc.), shall not be installed below grade (in vaults or pits) where the potential for a relief valve, an atmospheric port, or a test cock being submerged exists.

14. Amend Section 608.15.4, Protection by a Vacuum Breaker.

a. Openings and outlets shall be protected by atmospheric-type or pressure-type vacuum breakers. The critical level of atmospheric type vacuum breakers shall be installed not less than 6 inches (152 mm) above all downstream piping and not less than 6 inches (152 mm) above the flood-level rim of the fixture receptor or device served. Shutoff or control valves shall not be installed downstream from an atmospheric vacuum breaker. Atmospheric vacuum breakers including, but not limited to, hose bibb vacuum breakers shall not be subjected to continuous water pressure. The critical level of pressure type vacuum breakers shall be installed not less than 12 inches (305 mm) above all downstream piping and not less than 12 inches (305 mm) above the flood-level rim of the fixture receptor or device served. Fill valves shall be set in accordance with Section 425.3.1. Vacuum breakers shall not be installed under exhaust hoods or similar locations that will contain toxic fumes or vapors.

15. Amend Section 608.16, Connections to the Potable Water System.

a. Connections to the potable water system shall conform to Sections 608.16.1 through 608.16.27. These Sections (608.16.1-608.16.27) are not inclusive of all potential contamination sources which may need fixture isolation protection. For potential contamination sources not listed in Sections 608.16.1 through 608.16.27, backflow prevention methods or devices shall be utilized in accordance with Table B1 of CAN/CSA B64.10-1994. When a potential contamination source and its associated backflow prevention method or device is not identified in this code or Table B1 of CAN/CSA B64.10-1994, backflow prevention methods or devices shall be utilized as directed by the building official.

16. Amend Section 608.16.5, Connections to Lawn/Landscape Irrigation Systems.

a. The potable water supply to lawn/landscape irrigation systems shall be protected against backflow by an atmospheric vacuum breaker, a pressure vacuum breaker assembly or a reduced pressure principle backflow prevention assembly. Shutoff or control valves shall not be installed downstream from an atmospheric vacuum breaker. When an lawn/landscape sprinkler system is provided with separate zones, the potable water supply shall be protected by a pressure vacuum breaker or reduced pressure principal backflow prevention assembly. Atmospheric vacuum breakers shall be installed at least 6 inches (152 mm) above the highest point of usage (i.e., 6 inches (152 mm) above all downstream piping or highest sprinkler head). Pressure type vacuum breakers shall be installed at least 12 inches (305 mm) above the highest point of usage (i.e., 12 inches (305 mm) above all downstream piping and the highest sprinkler head). Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow prevention assembly.

17. Amend Section 608.16.8, Portable Cleaning Equipment.

a. Where the portable cleaning equipment connects to the water distribution system, the water supply system shall be protected against backflow in accordance with Section 608.13.1, 608.13.2, 608.13.3, 608.13.5, 608.13.6, or 608.13.8. The type of backflow preventer shall be selected based upon the application in accordance with Table 608.1.

18. Add Section 608.16.11, Cooling Towers.

a. The potable water supply to cooling towers shall be protected against backflow by an air gap.

19. Add Section 608.16.12, Chemical Tanks.

a. The potable water supply to chemical tanks shall be protected against backflow by an air gap.

20. Add Section 608.16.13, Commercial Dishwashers in Commercial Establishments.

a. The potable water supply to commercial dishwashers in commercial establishments shall be protected against backflow by an air gap, atmospheric vacuum breaker, or pressure vacuum breaker. Vacuum breakers shall meet the requirements of Section 608.15.4.

21. Add Section 608.16.14, Ornamental Fountains.

a. The potable water supply to ornamental fountains shall be protected against backflow by an air gap.

22. Add Section 608.16.15, Swimming Pools, Spas, Hot Tubs.

a. The potable water supply to swimming pools, spas, or hot tubs shall be protected against backflow by an air gap or reduced pressure principal backflow prevention assembly.

23. Add Section 608.16.16, Baptismal Fonts.

a. The potable water supply to baptismal fonts shall be protected against backflow by an air gap.

24. Add Section 608.16.17, Animal Watering Troughs.

a. The potable water supply to animal watering troughs shall be protected against backflow by an air gap.

25. Add Section 608.16.18, Agricultural Chemical Mixing Tanks.

a. The potable water supply to agricultural chemical mixing tanks shall be protected against backflow by an air gap.

26. Add Section 608.16.19, Water Hauling Trucks.

a. The potable water supply to water hauling trucks/tankers shall be protected against backflow by an air gap when filled from above. When allowed to be filled from below, they shall be protected by a reduced pressure principle backflow prevention assembly. When a tanker truck is designated for the hauling of food grade products (and has been cleaned utilizing food grade cleaning

procedures) and is allowed to be filled from below, a double check valve assembly shall be acceptable.

27. Add Section 608.16.20, Air Conditioning Chilled Water Systems and/or Condenser Water Systems.

a. The potable water supply to air conditioning chilled water systems and condenser water systems shall be protected against backflow by a reduced pressure principal backflow prevention assembly.

28. Add Section 608.16.21, Pot-Type Chemical Feeders.

a. The potable water supply to pot-type chemical feeders shall be protected against backflow by a reduced pressure principal backflow prevention assembly.

29. Add Section 608.16.22, Food Processing Steam Kettles.

a. The potable water supply to food processing steam kettles shall be protected against backflow by a double check valve backflow prevention assembly.

30. Add Section 608.16.23, Individual Travel Trailer Pads.

a. The potable water supply to individual travel trailer pads shall be protected against backflow by a double check valve backflow prevention assembly.

31. Add Section 608.16.24, Laboratory and/or Medical Aspirators.

a. The potable water supply to laboratory and/or medical aspirators shall be protected against backflow by an atmospheric or pressure vacuum breaker installed in accordance with Sections 608.3.1 and 608.15.4.

32. Add Section 608.16.25, Laboratory or other Sinks with Threaded or Serrated Nozzles.

a. The potable water supply to laboratory sinks or other sinks with threaded or serrated nozzles shall be protected against backflow by an atmospheric or pressure vacuum breaker installed in accordance with Sections 608.3.1 and 608.15.4.

33. Add Section 608.16.26, Mortuary/Embalming Aspirators.

a. The potable water supply to mortuary/embalming aspirators shall be protected against backflow by a pressure vacuum breaker installed in the supply line serving the aspirator. The critical level of the vacuum breaker shall be installed a minimum of 12 inches higher than the aspirator. The aspirator shall be installed at least 6 inches above the highest level at which suction may be taken. An air gap shall be provided between the outlet of the discharge pipe and the overflow rim of the receiving fixture.

34. Add Section 608.16.27, Room(s) or other Sub-Unit(S) of a Premise or Facility Receiving Water where Access is Prohibited.

a. When access is prohibited to particular areas, rooms, or other sub-units of a premise or facility which is receiving water, the potable water supply serving those areas shall be protected against backflow by a reduced pressure principal backflow protection assembly.

35. Amend Section 608.17, Protection of Individual Water Supplies.

a. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with the applicable requirements of LAC 51:XII (Water Supplies) and LAC 56:I (Water Wells).

36. Remove and delete Sections 608.17.1 thru 608.17.8 including Table 608.17.1.

37. Add Section 608.18, Containment Practices.

a. Backflow prevention methods or devices shall be utilized as directed by the water supplier or code official to isolate specific water supply system customers from the water supply system's mains when such action is deemed necessary to protect the water supply system against potential contamination caused by backflow of water from that part of the water system owned and maintained by the customer (for example, the piping downstream of the water meter, if provided). Minimum requirements shall be in accordance with Section 608.18.1 through 608.18.2.

38. Add Section 608.18.1, Containment Requirements.

a. As a minimum, the following types of backflow prevention assemblies or methods shall be installed and maintained by water supply system customers immediately downstream of the water meter (if provided) or on the water service pipe prior to any branch line or connections serving the listed customer types and categories.

39. Add Table 608.18.1, Containment Requirements.

a. Table 608.18.1—Containment Requirements

Air Gap
1. Fire Protection/Sprinkler System utilizing non-potable water as an alternative or primary source of water
Reduced Pressure Principle Backflow Prevention Assembly
1. Hospitals, Out-Patient Surgical Facilities, Renal Dialysis Facilities, Veterinary Clinics
2. Funeral Homes, Mortuaries
3. Car Wash Systems
4. Sewage Facilities
5. Chemical or Petroleum Processing Plants
6. Animal/Poultry Feedlots or Brooding Facilities
7. Meat Processing Plants
8. Metal Plating Plants
9. Food Processing Plants, Beverage Processing Plants
10. Fire Protection/Sprinkler Systems using antifreeze in such system (a detector type assembly is recommended on unmetered fire lines)
11. Irrigation/Lawn Sprinkler Systems with Fertilizer Injection
12. Marinas/Docks
13. Radiator Shops
14. Commercial Pesticide/Herbicide Application
15. Photo/X-ray/Film Processing Laboratories
16. Multiple Commercial Units served by a master meter
17. Any type of occupancy type or any other facility having one or more Single-walled Heat Exchangers which uses any chemical, additive, or corrosion inhibitor, etc., in the heating or cooling medium
18. Any type of occupancy type or any other facility having one or more Double-walled Heat Exchangers which use any chemical, additive, or corrosion inhibitor, etc., in the heating or cooling medium and which does not have a path to atmosphere with a readily visible discharge
19. Premises where access/entry is prohibited
Pressure Vacuum Breaker Assembly/Spill Resistant Vacuum Breaker Assembly
1. Irrigation/Lawn Sprinkler Systems
Double Check Valve Assembly
1. Fire Protection/Sprinkler Systems (a detector type double check valve assembly is recommended on unmetered fire lines)
2. Two residential dwelling units served by a master meter, unless both units are located on a parcel or contiguous parcels of land having the same ownership and neither unit is used for commercial purposes. As used herein, the term "commercial purposes" means any use other than residential.
3. Three or more residential dwelling units served by a master meter
4. Multistoried Office/Commercial Buildings (over 3 floors)
5. Jails, Prisons, and Other Places of Detention or Incarceration

40. Add Section 608.18.2, Other Containment Requirements.

a. Table 608.18.1 of this code above is not inclusive of all potential contamination sources which may need containment protection. For potential contamination sources not listed in this table, backflow prevention methods or devices shall be utilized in accordance with Table B1 of CAN/CSA B64.10-1994. When a potential contamination source and its associated backflow prevention method or device is not identified in Table 608.18.1 of this code above or Table B1 of CAN/CSA B64.10-1994, backflow prevention methods or devices shall be utilized:

i. as directed by the building code official; or

ii. as directed by the water supplier.

iii. In cases of a discrepancy regarding the particular backflow prevention assembly or method required, the assembly or method providing the higher level of protection shall be required.

G. Amend Chapter 7, Sanitary Drainage.

1. Amend Section 701.2, Sewer Required.

a. Buildings in which plumbing fixtures are installed and premises having sanitary drainage system piping shall be connected to a community sewerage system, where available, or an approved commercial treatment facility or individual sewerage meeting the requirements of LAC 51:XIII (Sewage Disposal).

2. Add Section 701.9, Repairs to Drainage System via Re-Route.

a. In the case where it is determined that there is a broken underground drain line including, but not limited to, broken drain lines under the slab of a building, and a drain line re-route is performed, the existing broken underground drain line shall be and sealed watertight and gastight using approved plumbing materials and joining/jointing methods, e.g., properly install an approved cap, plug, or cleanout on the cut or disconnected pipe.

3. Add Section 703.6, Minimum Size Building Sewer.

a. No building sewer shall be less than 4 inches in size with the exception of force lines.

4. Amend Section 710.1, Maximum Fixture Unit Load.

a. The maximum number of drainage fixture units connected to a given size of building sewer, building drain or horizontal branch of the building drain shall be determined using Table 710.1(1). The maximum number of drainage fixture units connected to a given size vertical soil or waste stack, or horizontal branch connecting to a vertical soil or waste stack, shall be determined using Table 710.1(2).

5. Amend Table 710.1(1).

a. Table 710.1(1)—Building Drains and Sewers

Diameter Of Pipe (Inches)	Maximum Number of Drainage Fixture Units Connected to Any Portion of the Building Drain or the Building Sewer, Including Branches of the Building Drain[a]			
	Slope Per Foot			
	1/16 inch	1/8 inch	1/4 inch	1/2 inch
1 1/4			1	1
1 1/2			3	3
2			21	26
2 1/2			24	31
3		20 (not over two water closets)	27 (not over two water closets)	36 (not over two water closets)
4	—	180	216	250
5	—	390	480	575
6	—	700	840	1,000
8	1,400	1,600	1,920	2,300
10	2,500	2,900	3,500	4,200
12	3,900	4,600	5,600	6,700
15	7,000	8,300	10,000	12,000

For SI: 1 inch = 25.4 mm, 1 inch per foot = 83.3 mm/m.

[a] The minimum size of any building drain serving a water closet shall be 3 inches.

6. Amend Table 710.1(2).

a. Table 710.1(2)—Horizontal Fixture Branches and Soil Stacks[a].

Diameter of Pipe (inches) (The minimum size of any branch or soil stack serving a water closet shall be 3".)	Maximum Number of Drainage Fixture Units (dfu)			
	Total for horizontal branch (Does not include branches of the building drain. Use 50 percent less dfu's for any circuit or battery vented fixture branches, no size reduction permitted for circuit or battery vented branches throughout the entire branch length.)	Soil Stacks[b]		
		Total discharge into one branch interval when greater than three branch intervals	Total for soil stack when three branch intervals or less	Total for soil stack when greater than three branch intervals
1 1/2	3	2	4	8
2	6	6	10	24
2 1/2	12	9	20	42
3	20 (not over two water closets)	16 (not over two water closets)	30 (not over six water closets)	60 (not over six water closets)
4	160	90	240	500
5	360	200	540	1,100
6	620	350	960	1,900
8	1,400	600	2,200	3,600
10	2,500	1,000	3,800	5,600
12	3,900	1,500	6,000	8,400
15	7,000	Note [c]	Note [c]	Note [c]

For SI: 1 inch = 25.4 mm.

[a] Does not include branches of the building drain. Refer to Table 710.1(1).

[b] Soil stacks shall be sized based on the total accumulated connected load at each story or branch interval. As the total accumulated connected load decreases, stacks are permitted to be reduced in size. Stack diameters shall not be reduced to less than one-half of the diameter of the largest stack size required.

[c] Sizing load based on design criteria.

7. Add Section 710.3, Underground Drainage Piping.

a. Any portion of the drainage system installed underground or below a basement or cellar shall not be less than 2-inch diameter. In addition, any portion of the drainage system installed underground which is located upstream from a grease trap or grease interceptor as well as the underground horizontal branch receiving the discharge there from shall not be less than 3-inch diameter.

H. Chapter 8. Indirect/Special Waste.

1. Amend Section 802.1.1, Food Handling.

a. Equipment and fixtures utilized for the storage, preparation and handling of food shall discharge through an indirect waste pipe by means of an air gap. Food handling equipment includes but is not limited to the following: any sink where food is cleaned, peeled, cut up, rinsed, battered, defrosted or otherwise prepared or handled; potato peelers; ice cream dipper wells; refrigerators; freezers; walk-in coolers or freezers; ice boxes; ice making machines; fountain type drink dispensers; rinse sinks; cooling or refrigerating coils; laundry washers; extractors; steam tables; steam kettles; egg boilers; coffee urns; steam jackets or other food handling or cooking equipment wherein the indirect waste pipe may come under a vacuum; or similar equipment.

I. Delete Section 918, Air Admittance Valves in its entirety and all referring sections of the 2015 IPC. In accordance with the requirements of Act 836 of the 2014 Regular Session, air admittance valves are prohibited from use on all plumbing systems.

J. Amend Chapter 10, Traps, Interceptors and Separators.

1. Amend Section 1003.2, Approval.

a. Interceptors and separators shall be designed and installed in accordance with the manufacturer's instructions and the requirements of this section based on the anticipated conditions of use. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator. No interceptor or separator shall be installed until its design, size, location and venting has been approved by the local jurisdictional code official. The local jurisdictional code official shall have the authority to require a grease interceptor to be serviced, repaired, or replaced with a larger unit when it is determined that a unit is not working or being maintained properly, the unit is damaged, or the mode of operation of the facility no longer meets the anticipated conditions of use (i.e., offensive odors, sewage backups or overflows, or when it is determined that grease is bypassing the grease interceptor and causing downstream blockages or interfering with sewage treatment.)

2. Add Section 1003.2.1, Grease interceptor sizing.

a. In all instances of new construction, change of occupancy classification or use of the property, a gravity grease interceptor or hydro-mechanical grease interceptor meeting the minimum capacity as required by this Section of the Code shall be installed. The minimum required capacity (volume) of the grease interceptor shall be determined based upon the maximum number of persons served during the largest meal period. The minimum capacity shall not be less than 125 gallons below the static water level. This capacity is sufficient to hold the flow from one meal long enough to accomplish proper grease separation when serving up to 50 people during a single meal period. When over 50 people are served during a single meal period, the minimum capacity shall be increased beyond 125 gallons based upon at least an additional 2 1/2 gallons per person beginning with the 51st person served and greater.

i. Exception:

(a). At the discretion of the local jurisdictional code official, a smaller, point of use type hydro-mechanical grease interceptor or automatic grease removal device may be permissible when:

(i). a concrete slab would have to be broken at an existing building or facility for the proper installation of a grease interceptor; or

(ii). an outside, unpaved area surrounding an existing building where a grease interceptor could be installed is available; however, it is determined that the area is located further than 75 feet from the plumbing fixtures that the grease interceptor would be servicing; or

(iii). the local jurisdictional code official determines that the installation is unfeasible such as when servicing a kitchen located on the upper floors of a multistoried building; or

(iv). the local jurisdictional code official determines that minimal fat, oil and grease will be produced or introduced into the sanitary drainage system based on the menu and mode of operation of the facility (i.e., snowball stands, sandwich shops, or other similar facilities with low grease production and which utilize single-service tableware and hollowware including forks, knives, spoons, plates, bowls, cups, and other serving dishes).

(b). In these instances, listed under the exception, the minimum required size of the hydromechanical grease interceptor; fats, oils and greases disposal system or automatic grease removal device shall be determined in accordance with the requirements of Section 1003.3.4 of this Code. In no case shall a grease interceptor or automatic grease removal device be installed which has an approved rate of flow of less than 20 gallons per minute.

3. Amend Section 1003.3.4, Hydromechanical grease interceptors, fats, oils and greases disposal systems and automatic grease removal devices.

a. When specifically allowed under the exception of Section 1003.2.1 of this Code, hydromechanical grease interceptors; fats, oils, and greases disposal systems and automatic grease removal devices shall be sized in accordance with ASME A112.14.3, ASME A112.14.4, ASME A112.14.6, CSA B481.3 or PDI-G101. Hydromechanical grease interceptors; fats, oils, and grease disposal systems and automatic grease removal devices shall be designed and tested in accordance with ASME A112.14.3, ASME A112.14.4, CSA B481.1, PDI G101 or PDI G102. Hydromechanical grease interceptors; fats, oils, and greases disposal systems and automatic grease removal devices shall be installed in accordance with the manufacturer's instructions. Where manufacturer's instructions are not provided, Hydromechanical grease interceptors; fats, oils,

and greases disposal systems and automatic grease removal devices shall be installed in compliance with ASME A112.14.3, ASME A112.14.4, ASME A112.14.6, CSA B481.3 or PDI-G101.

4. Amend Section 1003.3.46, Gravity Grease Interceptors/grease traps.

a. Gravity grease interceptors shall comply with the requirements of Sections 1003.3.46.1 through 1003.3.46.8 and shall be sized in accordance with Section 1003.2.1 of this code.

5. Add Section 1003.3.6.1, Indoor Installations.

a. If a gravity grease interceptor must be installed within an enclosed building, any access covers shall be gasketed to prevent the intrusion of odors into the building.

6. Add Section 1003.3.6.2, Distance.

a. The grease interceptor shall be placed as close to the plumbing fixture(s) discharging greasy waste as possible, but preferably on the outside of the building when feasible.

7. Add Section 1003.3.6.3, Outlet Pipe.

a. The minimum diameter of the outlet pipe shall not be less than 4 inches. The invert of the gravity grease interceptor outlet opening (i.e., lowest portion of the outlet pipe where it draws waste near the bottom of the grease interceptor), shall be located at a maximum of 6 inches and a minimum of 4 inches from the floor of the grease interceptor. This requirement also applies to any intermediate outlets in multi-compartment gravity grease interceptors.

8. Add Section 1003.3.6.4, Air Space.

a. A minimum of one foot of air space shall be provided above the static water level.

9. Add Section 1003.3.6.5, Venting.

a. A gravity grease interceptor outlet shall be properly vented in accordance with this section to prevent it from siphoning itself out. Any internally vented outlet line shall have the vent terminal extended to within 2 inches of the bottom of the access cover to prevent grease from escaping the gravity grease interceptor through the open vent terminal. For those gravity grease interceptors having a gasketed cover, the gravity grease interceptor outlet line shall not be allowed to be internally vented. In this case, the outlet line itself shall be vented with a minimum 2-inch vent pipe installed in accordance with Chapter 9 of this code.

10. Add Section 1003.3.6.6, Water Seal.

a. On unbaffled single compartment gravity grease interceptors, a 90° ell shall be used on the inlet and shall terminate 6 inches below the static water level. On baffled single compartment gravity grease interceptors, a baffle wall shall be placed between the inlet and outlet. The inlet shall discharge into the gravity grease interceptor at a level at least 6 inches below the top of the baffle wall.

11. Add Section 1003.3.6.7, Minimum Horizontal Distance.

a. The minimum horizontal distance between the inlet and outlet piping in the gravity grease interceptor shall be 24 inches.

12. Add Section 1003.3.6.8, Access/Covers.

a. Access from the top of the gravity grease interceptor shall be provided by an easily removable cover above an access opening for proper maintenance. Additional access opening/covers shall be provided as necessary to provide accessibility to each compartment in multi-compartment or multi-baffled arrangements as well as access to both the inlet and outlet. Access opening covers shall be above or at grade (G) to provide ready accessibility. Each access cover shall be designed so that it cannot slide, rotate, or flip when properly installed in order that the opening is not unintentionally exposed. Especially for lightweight covers, mechanical fasteners are recommended to augment the safety of and ensure positive closure of the cover.

13. Amend Section 1003.10, Access and Maintenance of Interceptors and Separators.

a. Access shall be provided to each interceptor and separator for service and maintenance. A two-way cleanout shall be provided on the discharge waste line immediately downstream of all interceptors and separators. Interceptors and separators shall be maintained by periodic removal of accumulated grease, scum, oil, or other floating substances and solids deposited in the interceptor or separator.

K. Amend Chapter 11, Storm Drainage.

1. Amend Section 1101.3, Prohibited Drainage.

a. Storm water shall not be drained into sewers intended for sewage only.

i. Exception:

(a). Liquid waste from the cleaning operation and from the leakage of garbage containers and dumpsters holding putrescible wastes shall be disposed of as sewage. Methods used for this disposal shall prevent rainwater and runoff from adjacent areas from entering the sanitary sewerage system (i.e., dumpster pads may be elevated or curbed, enclosed or covered). When determined by the code official that liquid wastes or putrescible wastes contain fats, oils or grease (or, for new establishments, will likely contain fats, oils, or grease in the future), an approved grease interceptor shall be installed in the waste line in accordance with Section 1003 of this Code.

2. Delete Section 1103.1.

3. Delete Section 1103.2.

4. Delete Section 1103.3.

5. Delete Section 1103.4.

6. Delete Section 1109.1.

L. Amend Chapter 13, Gray Water Recycling Systems.

1. Amend Section 1301.4 Permits

a. Permits shall be required for the construction, installation, alteration and repair of nonpotable water systems. Construction documents, engineering calculations, diagrams and other such data pertaining to the nonpotable water system shall be submitted with each permit application. Such plans and specifications shall be appropriately sealed and signed by a Louisiana Registered Professional Engineer.

2. Amend Section 1301.5, Potable water connections.

a. Where a potable system is connected to a nonpotable water system, the potable water supply shall be protected against backflow by an air gap or reduced pressure principal backflow prevention assembly.

3. Amend Section 1301.9.5, Makeup water.

a. Where an uninterrupted supply is required for the intended application, potable or reclaimed water shall be provided as a source of makeup water for the storage tank. The makeup water supply shall be protected against backflow by an air gap or reduced pressure principal backflow prevention assembly. A full-open valve located on the makeup water supply line to the storage tank shall be

provided. Inlets to the storage tank shall be controlled by fill valves or other automatic supply valves installed to prevent the tank form overflowing and to prevent the water level from dropping below a predetermined point. Where makeup water is provided, the water level shall not be permitted to drop below the source water inlet or the intake of any attached pump.

M. Amend Chapter 15, Referenced Standards.

1. Amend CSA Referenced Standard.

a. B64.10-94 Manual for the Selection, Installation, Maintenance and Field testing of Backflow Prevention Devices (not including Part 6 (Maintenance and Field Testing) Section 608.16 and Section 618.2

N. Add Chapter 16, Travel Trailer and Mobile/Manufactured Home Parks.

1. Add the following definitions.

Dependent Travel Trailer—a travel trailer not equipped with a water closet.

Drain Hose—the approved type hose, flexible and easily detachable, used for connecting the drain outlet on a travel trailer to a sewer inlet connection.

Drain Outlet—the lowest end of the main drain of a travel trailer itself to which a drain hose is connected.

Independent Travel Trailer—a travel trailer equipped with a water closet and a bath or shower.

Inlet Coupling—the terminal end of the branch water line to which the mobile/manufactured home or travel trailer's water service connection is made. It may be a swivel fitting or threaded pipe end.

Intermediate Waste Holding Tank (travel trailers only)—an enclosed tank for the temporary retention of water-borne waste.

Mobile/Manufactured Home—a prefabricated home built on a permanent chassis which can be transported in one or more sections and is typically used as a permanent dwelling. Manufactured homes built since 1976 are built to the *Manufactured Home Construction and Safety Standards* (HUD Code) and display a HUD certification label on the exterior of each transportable section.

Park or *Mobile/Manufactured Home Park* or *Travel Trailer Park*—any lot, tract, parcel or plot of land upon which more than one travel trailer and/or mobile/manufactured homes parked for the temporary or permanent use of a person or persons for living, working or congregating.

Park Drainage System—the entire system of drainage piping within the park which is used to convey sewage or other wastes from the mobile/manufactured home or travel trailer drain outlet connection, beginning at its sewer inlet connection at the mobile/manufactured home or travel trailer site, to a community sewerage system, a commercial treatment facility, or an individual sewerage system.

Park Water Distribution System—all of the water distribution piping within the park, extending from the water supply system or other source of supply to, but not including, the mobile/manufactured home or travel trailer's water service connection, and including branch service lines, fixture devices, service buildings and appurtenances thereto.

Service Building—a building housing toilet and bathing facilities for men and women, with laundry facilities.

Sewer Inlet—a sewer pipe connection permanently provided at the travel trailer or mobile/manufactured home site which is designed to receive sewage when a travel trailer or a mobile/manufactured home is parked on such site. It is considered the upstream terminus of the park drainage system.

Travel Trailer—a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use.

Travel Trailer Sanitary Service Station—a sewage inlet with cover, surrounded by a concrete apron sloped inward to the drain, and watering facilities to permit periodic wash down of the immediately adjacent area, to be used as a disposal point for the contents of intermediate waste holding tanks of travel trailers.

Water Service Connection—as used in conjunction with mobile/manufactured homes and travel trailers, the water pipe connected between the inlet coupling of the park water distribution system and the water supply fitting provided on the mobile/manufactured home or travel trailer itself.

2. Add Section 1601, General.

a. Add Section 1601.1, Scope.

i. The requirements set forth in this Chapter shall apply specifically to all new travel trailer and mobile/manufactured home parks, and to additions to existing parks as herein defined, and are to provide minimum standards for sanitation and plumbing installation within these parks, for the accommodations, use and parking of travel trailers and/or mobile/manufactured homes.

b. Add Section 1601.2, Governing Provisions.

i. Other general provisions of this code shall govern the installation of plumbing systems in travel trailer and mobile/manufactured home parks, except where special conditions or construction are specifically defined in this Chapter.

c. Add Section 1601.3, Sewage Collection, Disposal, Treatment.

i. Travel trailers or mobile/manufactured homes shall not hereafter be parked in any park unless there are provided plumbing and sanitation facilities installed and maintained in conformity with this code. Every travel trailer and mobile/manufactured home shall provide a gastight and watertight connection for sewage disposal which shall be connected to an underground sewage collection system discharging into a community sewerage system, a commercial treatment facility, or an individual sewerage system which has been approved by the state health officer.

d. Add Section 1601.4, Travel Trailer Sanitary Service Station.

i. At least one travel trailer sanitary service station shall be provided in all travel trailer parks that accept any travel trailers having an intermediate waste holding tank. The water supply serving the sanitary service station shall be protected against backflow by a reduced pressure principle backflow prevention assembly meeting the requirements of Section 608 of this code.

e. Add Section 1601.5, Materials.

i. Unless otherwise provided for in this Chapter, all piping fixtures or devices used in the installation of drainage and water distribution systems for travel trailer

parks and mobile/manufactured home parks shall conform to the quality and weights of materials prescribed by this code.

f. Add Section 1601.6, Installation.

i. Unless otherwise provided for in this Chapter, all plumbing fixtures, piping drains, appurtenances and appliances designed and used in the park drainage, water distribution system, and service connections shall be installed in conformance with the requirements of this code.

g. Add Section 1601.7, Maintenance.

i. All devices or safeguards required by this Chapter shall be maintained in good working order by the owner, operator, or lessee of the travel trailer park or his designated agent.

3. Add Section 1602, Service Buildings.

a. Add Section 1602.1, Service Buildings for Independent Travel Trailers.

i. Each travel trailer park which serves only independent travel trailers shall have at least one service building to provide necessary sanitation and laundry facilities. Each mobile/manufactured home park which also serves one or more independent travel trailers (in addition to mobile/manufactured homes) shall have at least one service building to provide necessary sanitation and laundry facilities. When a service building is required under this Section, it shall have a minimum of one water closet, one lavatory, one shower or bathtub for females and one water closet, one lavatory, and one shower or bathtub for males. In addition, at least one laundry tray or clothes washing machine and one drinking fountain located in a common area shall be provided.

(a). Exception:

(i). Temporary (6 months) travel trailers residing in mobile home parks and or where more than one travel trailer resides for the purpose of employment and or hardships, may be exempted by the local jurisdiction building official from 1602.1.

b. Add Section 1602.2, Service Building for Dependent Travel Trailers.

i. The service building(s) in travel trailer or mobile/manufactured home parks that also accommodate dependent travel trailers shall have a minimum of two water closets, one lavatory, one shower or bathtub for females, and one water closet, one lavatory, one urinal, and one shower or bathtub for males. In addition, at least one laundry tray or clothes washing machine and one drinking fountain located in a common area shall be provided. The above facilities are for a maximum of ten dependent travel trailers. For every ten additional dependent travel trailers (or any fraction thereof) the following additional fixtures shall be provided: One laundry tray or clothes washing machine, one shower or bathtub for each sex, and one water closet for females. Also, one additional water closet for males shall be provided for every 15 additional dependent travel trailers (or any fraction thereof).

c. Add Section 1602.3, Service Building Design Requirements.

i. Each service building shall conform to Sections 1302.3.1 through 1302.3.3 of this code.

d. Add Section 1302.3.1, Construction.

i. Every service building shall be of permanent construction with an interior finish of moisture resistant material which will stand frequent washing and cleaning and the building shall be well-lighted and ventilated at all times.

e. Add Section 1602.3.2, Fixture Separation.

i. The laundry tray(s) and/or clothes washing machine(s) and drinking fountain(s) shall be located in a common area. None of these fixtures shall be located within any toilet room. Each water closet, tub and/or shower shall be in separate compartments with self-closing doors on all water closet compartments. The shower stall shall be a minimum of 3 x 3 feet (914 x 914 mm) in area, with a dressing compartment.

f. Add Section 1602.3.3, Floor Drains.

i. A minimum 2-inch floor drain protected by and approved trap primer shall be installed in each toilet room and laundry room.

4. Add Section 1603, Park Drainage System.

a. Add Section 1603.1, Separation of water and sewer lines.

i. The sewer main and sewer laterals shall be separated from the park water service and distribution system in accordance with Section 603.2 of this code.

b. Add Section 1603.2, Minimum Size Pipe.

i. The minimum size pipe in any mobile/manufactured home park or travel trailer park drainage system shall be 4 inches. This includes branch lines or sewer laterals to individual travel trailers and mobile/manufactured homes.

c. Add Section 1603.3, Fixture Units.

i. Each mobile/manufactured home and travel trailer shall be considered as 6 fixture units in determining discharge requirements in the design of park drainage and sewage disposal systems.

d. Add Section 1603.4, Sewage Disposal/Treatment.

i. The discharge of a park drainage system shall be connected to a community sewerage system. Where a community sewerage system is not available, an approved commercial treatment facility or individual sewerage system shall be installed in accord with the requirements of LAC 51:XIII (Sewage Disposal).

e. Add Section 1603.5, Manholes and Cleanouts.

i. Manholes and/or cleanouts shall be provided and constructed as required in Chapter 7 of this code. Manholes and/or cleanouts shall be accessible and brought to grade.

f. Add Section 1603.6, Sewer Inlets.

i. Sewer inlets shall be 4-inch diameter and extend above grade (G) 3 to 6 inches (76 to 152 mm). Each inlet shall be provided with a gas-tight seal when connected to a travel trailer or mobile/manufactured home and have a gas-tight seal plug for use when not in service.

g. Add Section 1603.7, Drain Connections.

i. Drain connections shall slope continuously downward and form no traps. All pipe joints and connections shall be installed and maintained gastight and watertight.

h. Add Section 1603.8, Waste.

i. No sewage, waste water, or any other effluent shall be allowed to be deposited on the surface of the ground.

i. Add Section 1603.9, Testing the Park Drainage System.

i. Upon completion and before covering, the park drainage system shall be subjected to a static water test performed in accordance with Section 312 of this code.

5. Add Section 1604, Water Supply and Distribution System.

a. Add Section 1604.1, General.

i. Every mobile/manufactured home and travel trailer site shall be provided with an individual branch water service line delivering potable water.

b. Add Section 1604.2, Water Service Lines.

i. Water service lines to each travel trailer site shall be sized to provide a minimum of 8 gpm (0.505 L/s) at the point of connection with the trailer's water distribution system. Water service lines to each mobile/manufactured home site shall be sized to provide a minimum of 17 gpm (1.1 L/s) at the point of connection with the mobile/manufactured home's water distribution system. All water service lines shall be a minimum of 3/4 inch. A separate service shutoff valve shall be installed on each water service line. In instances where a backflow prevention device or assembly is installed on the water service line (see Section 608.16.23), the shutoff valve shall be located on the supply side of the device or assembly.

c. Add Section 1604.3, Water Service Connections.

i. The water service connection from the water service line to the mobile/manufactured home or travel trailer site shall be not less than 1/2-inch diameter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1) and Act836 of the 2014 of the Regular Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshall, LR 41:2386 (November 2015), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, Uniform Construction Code Council, LR 42:1672 (October 2016), LR 43:

§113. International Fuel Gas Code (Formerly LAC 55:VI.301.A.6)

A. *International Fuel Gas Code* (IFCG), 2015 Edition, and the standards referenced in that code for regulation of construction within this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshall, LR 41:2387 (November 2015), LR 43:

§115. National Electric Code (Formerly LAC 55:VI.301.A.7)

A. *National Electric Code* (NEC), 2014 Edition, and the standards referenced in that code for regulation of construction in this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshall, LR 41:2387 (November 2015), LR 43:

Family Impact Statement

The proposed Rule will not have any known or foreseeable impact on any family as defined by R.S. 49:972 D or on family formation, stability and autonomy. Specifically there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of the children.

Local governmental entities have the ability to perform the enforcement of the action proposed in accordance with R.S. 40:1730.23.

Small Business Analysis

The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Poverty Impact Statement

The impact of the proposed Rule on child, individual, or family poverty has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on poverty in relation to individual or community asset development as provided in the LA R.S. 49:973. The agency has considered economic welfare factors and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on poverty.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR 107) of the 2014 Regular Session of the Legislature, the

provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have a positive impact on providers. However, the particular proposed Rule does not impact or affect the staffing level requirements required to provide the same level of service.

Interested Persons

All interested persons are invited to submit written comments on the proposed regulation. Such comments should be submitted no later than February 10, 2017, at 4:30 p.m. to Mark Joiner, Louisiana State Uniform Construction Code Council, 8181 Independence Blvd., Baton Rouge, LA 70896. A public hearing will be scheduled if the requisite number of comments are received by the deadline date.

LTC Jason Starnes
Chief Administrative Officer

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Uniform Construction Code

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes may result in savings for state and local governments, as they promulgate the 2015 edition of the International Building Code (IBC) and the International Plumbing Code (IPC). The IBC revisions may result in a savings for local governmental units while not affecting expenditures of state governmental units. Furthermore, the IPC revisions may result in a net savings for state and local governmental units to they extent they utilize the new technologies outlined in the proposed rule changes, though the savings will likely occur over an extended period of time.

The IBC revisions allow for an increase in area square footage before requiring a sprinkler system while still maintaining the safety of individuals, making the requirement the same as in the Life Safety Code (LSC) as enforced by the Office of the State Fire Marshal, meaning entities may build larger buildings without incurring expenses for sprinkler systems. This may result in a savings for local governments to the extent they engage in new construction and followed the IBC guidelines rather than the LSC guidelines. The IBC revisions will not result in any savings or costs for state governmental units, as they currently follow the LSC guidelines while engaging in new construction.

The revisions to the International Plumbing Code (IPC) outlined in the proposed rule changes may result in higher up-front costs for state and local governmental units, but lower operation and maintenance costs in subsequent fiscal years, resulting in a potential net savings over time. The IPC revisions allow for the use of new technologies in building construction that carry higher up-front costs, lower operation and maintenance costs. However, the use of these technologies is optional, and any costs or savings will be realized only to the extent state and local governmental units choose to use the new technologies.

Furthermore, the proposed rule changes provide for an adoption of the most recent construction codes by replacing the current regulations with the more recent 2015 editions of the International Residential Code (IRC), International Existing Building Code (IEBC), International Fuel Gas Code (IFGC), International Mechanical Code (IMC), and the 2014 edition of the National Electrical Code (NEC). The revisions to the aforementioned costs will not result in any additional costs for state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will not affect revenue collections for state or local governments.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes will result in an indeterminable net savings in commercial and residential construction costs and/or operating and maintenance costs for owners and contractors, while maximizing safety, as a result of the permitted use of new technologies and a revision of building standards for which sprinkler systems must be installed.

The IPC amendments will allow for more efficient new technologies to be implemented while maintaining safe requirements for the health and welfare of Louisiana citizens. The new, efficient technologies carry a higher front-end cost, but cost less to operate over time than older technologies. As a result, entities may realize a net savings on maintenance and operating costs over time to the extent they make use of the new technologies.

The proposed IBC amendments will allow for an increase in area square footage before requiring a sprinkler system while still maintaining the safety of individuals, meaning entities may build larger buildings without incurring expenses for sprinkler systems. The net savings is indeterminable, as the number of entities engaging in new construction projects that fit the new criteria for needing sprinkler systems is unknown.

The proposed IRC amendments will allow local government to determine freeboard requirements in special flood hazard areas instead of a statewide requirement, which will affect entities differently depending upon their location.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will not affect competition or employment.

LTC Jason Starnes
Chief Administrative Officer
1701#076

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Board of Trustees of the District Attorneys' Retirement System

District Attorneys' Retirement System
(LAC 58:XXI.103, 105, 107, 701, and 901)

The Board of Trustees of the District Attorneys' Retirement System (DARS) proposed to adopt LAC 58.XXI. Chapter 9 as interpretation of the provisions of the District Attorneys' Retirement System, as authorized by R.S. 11:1658 and 1659. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The purposes of the proposed Rule are to provide improved funding for the District Attorneys' Retirement System, to permit the repayment of benefits that have been distributed, and to comply with certain requirements of the Internal Revenue Code.

Written comments concerning the proposed program are due no later than 4 p.m., March 20, 2017, and should be submitted to F. Jonathan Rice, Office of Conservation, Executive Division, P.O. Box 94275-Capitol Station, Baton Rouge, LA 70804-9275 or by fax to (225) 242-3663. Persons commenting should reference this document as CON ENG 17-01.

Richard P. Ieyoub
Commissioner

1702#024

POTPOURRI

Department of Natural Resources
Office of Conservation

Orphaned Oilfield Sites

Office of Conservation records indicate that the oilfield sites listed in the table below have met the requirements as set forth by section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared orphaned oilfield sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Nora Lee Clark	Monroe	M	Clark 80	001	170499
Nora Lee Clark	Monroe	M	Clark 80	002	170500
Nora Lee Clark	Monroe	M	Clark 80	003	170501
W.C. Fairchild and Associates	Fontenot	L	W Langley	001	75467
Del Oil and Gas Corp.	Bully Camp	L	Cyclanina SU D; Frank Ducos	001	62174
Reed Crude Oil Company	Jennings	L	Heywood	010	19009
Cortex Energy, Inc.	Fields	L	Sonat Minerals Inc 22	001	212947
Cortex Energy, Inc.	Fields	L	Sonat Minerals Inc 22	002	215060
Cortex Energy, Inc.	Fields	L	S M L I 28	001	215914
Cortex Energy, Inc.	Fields	L	Boise Southern Company	001	234301
Cortex Energy, Inc.	Fields	L	Boise Southern Company SWD	001	973302
Cortex Energy, Inc.	Neale	L	Musser-Davis C	001	159760
Cortex Energy, Inc.	Neale	L	Musser-Davis C SWD	003	190739
Cortex Energy, Inc.	Neale	L	Musser-Davis C	004	207356
Cortex Energy, Inc.	Neale	L	Musser-Davis C	005	244272
Cortex Energy, Inc.	Pleasant Hill	S	Timberstar 23	001	236109
Olin Oil and Gas Corporation	Wildcat-NO LA Monroe Dist	M	LA Delta Corp	004	71999

Richard P. Ieyoub
Commissioner

1702#028

POTPOURRI

Department of Public Safety and Corrections
Uniform Construction Code Council

Legal Notice—Public Hearing
Uniform Construction Code
(LAC 17:I.Chapter 1)

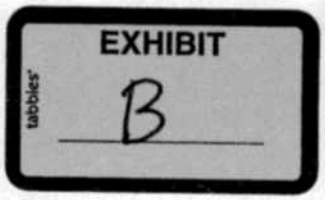
The Department of Public Safety and Corrections, Office of the State Fire Marshal, Louisiana State Uniform Construction Code Council (LSUCCC) published a Notice of Intent to amend its rules in the January 20, 2017 edition of the *Louisiana Register.* The notice solicited written comments and a request for a public hearing.

In accordance with R.S. 49:953(A)(2)(a)-(b), a public hearing will be held on March 1 , 2017 at 1:30 p.m. at the Office of the State Fire Marshal, 8181 Independence Blvd, Baton Rouge, LA 70806.

All interested parties will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing.

Lt. Col. Jason Starnes
Chief Administrative Officer

1702#030



LOUISIANA MUNICIPAL ASSOCIATION
a unified voice for municipalities since 1926

February 9, 2017

Mr. Bobby Byrd
Chairman
Louisiana State Uniform Construction
Code Council
8181 Independence Avenue
Baton Rouge, Louisiana 70806

RE: 2015 I-Code Amendment - Freeboards

Dear Chairman Byrd,

I am writing on behalf of the Louisiana Municipal Association to express support regarding the recent amendments to the 2015 I-Code, which remove the mandatory use of 12" freeboard in certain special flood hazard areas.

It has generally been the position of the LMA to preserve local authority being in the best interest of the municipality. It is my understanding that amendments to the 2015 I-Code remove the mandatory use of 12" freeboard in special flood hazard areas. Freeboard can be an important tool in floodplain management. However, as demonstrated by the 2016 floods, jurisdictions have flood requirements that are specific to their areas and the risks associated with flooding are specific to each jurisdiction. The individuals in the best position to make determinations regarding the effectiveness of this freeboard requirement are local officials and floodplain managers. As such, they should maintain full authority and discretion regarding this matter.

Further, it is the opinion of local building officials that a statewide mandatory freeboard building code requirement could create conflicts within local flood control ordinances. Those conflicts would lead to confusion through the attempted enforcement of both codes by overlapping jurisdictional authority of building officials and flood plain managers. Despite the fact that use of freeboard is not a requirement of the National Flood Insurance Program (NFIP), we support its continued use as a "best practice" as defined by the Federal Emergency Management Agency (FEMA), but do not support its use as a mandated building requirement.

I respectfully request that you and the Louisiana State Uniform Construction Code Council please give the views of the LMA every appropriate consideration.

Sincerely,

John A. Gallagher
Executive Director

JAG:cmb

700 North 10th Street P.O. Box 4327 Baton Rou
225.344.5001 800.234.8274 Fax 225.344.3057

EXHIBIT
C ing6660

Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70806

Chairman Bobby Byrd

The Building Officials Association of Louisiana wishes to be on record supporting the recent amendments to the 2015 I-Code which removes the requirement for a mandatory 12" of freeboard in certain special flood hazard areas.

Whereas freeboard can be an important tool in floodplain management, the best people to determine the effectiveness of a freeboard requirement would be the local communities and floodplain managers who know the flood risk in their specific geographical areas. Since the risks associated with flooding are specific to each jurisdiction, local communities should maintain full authority and discretion in regards to freeboard.

Freeboard (which has never been and is currently not a requirement of 44 CFR or of the National Flood Insurance Program) should continue to be a "best practice" as defined by FEMA and not a building code requirement. A state-wide mandatory freeboard building code requirement will conflict with local flood control ordinances. This conflict will lead to confusion in the enforcement of both codes by overlapping the building official's and floodplain manager's jurisdictional authority with conflicting code requirements.

In closing, BOAL supports the flood provisions of the 2015 I-codes as has been amended by LSUCCC.

Sincerely,

Blake J. Steiner, CBO
President
Building Officials Association of Louisiana

P O Box 4327, Baton Rouge, LA 70821
Ph. (225) 344-5001 Fax (225) 344-3057

LBCA
Louisiana Building Code Alliance

Louisiana Building Code Alliance
163 Coggins Rd
Farmerville, LA 71241
318.243.3738

ICC
INTERNATIONAL CODE COUNCIL
CHAPTER

Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70806

February 10, 2017

Dear Sir,

Louisiana Building Code Alliance supports the recent amendments to the 2015 IRC and IBC which removes the requirement for a mandatory 12" of freeboard in certain flood hazard areas.

We feel the best people to regulate the need of freeboard would be the local jurisdictions and flood plain managers, who are aware of the risk in their area.

Kind Regards,

Rhonda Moore

Rhonda Moore
President
Louisiana Building Code Alliance

LOUISIANA
FLOODPLAIN
MANAGEMENT
ASSOCIATION

February 10, 2017

Louisiana State Uniform Construction Code Council
8181 Independence Blvd
Baton Rouge, LA 70808

Re: Freeboard Provision in Proposed IBC Code

Dear Chairman Bobby Byrd,

The Board of Directors of the Louisiana Floodplain Managers Association (LFMA) has voted to support the amendment to the 2015 I-Code which removes the requirement for a mandatory 12 inch freeboard.

We agree with the comments submitted by Mr. Blake J Steiner of the Building Officials Association of Louisiana in a letter to you. LFMA believes that Floodplain Regulations are the responsibility of the local government in their Floodplain Ordinance which is administrated by the local Floodplain Administrator.

Please note that LFMA has a membership over 300 floodplain professionals.

Theodore E. DeBaene, P.E., CFM
Executive Director
Louisiana Floodplain Managers Association

TO: **Mr. Bobby Byrd, Chairman,**
Louisiana State Uniform Construction Code Council

Cc: **Mark Joiner, LSUCCC Administrator**

Topic: **2015 IBC/IRC Adoption into State Code**

From: **Geoffrey Large, Assistant Director, Planning & Zoning;**
Head of Regulatory Division & Building Code Administrator
TERREBONNE PARISH CONSOLIDATED GOVERNMENT

Date: **13 February 2017**

Chairman Byrd.

Having carefully considered representations made by FEMA and the ASFPM; both directly, and via their various direct representation at meetings of the LSUCCC, the Administration of this Parish is resolute in its support for action taken by the LSUCCC to remove, by exception, to exclude references to freeboard from the flood prone construction requirements of the IRC and IBC during the process of review and adoption of those codes into the State Uniform Construction Code.

While recognizing that, in many though not all circumstances, is a viable risk mitigation strategy for construction within a flood zone, for the reasons enumerated below, we believe that the LSUCCC action previously taken in this regard was, and remains, entirely appropriate:

1. The governing body of regulatory law for matters construction, relative to Flood Damage Prevention and risk management within the National Flood Insurance Program is Chapter 44 of the Code of Federal Regulations, whereas the governing authority for Building Codes within Louisiana is the State Code Council.
2. Taking flood zone construction options away from their context within the integrated and comprehensive provisions of the primary body of regulatory law; and inserting them into constructions codes which are NOT controlled at the corresponding Federal level; represents needless duplication and consequent danger of conflicting direction being generated in future update cycles of both sets of regulations.
3. Inserting specific flood zone construction options, addressed by 44CFR only by means of Broad reference to ASCE-24; ; and inserting them into constructions codes which are NOT controlled at the corresponding Federal level, or addressed by ASCE-24; represents needless duplication and consequent danger of conflicting direction being generated in future update cycles of both ASCE-24 and/or the State Building Code.
4. Regulations for construction within flood zones (44CFR) have been adopted by local jurisdictions participating in the National Flood Insurance Program. These regulations, drafted and presented to Congress by FEMA for Federal adoption, thereby facilitate Federal (Congressional) oversight of Federal risk management and the administration of Federal emergency funding, by a Federal agency. It therefore appears highly inappropriate to insert State regulatory processes between the Federal Government and those responsible for the implementation of those regulations at the local level.
5. In many parts of the USA, local jurisdictions have legal authority to modify state adopted building codes as necessary to meet local need. This is NOT the case in Louisiana, where our State Construction Code is pre-emptive of local variation.

While we therefore acknowledge the general value of freeboard as a flood risk management strategy, we are well aware that this is not always the case in every flood area, or for every type of flood. It has therefore been a great strength of the NFIP regulations that local jurisdictions have been allowed freedom to plan the balanced use of a variety of approaches to risk management in flood zone construction, appropriate to their specific local blend of flood risk and economic need. We firmly believe that this local planning flexibility remains available to the local jurisdiction.

It is therefore the position of this Administration that, if ANY reference to specific flood zone construction requirements is to be included in the Louisiana State Uniform Construction Code, it should be in the form of a simple reference to "*compliance, where applicable, with the provisions of 44CFR and ASCE-24 as adopted by the local jurisdiction.*" It should not be couched in terms which attempt to replicate or exceed the requirements of the cited Federal Regulations.

Submitted, in support of action already determined by the chairman and members of the State Construction Code Council.

Geoffrey Large

Cc: Christopher Pulaski, Director of Planning & Zoning
Michael Wich; Chief Building Official

Melinda Long

From: Mark Joiner
Sent: Friday, February 03, 2017 2:31 PM
To: Melinda Long
Subject: FW: Freeboard in the 2015 IRC

Follow Up Flag: Follow up
Flag Status: Flagged

First comment letter for the Register publication. I expect a lot more.

Mark Joiner, CBO

Administrator
LA State Uniform Construction Code Council
Louisiana Office Of State Fire Marshal
8181 Independence Boulevard
Baton Rouge , LA 70806
Phone: (225)922-0817
mark.joiner@la.gov

From: Tyler Antrup [tantrup@mac.com]
Sent: Friday, February 03, 2017 2:25 PM
To: Mark Joiner
Subject: Freeboard in the 2015 IRC

Dear Mr. Joiner,

I am concerned with the removal of freeboard provisions from the Louisiana State Uniform Construction Code, especially in light of the August 2016 flooding. According to HUD data, more than 24,000 of the affected homes during the August 2016 flood in East Baton Rouge endured flooding of 1 foot or less. If these homes had been constructed under the freeboard requirement already included in the International Residential Code, a base code within the Louisiana State Uniform Construction Code, 24,000 families would have avoided costly, disruptive and life-altering damage. It is also crucial that commercial construction incorporate freeboard, as damage to commercial structures can negatively impact the economy. According to FEMA, 40 percent of businesses do not reopen after a disaster and 25 percent fail within a year. In this case, homeowners also would quality for annual, flood insurance premium discounts; and taxpayers would be protected from avoidable disaster costs. Flood insurance premiums for homes 1 foot above BFE in A zones are reduced 50 percent annually for 1 foot of freeboard; and for 2 feet of freeboard, policies are reduced 68 annually. Freeboard is a simple protection to prevent floodwaters entering a structure, and 1 foot is a modest requirement. I urge the council to reinstate the freeboard provision.

Sincerely,

Tyler Antrup, CFM
2251 N Derbigny St
New Orleans, LA 70117

FLASH
FEDERAL ALLIANCE FOR SAFE HOMES

February 2, 2017

Mark Joiner
Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70806

Dear Mr. Joiner:

In our ongoing goal to strengthen standards of construction for not only better structures but for personal safety, we have grave concerns regarding the weakening of the flood protections within Louisiana State Uniform Construction Code. Proposed removal of mandatory freeboard provisions from the base building codes, the 2015 International Building Code (IBC) and International Residential Code (IRC), by the Louisiana State Uniform Construction Code Council (LSUCCC) will put many future residential project at risk for flooding.

The Louisiana community is in the midst of rebuilding from the catastrophic 2016 August flood, and weakening the flood resistance of new construction could lead to identical flooding in the future. The simple method of prevention is to retain the unamended, original base building code provisions as they are originally written.

The importance of the LSUCCC for creating and maintaining a system to foster adoption and enforcement of current, model building codes to ensure the safety and welfare of the citizens of Louisiana is appreciated. A collection of code officials, industry representatives and floodplain managers working together for common goals is admirable.

However, the removal of mandatory freeboard provisions from the building code provisions regulating commercial and residential construction leaves Louisiana buildings, dwellings, and structures without critical flood protection while facing a real, recurring, and ever-present risk of devastating flooding.

Freeboard provides a critical measure of safety through extra height in elevation to keep floodwaters shy of the doorstep and out of a home. Keeping just a few inches of water away is beneficial as it can prevent thousands of dollars of damage to floor finishes, electrical wiring, contents, and more. According to FloodSmart.gov, two inches of water typically causes $21,000 in damage, and six inches will cost an average of $39,000.

A review of Louisiana's 350 at-risk flood communities reveals that less than ten percent (33 jurisdictions) currently require the beneficial minimum one-foot freeboard requirement. Adoption of the 2015 IRC intact, without weakening the requirement, would raise the standards for the remaining 317 at-risk communities, bringing new homes to a higher standard across the board while allowing communities who wish to adopt a higher freeboard to do so. This is all accomplished with minimal costs during new construction when compared to the drastically different expenses necessary to elevate an existing home that same one-foot height.

FEDERAL ALLIANCE FOR SAFE HOMES, INC. (FLASH)
1708 Metropolitan Blvd. ★ Tallahassee, Florida 32308 ★ PHONE: 850.385.7233 ★ FAX: 850.201.1067
www.FLASH.org

By meeting that freeboard elevation requirement, homeowners would quality for annual, flood insurance premium discounts; local officials would retain the authority to exceed the minimal requirement; and taxpayers would be protected from avoidable disaster costs. Acceptance and enforcement of this freeboard could also result in points credited to the community should they participate in the Community Rating System (CRS).

Recent disaster in Louisiana reinforces the critical need that structural design account for the reality of flooding. According to Impact Forecasting, the estimated total economic losses from the catastrophic flooding in 2016 are in the $10-15-billion-dollar range.

Evaluating the new IRC requirement in the context of the August 2016, the devastation to East Baton Rouge provides a compelling case for the preservation of the one-foot freeboard requirement as well. According to HUD data, more than 24,000 of the affected homes endured flooding of one foot or less. If these homes had been constructed under the new proposed freeboard requirement, 24,000 families would have avoided costly, disruptive, and life-altering damage.

As aforementioned, there is an initial construction cost when additional height of the finished floor is performed, however, it is far more cost effective when performed during new construction than after the home is built. Elevating an existing structure is far more expensive, and may be structurally impossible after the fact.

The IBC and the IRC are minimum, model codes developed through a multi-year, transparent, consensus process. The minimum one foot of freeboard requirement in the 2015 IRC was deliberated and considered through this process. This was determined by many individuals nationwide as part of the code development process.

The 2015 IRC allows for more than one foot of freeboard. The first edition of the 2015 IRC omitted clarifying language, which has since been addressed in the Errata. The Errata includes the language "whichever is higher", permitting jurisdictions to use the higher of either the Design Flood Elevation (DFE) or the Base Flood Elevation (BFE) plus one foot. In accordance with the Errata, if a local municipality has adopted a DFE that is higher than the BFE plus 1 foot, then the higher (i.e., local municipality DFE) governs as minimum lowest floor elevation. The 2015 IBC, through ASCE 24-14, uses the same "whichever is higher" approach, granting jurisdictions discretion to add freeboard if desired. Local officials are always provided the authority to increase standards based on their knowledge of their community. We support that authoritative right.

FLASH
FEDERAL ALLIANCE FOR SAFE HOMES

The one-foot freeboard requirement creates consistency with the 2015 IBC freeboard requirements, through IBC Section 1612.4, referencing mandatory freeboard requirements set forth in ASCE 24-14. Furthermore, the LSUCCC has required freeboard in the 2012 IBC and for IRC V Zones and Coastal A Zones since 2009. This most recent action to remove the freeboard requirements is a concerning change in direction for Louisiana, and presents a new hurdle to protecting Louisiana from disaster. State and local jurisdictions are encouraged to make requirements more detailed and specific to their communities, not to lessen them and render them less effective.

Building officials as well as floodplain managers from across the U.S. deemed freeboard essential for those who reside in high-risk flood zones, as reflected in its inclusion in the 2015 IBC and IRC. Removing it from the building code will diminish the safety, welfare and overall protection for the citizens and communities of Louisiana.

Thank you for your consideration.

Sincerely,

Leslie Chapman-Henderson
President and CEO

FEDERAL ALLIANCE FOR SAFE HOMES, INC. (FLASH)
1708 Metropolitan Blvd. ★ Tallahassee, Florida 32308 ★ PHONE: 850.385.7233 ★ FAX: 850.201.1067
www.FLASH.org

ASSOCIATION OF STATE FLOODPLAIN MANAGERS, INC.

575 D'Onofrio Drive, Suite 200, Madison, Wisc. 53719 www.floods.org
Phone: (608) 828-3000 | Fax: (608) 828-6319 | asfpm@floods.org | www.floods.org

Executive Director
Chad M. Berginnis, CFM

Deputy Director
Ingrid D. Wadsworth, CFM

Director Emeritus
Larry A. Larson, P.E., CFM

Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70806

Feb. 3, 2017

Attn: Mark Joiner

The Association of State Floodplain Managers opposes the weakening of the flood protections by the removal of mandatory freeboard provisions from the 2015 International Building Code and International Residential Code within the Louisiana State Uniform Construction Code. The removal of the freeboard provision will increase taxpayer disaster costs, put more people at risk and make the state less resilient against flooding.

Louisiana communities are in the midst of rebuilding from the catastrophic 2016 August flood, and weakening the flood resistance of new construction is the wrong path. There is an urgent need to address and remedy this development, with the simple solution to reinstate the un-amended, original base building code provisions.

We acknowledge the important progress of the LSUCCC for creating and maintaining a system to foster adoption and enforcement of current, model building codes to ensure the safety and welfare of Louisiana citizens.

Freeboard provides a critical safety measure through extra height in elevation to keep floodwaters shy of the doorstep and out of a home. Keeping just a few inches of water away is beneficial as it can prevent thousands of dollars of damage to floor finishes, electrical wiring, contents and more. According to FloodSmart.gov, two inches of water typically causes $21,000 in damage, and six inches will cost an average of $39,000.

Adoption of the 2015 IRC, without weakening the requirement, would mean the standards for Louisiana's 350 at-risk communities would bring new homes to a higher standard across the board while allowing communities that wish to adopt a higher freeboard to do so.

In this case, homeowners would qualify for annual, flood insurance premium discounts; and taxpayers would be protected from avoidable disaster costs. Flood insurance premiums for homes 1 foot above Base Flood Elevation in A zones are reduced 50% annually for 1 foot of freeboard, and for 2 feet of freeboard, premiums are reduced 68%. The added cost of construction to add 1 foot of freeboard to a new home is low--from 0.3% to about 1%, depending on foundation type.

Recent disasters in Louisiana reinforces the critical need that structural design account for the reality of flooding. According to *Impact Forecasting*, the estimated total economic losses from catastrophic flooding in 2016 are in the $10-15-billion range.

Evaluating the new IRC requirement in the context of the August 2016 floods, the devastation to East Baton Rouge provides a compelling case for the preservation of the 1 foot freeboard requirement as well. According to HUD data, more than 24,000 of the affected homes endured flooding of 1 foot or less. If these homes had been constructed under the new proposed freeboard requirement, 24,000 families would have avoided costly, disruptive and life-altering damage.

We acknowledge the initial construction cost when additional height of the finished floor is performed. However, it is far more cost effective when performed during new construction than after the home is built. Elevating an existing structure is far more expensive, and may be structurally impossible after the fact. Adding 1 foot of floor height is best accomplished during the initial stages of foundation design.

The IBC and the IRC are minimum, model codes developed through a multi-year, transparent, consensus process. The minimum 1 foot of freeboard requirement in the 2015 IRC was deliberated and considered through this process.

More than 62% of the population in America lives in a community that requires 1 foot or more of freeboard for new construction (up to 4 feet in some communities). Building officials from across the U.S. deemed freeboard essential for those who reside in high-risk flood zones, which is reflected in its inclusion in the 2015 IBC and IRC. Removing it from the building code will diminish the safety, welfare and overall protection for the citizens and communities of Louisiana.

ASFPM is a professional non-profit organization representing more than 17,000 flood risk management professionals from local, state and regional governments and the private sector. Our mission is to assist communities and others reduce flood losses and taxpayer costs for flood disasters.

Thank you for your consideration.

Sincerely,

Chad Berginnis, CFM
ASFPM Executive Director

Roderick Scott, CFM
70324 Menuet Rd
Mandeville, LA 70471

Mark Joiner,
Louisiana State Uniform Construction Code Council,
8181 Independence Blvd.,
Baton Rouge, LA, 70896

February 3, 2017

Mark,

I oppose the weakening of flood protections by the removal of mandatory freeboard provisions from the 2015 International Building Code and International Residential Code within the Louisiana State Uniform Construction Code, published Jan. 20. The removal of the freeboard provision will increase taxpayer disaster costs, put more people at risk and make the state less resilient against flooding.

Louisiana communities are in the midst of rebuilding from the catastrophic 2016 March and August floods that impacted around 150,000 buildings and weakening the flood resistance of new construction or required elevation of over 50% damaged buildings is the wrong path. There is an urgent need to address and remedy this development, with the simple solution to retain the un-amended, original base building code provisions.

We acknowledge the important progress of the LSUCCC for creating and maintaining a system to foster adoption and enforcement of current, model building codes to ensure the safety and welfare of Louisiana citizens.

Freeboard provides a critical safety measure through extra height in elevation to keep floodwaters shy of the doorstep and out of a home. Keeping just a few inches of water away is beneficial as it can prevent thousands of dollars of damage to floor finishes, electrical wiring, contents and more. According to FloodSmart.gov, two inches of water typically causes $21,000 in damage, and six inches will cost an average of $39,000.

Adoption of the 2015 IRC, without weakening the requirement, would mean the standards for Louisiana's 350 at-risk communities would bring new homes to a higher standard across the board while allowing communities that wish to adopt a higher freeboard to do so.

In this case, homeowners would qualify for annual, flood insurance premium discounts; and taxpayers would be protected from avoidable disaster costs. Flood insurance premiums for homes 1 foot above Base Flood Elevation in A zones are reduced 50% annually for 1 foot of freeboard, and for 2 feet of freeboard, premiums are reduced 68%. The added cost of

WATER WORKS

FEBRUARY 5, 2017

Mark Joiner
Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70896

Dear Mr. Joiner & The Code Council:

We are writing to voice our opposition to the Code Council's amendment of the International Residential Code eliminating the ASCE-24 provisions and applicable tables from the Louisiana State Construction Code, thus requiring local governments to implement higher standards in special flood hazard areas.

We have worked in hazard mitigation and risk reduction in Louisiana for over fifteen years. We understand that while higher standards may be difficult to impose, they are life saving and are critical to the future of our state. Additionally, higher elevation requirements provide economic benefits: the minimum elevation requirements of the International Codes and ASCE 24 provides economic benefits to homeowners due to reduced flood insurance premiums every year. Incorporating just one additional foot of elevation results in annual savings on the cost of NFIP flood insurance of nearly 50% (Zone A dwelling with maximum coverage).

By removing the ASCE-24 provisions from the State Construction Code, the Code Council is jeopardizing the safety of the local built environment. Only 33 jurisdictions of the 350 flood hazard jurisdictions in Louisiana have adopted the one-foot requirement (i.e. only 10 percent of local officials have put these protections in place—leaving the residents represented by the remaining 90 percent of Louisiana jurisdictions unnecessarily at risk). Forcing the implementation of higher standards on local officials will be a huge burden. Furthermore, weakening this code contradicts the purported function of the LSUCCC: providing and maintaining codes consistent with the **health, safety, and welfare** of the citizens of our state.

We urge the Council to reconsider this unwise amendment and to work diligently, now and in the future, to enact and implement only those codes and amendments that truly provide for the long-term resilience and sustainability of our neighbors' homes. Truly, all of our lives may one day be in the hands of the decisions you make today.

Thank you for your time and consideration.

Sincerely,

Miriam S. Belblidia, MPA, CFM
CEO, WATER WORKS

Alessandra Jerolleman, PhD, CFM
VP, WATER WORKS

www.waterworksla.com

LOUISIANA WATER WORKS, L3C
3014 Dauphine St., Suite N
New Orleans, LA 70117

AIA
Louisiana

February 6, 2017

Mr. Mark Joiner
Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70896

Dear Mr. Joiner & Code Council:
I am writing today to voice AIA Louisiana's opposition to the Code Council's amendment of the International Residential Code eliminating the ASCE-24 provisions and applicable tables from the Louisiana State Construction Code, thus requiring local governments to implement higher standards in special flood hazard areas.

- The minimum elevation requirements of the International Codes and ASCE 24 provides economic benefits to homeowners due to reduced flood insurance premiums every year. Incorporating just one additional foot of elevation results in annual savings on the cost of NFIP flood insurance of nearly 50% (Zone A dwelling with maximum coverage).

- Currently only 33 jurisdictions of the 350 flood hazard jurisdictions in Louisiana have adopted the one-foot requirement. (i.e. only 10 percent of local officials have put these protections in place—leaving the residents represented by the remaining 90 percent of Louisiana jurisdictions unnecessarily at risk)

- Forcing this burden into the hands of local officials (floodplain administrators and permit officials) can be a huge feat and often does not succeed since they must convince elected officials to provide support for code adoption.

- Weakening this code contradicts the purported function of the LSUCCC: providing and maintaining codes consistent with the **health, safety, and welfare** of the citizens of our state.

We urge the Council to reconsider this unwise amendment and to work diligently, now and in the future, to enact and implement only those codes and amendments that truly provide for the long-term resilience and sustainability of our neighbors' homes. Truly, all of our lives may one day be in the hands of the decisions you make today.

Sincerely,

Lynn B. Robertson

Lynn Robertson
Executive Director

WATER
COLLABORATIVE
of Greater New Orleans

February 8, 2017

Mark Joiner
Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70896

Dear Mr. Joiner:

The Water Collaborative of Greater New Orleans is a regional voice for integrated water management. Our members include engineers, architects, urban planners, floodplain managers, scientists and civic leaders. On their behalf, I wish to express significant concern with the Code Council's proposed amendment of the International Residential Code eliminating the ASCE-24 provisions and applicable tables from the Louisiana State Construction Code.

Louisiana should hold a public hearing on this significant decision. While the goal of increased flexibility for local governments may be well intentioned, the practical effect could well be higher flood insurance premiums and increased flood risk for Louisiana homeowners.

Placing the burden for instituting freeboard requirements on local floodplain administrators and permit officials ignores the constraints, both political and financial, under which these professionals operate. Convincing local elected officials to provide support for code adoption is a time-consuming task. Moreover, success in one jurisdiction may merely displace poorly designed development into an adjacent locality.

Conversely, requiring local governments to implement higher standards in special flood hazard areas may create long-term savings for property owners. Incorporating just one additional foot of elevation can result in annual savings on the cost of NFIP flood insurance of nearly 50% for dwellings in Zone A.

For these reasons, and to provide our members and colleagues with adequate time to analyze the issue, I encourage you to schedule a formal, public hearing on the matter and invite all stakeholders to participate. Thank you for your time and consideration.

Sincerely,

Nathan Lott
Collaborative Coordinator

4902 Canal St., Ste. 300
New Orleans, LA 70119
504-233-4347 | nolawater.org

Rec'd 2/9/2017

February 8, 2017

Mark Joiner
Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70896

Dear Mr. Joiner,

I'm writing today to voice my opposition to the Code Council's decision to amend the freeboard requirement to the state building code and to respond to some comments that were made at the February 7th meeting.

It was stated at the last meeting that mainly out-of-state entities took interest in opposing this decision. If it is a local's voice that will make a difference in this matter, then here is my response: I am a coastal Louisiana native and seasoned hurricane survivor, who is now a disaster recovery and mitigation educator to the residents, floodplain managers, and disaster professionals of our state. Pre-disaster, I preach resilience through hazard mitigation. Post-disaster, I help homeowners and local officials pick up the pieces and move forward to recovery. In a nutshell, I am for and represent the locals of this state.

First and foremost, the most competent floodplain administrators that I know understand the importance of freeboard and most agree with the statewide implementation. I think this was apparent during the 8:9 vote for the IBC amendment. Local code adoption seems empowering, but it is oftentimes made impossible because code officials must get buy-in from their elected officials. This is why only 33 jurisdictions out of 350 have actually adopted freeboard into their provisions. The solution you all are proposing is *not* going to work and it is placing an unfair burden on the FPA to enact these higher standards. Ultimately, this fight results in our communities accepting the status-quo and not adapting to our reality. The flood standard of the I-Codes will reduce flood losses more than the standards found in 44 CFR 60.3 which was last updated in any substantive way in the 1980s. Louisiana is a watershed for the rest of our nation and we face very dynamic and challenging issues that most other states using 44CFR 60.3 will never encounter. Our coastlines are eroding. Our land is subsiding. Our riverine morphology is changing from these record rainfall and flood events and may flood different portions of the state in the next record rainfall event. The southern portion of our state is barely above sea level and struggles to drain; yet we still want to continue to build and live here. I agree that flood risk varies throughout our state, but we are giving too much freedom to some localities that are not equipped to make the right decision.

We have to change the way we think about rebuilding and focus on long term sustainability. We are scrambling to keep our tax base within the state, but we expect them to invest in homes with outrageous flood insurance premiums and built to minimum standards that will not withstand a 30 year mortgage. One trend that I have continued to see in my flood recovery work is that people do not currently feel safe and desperately want to avoid going through a flood event again. In the past six months I have met people who have developed PTSD, cancer, and stress related illnesses; witnessed trauma and behavior issues in children. I've had to console people who had no flood insurance and

who've had to declare bankruptcy. I've assisted those nearing the end of their life, figure out how to rebuild from scratch using only their pension. These people are grappling weather or not to walk away from their home and I have to give them the sobering reality that there is no guarantee this will never happen again in their lifetime. I never dreamed my hometown would be nearly wiped off the map in 2005 and then hit again 2008.

If I have learned anything through all of this, it is that Louisianans are in the market for safe housing and I guarantee that the hundreds of thousands of flood victims who are repairing or in the market for a new home are more interested in their BFE than granite countertops and square footage. Developers need to invest in the most basic component of a building; the FOUNDATION. Market these homes as "flood mitigated" and show buyers the difference in insurance premiums. Homebuyers, especially those who have endured a flood event, are becoming more educated on the issues of flood insurance, as well as the tolls of recovery, and are seeking to invest in a home where they can have peace of mind. This might just be the time to make a decision like this. Taxpayers throughout the entire state want solutions to the flood issues we are facing; and they are trusting leaders, like the LSUCCC, to have their best interest at heart.

Lastly, we cannot fool ourselves into thinking we are leaders in our nation for disaster resilience. Having worked in disaster recovery for the last 6 years, gaining a comprehensive knowledge of statewide disasters the hazard mitigation projects that were needed to put countless structures into compliance after the fact, I can confidently say that this is simply not true. We can take the cake, however, for being leaders in our nation for the most NFIP and Individual Assistance claims during 2016, totaling $3 billion. If it weren't for federal disaster aid, the tax base of some parishes would be flat lining right now. And in the same breath, all I ever hear is criticism against the same federal entity that is continuously bailing us out and mitigating our buildings after the fact. If we don't want FEMA to intervene, why aren't we doing a better job preventing a need for their assistance? We have to learn from our past. This is why these out-of-state entities who have a broad scope of flood issues throughout the nation are chiming in. We are not making the right choices for our future. Until we chose not to follow the status quo, and prioritize resiliency and longevity in investment, versus quick payback, then we will never be a national example to follow.

I sincerely ask that this decision not be based on politics and monetary gain, overriding the safety and affordability of living in this state. That is the mission of the LSUCCC, after all: to provide and maintain codes consistent with the **health, safety, and welfare** of Louisiana citizens.

Thank you for your time and consideration.

Sincerely,

Shandy Heil, CFM

Recvd 2/13/1

AIA New Orleans

THE AMERICAN INSTITUTE OF ARCHITECTS

09 February 2017

Mark Joiner
Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70896

RE: AIA NEW ORLEANS POSITION on PROPOSED AMENDMENTS to ASCE-24

Dear Mr. Joiner and Louisiana State Uniform Construction Code Council:

AIA New Orleans represents over 400 architects licensed as professionals to protect the life, safety, and welfare of individuals and communities. As architects, we are uniquely trained and experienced to design buildings, and to understand the broader context of where we are in the world by considering landscape, climate, and resiliency as they relate to the wide range of conditions in Louisiana. Architects are also the primary professional to implement the design requirements for our buildings as mandated by the Louisiana State Uniform Construction Code Council.

The Code Council's proposed amendment to adopting the 2015 International Residential Code would eliminate the ASCE 24 provisions and applicable tables from the Louisiana State Uniform Construction Code (LSUCCC), thus requiring local governments to implement higher standards in special flood hazard areas, rather than a statewide policy. As you prepare your vote on the proposed amendments to the Code, AIA New Orleans offers the following observations for your consideration:

- As of November 2016, only 33 jurisdictions of the 350 flood hazard jurisdictions in Louisiana have adopted the one foot minimum freeboard requirement, or less than ten percent of local officials in the entire state. If the proposed amendment removes the ASCE 24 provisions, this means that residents in the remaining 90 percent of jurisdictions throughout Louisiana are immediately at risk until local officials adopt and manage their own standards.

- Shifting the task of floodplain management to local policymakers can be a large burden, particularly in areas with limited capacity for staff, management, and political support. A further step of convincing elected officials to adopt new codes can be time consuming, and ultimately even unsuccessful. If adopted, code education and enforcement would also fall entirely on local agencies.

- The economic benefit of freeboard is proven, and was demonstrated during the East Baton Rouge flooding in August 2016. According to HUD data, approximately 24,000 of the substantially damaged homes in that event experienced water less than one foot deep. This means that the one foot freeboard requirement would have spared those homeowners and prevented the catastrophic financial losses, disruption, and long term recovery challenges that continue today, half a year later.

In closing, the Code Council's proposed amendment to eliminate the ASCE 24 provisions from the LSUCCC appears to encourage local officials to lead their own management of residential construction requirements intended to limit flood damage, but this may place an undue burden on these municipalities, and limit practical, resilient design and development throughout Louisiana – a place that experiences regular flooding, whether coastal or inland, and urban, suburban, or rural. AIA New Orleans encourages the Code Council to reconsider the proposed amendment and maintain ASCE 24 as a statewide standard to consistently ensure the health, safety, and welfare of Louisiana residents into the future.

AIA New Orleans, and all of the architects it represents, thank you for your consideration of the positions and observations shared with you here. We look forward to working with you, and will gladly provide any assistance or information you may request.

Sincerely,

Jason Richards, AIA
2017 Board President
AIA New Orleans

Joel Pominville, Assoc. AIA
Executive Director
AIA New Orleans

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The American Institute of Architects (AIA) was formed in 1857, and the New Orleans chapter was founded in 1909 as its thirteenth chapter overall and only the second chapter in the South. AIA New Orleans has a storied history with many significant accomplishments related to promoting the field, providing professional development opportunities for local architects, supporting economic development by attracting businesses to the city, promoting historic preservation, and influencing local policies and practices related to land use and development.

As of 2016, AIA New Orleans has grown to include over 600 members representing 193 firms or organizations. AIA New Orleans continues to offer high quality professional development for members, peer engagement opportunities that build a strong network and professional community of architects, and public awareness and advocacy activities related to quality design in the built environment.

AIA New Orleans
1000 Saint Charles Avenue
New Orleans, LA 70130
T (504)525-8320
www.aianeworleans.org

February 10, 2017

Good morning Mark,

I am a non-structural mitigation specialist since the 1983 SE La. spring floods when Sea Grant funded me to study mitigation measures that St. Tammany homeowners had undertaken to protect their homes.

Since then I have created UNO-CHART at the University of New Orleans where over 100 graduate students have been trained in mitigation and have graduated with Master's and PhD's. They now work throughout the state. I also serve on national committees such as the recent National Academy's "Affordability of Flood Insurance" and speak nationally as well as publish on the topic. My thoughts on this topic are very simple.

1. Louisiana is the most flooded state in the country. (Quote by HUD official, spring 2016.) And the danger is statewide. Also, Louisiana communities are on the list of communities that should not be restored.
2. Extreme weather is increasing. Already the federal government cannot provide adequate post disaster recovery aid to all the community recoveries that are needed.
3. It will only get worse with climate change.
4. We as a state will be on our own.
5. We as a state must control our future.
6. We must bite the bullet and support stronger resilience. While doing so we must find ways to assist those most impacted. But not by rejecting standards such as freeboard that will enable our communities to be vital into the 21st century.
7. If we don't, successful Louisiana communities will only be a memory.

These are very sad truths. But they are truths that we as the generation in charge of current policy must acknowledge and try to avoid. We must.

Sincerely,

Shirley Laska

Shirley Laska, PhD
Professor Emerita, Univ. of New Orleans
Founding Past Director, UNO-CHART
Co-Founder, Lowlander Center
(504) 616-3846

Lowlandercenter.org
Coastalresettlement.org

2/10/17

International Association of Structural Movers

International Association of Structural Movers (IASM) opposes the weakening of flood protections by the removal of mandatory freeboard provisions from the 2015 International Building Code and International Residential Code within the Louisiana State Uniform Construction Code, published Jan. 20. The removal of the freeboard provision will increase taxpayer disaster costs, put more people at risk and make the state less resilient against flooding.

Louisiana communities are in the midst of rebuilding from the catastrophic 2016 March and August floods that impacted around 150,000 buildings and weakening the flood resistance of new construction or required elevation of over 50% damaged buildings is the wrong path. There is an urgent need to address and remedy this development, with the simple solution to retain the un-amended, original base building code provisions.

We acknowledge the important progress of the LSUCCC for creating and maintaining a system to foster adoption and enforcement of current, model building codes to ensure the safety and welfare of Louisiana citizens.

Freeboard provides a critical safety measure through extra height in elevation to keep floodwaters shy of the doorstep and out of a home. Keeping just a few inches of water away is beneficial as it can prevent thousands of dollars of damage to floor finishes, electrical wiring, contents and more. According to *FloodSmart.gov*, two inches of water typically causes $21,000 in damage, and six inches will cost an average of $39,000.

Adoption of the 2015 IRC, without weakening the requirement, would mean the standards for Louisiana's 350 at-risk communities would bring new homes to a higher standard across the board while allowing communities that wish to adopt a higher freeboard to do so.

In this case, homeowners would qualify for annual, flood insurance premium discounts; and taxpayers would be protected from avoidable disaster costs. Flood insurance premiums for homes 1 foot above Base Flood Elevation in A zones are reduced 50% annually for 1 foot of freeboard, and for 2 feet of freeboard, premiums are reduced 68%. The added cost of construction to add 1 foot of freeboard to a new home is low--from 0.3% to about 1%, depending on foundation type.

International Association of Structural Movers PO Box 2104 Neenah, Wisconsin 54957 (803)951-9304

Recent disasters in Louisiana reinforces the critical need that structural design account for the reality of flooding. According to *Impact Forecasting*, the estimated total economic losses from catastrophic flooding in 2016 are in the $10-15-billion range. We request re-instatement of the one foot free board provision into the State Uniform Construction code.

Evaluating the new IRC requirement in the context of the August 2016 floods, the devastation to East Baton Rouge provides a compelling case for the preservation of the 1 foot freeboard requirement as well. According to HUD data, more than 24,000 of the affected homes endured flooding of 1 foot or less. If these homes had been constructed under the new proposed freeboard requirement, 24,000 families would have avoided costly, disruptive and life-altering damage.

We acknowledge the initial construction cost when additional height of the finished floor is performed. However, it is far more cost effective when performed during new construction than after the home is built. Elevating an existing structure is far more expensive. Adding 1 foot of floor height is best accomplished during the initial stages of foundation design.

The IBC and the IRC are minimum, model codes developed through a multi-year, transparent, consensus process. The minimum 1 foot of freeboard requirement in the 2015 IRC was deliberated and considered through this process.

More than 62% of the population in America lives in a community that requires 1 foot or more of freeboard for new construction (up to 4 feet in some communities). Building officials from across the U.S. deemed freeboard essential for those who reside in high-risk flood zones, which is reflected in its inclusion in the 2015 IBC and IRC. Removing it from the building code will diminish the safety, welfare and overall protection for the citizens and communities of Louisiana. We ask that you re-instate the 1ft free board into the 2015 code.

Thank you for your consideration.

Sincerely,

Tammie DeVooght Blaney
Executive Director, IASM

Johanna Gonzales

From: Mark Joiner
Sent: Wednesday, March 01, 2017 4:35 PM
To: Johanna Gonzales
Subject: FW: Freeboard Provisions from the Louisiana State Uniform Construction Code

Please print for file.

Mark Joiner, CBO

Administrator
LA State Uniform Construction Code Council
Louisiana Office Of State Fire Marshal
8181 Independence Boulevard
Baton Rouge , LA 70806
Phone: (225)922-0817
mark.joiner@la.gov

From: Craig Comeaux [cccomeaux@outlook.com]
Sent: Friday, February 10, 2017 12:20 PM
To: Mark Joiner
Subject: Freeboard Provisions from the Louisiana State Uniform Construction Code

Dear Mr. Joiner,

I am concerned with the removal of freeboard provisions from the Louisiana State Uniform Construction Code, especially in light of the August 2016 flooding.

According to HUD data, more than 24,000 of the affected homes during the August 2016 flood in East Baton Rouge endured flooding of 1 foot or less. If these homes had been constructed under the freeboard requirement already included in the International Residential Code, a base code within the Louisiana State Uniform Construction Code, 24,000 families would have avoided costly, disruptive and life-altering damage. It is also crucial that commercial construction incorporate freeboard, as damage to commercial structures can negatively impact the economy. According to FEMA, 40 percent of businesses do not reopen after a disaster and 25 percent fail within a year. In this case, homeowners also would quality for annual, flood insurance premium discounts; and taxpayers would be protected from avoidable disaster costs. Flood insurance premiums for homes 1 foot above BFE in A zones are reduced 50 percent annually for 1 foot of freeboard; and for 2 feet of freeboard, policies are reduced 68 annually. Freeboard is a simple protection to prevent floodwaters entering a structure, and 1 foot is a modest requirement.

And I urge the council to reinstate the freeboard provision.

Sincerely,

Craig Comeaux
3205 Michigan Avenue
Metairie, LA 70003
504-234-8357

Johanna Gonzales

From: Mark Joiner
Sent: Wednesday, March 01, 2017 4:31 PM
To: Johanna Gonzales
Subject: FW: Uniform Construction Code

Please print for file

Mark Joiner, CBO

Administrator
LA State Uniform Construction Code Council
Louisiana Office Of State Fire Marshal
8181 Independence Boulevard
Baton Rouge , LA 70806
Phone: (225)922-0817
mark.joiner@la.gov

From: Ingargiola, John [John.Ingargiola@fema.dhs.gov]
Sent: Friday, February 10, 2017 4:29 PM
To: Mark Joiner
Subject: Uniform Construction Code

Mr. Joiner,

Please accept these comments below. Thank you.

John Ingargiola, Lead Physical Scientist
FEMA Building Science
Washington, DC

John Ingargiola

From: john ingargiola
Sent: Friday, February 10, 2017 5:24:11 PM
To: Ingargiola, John
Subject:

2/10/17

Mr. Mark Joiner
Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70896.

RE: Proposed Rule: Uniform Construction Code
Published Louisiana Register, Vol. 43, No. 01, January 20, 2017

Dear Mr. Joiner:

Thank you for the opportunity to comment on maintaining provisions in the 2015 International Codes (I-Codes) related to additional elevation for buildings in special flood hazard areas. The requirement for a minimum Base Flood Elevation plus 1 foot is in the International Building Code by reference to the standard ASCE 24. Since 2005, ASCE 24 has required a minimum of one-foot of additional elevation (commonly called "freeboard") for all buildings except Risk Category I, with even higher elevation for critical and essential facilities. To our knowledge, the LSUCCC State Code currently requires compliance with ASCE 24 and has done so for the past 10 years. In fact, even prior to 2005, ASCE 24 has required additional flood elevation for residential and nonresidential buildings since its first edition in 1998.

As you're aware, the International Code Council consensus process for proposals to change the minimum requirements of the I-Codes requires proponents to provide rationales and statements regarding anticipated fiscal impacts. The proposal for additional elevation (commonly referred to as "freeboard") was approved for inclusion in the 2015 International Residential Code (IRC). Thus, the 2015 IRC requires all dwellings to be elevated a minimum of one foot higher than the Base Flood Elevation.

FEMA deems the minimum flood provisions of the 2015 International Codes, along with the referenced standard ASCE 24, meet or exceed the minimum National Flood Insurance Program (NFIP) requirements for buildings and structures. The minimum codes and referenced minimum standard set the minimum performance requirements for the design and construction of buildings and structures in flood hazard areas to better able to resist flood loads and flood damage.

FEMA and its State, local and industry partners have a long history of assessing the performance of buildings after flood disasters. The body of knowledge informs proposals to modify both the I-Codes and ASCE 24. Without question, the evidence of the benefits of elevating buildings at least 1 foot above the Base Flood Elevation is clear. In addition, an economic evaluation of the National Flood Insurance Program building standards clearly documented the costs and benefits of freeboard, and justified use of at least 1 foot of freeboard for residential structures. Conducted in 2004 and supplemented in 2008, the evaluation considered construction costs, avoided flood damage, and flood insurance premium savings. It did not consider the emotional and social costs of flooding, which would further strengthen the justification for freeboard. Incorporating just one additional foot of elevation results in annual savings for Louisiana citizens on the cost of NFIP flood insurance of nearly 50% (Zone A dwelling with maximum coverage). Similar studies show the positive cost benefits realized through additional elevation for nonresidential buildings.

We understand the Code Council is on record recommending and promoting the use of freeboard. We strongly encourage the Code Council to reconsider the benefits of retaining the additional elevation requirements in the State's uniform construction code and we look forward to providing further documentation to support the discussion. Also, we urge the Council to consider additional long-term benefits of this minimum factor of safety, as runoff from increased development occurs in riverine watersheds and as subsidence continues in other areas. These future conditions should be considered given the national average lifespan of most dwellings is on the order of 60 years.

We recognize the concern the impact of additional elevation may have on property owners affected by recent flooding as they undertake repairs and rebuilding that would be potentially subject to a code that includes freeboard. As before, concerns about saving relatively minor up-front costs associated with just one additional foot of elevation should be balanced with the long-term savings on the annual cost of flood insurance as well as the added level of protection. There is evidence from areas affected by Hurricane Sandy that thousands of damaged homes experienced flooding less than 12 inches deep. In Louisiana, all future residential and nonresidential building owners of new buildings in Special Flood Hazard Areas are directly affected persons impacted by this proposed code change. But the Louisiana Register does not address the estimated costs

and/or economic benefits to these affected persons even though this analysis would appear to fall under the required fiscal and economic impact statement for administrative rules.

The effect of modifying the codes has another impact in disaster recovery. In 2016, the FEMA Public Assistance program adopted Recovery Policy FP-104-009-4 which generally requires use of the hazard-resistant provisions contained in the latest edition of the International Codes (IBC, IRC, and IEBC) as a minimum design standard for all eligible building restoration programs where the design standard is triggered. Eligible buildings include those owned by government entities and other eligible subrecipients, and the policy applies to new construction and substantial improvements, including repair of substantial damage. State amendments to the requirements of the International Codes and ASCE 24 do not alter the requirements of the policy. Removal of the additional elevation requirements in the 2015 I-Codes may lead to confusion and added work after future disasters to ensure eligible restoration projects meet the requirements of the policy and not just the requirements of the Louisiana State Uniform Construction Code.

It is noted that the amendments permit local governments to determine freeboard requirements in special flood hazard areas instead of a statewide requirement. But the required fiscal and economic impacts of doing this have not been addressed in the Louisiana Register. Should the State decide to move forward with the proposed revisions, please see below for specific comments.

Excerpt from Louisiana Register Vol. 43, No. 01 January 20, 2017	**FEMA Observations**
§ 103. International Building Code A.14. Amend Chapter 16, Section 1612.4, Design and Construction. a. Delete Referenced ASCE 24-14 Freeboard requirements and Table 1-1 Flood Design Class of Buildings and Structures.	Page 181 Page 184 1. The technical provisions of ASCE 24-14 do not define or use the term "freeboard". Therefore, the proposed text is meaningless and potentially unenforceable. 2. Deletion of Table 1-1 Flood Design Class makes the standard unenforceable or confusing, at best. The term "Flood Design Class" is used throughout the standard and commentary. Each of the tables establishing elevations is organized to specify elevations as a function of Flood Design Class. In addition, 2015 IBC Section 1603.1.7 requires assignment of Flood Design Class according to ASCE 24, which means removal of Table 1-1 creates confusion and problems with enforcement. **Recommend**: Retain ASCE 24-14 Table 1-1. 3. Removal of freeboard affects new buildings and structures that pose a high risk to the public or significant disruption to the community should they be damaged, be unable to perform their intended functions after flooding, or fail due to flooding. It also affects new buildings and structures that contain essential facilities and services necessary for emergency response and recovery. The Louisiana fiscal and economic impact statement for administrative rules does not appear to address this impact. **Recommend**: Adopt the 2015 IBC without amending any of the Flood Provisions.
4. Additionally, IRC shall be amended as follows and shall only apply to the *International Residential Code*. c. Amend Section R322.2.1, Elevation Requirements. i, Buildings and structures in flood hazard areas including	Page 185 1. In item (i), "whichever is higher" at the end of the text should be retained as it is in other sections of the code

Excerpt from Louisiana Register Vol. 43, No. 01 January 20, 2017	FEMA Observations
flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation or the design flood elevation. (a). Delete plus 1 foot (305 mm) requirement.	(see below). The International Code Council issued an errata to restore the phrase, which was in the original code change proposal and inadvertently omitted in the First Printing. Please note the term Design Flood Elevation is included in the code in the event communities use a flood hazard map other than the FIRM. FEMA is aware some communities in Louisiana may be considering or may have already adopted flood hazard maps that show floodprone areas larger than shown on FIRMs and with flood elevations higher than base flood elevations. In those cases, the I-Codes use the term "design flood elevation" to refer to the elevation of the flood associated with the floodprone areas on the adopted map. **Recommend**: Restore "whichever is higher." Restore "plus 1 foot requirement for reasons previously stated.
ii. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated to a height of not less than the highest adjacent grade as the depth number specified in feet (mm) on the FIRM or not less than 2 feet if a depth number is not specified. (a). Delete plus 1 foot (305 mm) requirement. iii. Basement floor that are below grade on all sides shall be elevated to or above base flood elevation or the design flood elevation, whichever is higher. (a). Delete plus 1 foot (305 mm) requirement.	2. In item (ii), the rearrangement of words renders it meaningless. The requirement is for buildings to be elevated above the highest adjacent grade at least as high as the depth number on the FIRM, or no less than 2 feet (above the highest adjacent grade) if a depth number is not specified. **Recommend**: Restore the original arrangement and original text including plus 1 foot requirement.
d. Amend Section R322.3.2, Enclosed area below design flood elevation. i. Delete plus 1 foot (305 mm) requirement.	Page 185 1. The proposal lists the incorrect title for Section R322.3.2, creating confusion. **Recommend**: Restore original code language.
Family Impact Statement The proposed Rule will not have any known or foreseeable impact on any family as defined by R.S. 49:972 D or on family formation, stability and autonomy. Specifically there should be no known or foreseeable effect on: 1. the stability of the family; 2. the authority and rights of parents regarding the education and supervision of their children; 3. the functioning of the family; 4. family earnings and family budget; 5. the behavior and personal responsibility of the children. Local governmental entities have the ability to perform the enforcement of the action proposed in accordance with R.S. 40:1730.23.	Page 200 1. There is a direct impact on family budgets for owners of dwellings constructed in special flood hazard areas if the minimum elevation requirements are modified to eliminate the factor of safety of just one foot above the base flood elevation. The majority of residential mortgages are subject to the federal mandatory purchase of flood insurance. The reduction in annual cost of NFIP flood insurance for elevating just one foot higher than the BFE depends on several factors, including flood zones. 2. If the 2015 IRC is not modified to eliminate the "plus 1 foot" from the elevation requirements, families with homes constructed, substantially improved, or repaired after incurring substantial damage under this edition of the LSUCC would save from approximately 45 to 50 percent each year on the cost of NFIP flood insurance premiums.
Small Business Analysis The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is	Page 200 1. There is a direct impact on small businesses that build

Excerpt from Louisiana Register Vol. 43, No. 01 January 20, 2017	FEMA Observations
not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.	or occupy new buildings in special flood hazard areas if the minimum elevation requirements are modified to eliminate the factor of safety of just one foot above the base flood elevation. The reduction in the annual cost of NFIP flood insurance associated with elevating just one foot higher than the BFE depends on several factors, including flood zones. 2. If the 2015 IBC and ASCE 24 is not modified to eliminate the "plus 1 foot" from the elevation requirements, buildings constructed, substantially improved, or repaired after incurring substantial damage under this edition of the LSUCC that are owned and occupied by small businesses would save from approximately 40 to 45 percent each year on the cost of NFIP flood insurance premiums.

Melinda Long

From: Mark Joiner
Sent: Wednesday, March 01, 2017 11:12 AM
To: Melinda Long; Johanna Gonzales
Cc: Ron Crouch
Subject: FW: Enterprise Community Partners Letter for Public Testimony at today's Hearing
Attachments: Enterprise Comments LSUCCC 10.11.16.pdf

This was their letter.

Mark Joiner, CBO

Administrator
LA State Uniform Construction Code Council
Louisiana Office Of State Fire Marshal
8181 Independence Boulevard
Baton Rouge , LA 70806
Phone: (225)922-0817
mark.joiner@la.gov

From: Schoeman, Laurie [lschoeman@enterprisecommunity.org]
Sent: Wednesday, March 01, 2017 10:59 AM
To: Mark Joiner
Cc: Ingargiola, John; Whetten, Michelle; Sullivan, John
Subject: Enterprise Community Partners Letter for Public Testimony at today's Hearing

Good morning Mark, we are pleased to submit this letter on behalf of Enterprise Community Partners to be read at the 1:30 hearing today.

Best,

Laurie Schoeman
Program Director- National Initiatives Resilience

Enterprise Community Partners, Inc.
One Whitehall Street, 11th Floor
New York, NY 10004
Office: 212-284-7156
Fax: 212-262-9635
Email: lschoeman@enterprisecommunity.org
Website: www.enterprisecommunity.com
Facebook | LinkedIn | Twitter | YouTube | Our Blog, @the horizon

Enterprise

Enterprise®

October 11, 2016

Louisiana State Uniform Construction Code Council
8181 Independence Blvd.
Baton Rouge, LA 70806

Dear Chairman Gadberry, Vice Chairman Metcalf and Members of the LSUCCC:

Enterprise Community Partners, Inc. is a national nonprofit organization dedicated to creating opportunity for low- and moderate-income people through affordable housing in diverse, thriving communities. We deliver capital to affordable housing developments, advocate effective policies, and connect affordable housing owners to resources and expertise. Throughout our work, we value highly effective partnerships to create innovative, cross-disciplinary solutions.

Enterprise has a 34-year track record of service as a trusted advisor to government agencies, the financial industry, philanthropy, community-based organizations, and fellow nonprofits. Enterprise's Gulf Coast office was established shortly after Hurricane Katrina, and since that time we have been an active partner in Louisiana on disaster recovery and resilience. Along with our other market offices that have faced natural disasters, we have worked closely with FEMA, HUD, and state and local governments around the country to develop and support recovery practices to build or expand the infrastructure for a strong, disaster-resilient affordable housing sector.

We believe it is extremely important that state and local governments provide low and moderate income homeowners the necessary guidance to protect vulnerable properties against impact from storms and flooding. The removal of the freeboard for new construction of single family homes would undermine resilience of these properties in the long-term. While construction costs are important, the risk of damage from future flood events and the impact of lower building standards should also be considered when evaluating affordability. Additionally, rebuilding to higher elevations (with freeboard) is also critical for keeping flood insurance policies affordable, since pricing is now tied to risk.

When all of these factors are considered together, we believe both homeowners' and communities' interests are best served by keeping freeboard levels commiserate with ICC standards. We hope the Council will keep the one foot of freeboard for new construction when adopting ICC standards.

We recognize concerns with making single family construction affordable, and especially the challenges being faced by those low and moderate income homeowners who lack flood insurance and must now rebuild their homes. We are committed to working with HUD, FEMA, and the state to ensure homeowners have the necessary resources to rebuild in a resilient manner.

Sincerely,

Michelle Whetten,
Vice President and Market Leader, Gulf Coast
Enterprise Community Partners

ENTERPRISE
643 Magazine Street • Suite 202 • New Orleans, LA 70130 • 504.335.2300 • www.enterprisecommunity.org • www.enterprisecommunity.com

Ted DeBaene

Executive Director
Louisiana Floodplain Management Association

1. LFMA supports the concept of a freeboard

2. Virtually every community in the state has a
   Flood Damage Prevention Ordinance
   as part of its
   Code of Ordinances
   This regulates the flood related construction of structures under the auspic
   the Floodplain Administrator

3. It is perplexing to have different codes and different individuals re
   the same activity. Therefore, we recommend that the freeboard regu
   be removed from the IRC

Chad Ross
FEMA
Representing John Inyargiola
Written Comments attached

March 1. 2017

Department of Public Safety and Corrections
Office of the State Fire Marshal
Louisiana State Uniform Construction Code Council
8181 Independence Blvd, Baton Rouge, LA 70806

RE: Public Hearing Notice of Intent for LSUCCC Statewide Code amendments

To Whom it May Concern;

FEMA welcomes the opportunity to support the State's ongoing efforts establishing uniform performance standards providing reasonable safeguards for health, safety, welfare, comfort, and security balanced with affordability for the residents of these devices, materials, and techniques. This is in keeping with the state's encouraged use of construction materials of the greatest durability, lower long-term costs, and providing greater storm resistance. The floods of 2016 are a painful reminder of the long and difficult past experience with flood disasters and flood losses in the state and the great deal of flood risk that exists statewide now and into the future.

As reported February 24, 2017 on NOLA.com "85 percent of Louisiana's population, in 56 out of 64 parishes, is in recovery of some sort from natural disasters since March 2016." Another statistic reported November 28, 2016 in a news release from Baton Rouge is that Louisiana "averages a major flood about every six years and 14 hurricanes have struck the state the last three decades."

In recent newsletters of the Louisiana Floodplain Management Association, their leadership have said "When events do happen in our areas, we can really stress the importance of building smart and take the opportunity to educate and spread awareness. I have a feeling that we might even see a slight shift in the general mentality of people wanting to build to a higher standard." Also, "In an effort to promote responsible construction to reduce flooding potential, a 1% flood return event was established as a guide. Unfortunately, almost everyone assumed that no flooding would occur beyond that magic figure. Oh how wrong many of us were. You would think that everyone is now wiser. But that it not true....We all live in a floodplain, when will it be our turn....The Special Flood Hazard Areas are only a guide, they are not protection."

I have previously testified and provided written documentation to the LSUCCC last fall on the importance of keeping all of the higher minimum flood standards that exist in the 2015 International Codes, without weakening, in the next LA Statewide Code. I also provided written comments in response to the LA Register deadline of February 10, 2017 with additional remarks that the amended flood language is confusing, unworkable and unenforceable. Those comments also point to the lack of specifically addressing the Family Impact Statement and the Small Business Analysis as result of deleting freeboard exposing constituents to greater risk, less flood protection than the national consensus standard and a cost of flood insurance that is twice as expensive for the life of newly constructed or substantially-improved buildings as a result of the State's amendments.

I had the distinct pleasure, in partnership with GOHSEP, to deliver 6 Flood Codes Workshops to over 300 Louisiana floodplain staff, building department staff and design professionals on the extensive flood provisions in today's codes and how they complement, comply with and provide greater protection than the minimum building standards of the NFIP. It had been a surprise to many that freeboard has been a minimum requirement in LA Codes for the past 10 years. Students gave the course very high ratings in the content and instruction and what they learned and how to apply Louisiana's flood-resistant building codes in conjunction

with local floodplain management. That was the biggest revelation from students, that floodplain management is NOT solely a local concern. Written in 1968 the definition of 'floodplain management regulations' in the Code of Federal Regulations states:

> Flood plain management regulations means zoning ordinances, subdivision regulations, **building codes,** health regulations, special purpose and other applications of police power. The term describes such **state** or local regulations, **in any combination** thereof, which provide standards for the purpose of flood damage prevention and reduction.

It has always been envisioned that State Codes are also part of floodplain management regulations. Relinquishing a state code's flood protections standards or weakening parts of them and deferring instead to locals is not the intent of the Federal Regulations. The stated intent of LSUCCC that freeboard is recommended doesn't have to be just a recommendation. It can be the minimum and going higher still can be accomplished local through floodplain management ordinances. The terminology and definitions in the code for 'Design Flood Elevation' was written specifically to allow a local designation of a higher than BFE +1, 2 or 500 year elevation. In fact many of the floodplain managers we spoke to during the workshops saw the benefit if having the uniform minimum freeboard in the State code versus potentially 330 different approaches to freeboard in their standalone floodplain ordinances. Many also tried to pass freeboard but failed since it is burdensome to attempt to change regulations locally, even if they make perfect sense. Following the State's lead (keeping freeboard) appealed to these floodplain managers.

While the LSUCCC has studied and debated these flood issues, it hasn't been easy for the public to follow and keep up with all the decisions and votes that have occurred. Minutes from monthly LSUCCC have not been posted for over 7 months so only those in attendance have appreciation for importance of these issues.

FEMA's disaster assistance policies have changed to require the use of the minimum hazard provisions in the latest International Codes. Deleting freeboard is not acceptable for projects subject to this assistance. This creates confusion amongst Parishes and communities as to what State or Federal standards have to be followed in projects coming through their jurisdiction. And all the other higher flood standards have to be followed as well which may well differ from what is in the local floodplain ordinance.

Louisiana has the opportunity to join a growing number of states that have already adopted these 2015 International Codes and have not weakened or deleted the flood provisions. FEMA remains in support of this approach and we continue to look for ways to provide technical assistance such and the recent training workshops to help Louisiana build a more resilient future.

Very Respectfully,

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Mike Steiner Representing BOAL 3/1

Supporting LSUCCC amendments eliminating freeboard Requirements 2015 IRC & ASCE 24.

Freeboard requirements that are more restrictive than NFI, will cause conflicts with local floodplain managers.

Free board is defined as "Best Practice" by Fema. Not a c Requirement. The building code should not be more restrict NFIP

Blake Steiner representing the Building Official's Association of Louisiana. The Louisiana State Code Council got it right amending the free board requirements from both the IRC and from ASCE 24. Freeboard can be a great tool in the management of flood prone regions; however flood risks are specific to each geographical area. Because the flooding risk is so specific to individual geographical areas, the best people to determine the effectiveness of a freeboard requirement are the individual jurisdictions because they know their areas the best. The current requirements in the 2015 I-codes attempt to make the code more restrictive with a blanket code change that isn't always effective.

It is poor practice to have conflicting requirements. Developers/Designers know to get their Design Flood Elevation from the Floodplain manager. Without these amendments, the Floodplain Manager will be requiring lower elevations than the building official. This conflicts will lead numerous mistakes. Floodplain requirements are best left floodplain managers who specifically trained floodplain management.

Freeboard is not a requirement of NFIP or 44 CFR. I find it ironic that FEMA is attempting to have Louisiana's code be more restrictive than their own requirements. It would seem to me that proper way to achieve freeboard would be for FEMA to implement it in their own regulations instead of considering it a "Best Practice". It is important that we remember that the code is not meant to be a "how to book" or a guide of best practices. The Building Code is intended to be the **minimum** standard for construction in Louisiana. The Building Code does not stop designers from designing structures above the minimum standard.

As long as FEMA continues to define Freeboard as a "best practice" and not a code requirement, Louisiana should continue to follow that guidance.

Rick Foster

Building Official / Floodplain Admin.

City of Denham Springs.

It is my opinion that freeboard should remain a decision made by each community and not a State level.

JOHN BEL EDWARDS
GOVERNOR

Office of Louisiana State Fire Marshal
Code Enforcement and Building Safety

Department of Public Safety and Corrections
Public Safety Services

H. BUTCH BROWNING
STATE FIRE MARSHAL

March 28, 2017

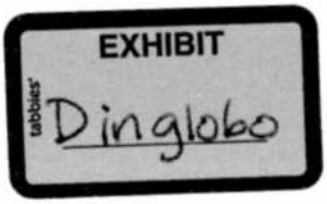
Good afternoon,

The Louisiana State Uniform Construction Code Council (LSUCCC) has received your written comments in support to the Notice of Intent published January 20, 2017 in the Louisiana Register. Thank you for being an important part of this rule promulgation process. All written comments are being compiled and included in the report to the legislative oversight committee. For your information, the following is a summary of the March 1, 2017 public hearing.

Testimony was received both in support of, as well as in opposition to the proposed freeboard requirements in the building codes which are found in the proposed rules. Mr. Chad Ross, representing FEMA on behalf of Mr. John Ingargiola, provided testimony and written comments in opposition to the proposed amendments. He also submitted written comments of opposition on behalf of Enterprise Community Partners, Inc. based in New York, New York.

Mr. Ted DeBaene, representing the Louisiana Floodplain Management Association, testified and provided written comments in support of the proposed amendments. Mr. Blake Steiner, representing the Building Official's Association of Louisiana, testified and provided written comments also in support of the proposed amendments. Mr. Rick Foster, representing the City of Denham Springs, stated his city was "ground zero" during the recent floods. He testified and presented written comments in support of the proposed amendments.

The LSUCCC has been made aware of and provided access to these statements and written comments for consideration. Those in opposition and those in support of the amendments agree that freeboard helps lower flood insurance premiums and is a very important tool to use in floodplain management. The LSUCCC encourages its use along with other tools in providing safe, sustainable and affordable structures for the citizens of Louisiana. Currently all floodplain management decisions and enforcements are regulated by municipal and parish governments through floodplain managers, public works departments and building officials. Many times, higher freeboard requirements than currently proposed in the 2015 editions of the building codes are used by local governments to protect their citizens.



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During testimony at the public hearing held during this rule making process, it was verified that the proposed freeboard requirements in the building codes were above and beyond those required by the National Flood Insurance Program. It was also verified that the proposed amendments will not cause individuals, or any local and state governments, to experience higher premiums, inability to purchase flood insurance and/or prohibit future grants or funding for flood projects.

The Louisiana State Uniform Construction Code Council, at the request of local governments and their agencies, consider these amendments vital to ensure continuity in managing flood related issues at the local level and to provide the safest economical solutions for its citizens. Therefore, the Commission will continue the rule making process as outlined in the Louisiana Register. Once again, thank you for your comments and your involvement in said process.

Regards

Mark Joiner

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