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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ridge.

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DIGEST

SB 237 Original

2016 Regular Session

Allain

Present law provides that the primary functions of the La. State Uniform Construction Code Council are to review and adopt the State Uniform Construction Code, provide for training and education of code officials, and accept all requests for amendments of the code.

Present law provides that notwithstanding any provision of law to the contrary relating to the authority of local governments to enforce construction codes, all municipalities and parishes in this state shall enforce only the construction codes provided for in present law.

Proposed law retains present law and provides that all municipalities and parishes in this state may modify or approve alternatives, in whole or in part, to any provision or requirement of the International Building Code and the International Mechanical Code if strict compliance with such provision or requirement will create practical difficulties, unnecessary hardships, or will otherwise be unwarranted. However, no such modification or approved alternative will be allowed if it substantially adversely affects provisions for health, safety, and security.

Proposed law provides that all municipalities and parishes in this state may modify or approve alternatives, in whole or in part, to any provision or requirement of the International Building Code or the International Mechanical Code, if the party seeking the modification or approved alternative shows by the weight of the evidence that compliance with such provision or requirement of the code would do any of the following:

- (1) Fail to achieve the intended objective of the code.
- (2) Inhibit achievement of some other important public policy.
- (3) Be physically or legally impracticable.
- (4) Be unnecessary in light of equally safe and proper alternatives or alternatives that, without the loss in the level of safety, achieve the intended objective of the code more efficiently or effectively.
- (5) Create a change so slight as to produce a negligible additional benefit consonant with the purposes of the code.

Proposed law provides that the permitting department or equivalent in each municipality or parish shall be responsible for the issuance of the modification or approved alternative based on the criteria in proposed law.

Effective August 1, 2016.

(Adds R.S. 40:1730.23(J) and (K))