

**Louisiana State Uniform Construction Code Council**  
**August 13th, 2024**  
**8181 Independence Blvd**  
**Baton Rouge, Louisiana 70806**  
**Meeting Minutes**

The Chair welcomed all present and **called the meeting to order at 10:09 AM**

The Pledge of Allegiance was recited.

The Chair, Mr. Roy Young, requested a roll call of the members which reflected the following:

Members Present: Mr. B. Byrd; Ms. T. Byrd; Mr. Marty Campbell; Mr. Jake Causey; Ms. Dadakis; Mr. Keenan Glover; Mr. Henry Heier; Mr. Stephen Laughlin; Mr. Scott Masterson; Mr. Butch Browning Jr.; Mr. Eric Parnell; Ms. Jamie Peers; Mr. Billy McShan; Mr. Gerald Rinchuso; Mr. Roy Young (Chair)

Members Absent: Mr. Carlos Giron; Mr. Charles Visser; Mr. Dennis Miller; Mr. Rodney Wallis; Mr. Matt Wood

Excused absence: Mr. Carlos Giron; Mr. Charles Visser; Mr. Dennis Miller; Mr. Rodney Wallis; Mr. Matt Wood

A total of 15 members present, 5 members absent constitute a Quorum.

The Chair, Mr. Roy Young, opened the meeting welcoming everyone.

**OLD BUSINESS:**

**1. Review and Adoption of the Minutes from the April 9, 2024, meeting.**

A **motion was made** by Mr. Bobby Byrd to accept the minutes from the April 9th, 2024, meeting as written. Mr. Jake Causey **seconded the motion**. There were no objections to the motion and **the minutes were accepted as presented**.

**2. Next LSUCCC Meeting TBA.**

A **motion was made** by Mr. Jake Causey and **seconded** by Ms. Jamie Peers to schedule the next LSUCCC meeting for September 10<sup>th</sup>, 2024 at 10:00 A.M. There were no objections to the motion and **the motion passed**.

**3. Technical Code Study and Advisory Committee Report (Jackie Dadakis)**

Fortified Taskforce has meet two times but has not finalized their findings and discussions. Ms. Dadakis, Technical Chair, is looking to have the task force meet again in September or October

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to finalize their discussion and provide a summary of recommendations to the Code Council. Ms. Dadakis spoke on the training that will be upcoming for the IECC. The training material and instructor will be provided by ICC.

Mr. Joiner, Administrator, spoke on the way the training classes will be set up in order to provide ample time and dates so that the building officials and those in the field can send employees to the training at different dates. There will be 6 locations for Residential, hopefully to start in October. Then there will be 6 locations for Commercial, proposed to start in December. Two webinars will be provided once the in-person learning is concluded. The webinars will be provide, not only as another source of training but also, to cover questions and concerns for those who attended in-person training and have begun to implement the code requirements in their jurisdictions.

Ms. Dadakis, Technical Chair, reminded the council, and those present in public, of the upcoming Louisiana Energy Code Conference and the AIA Conference, September 18<sup>th</sup> and 19<sup>th</sup>, 2024 at the Marriott in Baton Rouge, LA.

Ms. Dadakis, Technical Chair, updated the council on her attendance at the Insurance Conference in Baton Rouge in September. Ms. Dadakis spoke during the conference concerning the Building Codes.

She informed the council members, and those in attendance, that the State of Louisiana now has in place “award winning codes” as a result of the 2021 Code Reviewing, Amending and Adoption process. This has been acknowledged by FEMA, IBHS and another national group HBA Louisiana. Congratulations to the code council and their leadership, along with those that participated in the review committee process from the public and the industry.

**NEW BUSINESS:**

**1. Review and discussion of upcoming timeline for adoption of 2024 I-Codes and 2023 NEC (Roy Young)**

Mr. Roy Young, The Chair, asked Mr. Joiner, Administrator, to speak on the timeline for the next review code cycle. Review committee applications are scheduled to go out in January with the deadline to be returned in February. This will give the Chair and Technical Committee Chair time to review the applications and set the review committees and chairpersons over the committees. Announcement of the committee members and Chairs is set to be done by April or May of 2025, with meetings starting in June, 2025.

The concern will be the funding for the code books that will be needed for the review committee members, to facilitate the review process. Mr. Joiner will need to ask for that funding from the administration of the Fire Marshal’s Office. Mr. Joiner will work on a quote

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with ICC after the first of the year. Since the review committees only make recommendations they will be allowed to meet by Microsoft Teams and it will be an open public participation forum.

### **2. Review and discussion concerning current adopted SOP for review committees. (Jackie Dadakis)**

Ms. Dadakis asked the council members to please refer to the copy of the SOP's that have been provided in their meeting documents. There will be a new review committee that will be formed this code cycle, which will be the IECC Review Committee.

Ms. Dadakis asked the council members to please review the SOP's to see if there are any changes that are needed and to bring any changes forth at the next code council meeting.

A **motion was made** by Mr. Henry Heier and **seconded** by Mr. Jake Causey to add the IECC Review Committee to the review committee application list. The floor was open for discussion. There were no objections to the motion. **The motion passed.**

### **3. Discussion concerning jurisdictions not in compliance across the state. (Roy Young/Mark Joiner)**

Mr. Roy Young, The Chair, asked if Mr. Joiner, Administrator, would like to open the discussion. Mr. Joiner stated that there are two jurisdictions that have been brought to his attention that are not following the proper inspection process for building structures, as required by law. One of the jurisdictions in non-compliance is reported to be failing to conduct inspections on Accessory Buildings over 1,000 sq. feet. There has not been a formal complaint filed with the LSUCCC on these jurisdictions at this time.

The approval by the code council, for the Administrator to have the right to do a public records request for the needed inspection and permit records, would allow him to move forward with investigating these two anonymous complaints.

Mr. Bobby Byrd asked if there was a process for the state to do an audit on jurisdictions and their permitting and inspections process, to verify they are following the law. The LSUCCC does not have legislative authority to conduct audits on jurisdictions. Per Legal Counsel, Mr. Ron Crouch, the LSUCCC does not have authority over the local jurisdictions and the enforcement of the codes is left to the locals. However, the LSUCCC can seek injunctions against "person", in the sense if "a person" is not acting within the enforcement of the code. The public records request allows the code council to receive the information on "a person" who may not be following the law, as far as, the enforcement of the code. The question was

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asked if the Legislative Auditor would need to be notified of a jurisdiction that was not following the law, as far as, the enforcement of the code. This could be a course of action to insure compliance.

A **motion was made** by Mr. Butch Browning and **seconded** by Mr. Scott Masterson to allow the administrator, Mr. Mark Joiner, the ability to do a public records request for inspection and permitting records from jurisdictions that are known not to be in compliance. This motion and permission granted by the code council is due to the fact that a formal complaint has not been filed with the LSUCCC. The floor was open for discussion. There were no objections to the motion. **The motion passed.**

Mr. Joiner, Administrator, brought forth a reoccurring issue that is being brought up to him concerning individuals being convicted of a crime and still being able to obtain an LSUCCC Registration and/or becoming a Building Official. Mr. Joiner informed the code council that the council has no legal authority to refuse a registration based on a criminal conviction. As long as, the individual can provide the proper ICC Certification and the required documents to register it is then the responsibility of the code council to register them.

Most governmental jurisdictions do background checks before they hire new employees; however, third parties are not necessarily required to do background checks. Per legal counsel, Mr. Ron Crouch, the Code Council would be required to have statutory authority to do a background check. Local jurisdictions; however, could institute ordinances to allow them not to accept inspection reports from these third party individuals or groups based on a known criminal background.

Mr. Mark Roberts, representative with the ICC, stated that under the ICC the CBO Certification process does have a section that addresses and talks about the responsibilities of a CBO but it does not state that a person cannot be a building official or inspector if they are convicted of a crime.

**4. Discussion of possible legal opinion concerning Third Party Providers who perform drainage designs and surveying for projects performing Uniform Construction Code inspections and plan review for the same project.**

The Chair, Mr. Roy Young, opened the floor for discussion concerning the question of what is the definition of: A “person” cannot have any financial gain or interest and also conduct inspections on the same project.

There are known individuals that are involved in projects as part of the surveying of the land and the drainage of subdivisions. Jurisdictions are now informing those individuals that they are not allowed to be part of the construction or inspections of the structures that will be built on the property or land. There is a case where an individual has sold property to a developer and

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now wants to be the inspector of the structure(s) that will be placed on the property; therefore, receiving funds from both the sale of the property and the price of conducting the inspection fee

Mr. Joiner, Administrator, asked that the council allow legal counsel, Mr. Ron Crouch, to research and possibly seek an Attorney General's opinion to define what is "having a financial interest in or financial gain in".

Mr. Joiner, Administrator, read R.S. 40:1730.23A (See highlighted section)

§1730.23. Enforcement of building codes by municipalities and parishes

A. Notwithstanding any other 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 this Part. All municipalities and parishes shall use building code enforcement officers or certified third-party providers contracted by the municipality, parish, or regional planning commission to act in the capacity of a building code enforcement officer to enforce the provisions of this Part.

Enforcement procedures by building code enforcement officers or third-party providers acting in the capacity of a building code enforcement officer shall include examination or review of plans, drawings, or specifications; the conducting of inspections; and the issuance, denial, or revocation of permits. A building code enforcement officer, third-party provider, or third-party provider contracted by a jurisdiction as provided for in R.S. 40:1730.24(A) shall not conduct plan review or inspections on a commercial or residential structure if such officer or provider owns any interest in the legal entity that constructed such commercial or residential structure or receives any compensation from the legal entity other than the fees that are charged for plan review or inspections.

Nothing in this Subsection shall be construed to prevent a commercial or residential contractor or homeowner from using a third-party provider as provided for in R.S. 40:1730.24(B). Nothing in this Subsection shall be construed to prevent a commercial contractor or commercial owner from using the office of state fire marshal as a third party provider as provided for in R.S. 40:1730.24(B) on commercial structures in any parish within the state with a population of less than forty thousand and whose boundaries lie completely north of the one hundred ten mile per hour wind line, as shown in the American Society of Civil Engineers (ASCE-7) basic wind speeds map published in the latest edition of the International Building Code.

After a lengthy discussion the council members deferred the matter to a later date.

## **5. Comments from LSUCCC Chairman and LSUCCC Administrator.**

Mr. Roy Young, The Chair, announced his appointment of Mr. Butch Browning to represent the LSUCCC on the H.R. 291 Fire Protection and Construction Code Task Force. Mr. Browning accepted the appointment. There were no objections by the code council members present, to Mr. Young's appointment choice.

Mr. Joiner, Administrator, again congratulated the council members and those who participated in the previous code adoption process. The council has received a tremendous amount of praise on the national level and from other states, it is well deserved.

With no other items on the agenda or discussion, **Mr. Scott Masterson made a motion to adjourn.** Mr. Jake Causey **seconded the motion.** The meeting adjourned 11:10 am.

END OF MINUTES