

The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on May 9, 2019 a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage May 23, 2019, on Motion of Jeff Ard and seconded by Tracy Girlinghouse:

L.P. ORDINANCE 19-13

AN ORDINANCE TO CREATE THE “LIVINGSTON PARISH FIRE PROTECTION DISTRICT NO. 4 FIRE PREVENTION BUREAU” BY ADDING SECTION 6-96, “FIRE PREVENTION BUREAU,” TO CHAPTER 6, “FIRE PREVENTION AND PROTECTION”, ARTICLE II, DIVISION 5, BY ESTABLISHING THE BUREAU’S DEFINITION, INTENT, AND REGULATIONS PURSUANT TO R.S. 40:1563, IN ADDITION TO, THE ADOPTION OF THE CODE OF THE MOST RECENT STATE OF LOUISIANA ADOPTED VERSION OF THE NATIONAL FIRE PROTECTION AGENCY LIFE SAFETY CODE AND, AS A MAINTENANCE CODE, THE STATE OF LOUISIANA UNIFORM FIRE PREVENTION CODE AS DEFINED IN R.S. 40:1578.7.

WHEREAS, on March 18, 2019, the Livingston Parish Fire Protection District No. 4 Board of Commissioners adopted an ordinance creating a Fire Prevention Bureau within the department as well as a Fire Prevention Officer pursuant to Louisiana Revised Statute 40:1563; and

WHEREAS, after the adoption of said ordinance, the Livingston Parish Fire Protection District No. 4 Board of Commissioners adopted Resolution No. 19-0001: “For the release of the State Fire Marshal and any other State Entity from responsibility or liability for those inspections performed by the Fire Prevention Bureau, or the consequences thereof, within the jurisdiction of the governing authority”; and

WHEREAS, the Livingston Parish Fire Protection District No. 4 Board of Commissioners authorized the District’s Fire Chief, James Wascom, to appear before the Livingston Parish Council, the Village of Port Vincent Aldermen, and the City of Walker Councilmembers to request their adoption of an ordinance creating the Livingston Parish Fire Protection District No. 4 Fire Prevention Bureau, in addition to making reference to the technical codes adopted by the District; and

WHEREAS, the Livingston Parish Council agrees upon and supports the adoption of the creation and establishment of the Livingston Parish Fire Protection District No. 4 Fire Prevention Bureau and adoption of all necessary codes thereof as required by state law;

WHEREAS, the Fire Protection District agrees that pursuant to this ordinance, they will obtain all necessary certifications, and hold harmless and indemnify the Livingston Parish Government from any liability associated with inspections and enforcement authorized;

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

SECTION 6-96 of ARTICLE II of CHAPTER 6 of the Code of Ordinances, **Section 6-96, “Fire Prevention Bureau”**, is hereby added to the Code of Ordinances as follows:

Section 6-96 Fire Prevention Bureau

Definition:

The Livingston Parish Fire Protection District No. 4 Fire Prevention Bureau is created for the purpose and establishment of reasonable levels of fire safety and property protection created from the hazards created by fire and explosion located within the boundaries of Livingston Parish Fire Protection District No. 4.

Intent of the Bureau:

It is the intent of the Bureau to prescribe regulations consistent with the provisions provided in Louisiana R.S. 40:1563 as well as regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use of occupancy of building or premises. The most current State of Louisiana adopted version of the fire life safety code will be the minimum code which will be utilized by the bureau.

The Code:

The term "The Code" makes reference to the technical codes adopted by Livingston Parish Fire Protection District No. 4 to establish a reasonable level of fire safety and property protection from the hazards created by fire and explosion, including, but not limited to, the most recent State of Louisiana adopted version of the National Fire Protection Agency Life Safety Code and, as a maintenance code, the State of Louisiana Uniform Fire Prevention Code as defined in RS 40:1578.7

The Bureau:

The Fire Prevention Bureau will be headed by the Chief of the Fire Department or a person designated by the Chief of the Fire Department. Bureau will be staffed by qualified individuals whose credentials have been reviewed and accepted by the State Fire Marshal.

The bureau will conduct maintenance inspections on behalf of the fire marshal. The Fire Marshal shall have the authority to monitor the performance of the fire prevention bureau in the performance of those functions which would otherwise be performed by the Fire Marshal.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed. If any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

The effective date of this ordinance shall be as prescribed by law.

Upon being subjected to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. ARD, MR. KEEN, MR. WASCOM, MR. TALBERT, MR. MACK, MR. AVERETT, MR. LOBELL, MR. HARRIS

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

And the ordinance was declared adopted on the 23rd day of May.

1/2\Shane Mack
Shane Mack, Council Chairman

ATTEST:

1/2\ Sandy C. Teal
Sandy C. Teal, Council Clerk

1/2\ Layton Ricks
Layton Ricks, Parish President