

NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on June 13, 2019, and laid over for publication of notice:

L.P. ORDINANCE 19-18

AN ORDINANCE TO CREATE THE “LIVINGSTON PARISH FIRE PROTECTION DISTRICT NO. 5 FIRE PREVENTION BUREAU” BY ADDING SECTION 26-178, “FIRE PREVENTION BUREAU,” TO CHAPTER 26, “FIRE PREVENTION AND PROTECTION”, ARTICLE II, DIVISION 6, 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.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, June 27, 2019, at six-thirty (6:30) o’clock p.m., at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

/s/ Sandy C. Teal
Sandy Teal, Council Clerk

/s/ Shane Mack
Shane Mack, Council Chairman

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on June 13, 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 June 27, 2019, on Motion of R.C. “Bubba” Harris and seconded by Maurice “Scooter” Keen:

L.P. ORDINANCE 19-18

AN ORDINANCE TO CREATE THE “LIVINGSTON PARISH FIRE PROTECTION DISTRICT NO. 5 FIRE PREVENTION BUREAU” BY ADDING SECTION 26-178, “FIRE PREVENTION BUREAU,” TO CHAPTER 26, “FIRE PREVENTION AND PROTECTION”, ARTICLE II, DIVISION 6, 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 May 14, 2019, the Livingston Parish Fire Protection District No. 5 Board of Commissioners adopted Resolution No. 19-0003 creating a Fire Prevention Bureau within the department pursuant to Louisiana Revised Statute 40:1563; and

WHEREAS, said Resolution released the State Fire Marshal and any other State Entity from responsibility or liability for those inspections performed by the Fire District 5 Prevention Bureau, or the consequences thereof, within the jurisdiction of the governing authority; and

WHEREAS, the Livingston Parish Fire Protection District No. 5 Board of Commissioners authorized the District’s Fire Chief, Joseph Koczrowski, to appear before the Livingston Parish Council, to request their adoption of an ordinance creating the Livingston Parish Fire Protection District No. 5 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. 5 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 26-178 of ARTICLE II of CHAPTER 26 of the Code of Ordinances, **Section 26-178, “Fire Prevention Bureau”**, is hereby added to the Code of Ordinances as follows:

Section 26-178 Fire Prevention Bureau

Definition:

The Livingston Parish Fire Protection District No. 5 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. 5.

Intent of the Bureau:

It is the intent of the Livingston Parish Fire Protection District No. 5 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. 5 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 Livingston Parish Fire Prevention District No. 5 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 State Fire Marshal. The State 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 State 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. WASCOM, MR. TALBERT, MR. MACK, MR. HARRIS, MR. GIRLINGHOUSE, MR. ARD, MR. KEEN

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. AVERETT, MR. LOBELL

And the ordinance was declared adopted on the 27th day of June.

Shane Mack, Council Chair

ATTEST:

Sandy C. Teal, Council Clerk

INTRODUCED _____ ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ___. M.

APPROVED BY PRESIDENT _____
Layton Ricks Date

VETOED BY PRESIDENT _____
Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ___. M.