

**RULES FOR ACT NO. 364
OF THE REGULAR SESSION 2007
INDUSTRIALIZED BUILDINGS**

EFFECTIVE _____

**STATE OF LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
OFFICE OF STATE FIRE MARSHAL
CODE ENFORCEMENT AND BUILDING SAFETY
8181 INDEPENDENCE BLVD., BATON ROUGE, LA 70806**

NOTICE OF INTENT
Department of Public Safety and Corrections
Office of the State Fire Marshal
Code Enforcement and Building Safety

Industrialized Buildings
(LAC 55:V.Chapter 27)

In accordance with the provisions of R.S. 40:1730.51 through 1730.66, relative to the authority of the Office of State Fire Marshal to promulgate and enforce rules, the Office of State Fire Marshal hereby proposes to adopt the following Rule regarding the regulation of industrialized buildings.

Title 55
PUBLIC SAFETY
Part V. Fire Protection

Chapter 27. Industrialized Buildings

- §2701 Definitions
- §2703 Administration and State Fire Marshal Authority
- §2705 Manufacturer Registration
- §2707 Dealer Registration
- §2709 Reserved.
- §2711 Reserved.
- §2713 Design and Component Review
- §2715 Modifications or Alterations to Decaled Buildings
- §2717 Industrialized Buildings Constructed Prior to January 1, 2007
- §2719 Manufacture and Installation of Life Safety and Property Protection Systems
- §2721 Manufacturer's Quality Assurance Control Manual
- §2723 Decal Application and Issuance
- §2725 Reserved.
- §2727 Reserved.
- §2729 Removal of Decals, Penalties and Fines Imposed
- §2731 Reserved.
- §2733 Reserved.
- §2735 Inspections; Inspection Reports
- §2737 Reserved.
- §2739 Reserved.

NOTICE OF INTENT
Department of Public Safety and Corrections
Office of the State Fire Marshal
CODE ENFORCEMENT AND BUILDING SAFETY

Industrialized Buildings

Title 55
PUBLIC SAFETY
Part V. Fire Protection

§2701. Definitions

A. For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

Agency – An individual or entity, which may be a private sector entity, a state department or a local government determined by the State Fire Marshal to be qualified pursuant to this chapter to inspect the construction of industrialized building units, systems, or the component parts thereof together with the pre-approved plans, specifications, and quality control procedures to ensure that such units, systems, or component parts are in full compliance with the codes and standards herein adopted and to assign and attach the decal of the State Fire Marshal to such units complying with those standards.

Building Code - the Louisiana State Uniform Construction Code provided for in R.S. 40:1730.21 et seq.

Building Official – The officer or other designated authority or their duly authorized representative charged with the administration of the applicable technical codes in the subject jurisdiction.

Closed Construction – A building, component, assembly, subassembly, or system manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly or destruction thereof.

Construction Site Building - a commercial structure that is not open to the public and is used for any purpose at a commercial site by a person constructing a building, road, bridge, utility, or other infrastructure or improvement to real property.

Council - The Louisiana State Uniform Construction Code Council.

Data Plate – A plate which is permanently mounted on an industrialized building or component which contains design information as noted in §2715 herein.

Dealer – Any person, corporation or business which has been registered to engage in leasing, selling or distribution of industrialized buildings for placement in the state of Louisiana.

Decal - The approved form of label issued by the Office of State Fire Marshal to be permanently affixed to the building or module indicating that it has been constructed to meet or exceed the code requirements and in compliance with the provisions of this part.

Enforcement Agency – An agency of state or local government with authority to make inspections of buildings and to enforce the codes which establish standards for design, construction, erection, alteration, repair, modification, or demolition of public or private buildings, structures or facilities.

Equipment – All equipment, material, appliances, devices, fixtures, fittings or accessories installed in, or used in, the manufacture and assembly of an industrialized building.

Facility – The physical location of a manufacturing plant where buildings or components are constructed, or the physical location of a dealer where buildings or components are stored.

Industrialized Building - a commercial structure that is constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site; is designed to be used as a commercial building when the module or the modular component is transported to the commercial site and erected or installed; includes the structure's plumbing, heating, air conditioning, and electrical systems; includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site. An Industrialized Building does not include a commercial structure that exceeds three stories or forty-nine feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof. It does not include a commercial building or structure that is installed in a manner other than on a permanent foundation and is either not open to the public or less than one thousand five hundred square feet in total area and used other than as a school or a place of religious worship.

Installation – The assembly of an industrialized building component or system on site and the process of affixing an industrialized building component or system to land, a foundation, or an existing building, or service connections which are part thereof.

Labeled – Affixed with a decal or data plate.

Manufacture – The process of making, modifying, fabricating, constructing, forming or assembling or reassembling a product from raw, unfinished, semifinished, or finished materials.

Manufacturer – Any person who, or entity which, has been registered to produce or modify industrialized buildings for placement in the state of Louisiana.

Model – A specific design of industrialized buildings which is based on size, room arrangement, method of construction, location, arrangement or size of plumbing, mechanical or electrical equipment and systems therein in accordance with plans submitted to the Office of State Fire Marshal.

Modification – Any change to an industrialized building which affects the structural, electrical, thermal, mechanical, plumbing systems, life safety, means of egress, material flammability/flame spread or accessibility of the building to persons with disabilities.

Modular Component - a structural part of a building constructed at a location other than the building site in a manner that prevents the construction from being adequately inspected for building code compliance at the building site without damage or removal and reconstruction of a part of the building.

Modular Section – see “Module”.

Module – A three dimensional section of industrialized building designed and approved to be transported as a single section independent of other sections, with or without other modules or modular components, that prevents the construction from being adequately inspected for building code compliance without damage or removal and reconstruction of a part of the building.

Occupancy Classification – The purpose for which a building, or part thereof, is used or intended to be used as defined in the codes and standards adopted herein.

Open Construction – Any industrialized building, building component, assembly or system manufactured in such a manner that all parts or processes of manufacture can be readily inspected at the installation site without disassembly, damage to or destruction thereof.

Quality Control Manual – A manual which contains all aspects of quality control procedures to be utilized by an entity or individual performing a function regulated hereby.

Standard Design – Any building system, model, series or component intended for duplication or repetitive manufacture.

State Fire Marshal – The Louisiana Office of State Fire Marshal Code Enforcement and Building Safety.

Third-Party – An individual or individuals registered with the Council as a code enforcement officer in accordance with R.S. 40:1730.34 through 1730.38 and LAC 55:VI:7.

Traveler – A form utilized in a manufacturing facility in conjunction with the manufacturer’s quality control program to indicate that all quality control inspections are conducted during the manufacturing process and that all inspections indicate compliance with the approved plans.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2703. Administration and State Fire Marshal Authority

A. Forms. A manufacturer's application for registration, a dealer's application for registration, a plan review application, a decal request form, and a decal disposition report per §2727 herein shall be submitted on forms provided by the State Fire Marshal.

B. Registration. The State Fire Marshal shall register manufacturers and dealers in accordance with this chapter. All registrations and approvals granted by the State Fire Marshal pursuant to §2705 and §2707 herein are subject to revocation for failure to adhere to these rules, as provided for in §2729 herein.

C. Third-Parties. Third-parties shall be properly registered with the Council for the type of project he or she will inspect.

D. Monitoring. The State Fire Marshal, through his employees or his designated performance auditors, shall monitor the performance of manufacturers, dealers, and third-parties.

E. Auditing. Each registered manufacturer shall be subject to a performance audit at a minimum of once every three years. Unannounced visits to manufacturing facilities may be utilized unless impractical. Information obtained through monitoring shall remain confidential to the extent permitted by law. Manufacturers shall provide the auditor access to records, facilities and personnel as requested by the auditor. The auditor shall collect information through interviews, examination of documents and observation of activity to determine whether the manufacturer complies with the applicable codes and standards. Any determination of nonconformance with any applicable provision shall be reported to the manufacturer. The report shall identify the facts that support the finding of nonconformity and recommend corrective action. The State Fire Marshal shall determine the appropriate corrective action subject to the requirements of §2729 herein.

F. Oversight. The manufacturer shall be responsible for correcting code violations. The State Fire Marshal shall make an independent determination regarding the existence of a violation. The State Fire Marshal may allow a third-party to investigate complaints and notify the State Fire Marshal regarding the existence of a code violation and disposition thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2705. Manufacturer Registration

A. General. All individuals or entities manufacturing buildings or components intended for installation in Louisiana must be registered with the State Fire Marshal. In the event that a manufacturer has more than one facility producing industrialized buildings, the manufacturer shall obtain registration for each such facility individually.

B. Initial Registration Requirements. A manufacturer must submit the following to the State Fire Marshal for registration:

1. A completed application for registration and a copy of a current valid contract with a third-party for inspection services.

2. Description of manufacturing facility including at a minimum the size of shed(s) for weather protection of building materials and buildings under construction or repair, the size of yard at the facility for storing buildings, a site plan of the facility and a location map of the facility.

3. A Quality Assurance Control Manual in accordance with §2721.

C. Multiple Facilities. The manufacturer shall submit a separate application for each of its facility locations. A Quality Assurance Control Manual shall be kept at each location.

D. Renewal. The manufacturer shall renew its registration every twelve months and shall update the information required by §2705.B and submit to the State Fire Marshal. If the manufacturer does not complete the renewal information by the registration expiration date, registration becomes expired. The manufacturer must meet the qualifications in effect upon the date of renewal to have its registration renewed.

E. Change of Ownership. When the ownership of a manufacturer changes, the new owner shall within 21 days:

1. Inform the State Fire Marshal in writing of such change of ownership with an effective date.

2. Submit a completed manufacturer's application to the State Fire Marshal in accordance with §2705.

F. Change of Name and Address. In the event of a change in the name or mailing address of any manufacturer or inspection agency, the State Fire Marshal shall be notified in writing within ten days.

G. Change or additions to a facility. In the event of a change or an addition to a facility, the manufacturer shall revise and resubmit all items as required by §2705.B to the State Fire Marshal prior to production of any buildings, modules, or components intended for sale in Louisiana.

H. Change of manufacturer's third-party inspection agency.

1. The manufacturer shall immediately inform the State Fire Marshal in writing of any change of third-party provider. No manufacturing shall be performed and no decals shall be placed on any industrialized building, module, or modular component until an approved third-party has been retained.

2. The manufacturer shall submit to the State Fire Marshal a copy of the service agreement with the new third-party agency reflecting the effective date.

3. The new third-party agency shall review the Quality Control Manual of the manufacturer, perform an Initial Plant Certification Inspection, and provide a Plant Certification Report to the State Fire Marshal in accordance with §2735 of this part.

I. Termination of State Registration. In the event that a manufacturer chooses to discontinue business in Louisiana, the State Fire Marshal shall be notified in writing at least thirty (30) days prior to the effective date. Such notice shall serve as a resignation of the registration and any subsequent resumption of business activities will require a new submittal in accordance with §2735.B of this section.

J. Transportation and Installation Booklet. Manufacturer shall provide a transportation and installation booklet with each new building and component package. It shall include:

1. Precautions and instructions for transportation of buildings and modules;
2. Installation instructions;
3. Notice that a Site-specific Plan Review Submittal is required to be submitted to the State Fire Marshal in accordance with §2713.H of this part prior to obtaining a building permit from the applicable jurisdiction.
4. Notice that inspections by the State Fire Marshal are required prior to occupancy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2707. Dealer Registration

A. All individuals or entities engaged in leasing or selling industrialized buildings or components for installation in Louisiana must be registered with the State Fire Marshal.

B. Initial Registration Requirements – A dealer must submit the following to the State Fire Marshal for registration:

1. A completed application for registration.
2. Identification of principals which shall at a minimum include the positions of partners if the dealer is a partnership or its officers, directors, controlling owners and registered agent if the dealer is a corporation.
3. Description of dealer’s facility including at a minimum the size of shed(s) for weather protection of building materials and buildings under repair, the size of yard at the facility for storing buildings, a site plan of the facility and a location plan of the facility.

C. The dealer shall submit a separate application for each separate facility location.

D. Renewal – The dealer shall renew its registration every twelve months and shall update the information provided in §2735 of this part and submit to the State Fire Marshal. If the dealer does not complete the renewal information by the registration expiration date, registration becomes expired. The dealer must meet the qualifications in effect upon the date of renewal to have its registration renewed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2709. Reserved

§2711. Reserved

§2713. Design and Component Review

A. General. A plan approval of each building and modular component design shall be contingent upon compliance with the requirements of the State Fire Marshal, these rules, and the codes and standards referenced in R.S. 40:1730.56. The applicant shall submit plans for approval by the Office of State Fire Marshal in accordance with R. S. 40:1730.59 and R. S. 40:1730.66. The Office of State Fire Marshal, upon review of the plans, may request any additional information necessary to evaluate the plans submitted and shall notify the applicant of any apparent errors or omissions. Manufacturing shall not commence until a complete plan review has been performed by either an approved third-party or the State Fire Marshal. Plan approvals are valid for 180 days from the date of the review, or until notification that the applicable standards referenced in R.S. 40:1730.56 are to be updated, modified, or changed, whichever is later.

B. Third-Party Plan Review. All building code plan reviews performed by a third-party must be documented in writing to the State Fire Marshal. The plan review report, as a minimum, shall contain the following information:

1. Name of registered third-party inspector and Council issued registration number;
2. Name of Manufacturer and State Fire Marshal issued registration number;
3. Date of plan review;
4. The identification number or serial number of the building or component reviewed;
6. A list of all applicable codes and editions reviewed for compliance;
7. A statement indicating that information contained in the design plan submittal (pursuant to §2713.C) has been reviewed for compliance with the applicable codes;
8. A full report indicating any nonconformities observed and corrective actions required.

A copy of the reviewed and approved plans shall be submitted with the plan review report to the State Fire Marshal for oversight along with any additional information required with the Design Plan Submittal pursuant to §2713.C. Manufacturing may commence upon approval from the registered third-party; however, any additional deficiencies detected by the State Fire Marshal during the design plan submittal review shall be corrected. Decals shall not be affixed to the building or component until oversight has been performed by the State Fire Marshal.

C. Design Plan Submittal. Complete sets of design plans and specifications shall be prepared and sealed by an architect or engineer licensed to practice in the state of Louisiana when required by Louisiana law or by the State Fire Marshal. Plans shall be drawn to scale and shall be legible for reproduction purposes. Supporting calculations and any required test results shall also be provided for each building design to be reviewed. Information required with each design plan submittal shall be as indicated on the "Industrialized Buildings Plan Review Checklist" as provided by the State Fire Marshal. A computerized version in an acceptable electronic format shall also be provided for each standard design. The required information for each design shall be submitted with an Industrialized Building Plan Review Application, a Decal Request Form as provided by the State Fire Marshal, and the appropriate fees. The State Fire Marshal shall review the applicant's submittal and, if deficiencies are detected during the review, shall issue a plan review letter identifying the deficiencies. A revised submittal indicating corrections to these deficiencies shall be resubmitted to the State Fire Marshal within 21 days of the date of the letter for further

review. Once the submittal has been determined to have no deficiencies, the State Fire Marshal shall affix a stamp to each page of the plans and the specifications cover pages reviewed. The submittal package shall be returned with a review letter indicating the limitations of the review along with the requested decals. If corrections to deficiencies are not received within 21 days of the date of the letter, the project will be found to be “not in compliance”. Plan review fees for submittals found “not in compliance” are not refundable.

D. Modular Component and Modular Section Review. The applicant shall submit to the State Fire Marshal for review a modular component or modular section which may include any or all elements for use as part of a building, such as structural, mechanical, plumbing, electrical components and/or fire protection systems. Submission shall include all applicable documents and data as indicated in the “Design Plan Submittal” above, providing complete information necessary for evaluation of the component’s performance and capabilities for its intended use.

E. Fire Protection Systems Review. Life safety and property protection systems must be submitted to the State Fire Marshal for review by a life safety and property protection contractor licensed by the State Fire Marshal pursuant to §2719 herein.

F. Equivalent Methods of Compliance. In accordance with R.S. 40:1730.61, any proposed equivalent or alternative materials or methods of compliance with the referenced codes and standards, except for the Louisiana State Plumbing Code, that are not expressly prescribed therein may be submitted to the State Fire Marshal for review. Justification for the request and supporting data shall be submitted with a “Proposed Equivalency to Code – Request for Appeal” application provided by the State Fire Marshal and the appropriate review fee. If the State Fire Marshal determines, from an engineering performance standpoint, that sufficient evidence has been provided to substantiate that the proposed alternative is at least the equivalent of that prescribed by the referenced codes and standards, the State Fire Marshal may approve the use of such material or method. Such approval shall not be construed as an amendment to the technical codes and standards and shall only apply to the specific scope of work identified by a State Fire Marshal issued project number.

G. Scope of Plan Review. The scope of an industrialized building, modular component, or modular section plan review is limited to aspects of construction performed at the place of manufacture. The “Industrialized Building” plan review letter shall not be used to obtain a permit for site installation.

H. Site-specific Plan Review Submittal. Industrialized buildings manufactured and decaled pursuant to §2723 herein, purchased and ready for site-specific installation, shall be submitted to the State Fire Marshal by the owner or his authorized agent for review and approval in accordance with R. S. 40:1730.66 and R.S. 40:1574, prior to obtaining a building permit from the applicable jurisdiction. The industrialized building decal number shall be provided by the owner upon submittal to the State Fire Marshal for this site-specific review.

I. Manufacturer’s Modular Data Plate. The manufacturer shall install on all industrialized (modular) buildings and components, prior to leaving the manufacturing plant, a data plate which shall be permanently mounted on or about the electrical panel, if provided, or as documented on approved plans, and which shall contain, but not be limited to, the following design information when applicable.

1. Manufacturer;
2. Manufacturer Registration Number;
3. Date of Manufacture;
4. Date of Alteration, if any;
5. Number of Modules (decal and data plate must be installed on each module);
6. Construction Type;
7. Occupancy Use Classification;
8. Serial Number;
9. Fire Marshal Plan Review Number(s);
10. Maximum Floor Load(s) (pounds per square foot, first floor and upper floors),
Live Load and Concentrated Load;
11. Roof Load; Live Load and Snow Load;
12. Wind Velocity Rating;
13. "R" value of Floor, Wall, and Roof;
14. Approved for Flood Zone Usage (yes/no).

J. Plan Review Fee Schedule. Pursuant to R. S. 40:1730.60 and §2715 herein, the fee for review of plans and specifications of industrialized buildings, modules and modular components by the Office of State Fire Marshal shall be in accordance with the following schedule. The fee applies to the primary occupancy class of the building, but includes square footage for the total building, even where composed of separate occupancy classes, incidental uses or accessory uses. For each standard design, a separate fee will be applied to each primary occupancy class utilizing that design. Review fees for fire protection and all other systems are separate and shall be as indicated on the plan review fee computation schedule as provided by the State Fire Marshal.

Occupancy	Square Footage	Review Fee
ASSEMBLY Groups A-1, A-2, A-3, A-4, A-5	0 - 2500	= \$335.00
	2,501 - 4,500	= \$505.00
	4,501 - 10,000	= \$1,220.00
	10,001 - 50,000	= \$1,806.00
	50,001 - 100,000	= \$2,365.00
	100,001 and over	= \$2,515.00 + .01/sqft over 100,000sqft
EDUCATIONAL or DAYCARE Groups E, I-4	0 - 5,000	= \$335.00
	5,001 - 10,000	= \$505.00
	10,001 - 30,000	= \$740.00
	30,001 - 80,000	= \$1,330.00
	80,001 - 150,000	= \$1,920.00
	150,001 and over	= \$2,020.00 + .01/sqft over 150,000sqft

HEALTH CARE, INSTITUTIONAL, or DETENTION (Includes Limited Care/Assisted Living facilities) Groups I-2, I-3	0-2,000	= \$485.00
	2,001-5,000	= \$715.00
	5,001-10,000	= \$970.00
	10,001-20,000	= \$1,320.00
	20,001-30,000	= \$1,420.00
	30,001-50,000	= \$2,400.00
	50,001-100,000	= \$2,990.00
	100,001 and over	= \$3,190.00 + .02/sqft over 100,000sqft
Occupancy	Square Footage	Review Fee
HOTELS, DORMITORIES, APARTMENTS, LODGING or ROOMING HOUSES, RESIDENTIAL BOARD AND CARE FACILITIES Groups R-1, R-2, R-3, R-4, I-1	0-2,500	= \$335.00
	2,501-10,000	= \$505.00
	10,001-30,000	= \$1,220.00
	30,001-80,000	= \$1,810.00
	80,001-150,000	= \$2,400.00
	150,001 and over	= \$2,500.00 + .01/sqft over 150,000sqft
BUSINESS or MERCANTILE Groups M, B	0-3,000	= \$335.00
	3,001-10,000	= \$505.00
	10,001-30,000	= \$695.00
	30,001-50,000	= \$1,035.00
	50,001-150,000	= \$1,330.00
	150,001 and over	= \$1,430.00 + .01/sqft over 150,000sqft
INDUSTRIAL or STORAGE Groups F-1, F-2, S-1, S-2, U	0-10,000	= \$335.00
	10,001-20,000	= \$505.00
	20,001-50,000	= \$695.00
	50,001-100,000	= \$865.00
	100,001 and over	= \$945.00 + .01/sqft over 100,000sqft

HIGH HAZARD Groups H-1, H-2, H-3, H-4, H-5	0-2,000	= \$495.00
	2,001 and over	= \$495.00 + .30/sqft over 2,000sqft

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2715. Modifications or Alterations to Decaled Buildings

A. Any unauthorized modification, alteration, or conversion made to an industrialized building, modular component, or modular section previously approved by the State Fire Marshal shall void the decal of approval. The decal affixed to the building shall be removed in accordance with §2729 herein.

B. Pursuant to R.S. 40:1730.56.B, a change in the use of an industrialized building shall be subject to the requirements established for renovations. As such, the provisions of this section shall apply to such buildings. The provisions of this section shall not apply to a change in use of an industrialized building which is not accessible by the public.

C. Minor modifications to approved designs during the manufacturing process shall be submitted to the State Fire Marshal for further review and approval prior to decal placement. Major modifications shall be resubmitted for review with information as required by §2713 herein. The classification of scopes of work as minor or major modifications shall be subject to the discretion of the State Fire Marshal.

D. Modifications to existing industrialized buildings bearing a decal that are made other than at the initial manufacturing site shall be approved by the State Fire Marshal.

1. The manufacturer or dealer must provide the State Fire Marshal with a set of the original approved plans of the building, revised plans reflecting the proposed modifications, a decal request form, and any additional information as required in §2713 herein. No work shall begin until the plans have been approved by the State Fire Marshal.

2. The State Fire Marshal, a third-party, or the building official for the jurisdiction in which the building is located shall be retained by the manufacturer or dealer in order to provide complete inspections during every stage of construction. Once the agency has tested and/or evaluated each system in the building and certifies to the Office of State Fire Marshal that the building is in compliance with the applicable codes, the Office of State Fire Marshal will authorize placement of an additional decal to be affixed to the building beside the original decal.

3. Pursuant to R.S. 40:1730.58.C, where the cost of the modification or alteration exceeds fifty percent of the value of the modules or modular components, the entire building shall be made to comply with the current adopted edition of the codes. Where the cost of the modification or alteration is less than fifty percent of the value of the modules or modular components, only portions of the building affected by the modification shall be required to comply with the current adopted edition of the codes.

4. A building bearing an approved decal for the recertification shall be deemed to comply with the requirements of all state adopted codes and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.
HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2717. Industrialized Buildings Constructed Prior to January 1, 2007

- A. Pursuant to R.S. 40:1730.56.B., industrialized buildings constructed prior to January 1, 2007 shall meet or exceed the requirements established by the parish or municipality in which the building is to be located at the time of construction of the industrialized building. If the parish or municipality has not established requirements, compliance with the wind and flood provisions as adopted by the Louisiana State Uniform Construction Code Council shall be required as a minimum standard. Pursuant to R.S. 40:1730.64.D., the State Fire Marshal may approve previously manufactured industrialized buildings when the State Fire Marshal determines that the adopted standards of other states are reasonably consistent with those of the building code in effect at the time of unit manufacture. The previously manufactured industrialized building shall be required to bear a data plate indicating the codes in effect at the time of unit manufacture and any other state labels that are applicable. As such, manufacturers or dealers may apply to the State Fire Marshal for decal placement on buildings that were constructed prior to January 1, 2007. Decals will indicate
- B. The following shall be required to be submitted to the State Fire Marshal for review when decals are requested:
1. A complete design plan submittal as indicated in §2713 herein;
 2. Documentation indicating the date of manufacture, serial number of the building, and the applicable codes and editions to which the building was manufactured;
 3. Documentation indicating approval under an Industrialized Building program of another state, if applicable.
 4. Data plate information;
 5. The original third-party plan review letter and inspection reports documenting compliance with the codes indicated.
- C. The State Fire Marshal shall review the documentation and issue a letter indicating the findings.
1. If found to comply with, as a minimum, the adopted wind and flood provisions, a unique identifiable decal as described in §2723.K herein will be issued to be affixed to the building.
 2. If deficiencies are discovered during the review, the procedures indicated in §2713.C herein shall apply.
 3. Any required corrections shall be inspected at the place of manufacture in accordance with §2735 herein, or shall be completely inspected by the State Fire Marshal, a third-party, or the building official for the jurisdiction in which the building is located during every stage of modification.

4. A decal disposition report shall be submitted to the State Fire Marshal per §2723 herein.
 5. Where modifications are required, all inspection reports shall be submitted to the State Fire Marshal with the disposition report.
- D. Site-specific installation of buildings constructed prior to January 1, 2007 that bear a decal are subject to verification by the building official for the jurisdiction in which the building is to be located that the building meets or exceeds the requirements established by the jurisdiction at the time of construction of the industrialized building, in accordance with R.S. 40:1730.56.B.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2719. Manufacture and Installation of Life Safety and Property Protection Systems

A. All life safety and property protection systems, including but not limited to, fire sprinkler, fire alarm, fire suppression, electronic locking, closed circuit television, and security systems, must be integrated, installed, certified and serviced by a life safety and property protection contractor properly licensed by the State Fire Marshal pursuant to R. S. 40:1664.1 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2721. Manufacturer's Quality Assurance Control Manual

A. The manufacturer shall maintain, at each site of manufacture of industrialized buildings, a Quality Assurance Control Manual. The manufacturer's Quality Control Manual shall at a minimum contain the following information.

1. Organizational Element:
 - a. Introduction of the manufacturer – a brief history which shall, at a minimum, include the length of time that the manufacturer has been in the industrialized buildings industry, where it is incorporated, whether it is a division of any parent organization, the identity of products it manufactures, and the location of the facility.
 - b. Identification of principals and the positions of partners if the manufacturer is a partnership or its officers, directors, controlling owners and registered agent if the manufacturer is a corporation.
 - c. An organizational chart showing responsible management and supervisory positions by title. A job description for each of the positions shall be provided.
 - d. Brief qualifications of all personnel in management and supervisory positions including the Quality Control Manager.
 - e. Administrative procedure for revision of quality control procedure and Quality Control Manual.

- f. Procedure for retaining permanent records of plans, travelers, inspection reports, serial numbers of buildings, decals used, first destination of labeled buildings or components.
 - g. Method and frequency for training of quality control and production personnel.
 - 2. Design and Specification Control:
 - a. Procedures for revisions to plans.
 - b. Recording system of drawings and specifications.
 - 3. Material Control:
 - a. Inspection procedure of materials, equipment and supplies when received.
 - b. Method of storing and protection of building materials and equipment against damage.
 - c. Provision for disposal of rejected materials, equipment and supplies.
 - d. Forms used.
 - 4. Production Control:
 - a. A description of manufacturing process – method and sequence of construction.
 - b. Check lists of material specifications and workmanship inspections performed at each stage of production by supervisors, corrective actions taken, use of traveler.
 - c. Frequency of quality control inspections.
 - d. List of tests to be performed, testing equipment, results and technical data acceptable.
 - e. Procedures for timely preventive and remedial measures.
 - f. Assignment of authority to accept or reject work.
 - g. Provision for disposition of rejected items.
 - h. Forms used.
 - 5. Finished Product Control and Identification of Products:
 - a. Procedure for handling and storage of finished buildings/modules and components.
 - b. Preparation for shipping, transportation, and delivery.
 - c. Serial numbering system of buildings or components and location of the serial number not readily removable.
 - d. Location of manufacturer’s data plate. Information to contain in the data plate.
 - e. Location of Louisiana State decal.
 - f. Forms used.
 - 6. A Copy of the Initial Plant Certification Report in accordance with §2735 herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.
 HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2723. Decal Application and Issuance

A. Each industrialized building, modular section and modular component approved by the State Fire Marshal shall be affixed with a Louisiana State Fire Marshal Industrialized Building Decal after favorable plan review and inspection in accordance with §2713 and §2735 herein. The decal shall indicate acceptance of construction approved by the design plan review and inspected at a place other than at the site of installation.

B. The manufacturer or dealer shall file with the State Fire Marshal a decal disposition report no later than the tenth day of the following month for the preceding month's activity, until all decals in the possession of the manufacturer or dealer have been affixed and are accounted for. The disposition report shall be filed on a form provided by the State Fire Marshal and shall contain, as a minimum, the following information:

1. The State Fire Marshal issued decal number for each unit manufactured or modified;
2. The State Fire Marshal issued plan review number for the building or component;
3. The identification number or serial number of the building or component;
4. The date(s) of inspection and;
5. The date of decal placement.

Inspection reports as required by §2715, §2717, or §2735 herein shall accompany each disposition report.

C. The control of the decals shall remain with the Office of State Fire Marshal and will be revoked by the State Fire Marshal in the event of violation of the conditions of approval. All such voided decals shall be returned to the Office of State Fire Marshal.

D. Decals shall be obtained utilizing a request form provided by the State Fire Marshal. One request form shall accompany each Industrialized Building Plan Review Application required with each design submitted for review in accordance with §2713 herein and shall indicate the number of modules intended to be manufactured for the design submitted.

E. Upon design plan submittal approval, decals shall be provided as requested to the manufacturer or dealer. Additional decals may be ordered at any time after the initial plan review and approval has been completed. The plan review project number issued by the State Fire Marshal for a specific design shall be indicated on the decal(s) issued.

F. The third-party, the manufacturer's Quality Assurance person, or the State Fire Marshal shall affix the decals to the corresponding approved buildings only after inspection in accordance with §2715, §2717, or §2735 herein and determination that the building or component is in compliance with the approved Design Plan Submittal and State Fire Marshal requirements.

G. Assigned decals are not transferable from one building to another or from one manufacturer or dealer to another manufacturer or dealer. Decals issued with each design plan submittal approval shall only be placed on the corresponding approved building or

component. Decals not used within three years of issuance shall be returned to the State Fire Marshal.

H. After a decal has been affixed to a building or component, alterations may be made only in accordance with §2715 herein.

I. Decals shall not be affixed to an industrialized building, modular section or modular component which has deficiencies or does not conform to the approved plans. Violation of this section shall be subject to the penalties and fines indicated in §2729 herein.

J. Construction Site Buildings - Pursuant to R.S. 40:1730.63.B, buildings that are manufactured only for use as temporary construction site buildings shall be exempt from these decal provisions.

K. Industrialized Buildings Constructed Prior to January 1, 2007 – Decals issued pursuant to §2715 herein shall have a unique color, shape, or markings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2725. Reserved

§2727. Reserved

§2729. Removal of Decals, Penalties and Fines Imposed

- A. The State Fire Marshal, upon notice that a building, module, or modular component bearing a decal is in violation, shall furnish the building manufacturer or dealer in possession of the decal with a written notice of such violations.
- B. The manufacturer or dealer shall respond within 21 days of such notice with a plan of correction. If modifications are required to bring the building or component into compliance, the provisions of §2715 herein shall apply.
- C. The State Fire Marshal or his authorized agent, the manufacturer, or the dealer shall remove the decal from the building, module, or modular component found to be in violation within 21 days of the notice and shall return the decal to the State Fire Marshal.
- D. Decals for previously issued units of the same design also determined to be in violation shall be deemed void and shall also be returned to the State Fire Marshal.
- E. Applications for decals for new units by a manufacturer previously determined to be in violation will be denied until the plan of correction has been approved and compliance has been verified.

- F. A fine not to exceed two hundred dollars per day for each day over 21 days may be levied until such decals has been returned to the State Fire Marshal, pursuant to 40:1563.4.
- G. Any manufacturer, dealer, or third-party found to repetitively violate these rules, applicable laws or codes of the State of Louisiana shall be grounds for revoking registration of the manufacturer or dealer and recommendation to revoke registration of the responsible third-party. Three written notices of violations issued within a three year period to a manufacturer, dealer, or third-party shall be considered repetitive.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563.4
HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2731. Reserved

§2733. Reserved

§2735. Inspections; Inspection Reports

A. Responsibilities of third-party inspectors. Each third-party inspector retained by a registered manufacturer shall discharge the following responsibilities:

1. Performing an Initial Plant Certification Inspection.
2. Monitoring of the quality assurance procedures at the site of manufacture.
3. Verifying that industrialized buildings, modules and modular components have been manufactured pursuant to State Fire Marshal approved building system documentation and in accordance with the approved quality assurance procedures.
4. Authorizing the attachment of decals to such industrialized buildings, modules and modular components.
5. Preparation of all reports as may be required by this Chapter.

B. Initial Plant Certification Inspection.

1. No decal shall be affixed to any industrialized building, module or modular component until the third-party inspector has completed an initial plant certification inspection of the manufacturer's facility, unless in accordance with §2735.F herein.
2. The initial plant certification inspection shall consist of a complete evaluation of the manufacturer's adherence to its quality assurance procedures and capability of producing an industrialized building, module or modular component, in accordance with the approved building system.
3. The third-party shall become familiar with every aspect of the manufacturer's approved building system and quality assurance procedures.
4. The third-party shall make a complete inspection of the manufacture of at least one industrialized building and any module or modular component pertaining to that particular building throughout all of the operation in the facility. If the first building inspected or any component pertaining to that particular unit fails to conform to the standards, additional buildings and component shall be similarly inspected until the inspector

is satisfied that the manufacturer is complying with the approved building system and the building code.

C. Plant Certification Report. If, on the basis of the initial plant certification inspection, the third-party determines that the manufacturer is in compliance with its approved quality assurance procedures, the third-party shall prepare and forward to the State Fire Marshal a certification report. The certification report shall include:

1. The name, address, and State Fire Marshal registration number of the manufacturing facility.
2. The name(s) of the third-party inspector(s) that approved the manufacturer's building system and quality assurance procedures, and the dates of approval.
3. The name(s) of the third-party inspector(s) that performed the initial plant certification inspection.
4. The serial numbers and the State Fire Marshal project number(s) assigned to the industrialized buildings, modules or modular components inspected.
5. A full report of all inspections conducted, any nonconformity observed, and corrective actions taken.
6. The date of certification.

D. Inspection Reports. Third-party inspectors shall inspect construction throughout the manufacturing process and shall document their findings in writing to the State Fire Marshal. The inspection report, as a minimum, shall contain the following information:

1. Name of registered third-party inspector and Council issued registration number;
2. Name of Manufacturer and State Fire Marshal issued registration number;
3. Date of inspection;
4. The State Fire Marshal issued plan review number of each building or component inspected;
5. The identification number or serial number of each building or component inspected;
6. A full report of all inspections conducted, any nonconformity observed, and corrective actions taken.
7. A statement indicating that the construction is in accordance with the stamped set of State Fire Marshal approved plans;
8. A statement indicating that the actual inspection was performed at the manufacturer's facility as registered with the State Fire Marshal.

The inspecting agency shall keep a copy of all inspection reports for a minimum of 5 years.

E. Frequency of Inspections.

1. After initial plant certification, the third-party inspector shall inspect:
 - a. Each industrialized building, module, or modular component in at least one stage of construction.
 - b. Every stage of construction during the course of each inspection visit to a manufacturing facility.
2. The third-party shall conduct unannounced inspections at the manufacturing site to review any aspects of the manufacturing process.
3. Nothing in this paragraph shall preclude a third-party from conducting inspections at a greater frequency than the minimum prescribed herein if, in the inspector's professional judgment, such action is necessary to discharge its responsibilities properly.

F. The State Fire Marshal may temporarily waive compliance with the quality assurance manual at the request of the manufacturer. Upon the grant of such waiver, the manufacturer shall have each industrialized building and any module or modular component which it produces completely inspected during every stage of construction by a third-party inspector.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.51 through 1730.66.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal Code Enforcement and Building Safety, LR _____.

§2737. Reserved.

§2739. Reserved.

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 are not able to perform this function, as the action proposed is strictly a state enforcement function.

All interested persons are invited to submit written comments on the proposed regulation. Such comments should be submitted no later than April 13, 2009, at 4:30 p.m. to Joe Delaune, Office of State Fire Marshal, Plan Review Section, 8181 Independence Blvd., Baton Rouge, LA 70806.