

ANNEX 2 to the **FIRE SERVICES REPORT 2020**



Additional data relating to the Fire Services Report 2020, found under section title “Study of Current Fire Services” (pages 17-35). This annex is specific to the study of Consolidation of Fire Districts in St. Tammany Parish.

This annex provides a more thorough review of the considerations for consolidation of St. Tammany Parish Fire Services. Much of which is found in the 2020 Fire Services Report and collected in other research such as the Cost of Fire Services study and calculation formulas titled “Fire Protection Cost Impact from Development”, created for St. Tammany Corporation in 2019, and the 2015 St. Tammany Parish Fire Chiefs Association Strategic Plan, etc.

As stated in the Fire Services Report 2020, consolidation has been, and is still being considered¹. However, there are important considerations when contemplating the consolidation of Fire Services that could increase costs, decrease services, especially where services are most needed. Furthermore, how consolidation will affect fire ratings must be determined. Using guidance from Stewart Gary, principal for fire services with Citygate Associates. Having directed over 180 fire services engagements, and having been the lead consultant for over twenty-five fire services merger studies. Stewart Gary and Citygate Associates are considered the single most experienced and relied-upon fire and emergency medical services consultancy in the Western U.S.² Given the complexities, Stewart Gary offers the following four factors to consider before pursuing a fire department merger³. These factors are considered in this analysis and are foundational in the conclusions concerning consolidation of St. Tammany Parish Fire Districts.

Following the four factors and their corresponding subfactors for consolidations/mergers, the following is considered.

1. “Fire Department mergers can offer substantial benefits”

As Stewart Gary mentions, “one of the most attractive benefits” being the potential for near-term savings, or future cost avoidance while improving the effectiveness of the management team”. He further states that “Personnel law and safety standards in the fire service have become incredibly complex. Understanding and implementing these Federal and State regulations, and industry standards requires specialized supervising, training, and (for EMS) clinical oversight personnel.” “Accordingly, even small fire departments require a management structure that could equally serve larger departments.” Worse, “because of funding challenges, many smaller departments do not have an adequate management structure and run the risks

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associated with an under-trained and under-supervised department”⁴. Stewart Gary further offers, “For example, a minimal fire management structure for a 1- or 2-station department could feasibly oversee a 3- to 10-station department (depending on the geography). “It is this kind of headquarters personnel (Administrative Staff) consolidation that could allow cost savings, service improvements, or both.” Stewart Gary then points out an important obstacle: “However, when agencies do not have overlapping fire station service areas, savings in front-line operations positions” like Assistant/Deputy Chiefs, District/Battalion Chiefs, Captains and Fire Equipment Operators (Engineers) and firefighters “is often not possible without significant service reductions⁵.” Stewart Gary advises that, “the benefit of consolidating management translates into more than just cost savings: improved training standards, clinical performance, and incident command oversight often accompany mergers as well.” The St. Tammany Fire Chiefs Association recognized these factors presented by Stewart Gary early on in the initial study of the existing Fire Services and addressed these in the Strategic Plan. Functional consolidation was the most efficient way to achieve the benefits of the consolidated management team. The focus of these efforts is found in, OBJECTIVE 2 - Improve existing fire services and operational efficiencies through standardized training, equipment and response guidelines⁶ and OBJECTIVE 3 - Provide peer and Fire Board assistance through STFCA⁷. The benefits achieved over the last five years are evident through improvements to the fire services in St. Tammany Parish as outlined in the Fire Services Report 2020. Examples include automatic and mutual aid agreements, regional grants obtained benefiting all fire districts, consolidated communications, consolidated Information Technology (IT), consolidated training and training standards, an increase in scope of services for EMS including a medical director for Fire Districts who didn’t have one, through agreements with the St. Tammany Parish Coroner. Consolidated and unified Fire Prevention team and a St. Tammany Parish Emergency Response Team that has been requested repeatedly by state emergency management leaders to respond outside St. Tammany Parish to assist during hurricanes, floods and severe winter weather. Experienced fire service leaders have mentored and provided assistance to smaller districts, and to fire boards. Experienced Board members have provided assistance, shared policies, procedures, and training with other Board members. All of which have improved services while maintaining or lowering tax rates and improving fire ratings. See pages 9-16 of the Fire Services Report 2020.

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(a.) Stewart Gary mentions two important factors relating to cost savings when discussing the potential benefits of mergers/consolidations. The first mentioned is that this benefit is “depending on geography”⁸. The more spread out and segmented the coverage area the less beneficial, especially when the population isn’t dispersed evenly. This is the case in St. Tammany Parish and is described in detail in the Fire Services Report 2020, pages 18-24. Essentially, “73% of the Parish population resides in 37% of the parish land and accounts for 70% of the services; the other 27% of the population lives in the remaining 63% of the Parish and create the remaining 30% of the responses. This is nearly identical to the analysis in 2015; growth has occurred throughout the Parish but it has continued to grow in the same manner.”⁹ There are also many manmade and natural barriers segmenting the parish limiting travel from one point to another. This divides coverage areas and limits or prevents adequate response even in areas adjacent to each other.

(b.) The second relates to staffing needs and if there are “overlapping fire station service areas”¹⁰ allowing stations to be closed, and operations personnel to be reduced. Based on extensive analysis found in the Fire Services Report 2020, pages 23-30, it is clear that there are no overlapping service areas, there are no areas receiving a higher level of service or capability beyond the community needs or national standards. Using the existing 49 fire stations in St. Tammany Parish and utilizing ESRI Arc GIS spatial analysis following NFPA 1710 response standards, three main criteria were examined with the following results:

Percent of the Parish beyond 7 road miles from a fire station is 50%, percent of the Parish within 8 minutes travel time from an existing fire station, is 36%, and percentage of the Parish within 4 minutes travel time from an existing fire station, is 23%. The good news is that the 23% within 4 minutes travel time is found mostly in the 37% of the most populated areas and the 50% outside of 7 miles from a fire station is in mostly rural areas. However, “the data generally shows that the departments match the responses, and level of service in correlation to the share of the population, households and businesses they protect.”¹¹ Based on these findings there is clearly no duplication of services or coverage areas. The national standard is 90% of responses being within 4 minutes travel time for the first arriving apparatus and 8 minutes travel time for the full assignment¹². No structures should be beyond 7 road miles as these are considered unprotected for insurance

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purposes¹³. There is a present need to add stations and staffing, and it is very obvious there is none that can be cut to achieve cost savings without further reducing services.

(c.) A deeper analysis of the frontline operations staffing mentioned that could allow cost savings shows there is an ominous cost increase if firefighters wanted to press the issue. In today's model each fire district operates independently and therefore can hire part-time firefighters from other fire districts without paying them overtime for hours worked elsewhere. This allows staffing with trained and experienced firefighters without the added cost of overtime, the pension system, and without the cost of having to train them. Additionally, these firefighters can also volunteer at smaller rural fire departments that otherwise would require that they be compensated if merged. However, the biggest expense would come if these various independent districts were merged into larger better funded departments and the firefighters chose to sue for enforcement of state statutes that are currently only fully enforced in Fire District 1 (Slidell) and Fire District 4 (Mandeville). Specifically, these statutes are LA RS 33:1972, "Fire districts; personnel; exception", LA RS 33:1967 "Captain of force", LA RS 33:1969, "Equal recognition for equal performance" and LA RS 33:1992, "Minimum salaries". If the Fire Districts were to merge and become one, or several larger districts, firefighters could bring suit against the old or new fire districts to enforce these laws. Depending on the circumstances, back pay and other damages could be sought, and more importantly this would require compliance going forward. This would require 24 hours per day, 7 days per week, (3) Assistant Chiefs/Deputy Chiefs,¹⁴ (37) District Chiefs/Battalion Chiefs¹⁵, (201) Captains, one per "firefighting or rescue apparatus"¹⁶, and (201) "Engineers" Fire Equipment Operators, one per "firefighting or rescue apparatus."¹⁷ These numbers are based on existing state laws and the existing fire stations currently in operation; the numbers would go up with additional fire stations added. Additionally, many fire stations currently operate multiple companies from one station. The numbers used in this analysis counts only one fire engine company per station, the minimum required ladder companies currently in use, and only one service company for areas not protected by a ladder company, which include District 3, 5, 6, 7, 8, 9, and 11. Many of these areas would require more than one service company based on their geographical size.

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The breakdown is as follows: 49 Fire stations, 49 Engines, 11 Ladder Companies and 7 Service Companies (required in areas outside Ladder coverage). These companies represent the minimum coverage possible without drastically reducing services, and at least some existing fire ratings. With these resources to be staffed, the average expected cost impact can be calculated. A compensation study was created in 2019 when developing the “Fire Protection Cost Impact from Development”, created for St. Tammany Corporation. This compensation study used a blended average based on existing personnel by rank. The breakdown is as follows:

Average tenure for the rank of Firefighter was 5 years, the average tenure for Fire Equipment Operator was 13 years, the average tenure for Captain was 20 years, the average tenure for District Chief was 23 years, and the average tenure for Assistant Chief was 28 years. Using these averages for time in rank, the average firefighter starting pay of \$9.85 per hour, and applying the state pay scale for firefighters found in LA RS 1992 Minimum Salaries¹⁸, adding in State Supplemental pay¹⁹, Firefighter Retirement²⁰, workers’ compensation, health benefits and FICA. With these expenses calculated, a cost per rank can be estimated. Using these blended averages, the following estimated cost would be incurred to comply with state law minimally:

Total operations employee expense with only two personnel per apparatus, (1 Captain, and 1 Equipment Operator) would require 442 employees at a cost of \$48,803,839.99. This roughly represents over 75% of total tax revenue of all the fire districts. It does not include any Chief staff or administrative staff, it does not include a fire prevention division, training division, Information Technology, or fleet maintenance personnel. In addition, this does not address OSHA 29 CFR 1910.134 (g)(4) (two in and two out rule).²¹ The OSHA “two in and two out” is what the 4 personnel per apparatus required under National Fire Protection Association (NFPA) 1710 minimum staffing standard is based on²². If two fire fighters were added per apparatus to bring staffing to 1 Captain, 1 Equipment Operator, and 2 Firefighters to meet OSHA and NFPA, the number of employees just for operations jumps to 844 at a cost of \$80,123,824.81 which represents over 123% of the total revenue of all fire districts in St. Tammany Parish today. Even at just three personnel per unit the cost is \$64,463,832.40 which represents over 99% of existing revenues. These costs are avoided under the current model through negotiated working agreements among the various members of the fire districts and their boards. The management of these various districts have done a great job of balancing the needs of the community and the available funding, with the needs of their full-time, part-time employees and volunteers. The results have provided a high level of service at an exceptional value for taxpayers. If you factor in the cost of a minimum management team to include a Chief and Staff Officers, use contract Human

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Resources, staff for Fire Prevention, Training, Fleet maintenance, and IT minimally, with meeting minimum state law for operations personnel, you would equal near 100% of revenue without the first nonemployee operating cost met. In addition, there would be no funding for capital improvements or establishing fund balances. This also would likely hurt fire ratings in the most populated areas but likely improve them in some of the less populated, which is counterproductive.

As previously stated, fire ratings have a direct cost impact to tax payers²³. According to estimated averages provided by the Louisiana Department of Insurance for a Brick Masonry home, a \$250,000 policy, \$125,000 contents, 2% hurricane deductible/\$500 all other peril deductible, clean claims history,²⁴ community fire rating changes on average would affect insurance premiums as follows:

PIAL Rating	Class 5	Class 4	Class 3	Class 2	Class 1
Avg. Premium	\$2,229.00	\$2,082.00	\$1,930.00	\$1,887.00	\$1,847.00
Cost Savings	Start	\$147.00	\$152.00	\$43.00	\$40.00
Equivalent in millage	Start	8.40	8.68	2.45	2.28
Note: Millage Equivalent based on \$250,000 Assessed value with Homestead exemption = \$17.50 per mill					

Improving a fire rating from a 5 to a 4 saves a typical St. Tammany Parish homeowner on average \$147 annually or the equivalent of 8.4 mills of property tax on that same \$250,000 home. An improvement from a 4 to a 3 saves \$152 annually or 8.68 mills equivalent for a home assessed and insured at \$250,000, etc. Based on the St. Tammany Parish Assessors Grand Recap, nearly 70% of St. Tammany Parish property taxes are for residential property²⁵ and the average home price in St. Tammany Parish is in the \$250,000 dollar price range²⁶. Therefore, this data is very reflective of the financial impact for the average tax payers if their fire rating changes. The Louisiana Department of Insurance does not give a breakdown on fire rating impact averages for business because there are too many variables; however, for the 30% of commercial property tax payers, Class 2 or 1 will have the greatest impact on commercial property insurance savings. In other words, commercial insurance is benefited most by Class 2 and Class 1 ratings, far more so than residential.

Considering the lack of overlapping or duplicated services and the existing need for more fire stations; additionally, considering the associated staffing costs and the potential loss of fire ratings, especially in the most populated areas like Slidell and Mandeville, it is clear why consolidation or mergers at this time would be detrimental to the Parish.

2. "Obstacles Often Hinge on Logistical Details"

Stewart Gary next discusses logistical and legal issues that must be addressed when considering consolidation or mergers: "While the benefits are attractive, they must be balanced by the constraints

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of mergers. Many of these obstacles involve critical personnel and fiscal logistics. To this end, there are quite a few complex questions that must be answered before a merger is pursued.” For example:

- (a.) “How do taxpayers split the cost of fire services when tax rates and property values differ between municipalities?”
- (b.) “Which existing department will oversee the provision of fiscal services, legal services, and personnel for the consolidated department?”
- (c.) “How are the local elected officials and citizens going to govern the operations of a greater regional fire authority?”
- (d.) “How will State laws and tax revenue regulations impact the feasibility of consolidating?”

These are crucial questions that must be answered yet are very complicated. Regarding the various millages and their varying value, this question is one that is addressed in detail in the Fire Services Report 2020, pages 30 – 33. Not only does each have a voter approved millage, or multiple millages, each has a different millage rate, and each has a different value per mill. This would cause some areas to pay more for the same or reduced services and others to pay less based on property values even if the millage rates were made the same²⁷. Each Fire District is a “subdivision of the state within the meaning of the laws of this state relating to the voting and levying of special maintenance taxes, incurring debt, and issuing bonds”²⁸. Each Fire District has a voter approved millage, may have debt, and each has its own millage rate. Each Fire District by state law “constitute public corporations and as such shall have all the powers of public corporations, including perpetual existence and the right and power to incur debt and contract obligations, to sue and be sued, and to have a corporate seal.”²⁹ Each Fire District is governed by a board of commissioners who by state law are authorized to “adopt its rules and procedure and fix the time and place of its regular meetings. Generally, it has such powers and shall perform such duties as are customary for the governing bodies of taxing districts and political subdivisions, including the right to levy taxes and to operate and control the property acquired by the district. It may do all things necessary to carry out the purposes for which the district was created.”³⁰ Each Fire District has its own employees and most all have an established Louisiana Firefighter Civil Service Board and classified civil service positions in compliance with Louisiana Constitution 10, 16 Fire and Police Civil Service³¹, and as outlined in LA RS 33:2531 – LA RS 33:2568³². Additionally, in order to enlarge or redistrict a fire protection district the Parish governing authority must draft a resolution of the intended changes, must have the agreement and concurrence of any municipality or other Parish that may be affected, and must advertise in a specified manner, for a specified amount of time, outlining the specific

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proposed changes.³³ Once the resolutions and agreements between any municipalities or other parish government is complete, and hearing dates and times properly advertised, the parish governing authority must hold a public hearing. “The governing authority of the parish shall hear all objections which may be interposed to the boundaries of the district and to the inclusion of the property proposed to be included in the district.”³⁴ The public can object to the boundary changes, request being removed from them, or to be added to them. Additionally, “the governing authority of any municipal corporation which is included in the district must”, by resolution approve any additional changes by resolution before the final changes are binding.³⁵ There are additional matters like governance, how will this new larger fire district be governed, especially if containing a municipality. There is the potential for law suits by the governing authority of the consolidated or merged Fire Protection Districts as they can “sue and be sued” and have the “right to perpetual existence”. There is potential for law suits by employees of the redistricted fire protection districts who are impacted regarding their “permanent”³⁶ positions within civil service and any unenforced laws relating to their employment status (these are mostly found in Louisiana Revised statutes, Title 33). Last but not least, the citizens impacted by the redistricting could sue due to loss of services, fire rating, or changes in taxes. These are just some of the legal logistics that would need to be overcome to have a successful consolidation or merger of fire districts.

3. “Agencies Vary in Their Revenue and Ability to Pay”

As Stewart Gary describes there can be “varying degrees of assets in adjacent communities” and therefore varying degrees of ability to provide services. This is clearly explained in the Fire Services Report 2020, pages 28 -33. More than assets and funding available is the actual needs of a community.

(a.) Community risk determines the level of services needed. Once that risk is assessed, then and only then can it be determined what assets are needed and the amount of revenue required to obtain, maintain, and operate those needed assets. Then the community will vote to determine what level of funding they will support through taxes to provide for these assets. As stated in the Fire Services Report 2020, there are varying needs and risk spread throughout St. Tammany Parish. First, population and population density bring risk. Second, occupancy type and construction factors bring risk, and last there are special risks that come from geography, transportation corridors, and other unique factors like: special risk population, including age of population, socioeconomic challenges, rail-roads, water-craft, airports, interstates, major highways, coastal or low-lying flood prone communities, weather emergency vulnerability, wildland urban interface, behavioral health needs,

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etc. These can vary greatly from one community to the next and require different assets to address these unique needs. In addition to these varying risks, the population and population density in conjunction with these needs further changes the assets required and therefore funding needed to provide adequate services. The best examples are Slidell and Mandeville that have all of these risk factors but are contained in different size borders, separated by great distance. Both have large populations with densely populated areas. As a result, both require all hazards capabilities and higher staffing levels than surrounding districts but are still very different communities.

(b.) The next important example of varying degree of assets in adjacent communities is found in property values. Since the fire districts are funded by property taxes, property values will impact revenue despite any other factors. The Fire Services Report 2020 provides a clear example of this using property value comparisons of Slidell and Mandeville. Both have similar risk but not assets due to property values. “For Example, in Fire District 1 a typical 2,000 square foot home would list for \$222,000, the same home in Fire District 4 would list for \$286,000. Slidell and Mandeville need the same types of resources, but Slidell’s fire district will have to levy a higher millage rate than Mandeville to receive the same level of funding due to property values. Due to property values the homes pay almost identical yearly dollar amount for fire services despite the different millage rates. This is the same throughout St. Tammany Parish, communities touching have different property values and most require different levels of service due to population or occupancy risk differences. Add in the natural and man-made barriers that segment most fire districts and this is compounded. This is why automatic aid and mutual aid agreements are used throughout St. Tammany Parish verses consolidation to augment services without raising taxes or negatively impacting fire ratings.

4. “Local Agencies Benefit from Expert Analysis”

The last factor is a sum total of those already mentioned, and points out the pitfalls associated with consolidations based on feelings or opinions and not standards, best practices, laws, and data. Examples are highlighted in a few quotes from factor number 4. by Stewart Gary: “A great number of city, county, and special district leaders are too taken by the promise of savings to consider the variety of costs and possible shared service inequities in a merger.” “What you don’t know can hurt you. So can skimpy analysis and hasty public promises of cost reductions.” “Learning by doing on your first try can become very expensive, fiscally or professionally.” He provides examples of successful mergers that are identical to what has already been done in St. Tammany Parish such as training consolidation. “Los Angeles County fire departments are forming a countywide fire training Joint Powers Authority. This will allow

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31 agencies to share the costs of training while increasing regional standardization.” The Fire Services Report 2020, pages 9-16, highlights all of the measures taken like the training consolidation, dispatch services, regional grants, fire prevention, Hazardous materials response, and much more.

Summary

There are many ways that tax dollars can be saved or put to better use, including mergers or consolidations, but the circumstances must be right in order to achieve this. Public safety is a constitutional right outlined in the Preamble to the US Constitution and very plainly in the Preamble to the Louisiana Constitution. In the state constitutions preamble, we find the purposes of government that includes “...promoting the health, safety, education, and welfare of the people...”³⁷ The included intentions such as “desiring to protect... life, ... and property”³⁸ are the core mission and purpose of every fire district. “The State “Legislature of Louisiana recognizes that providing fire protection and emergency medical service by fire protection districts is a governmental purpose essential to the public health, safety and protection of citizens and property in the state.”³⁹ This should not be taken lightly, a desire by some elected officials or special interests to simply reduce taxes or redistribute funding for other purposes are the very reason the state embedded in law, rules that govern these services. There is clear evidence such as this quote from the Louisiana State Supreme Court: “the record of the convention proceedings indicates that the legislature’s power to set minimum wage and labor standards prevailed because of the obviously compelling state interest in providing citizens with more effective police and fire protection. In expressing variants of this theme, several delegates deplored the failure of local governing authorities to give these needs a higher priority than other community programs while others called attention to the risks of disparate levels of local fire and police protection resulting from lack of general legislative oversight of minimum standards.”⁴⁰ The St. Tammany Fire Chiefs Association will continue to put the people of St. Tammany Parish first by providing the best services available based on community risk assessment and the amount of revenue tax payers are willing to approve for the provision of these services. When the time comes that mergers and consolidations are beneficial to the community, the St. Tammany Fire Chiefs Association will be the first to support, promote, and facilitate these actions. Likewise, if the data and facts show otherwise, these mergers or consolidations will be opposed. There can be no political wrangling, no self-serving or special interests influencing the constitutional right to public safety. Public safety based on national standards, best practices, facts, and data must be put above the interests of the few for the protection and service of all.

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