

ORDINANCE
CITY OF NEW ORLEANS

CITY HALL: March 27, 2014

CALENDAR NO. 30,044

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBERS HEAD, CANTRELL AND GISLESON PALMER (BY REQUEST)

AN ORDINANCE to amend and reordain Sections 26-14 and 26-15 of the Code of the City of New Orleans, to adopt the International Building Code, 2012 Edition, Appendix “D” thereto, and amendments thereto; to establish permits, licenses and fees relative thereto; and otherwise provide with respect thereto.

SECTION 1. The COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Section 26-14 and 26-15 of the Code of the City of New Orleans are hereby amended and reordained to read as follows:

“Sec. 26-14. International Building Code—Adopted.

- a) *Code Adopted.* The building code of the city be and the same is hereby amended in its entirety and reordained to read as set forth in the International Building Code, 2012 Edition, except that the text of said document shall read as modified by the amendments set forth in section 26-15, In the event of conflict these amendments shall supersede and take priority over any amended or unamended section. If an amendment is in conflict with only part of a section, it shall be construed as superseding only the part of the section with which it is in conflict.
- b) *City not liable.* Nothing contained in this building code shall be construed to relieve or lessen the responsibility or liability of any person for injury or damage to persons or property caused by or resulting from any defects of any nature in any work performed by said person or in any equipment owned, controlled, installed, operated or used by him, nor shall the city or any officer, agent or employee thereof incur, or be held to assume, any liability by reason or in consequence of any permit, permission, certificate of inspection of [or] approval authorized therein, or issued or given as herein provided, or by any reason of or in consequence of any things done or acts performed pursuant to any provisions of this building code.
- c) *Prior violations.* All suits at law or in equity and all prosecutions resulting from the violation of any building ordinances heretofore in effect, which are now pending in any of the courts of this state, or of the United States, shall not be abated or abandoned by reason of the adoption of this building code, but shall be prosecuted to their finality the same as if this building code has not been adopted; and nothing in this building code shall

- 26 be so construed as to abandon, abate, or dismiss any litigation or prosecution now
27 pending, or which may have heretofore been instituted or prosecuted.
- 28 d) *Retroactive clause.* In the case of violations of building ordinances committed before the
29 effective date of this ordinance, the building ordinance existing at the time such
30 violations were committed shall apply and govern.
- 31 e) *Legal effect.* The requirements imposed by this building code shall be in addition to any
32 other requirements imposed by other any other applicable law. The more restrictive
33 requirements shall supersede the less restrictive requirements.

34 **Sec. 26-15. International Building Code— Amendments.**

35 That the following provisions of the International Building Code, 2012 Edition, shall be deleted
36 in their entirety and the following shall be substituted in lieu thereof:

37 **CHAPTER 1**

38 **SCOPE AND ADMINISTRATION**

39 **SECTION 101 - GENERAL**

40 **101.1-Title**

41 These regulations shall be known as the *Building Code of The City of New Orleans, Louisiana*,
42 hereinafter referred to as “this code”.

43 **101.2 Scope** - The provisions of the *International Building Code* shall apply to the construction,
44 alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location,
45 maintenance, removal and demolition of every building or structure or any appurtenances
46 connected or attached to such buildings or structures.

47 **Exceptions** - Detached one-and two- family dwellings and multiple single-family dwellings
48 (townhouses) not more than three stories a grade plane in height with a separate means of egress
49 and their accessory structures shall comply with the *International Residential Code*. (*See*
50 *Chapter 35, this Code.*) Appendix “J” of the International Residential Code is hereby adopted.

51 **101.2.1 Appendices** - Provisions in the appendices shall not apply unless specifically adopted.

52 **101.3 Intent** - The purpose of this code is to establish the minimum requirements to safeguard
53 the public health, safety and general welfare through structural strength, means of egress
54 facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to
55 life and property from fire and other hazards attributed to the built environment and to provide
56 safety to fire fighters and emergency responders during emergency operations.

57 **101.3.1 Quality Control** - Quality control of materials and workmanship is not within the
58 purview of this Code except as it relates to the purposes stated herein.

59 **101.3.2 Permitting and Inspection** - The inspection or permitting of any building or plan by the
60 City of New Orleans, under the requirement of this Code shall not be construed in any court as a
61 warranty of the physical condition of such building or the adequacy of such plan. Neither the
62 City of New Orleans nor any employee thereof shall be liable in tort for damages for any defect
63 or hazardous or illegal condition or inadequacy in such building or plan, or for any failure of any
64 component of such building, which may occur subsequent to such inspection or permitting.

65 **101.4 Referenced Codes** - The other codes listed in Sections 101.4.1 through 101.4.6 and
66 referenced elsewhere in this code shall be considered part of the requirements of this code to the
67 prescribed extent of each such reference.

68 **101.4.4 Electrical** - The provisions of the Chapter 27 of this Code shall apply to the installation
69 of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures,
70 fittings and appurtenances thereto.

71 **101.4.1 Gas** - The provisions of the *International Fuel Gas Code* shall apply to the installation of
72 gas piping from the point of delivery, gas appliances and related accessories as covered in this
73 code. These requirements apply to gas piping systems extending from the point of delivery to
74 the inlet connections of appliances and the installation and operation of residential and
75 commercial gas appliances and related accessories.

76 **101.4.2 Mechanical** - The provisions of the International Mechanical Code shall apply to the
77 installation, alterations, repairs, and replacement of mechanical systems, including equipment,
78 appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air
79 conditioning and refrigeration systems, incinerators, and other energy-related systems.

80 **101.4.3 Plumbing** - Refer to Sewerage and Water Board for all plumbing requirements.

81 **101.4.5 Fire Prevention** - The provisions of the International Fire Code shall apply to matters
82 affecting or relating to structures, processes and premises from the hazard of fire and explosion
83 arising from the storage, handling or use of structures, materials or devices; from conditions
84 hazardous to life, property or public welfare in the occupancy of structures or premises; and from
85 the construction, extension, repair, alteration or removal of fire suppression automatic sprinkler
86 systems and alarm systems or fire hazards in the structure or on the premises from occupancy or
87 operation.

88 **101.4.6 Energy** - The provisions of the *International Energy Conservation Code* shall apply to

89 all matters governing the design and construction of buildings for energy efficiency. These
90 provisions are not applicable in areas where state mandated energy requirements are in effect.

91 SECTION 102

92 APPLICABILITY

93 **102.1 General.** Where there is a conflict between a general requirement and a specific
94 requirement, the specific requirement, shall be applicable. Where, in any specific case, different
95 sections of this code specify different materials methods of construction or other requirements,
96 the most restrictive shall govern.

97 **102.2 Other Laws.** The provisions of this code shall not be deemed to nullify any provisions of
98 local, state or federal law.

99 **102.3 Application of References.** References to chapter or section numbers, or to provisions
100 not specifically identified by number, shall be constructed to refer to such chapter, section or
101 provision of this code.

102 **102.4 Referenced Codes and Standards.** The codes and standards referenced in this code shall
103 be considered part of the requirements of this code to the prescribed extent of each such
104 reference and as further regulated in Sections 102.4.1 and 102.4.2.

105 **(A) 102.4.1 Conflicts.** Where conflicts occur between provisions of this code and referenced
106 codes and standards, the provisions of this code shall apply.

107 **(A) 102.4.2 Provisions in referenced code and standards.** Where the extent of the reference
108 to a referenced code or standard includes subject matter that is within the scope of this code or
109 the International Codes listed in Section 101.4, the provisions of this code or the International
110 Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the
111 referenced code or standard.

112 **102.5 Partial Invalidity.** In the event that any part or provision of this code is held to be illegal
113 or void, this shall not have the effect of making void or illegal any of the other parts or
114 provisions.

115 **102.6 Existing Structures.** The legal occupancy of any structure existing on the date of
116 adoption of this code shall be permitted to continue without change, except as is specifically
117 covered in this code, the *International Fire Code* or as is deemed necessary by the Director for
118 the general safety and welfare of the occupants and the public.

119 **SECTION 103**

120 **DEPARTMENT OF SAFETY AND PERMITS**

121 **103.1 General.** The Department of Safety and Permits headed by the Director is the agency
122 responsible for administration and enforcement of this code. The Director has the authority to
123 render interpretations of this code and to adopt policies and procedures in order to clarify the
124 application of its provisions. The interpretations, policies and procedures shall be in compliance
125 with the intent and purpose of this code. The policies and procedures shall not have the effect of
126 waiving requirements specifically provided for in this code.

127 **103.2 Applications and Permits.** The Director shall receive applications, review construction
128 documents and issue permits for the erection, and alteration, demolition and moving of building
129 and structures, inspect the premises for which such permits have been issued and enforce
130 compliance with the provisions of this code.

131 **103.3 Notices and Orders.** The Director shall issue all necessary notices or orders to ensure
132 compliance with this code.

133 **103.4 Inspections.** The Director shall make all of the required inspections, or the Director shall
134 have the authority to accept reports of inspection by approved agencies or individuals. Reports
135 of such inspections shall be in writing and be certified by a responsible officer of such approved
136 agency or by the responsible individual. The Director is authorized to engage such expert
137 opinion as deemed necessary to report upon unusual technical issues.

138 **103.5 Identification.** The Director and employees of the Department of Safety and Permits shall
139 carry proper identification when inspecting structures or premises in the performance of duties
140 under this code.

141 **103.6 Right of Entry.** Where it is necessary to make an inspection to enforce the provisions of
142 this code, or where the Director has reasonable cause to believe that there exists in a structure or
143 upon a premises a condition which is contrary to or in violation of this code which makes the
144 structure or premises unsafe, dangerous or hazardous, the Director is authorized to enter the
145 structure or premises at reasonable times to inspect or to perform the duties imposed by this
146 code, provided that if such structure or premises be occupied that credentials be presented to the
147 occupant and entry requested. If such structure or premises is unoccupied, the Director shall first
148 make a reasonable effort to locate the owner or other person having charge or control of the

149 structure or premises and request entry. If entry is refused, the Director shall have recourse to
150 the remedies provided by law to secure entry.

151 **103.7 Department records.** The Director shall keep official records of applications received,
152 permits and certificates issued, fees collected, reports of inspections, and notices and order
153 issued. Such records shall be retained in accordance with the public record law of the State of
154 Louisiana.

155 **103.8 Liability.** The Director, members of the Board of Building Standards and Appeals or
156 employees charged with the enforcement of this code, while acting for the jurisdiction in good
157 faith and without malice in the discharge of the duties required by this code or other pertinent
158 law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from
159 personal liability for any damage accruing to persons or property as a result of any act or by
160 reason of an act or omission in the discharge of official duties. Any suit instituted against an
161 officer or employee because of an act performed by that officer or employee in the lawful
162 discharge of duties and under the provisions of this code shall be defended by legal
163 representative of the jurisdiction until the final termination of the proceedings. The Director or
164 any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in
165 pursuance of the provisions of this code.

166 **103.9 Approved Materials and Equipment.** Materials, equipment and devices approved by the
167 Director shall be constructed and installed in accordance with such approval.

168 **103.9.1 Used Materials and Equipment.** The use of used materials which meet the
169 requirements of this code for new materials is permitted. Used equipment and devices shall not
170 be reused unless approved by the Director.

171 **103.10 Modifications.** Wherever there are practical difficulties involved in carrying out the
172 provisions of this code, the Director shall have the authority to grant modifications for individual
173 cases, upon application of the owner or owner's representative, provided the Director shall first
174 find that special individual reason makes the strict letter of this code impractical and the
175 modification is in compliance with the intent and purpose of this code and that such modification
176 does not lessen health, accessibility, life and fire safety, or structural requirements. The details
177 of action granting modifications shall be recorded and entered in the files of the department of
178 Safety and Permits.

179 **103.10.1 Flood hazard areas.** The Director shall not grant modifications to any provision
180 required in flood hazard areas as established by Section 1612.3 unless a determination has been
181 made that:

- 182 1. A showing of good and sufficient cause that the unique characteristics of the size,
183 configuration or topography of the site render the elevation standards of Section 1612
184 inappropriate.
- 185 2. A determination that failure to grant of the variance would result in exceptional hardship
186 by rendering the lot undevelopable.
- 187 3. A determination that the granting of a variance will not result in increased flood heights,
188 additional threats to public safety, extraordinary public expense, cause fraud on or
189 victimization of the public, or conflict with existing laws or ordinances.
- 190 4. A determination that the variance is the minimum necessary to afford relief, considering
191 the flood hazard.

192 Submission to the applicant of written notice specifying the difference between the design flood
193 elevation and the elevation to which the building is to be built, stating that the cost of flood
194 insurance will be commensurate with the increased risk resulting from the reduced floor
195 elevation, and stating that construction below the design flood elevation increases risks to life
196 and property.

197 **103.11 Alternative Materials, Design and Methods of Construction and Equipment.** The
198 provisions of this code are not intended to prevent the installation of any material or to prohibit
199 any design or method of construction not specifically prescribed by this code, provided that any
200 such alternative has been approved. An alternative material, design or method of construction
201 shall be approved where the Director finds that the proposed design is satisfactory and complies
202 with the intent of the provisions of this code, and that the materials, method or work offered is,
203 for the purpose intended, at least the equivalent of that prescribed in this code in quality,
204 strength, effectiveness, fire resistance, durability and safety.

205 **103.11.1 Research Reports.** Supporting data where necessary to assist in the approval of
206 materials or assemblies not specifically provided for in this code shall consist of valid research
207 reports from approved sources. Product Evaluation Reports, as listed by ICC-ES, could be used
208 to consider alternate materials or methods for acceptance and shall be referenced on the plans

209 submittal package submitted for obtaining the permit.

210 **103.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of
211 this code, or evidence that a material or method does not conform to the requirements of this
212 code, or in order to substantiate claims for alternative materials or methods, the Director shall
213 have the authority to require tests as evidence of compliance to be made at no expense to the
214 jurisdiction. Test methods shall be as specified in this code or by other recognized test standards.
215 In the absence of recognized and accepted test methods, the Director shall approve the testing
216 procedures. Tests shall be performed by an approved agency. Reports of such tests shall be
217 retained by the Director for the period required for retention of public records.

218 **103.11.3 Requirements Not Covered by Code.** Any requirements necessary for the strength or
219 stability of an existing or proposed building or structure, or for the public safety, health and
220 general welfare, not specifically covered by this Code, shall be determined by the Director.

221 **103.12 Employees.** The Director shall appoint all employees of the Department of Safety and
222 permits subject to the existing Civil Service Laws of the State of Louisiana and the City of New
223 Orleans. The person or persons appointed shall be persons fully qualified by technical training
224 and experience, in both theory and practice, in the field in which their services will be utilized.

225 **103.13 Construction or Demolishing Privileges.**

226 Materials or equipment for use in connection with the construction, demolishing, repair or
227 maintenance of a building shall not be placed upon any portion of public-right-of-way (street or
228 sidewalk), adjacent to the building or otherwise, without a permit issued by the Director of
229 Department of Public Works. (See Chapter 33 of this Code, “Safeguards during Construction”
230 for additional information.)

231 **103.13.1** Any person having the use as described herein of any portion of the street or sidewalk
232 shall cause red lights to be placed and maintained in a conspicuous place in front of all
233 obstructions from sunset to sunrise each night, during the time such obstructions remain on the
234 street or sidewalk and, further, shall cause barricades to be placed and maintained in a
235 conspicuous place in front of all obstructions twenty-four (24) hours a day. Said person shall
236 agree to indemnify and hold harmless the City of New Orleans, its officials, agents and
237 employees from and against all claims, suits, liabilities, damages, losses and expenses, including,
238 but not limited to, costs, attorney’s fees and interest, for all injuries to persons, and for all

239 damage to the property of the City or others, caused by or resulting from failure to properly light
240 and guard the obstruction or caused by or resulting from the negligence of himself, his employers
241 or his agents, in connection with said use of the street or sidewalk, and further, said person shall
242 indemnify and hold harmless the City of New Orleans, its officials, agents and employees from
243 and against all claims of strict liability brought against the City in connection with injury against
244 all persons or property occurring in connection with said use of the street or sidewalk.

245 **103.3.2** All surface and subsurface media taken from excavations and construction/demolition
246 debris or rubbish taken from buildings shall not be stored upon the sidewalks or streets, but shall
247 be removed daily as rapidly as accumulated. Media, debris, and/or rubbish not removed from the
248 site daily must be stored in a refuse container or other device to prevent said materials from
249 becoming a public nuisance; in the case of demolition of a building or structure, removal or
250 storage of debris must commence within seventy-two (72) hours of completion of the demolition.
251 The Director may grant additional time for proper removal or storage of said materials upon
252 good cause shown. In cases where materials are dry and likely to produced dust when handled,
253 dust suppression measures (including, but not limited to, keeping said materials damp or
254 covered) shall be utilized to prevent airborne particulate pollution to adjacent and surrounding
255 property. All materials shall be handled in full compliance with applicable Federal and State
256 guidelines (EPA, LDEQ, etc.), including placement of silt fencing barriers, or comparable
257 devices, around any portions of a site which may result in media, debris, and/or rubbish entering
258 the storm water system. Debris or rubbish created on upper floors shall be lowered by elevator
259 in closed receptacles or by closed chutes discharging directly to containers or trucks. All non-
260 regulated or non-contaminated materials generated by site work shall be deposited, at a
261 minimum, in a permitted Type III construction and demolition debris and wood waste landfill
262 which they were before materials or tools were piled or stored thereon, or before the use of
263 equipment. Failure to comply with the requirements contained herein shall be a violation of this
264 Code.

265 **103.13.3** Any temporary structures used by a builder shall be removed upon completion of the
266 work. The street and sidewalk shall be cleared of all materials as soon as the use of the street for
267 storage is no longer required.

268 **103.13.4** In consideration of the foregoing permission to use streets and sidewalks for the

269 piling and storing of materials and tools, or the use of equipment, the owner of the building shall
270 be obligated in the event that any of the street or sidewalk pavements or the surface of the paved
271 streets be damaged by the piling or storing of materials, tools, or the use of equipment. The
272 owner shall restore the same within 30 days after completion and acceptance of building to the
273 original condition in which they were before materials or tools were piled or stored thereon, or
274 before the use of equipment.

275 **103.13.5** In every building of reinforced concrete construction, forms of combustible materials
276 shall be stripped from the concrete and removed from the building as soon as practicable.

277 **103.14 Demolition Requirement.** When drawings and detail statements are filed with the
278 Director for the construction of a new building, if any existing building or part of an existing
279 building is to be demolished, such facts shall be stated in the statement so filed. In demolishing a
280 building, story after story shall be completely removed. No material shall be placed upon the
281 floor of such building in the course of demolishing, but brick, timbers and other structural parts
282 of each story shall be lowered to the ground immediately upon displacement. The owner,
283 architect, Builder or contractor for a structure to be demolished, shall give not less than a twenty-
284 four (24) hour notice in writing to the Director of such intended demolition. The material being
285 removed shall be properly wetted down to lay the dust incident to its removal. Immediately
286 following the displacement or demolition of plaster, masonry, concrete, and other dust-raising
287 materials, they shall again be thoroughly hosed down to insure against dust or other
288 objectionable features before further removal or disturbance. Public ways and Drainage Systems
289 shall be protected from contamination. All remaining exposed walls of adjoining buildings must
290 be left perfectly safe, and all proper safeguards for the public shall be taken. Any surface holes
291 or irregularities, wells, septic or underground storage tanks, basements, cellars, sidewalk vaults,
292 or coal chutes remaining after demolition of any building or structure shall be filled with material
293 as approved by the Director, and shall be graded in such a manner as to provide effective surface
294 drainage. In demolishing buildings, covered walkways in accordance with the requirements of
295 Chapter 33 may be required when, in the opinion of the Director, such walkways are necessary
296 for public safety.

297 **103.14.1** All demolition contracts for properties to be demolished in which the city is a party
298 shall contain language to mandate that demolition contractors recycle all salvageable

299 construction materials from such demolition projects and to prohibit such contractors from such
300 demolition projects and to prohibit such contractors from depositing any salvageable
301 construction materials in any landfills or from otherwise disposing of such materials, salvageable
302 construction materials shall include but not be limited to wooden door frames, wooden window
303 frames, brackets, doors, windows, any decorative millwork, structural lumber, bricks, cinder
304 blocks, ironwork, baseboards, roofing slate, tile, shingles floorboards, glasswork, gable ends and
305 shutters, weather boards, cabinets, bathtubs, plumbing and wiring.

306 **103.14.2 Removal of Debris.** Removal from a site of any debris or rubbish resulting from a
307 fire and/or any attendant demolition of a building or structure must commence within seventy-
308 two (72) hours of the fire. It is the duty of the property owner or his/her agent to remove or
309 cause to be removed from the sidewalk, street, and property all such debris within six (6) days
310 after notice is by the Director. All non-regulated or non-contaminated materials generated by
311 site work shall be deposited, at a minimum, in a permitted Type III construction and demolition
312 debris and wood waste landfill.

313 **103.14.3 Moving of Buildings.** No building or part of any building shall be moved or
314 relocated within the City limits without first obtaining permission from the proper City
315 authorities. See Chapter 26 of the New Orleans City Code for additional requirements.

316 **103.14.4 State Laws.** Laws of the State of Louisiana regulating the protection of workmen,
317 and the public, in construction shall be deemed a part of this Code.

318 **103.14.5 Penalties.** Any person, firm or corporation who shall be the owner of any such
319 building or buildings, or parts thereof, chimneys, staging, or other structure which has become
320 dangerous or unsafe, and a menace to life and limb, and who shall fail, neglect or refuse to
321 comply with the orders of the Director within the time hereinbefore specified, shall be deemed
322 and held guilty of a violation of this Code. Each day that the said person, firm or corporation
323 remains in violation, shall constitute a separate violation; and the fact that the Director may cause
324 said building, buildings or parts thereof, chimneys, staging or other structure to be demolished at
325 the expense of the person, firm or corporation owning the same, shall not preclude the Director
326 from preferring charges against the person, firm or corporation who shall fail, neglect or refuse
327 to comply with the orders of the Director.

328 **SECTION 104**

329 **UNSAFE BUILDINGS, STRUCTURES, INSTALLATION AND MACHINERY**

330 **104.1 Definitions:** For purposes of this section, the following definition shall apply.

331 **104.2 Public Nuisance.** A building or structure is deemed to be a public nuisance if by reason of
332 the condition in which it is permitted to be or remain, it may endanger the health, life, limb, or
333 property of a person, or cause any hurt, harm, damages, injury or loss to a person or persons in
334 one or more of the following circumstances.

335 1. By reasons of being dilapidated, decayed, rodent or insect infested unsafe or unsanitary is
336 detrimental to health, morals, safety, public welfare, and the well-being of the
337 community, endangers life or property or is conducive to ill health, delinquency and
338 crime.

339 2. By reason of being a fire hazard.

340 3. By reason of the conditions which require its continued vacancy, the public nuisance, and
341 its surrounding grounds are not reasonably or adequately maintained thereby causing
342 deterioration and creating a blighting influence or condition on nearby properties and
343 thereby depreciating the value, use and enjoyment to an extent that it is harmful to the
344 public health, welfare, morals, safety and the economic stability of the area, community,
345 or neighborhood in which such a public nuisance is located. A vacant structure that is not
346 secured against entry shall be deemed unsafe.

347 **104.3 Unsafe Mechanical or Electrical Installations.** Any premises, building or buildings,
348 part or parts of a building, mechanical or electrical installations and equipment, chimneys,
349 staging or other structure that from any cause may now be or shall at any time hereafter become
350 dangerous or unsafe, shall be taken down and removed, or made safe.

351 **104.4 Menace to Public Safety.** The Director shall determine as a matter of fact whether or
352 not said public nuisance is in imminent danger of collapse and constitutes a menace to the
353 public's health, safety or welfare.

354 **104.5 Imminent Danger.** If the Director determines that the public nuisance is in imminent
355 danger of collapse, and constitutes a menace, he shall have the authority to cause the demolition
356 of said nuisance by a municipal department or private company without previous notice to the
357 owner, executor, administrator, agent, lessee, or any person or persons who may have a vested or

358 contingent interest in said nuisance. Prior to causing the demolition, a photograph of the public
359 nuisance in imminent danger of collapse shall be taken.

360 **104.6 Public Nuisance.** If the Director or his duly authorized representative determines that
361 said public nuisance is not in imminent danger of collapse, but is a nuisance, as defined in
362 Section 104.2 of this code, the following procedure shall be followed:

363 1. A determination shall be made by the Director or his representative whether the nuisance
364 must be removed or repaired. If the nuisance is in the Vieux Carré District, the Director
365 or his representative shall obtain the written recommendations of the Vieux Carré
366 Commission before complying with Section (d) below. If the nuisance is located in an
367 historic district established or adopted by the City Council or is a structure or portion
368 thereof, designated as a landmark by the appropriate commission, the Director shall
369 obtain the written recommendation of the Historic District Landmarks Commission
370 having jurisdiction over the nuisance or area of work.

371 2. The Director shall give notice as provided in Section 104.11 and 104.12. Said notice
372 shall direct the person or person notified to certify to the director within three days from
373 the time of notification of his or their assent or refusal to repair or remove same.

374 3. If the person or persons so notified assents with the requirements of Section 104.6 above,
375 permits shall be secured and the work shall be initiated within ten (10) days of the notice
376 and performed as expeditiously as possible and shall be continuously prosecuted until
377 completed to the satisfaction of the Director or his representative.

378 4. If the person or persons fails to certify to the director within three days from the time of
379 notification of his or their assent, or refuses to comply with the Director's notice and
380 order to repair or demolish the nuisance in question, shall empower the Director to seek
381 relief:

382 a. By requesting the City Attorney file charges in the Municipal Court of the City of
383 New Orleans; and/or

384 b. By requesting a public hearing before the City Council of the City of New
385 Orleans so an owner(s) can show cause why said nuisance should not be
386 demolished. Any owner shall be given reasonable advanced notice of the date
387 and time of the City Council public hearing; and/or

388 c. By seeking relief through Civil District Court or another Court of competent
389 jurisdiction; and /or

390 d. Via administrative adjudication as provided in Chapter 6 of the Code of the City
391 of New Orleans.

392 5. Any person who fails to appear or who does not receive a continuance from the City
393 Council, a Court of competent jurisdiction, or an administrative hearing officer shall be
394 deemed in violation of this Code and the demolition hearing shall proceed without further
395 notice.

396 **104.7 Demolition of Nuisance.** Upon a determination of the City Council, a Court of
397 competent jurisdiction, or an administrative hearing officer that the nuisance
398 should be demolished or, in the case of imminent danger as in Section 104.5, the Director shall
399 employ such labor, furnish such materials and take such steps as in his judgment may be
400 necessary to demolish said nuisance.

401 **104.8 Bids for Demolition of Nuisance.** The Director shall then proceed to effect the said
402 demolition by advertising for bids through the City Purchasing Bureau, which bids shall be
403 submitted to the Council for acceptance or rejection and final disposition. The City may do the
404 work of demolition itself, or through the use of its own employees. The service of another
405 governmental entity shall be employed in accordance with an intergovernmental agreement
406 approved and executed as a written contract.

407 **104.9 Lien and Privilege.** Any and all expenses and costs incurred by the City of New Orleans
408 in the enforcement of Section 104 shall be borne by the person or persons owning the public
409 nuisance and shall constitute a lien and privilege and shall be due and collectible as provided by
410 law.

411 **104.10 Legal Action.** The fact that the City may cause said premises, building, buildings, or
412 parts thereof, chimneys, staging or other structure to be demolished or repaired at the expense of
413 the person, firm or corporation owning the same, shall not preclude the Director from taking
414 legal action in a court of competent jurisdiction against the person, firm or corporation who shall
415 fail, neglect or refuse to comply with the orders of the Director and the violation or disregard of
416 such orders shall be considered a violation of this Code.

417 **104.11 Notice to Owners.** For purposes of this Ordinance, notice is required to be given to the

418 owner(s) of the nuisance. Notice shall be personally served or sent via regular and certified or
419 registered U.S. mail at the address listed in the assessor's office of the parish. The date of
420 postmark shall be deemed to be the date of delivery. Any notification so sent and returned by the
421 U.S. Post Office shall be considered as having fulfilled the notification requirement. A copy of
422 the notice shall also be affixed in a prominent location on or near the nuisance property.

423 **104.12 Discontinue Utilities.** The Director shall have authority to request discontinuance of
424 service of the utility companies when seeking relief as provided in Section 140.6. The Director
425 shall have the authority to request discontinuance of service of the utility companies whenever a
426 nuisance as provided in this Section constitutes an emergency that immediately threatens the
427 health, safety and welfare of the public.

428 SECTION 105

429 PERMITS

430 **105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter,
431 repair, move, demolish, or change the occupancy of a building or structure, or to erect, install,
432 enlarge, alter, repair, remove, convert or replace any electrical, gas or mechanical system, the
433 installation of which is regulated by this code, or to cause any such work to be done, shall first
434 make application to the Director and obtain the required permit.

435 **105.1.1 Annual Permit.** In lieu of an individual permit for each alteration to an already
436 approved electrical, gas, or mechanical installation, the Director is authorized to issue an annual
437 permit upon application therefor to any person, firm or corporation regularly employing one or
438 more qualified trade persons in the building, structure or on the premise owned or operated by
439 the applicant for the permit.

440 **105.1.2 Annual Permit Records.** The person to whom an annual permit is issued shall keep a
441 detailed record of alterations made under such annual permit. The Director shall have access to
442 such records at all times or such records shall be filed with the official as designated.

443 **105.2 Work Exempt from Permit.** Exemptions from permit requirements of this Code shall
444 not be deemed to grant authorization for any work to be done in any manner in violation of the
445 provisions of this Code or any other laws or ordinances of the City of New Orleans including
446 Vieux Carré Commission and Historic District Landmarks Commission requirements. A
447 building permit shall not be required for the following, unless in the opinion of the Director is

448 involves hazardous or complex conditions which require permitting and inspection:

- 449 1. Removal and replacement of deteriorated weather boards, aluminum or vinyl siding.
- 450 2. Removal and replacement of deteriorated floor boards.
- 451 3. Removal and replacement of deteriorated porches and steps - front and rear and sides,
452 when not in conflict with the Comprehensive Zoning Ordinance.
- 453 4. Interior painting, papering and similar finish work.
- 454 5. Paving of yard when in compliance with the Comprehensive Zoning Ordinance.
- 455 6. Retaining walls which are not over three (3) ft. in height.
- 456 7. Exterior painting when not requiring protective scaffolding over public property.
- 457 8. Roofing and/or gutter work with respect to one and two family dwellings.
- 458 9. Fences up to seven (7) ft. in height, when in compliance with the Comprehensive Zoning
459 Ordinance.
- 460 10. Swings and other playground equipment accessory to detached one- and two-family
461 dwellings.
- 462 11. Tents with an area less than 1200 sq. ft. and not located in the Fire District, pursuant to
463 Section 421.

464 **Electrical: Repairs and Maintenance:** Minor repair work, including the replacement of lamps
465 or the connection of approved portable electrical equipment to approved permanently installed
466 receptacles.

467 **Radio and Television Transmitting Stations:** The provisions of this code shall not apply to
468 electrical equipment used for radio and television transmissions, but do apply to equipment and
469 wiring for power supply, and the installations of towers and antennas.

470 **Temporary Testing Systems:** A permit shall not be required for the installation of any
471 temporary system required for the testing or servicing of electrical equipment or apparatus.

472 **Gas:**

- 473 1. Portable heating appliance.
- 474 2. Replacement of any minor part that does not alter approval of equipment or make such
475 equipment unsafe.

476 **Mechanical:**

- 477 1. Portable heating appliance;

- 478 2. Portable ventilation equipment;
- 479 3. Portable cooling unit;
- 480 4. Steam, hot or chilled water piping within any heating or cooling equipment
481 regulated by this code;
- 482 5. Replacement of any part which does not alter its approval or make it unsafe.
- 483 6. Portable evaporative cooler;
- 484 7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and
485 actuated by motors of 1 horsepower (746 W) or less.

486 **105.2.1 Emergency Repairs.** Where equipment replacements and repairs must be performed
487 in an emergency situation, the permit application shall be submitted within the next working
488 business day to the Director.

489 **105.2.2 Repairs.** Application or notice to the Director is not required for ordinary repairs to
490 structures, replacement of lamps or the connection of approved portable electrical equipment to
491 approved permanently installed receptacles. Such repairs shall not include the cutting away of
492 any wall, partition or portion thereof, the removal or cutting of any structural beam or load
493 bearing support, or the removal or change of any required means of egress, or rearrangement of
494 parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition
495 to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain
496 leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work
497 affecting public health or general safety.

498 **105.2.3 Public Service Agencies.** A permit shall not be required for the installation, alteration
499 or repair of generation, transmission, distribution or metering or other related equipment that is
500 under the ownership and control of public service agencies by established right.

501 **105.3 Application for Permit.** To obtain a permit, the applicant shall first file an application
502 therefor in writing on a form furnished by the department of Safety and Permit for that purpose.
503 Such application shall:

- 504 1. Identify and describe the work to be covered by the permit for which application is made.
- 505 2. Adequately describe the land on which the proposed work is to be done (legal
506 description, street address or similar description that will readily identify and
507 definitely locate the proposed building or work).

- 508 3. Provide the address of the owner, if different from the land on which the proposed work
509 is to be done.
- 510 4. Indicate the use and occupancy for which the proposed work is intended.
- 511 5. Be accompanied by construction documents and other information as required in Section
512 106.
- 513 6. State the valuation of the proposed work.
- 514 7. Be signed by the applicant, or the applicant's authorized agent.
- 515 8. Give such other data and information as required by the Director.

516 **105.3.1 Action on Application.** The Director shall examine or cause to be examined
517 applications for permits and amendments thereto within a reasonable time after filing. If the
518 application or the construction documents do not conform to the requirements of pertinent laws,
519 the Director shall reject such application in writing, stating the reasons therefor. If the Director
520 is satisfied that the proposed work conforms to the requirements of this code and laws and
521 ordinances applicable thereto, the Director shall issue a permit therefor as soon as practicable.

522 **105.3.2 Time Limitation of Application.** An application for a permit for any proposed work
523 shall be deemed to have been abandoned 180 days after the date of filing, unless such application
524 has been pursued in good faith or a permit has been issued; except that the Director is authorized
525 to grant one or more extensions of time for additional periods not exceeding 90 days each. The
526 extension shall be requested in writing and justifiable cause demonstrated.

527 **105.4 Validity of Permit.** The issuance or granting of a permit shall not be construed to be a
528 permit for, or an approval of, any violation of any of the provisions of this code, the
529 Comprehensive Zoning Ordinance, or any other ordinance of the City of New Orleans. Permits
530 presuming to give authority to violate or cancel the provisions of this code or other ordinances of
531 the jurisdiction shall not be valid. The issuance of a permit based on construction documents and
532 other data shall not prevent the Director from requiring the correction of errors in the
533 construction documents and other data. The Director is also authorized to prevent occupancy or
534 use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

535 **105.5 Expiration.** A permit becomes invalid unless the work authorized by the permit is
536 commenced within 180 days after its issuance, or if the work authorized on the permit is
537 suspended or abandoned for a period of 180 days after the time the work is commenced. The

538 Director is authorized to grant, in writing, one or more extensions of time, for periods not more
539 than 180 days each. The extension shall be requested in writing and justifiable cause
540 demonstrated.

541 **105.6 Suspension or Revocation.** The Director is authorized to suspend or revoke a permit
542 issued under the provisions of this code wherever the permit is issued in error or on the basis of
543 incorrect, inaccurate or any false statement or misrepresentation, or in violation of any ordinance
544 or regulation or any of the provisions of this code.

545 **105.7 Placement of Permit.** The building permit or copy shall be displayed on the site of the
546 work until the completion of the project.

547 SECTION 106

548 FLOOR AND ROOF DESIGN LOADS

549 **106.1 Live loads posted.** Where the live loads for which each floor or portion thereof of a
550 commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such
551 design live loads shall be conspicuously posted by the owner in that part of each story in which
552 they apply, using durable signs. It shall be unlawful to remove or deface such notices.

553 **106.2 Issuance of certificate of occupancy.** A certificate of occupancy required by Section
554 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

555 **106.3 Restrictions on loadings.** It shall be unlawful to place, or cause or permit to be placed,
556 on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by
557 this code.

558 SECTION 107

559 SUBMITTAL DOCUMENTS

560 **107.1 General.** Submittal documents consisting of construction documents, statement of special
561 inspections, geotechnical report and other data shall be submitted in two or more sets with each
562 permit application. Submittal construction documents, shall be prepared by or under the direct
563 supervision of a Louisiana Registered Architect or a Louisiana Registered Civil Engineer, within
564 the purview of the State of Louisiana licensing law provisions, and said construction documents
565 shall be imprinted with his seal designating, him as the professional of record. Construction
566 documents involving mechanical, gas and electrical installations except as follows, shall be
567 prepared by or under the direct supervision of a Louisiana Registered Mechanical or Electrical

568 Engineer, as applicable, within the purview of the State of Louisiana licensing law provisions,
569 and said drawings and specifications shall be imprinted with his seal designating, him as the
570 professional of record and further, said drawings are to be submitted at the time of application
571 for building permits. Where special conditions exists, the Director is authorized to require
572 additional construction documents to be prepared by a registered design professional. The
573 Director may waive the requirements of construction documents, if he finds that the nature of the
574 work applied for is such that construction documents are not necessary to obtain compliance with
575 the adopted codes.

576 **Exceptions:**

- 577 1. The submission of construction documents involving mechanical, gas and electrical
578 installations is not necessary when the electrical work does not exceed \$15,000 and/or
579 when the mechanical work does not exceed \$15,000, in the opinion of the Director.
- 580 2. The submission of construction documents and involving mechanical, gas and electrical
581 installations is not necessary for the construction and or the repair work for one and
582 two family dwellings.

583 The Director may also waive the submission of construction documents if he finds that the nature
584 of work applied for is such that reviewing of construction is not necessary to obtain compliance
585 with this Code. Where there are unusual conditions because of type of occupancy or type of
586 construction, the Director may depart from the limitations set forth above and require submission
587 of construction documents.

588 **107.2 Construction documents.** Construction documents shall be in accordance with Section
589 107.2.1 through 107.2.5.

590 **107.2.1 Information on construction documents.** Constructions documents shall be
591 dimensioned and drawn upon suitable material. Electronic media documents are permitted to be
592 submitted when approved by the building official. Construction documents shall be of sufficient
593 clarity to indicate the location, nature and extent of the work proposed and show in detail that it
594 will conform to the provisions of this code and relevant laws, ordinances, rules and regulations,
595 as determined by the Director.

596 **107.2.2 Fire protection system shop drawings.** Shop drawings for the fire protection
597 system(s) shall be submitted to indicate conformance to this code and the construction

598 documents and shall be approved prior to the start of system installation. Show drawings shall
599 contain all information as required by the referenced installation standards in Chapter 9 of this
600 Code.

601 **107.2.3 Means of egress.** The construction documents shall show in sufficient detail the
602 location, construction, size and character of all portions of the means of egress including the path
603 of the exit discharge to the public way in compliance with the provisions of this code. In other
604 than occupancies in Groups R-2, R3, and I-1, the construction documents shall designate the
605 number of occupants to be accommodated on every floor, and in all rooms and spaces.

606 **107.2.4 Exterior wall envelope.** Construction documents for all buildings shall describe the
607 exterior wall envelope in sufficient detail to determine compliance with this code. The
608 construction documents shall provide details of the exterior wall envelope as required, including
609 flashing, intersections with dissimilar materials, corners end details, control joints, intersections
610 at roof, eaves or parapets, means of drainage, water-resistive membrane and details around
611 opens. The construction documents shall include manufacturer's installation instructions that
612 provide supporting documentation that the proposed penetration and opening details described in
613 the construction documents maintain the weather resistance of the exterior wall envelope. The
614 supporting documentation shall fully describe the exterior wall system which was tested, where
615 applicable, as well as the test procedure used.

616 **107.2.5 Site plan.** Construction documents submitted with the application for permit shall be
617 accompanied by a site plan showing to scale the size and location of new construction and
618 existing structures on the site, distances from lot lines, the established street grades and the
619 proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood
620 elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the
621 case of demolition, the site plan shall show construction to be demolished and the location and
622 size of existing structures and construction that are to remain on the site or plot. The Director
623 authorized to waive or modify the requirement for a site plan when the application for permit is
624 for alteration or repair or when otherwise warranted.

625 **107.2.5.1 Design flood elevations.** Where design flood elevations are not specified, they shall
626 be established in accordance with Section 1612.3.1.

627 **107.3 Examination of documents.** The Director shall examine or cause to be examined the

628 accompanying submittal documents and shall ascertain by such examinations whether the
629 construction indicated and described is in accordance with the requirements of this code and
630 other pertinent laws or ordinances.

631 **107.3.1 Approval of construction documents.** When the Director issues a permit, the
632 construction documents shall be approved, in writing or by stamp, as “Reviewed for Code
633 Compliance.” One set of construction documents so reviewed shall be retained by the Director.
634 The other set shall be returned to the applicant, shall be kept at the site of work and shall be open
635 to inspection by the Director or a duly authorized representative.

636 **107.3.2 Previous approvals.** This code shall not require changes in the construction documents,
637 construction or designated occupancy of a structure for which a lawful permit has been
638 heretofore issued or otherwise lawfully authorized, and the construction of which has been
639 pursued in good faith within 180 days after the effective date of this code and has not been
640 abandoned.

641 **107.3.3 Phase approval.** The director is authorized to issue a permit for the construction of
642 foundations or any other part of a building or structure before the construction documents for the
643 whole building or structure have been submitted, provided that adequate information and
644 detailed statements have been filed complying with pertinent requirements of this code. The
645 holder of such permit for the foundation or other parts of a building or structure shall proceed at
646 the holder’s own risk with the building operation and without assurance that a permit for the
647 entire structure will be granted.

648 **107.3.4 Revision of approved construction documents.** It shall be unlawful to erase,
649 materially alter or modify any lines, figures, letters, words or coloring contained in the
650 construction documents stamped by the Director. If during the progress of the execution of such
651 work it is desired to deviate in any manner affecting the construction or other essentials of the
652 building from the terms of the applications plans, or specifications or statement of cost of work,
653 notice of such intention to alter or deviate shall be given in writing to the Director, and his
654 written assent shall be obtained before such alterations or deviations may be made. If such
655 change or deviation affects structural design, exit arrangement, occupancy change, etc., then new
656 construction documents thereof shall be submitted to the Director for approval, and, if necessary,
657 an additional permit shall be secured. Failure to obtain approval as required herein shall be a

658 violation of this Code.

659 **107.3.5. Design professional in responsible charge.** When it is required that documents be
660 prepared by a registered design professional, the Director shall be authorized to require the
661 owner to engage and designate on the building permit application a registered design
662 professional who shall act as the registered design professional in responsible charge. The
663 Director shall be notified in writing by the owner if the registered design professional in
664 responsible charge is changed or is unable to continue to perform the duties. The registered
665 design professional in responsible charge shall be responsible for reviewing and coordinating
666 submittal documents prepared by others, including phase and deferred submittal items, for
667 compatibility with the design of the building.

668 **107.3.5.1 Deferred submittals.** For the purposes of this section, deferred submittals are defined
669 as those portions of the design that are not submitted at the time of the application and that are to
670 be submitted to the Director within a specified period.

671 SECTION 108

672 TEMPORARY STRUCTURES AND USES

673 **108.1 General.** The Director is authorized to issue a permit for temporary structures and
674 temporary uses as determined by the Director. Such permit shall be limited as to time of service,
675 but shall not be permitted for more than 180 days. The Director is authorized to grant extensions
676 for demonstrated cause.

677 **108.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire
678 safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as
679 necessary to ensure the public health, safety and general welfare.

680 **108.3 Temporary power.** The Director is authorized to give permission to temporarily supply
681 and use power in part of an electric installation before such installation has been fully completed
682 and the final certificate of completion has been issued. The part covered by the temporary
683 certificate shall comply with the requirements specified for temporary lighting, heat or power in
684 NFPA 70.

685 **108.4. Termination of approval.** The Director is authorized to terminate such permit in NFPA
686 70 for a temporary structure or use and to order the temporary structure or use to be
687 discontinued.

688 **SECTION 109**

689 **FEES**

690 **109.1 PAYMENT OF FEES.** A permit is not valid until the fees prescribed by law are paid. An
691 amendment to a permit will not be released until the additional fee, if any, has been paid.

692 **109.2 Work commencing before permit issuance.** Any person who commences any work on a
693 building or a structure before obtaining the necessary building permit shall be subject to a
694 penalty of 200% of all fees in addition to the required permit fee. Where work for which a
695 permit is required by this code is commenced after an application is made to obtain a building
696 permit but prior to the review and approval of such permit, such work shall be subject to penalty
697 of 100% of all fees in addition to the required permit fees. The penalty for commencing
698 demolition shall not be more than the replacement value of the structure or the demolished
699 portion thereof as determined by the provisions of Section 109.4.

700 **109.3 Accounting.** The Director is to collect fees for certificates and permits and shall give
701 receipts for same; he shall deposit daily all sums collected under this Code to the Bureau of the
702 Treasury, to the account of the General Fund, except guarantee deposit fees shall be kept in a
703 separate account by the Director of Finance.

704 The Director shall keep a permanent, accurate account of all fees and other monies collected and
705 received under this Code.

706 **109.4 Building permit valuations.** The applicant for a permit shall provide an estimated permit
707 value at time of application. Permit valuations shall include total value of work, including
708 materials and labor, for which the permit is being issued, such as electrical, gas, mechanical,
709 plumbing equipment and permanent systems. If, in the opinion of the Director, the valuation is
710 underestimated on the application, the permit shall be denied, unless the applicant can show
711 detailed estimates to meet the approval of the Director. Final building permit valuation shall be
712 set by the Director.

713 **109.5 Related fees.** The payment of the fee for the construction, alteration, removal or
714 demolition for work done in connection with or concurrently with the work authorized by a
715 building permit shall not relieve the applicant or holder of the permit from the payment of other
716 fees that are prescribed by law.

717 **109.6 Schedule of Permit Fees.** On all buildings, structures or alterations requiring a building

718 permit, a fee for each building permit shall be paid as required at the time of filing application, in
719 accordance with the following schedule:

- 720 1. Permit fees for all work requiring permits, except for removal or demolition.
721 These fees include the certificate of use and occupancy (with or without plans).
722 \$60.00 plus \$5.00 per \$1,000.00 or fraction thereof of construction value.
- 723 2. When plans are required and filed with an application for a building permit, the
724 Department of Safety and Permits shall collect a plan checking fee, determined as
725 one-tenth of 1% for the total valuation of all construction work. Total valuation
726 shall be the same as that used in determining building permit fees. There shall be
727 a minimum fee of \$60.00 for this review.
- 728 3. When plans are submitted for a re-review process, the Department of Safety and
729 Permits shall collect a re-review plan checking fee. The amount of the fee shall
730 be determined as one- twentieth of one percent for the total valuation of all
731 construction work. The total valuation shall be the same as used in determining
732 building permit fees. There shall be a minimum fee of \$45.00 and a maximum of
733 \$5,000.00 per application for re-review.
- 734 4. Permit fees for removal or demolition shall be as follows:
 - 735 a. \$95.00 plus \$5.00 for each \$1000.00 of demolition cost.
- 736 5. An extra inspection or wasted trip fee of \$60.00 shall be incurred for each
737 inspection called for by the owner or the owner's representative when, in the
738 opinion of the Director, the work to be inspected is incomplete and/or not suitable
739 for inspection. This charge is for any and all extra inspections made necessary as
740 a result of blatantly incomplete work, inaccessibility to perform the inspection or
741 for alterations to work previously accepted. This fee is in addition to any regular
742 required permit fees.
- 743 6. A fee of \$60.00 for each residential unit or phase and \$125.00 for each
744 commercial unit or phase shall be incurred to process the request for a Temporary
745 Certificate of Occupancy.
- 746 7. On all buildings, structures, or alterations which fall within the Vieux Carré, as
747 defined in Section 65-6 of the Code of the City of New Orleans, and which

748 require a permit from the Vieux Carré Commission in addition to requiring a
749 building permit under this Code, an additional 50 percent surcharge is added to
750 the permit fee and the plan checking fee as enumerated in subsections 1, 2 and 3
751 of Section 108.6. above.

752 8. On all buildings, structures, or alterations which fall within an officially
753 designated Historic District, or any officially designated landmark, or which
754 otherwise may require Historic District Landmarks Commission staff review, an
755 additional 50 percent surcharge is added to the permit fee and the plan checking
756 fee as enumerated in subsections 1, 2, and 3 of Section 108.6. above.

757 **109.7 Refunds.** Subject to the discretion of the Director of Safety and Permits, the applicant for
758 a permit or holder of a permit shall not be entitled to a refund of any fee paid.

759 SECTION 110

760 INSPECTIONS

761 **110.1 General.** Construction or work for which a permit is required is subject to inspection by
762 the Director and the construction or work shall remain accessible and exposed for inspection
763 purposes until approved. Approval as a result of an inspection shall not be construed to be an
764 approval of a violation of the provisions of this code or of other ordinances of the city.
765 Inspections presuming to give authority to violate or cancel the provisions of this code or of
766 other ordinances of the city shall not be valid. It shall be the duty of the permit applicant to
767 cause the work to remain accessible and exposed for inspection purposes. Neither the Director
768 nor the city shall be liable for expense entailed in the removal or replacement of any material
769 required to allow inspection.

770 **110.2 Preliminary inspection.** Before issuing a permit, the Director is authorized to examine or
771 cause to be examined buildings, structures and sites for which an application has been filed.

772 **110.3 Required inspections.** The Director, upon notification, shall make the inspections set
773 forth in Sections 110.3.1 through 110.3.9.

774 **110.3.1 Footing or foundation inspection.** Footing and foundation inspections shall be made
775 after excavations for footings are complete and any required reinforcing steel is in place. For
776 concrete foundations, any required forms shall be in place prior to inspection. Materials for the
777 foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM

778 C 94, the concrete need not be on the job.

779 **110.3.2 Concrete slab or under-floor inspection.** Concrete slab and under-floor inspections
780 shall be made after in-slab or under-floor reinforcing steel and building service equipment,
781 conduit, piping accessories and other ancillary equipment items are in place, but before any
782 concrete is placed or floor sheathing installed, including the subfloor.

783 **110.3.3 Lowest floor elevation.** Upon placement of the lowest floor, including the basement,
784 and prior to further vertical construction, the elevation certification required in Section 119 shall
785 be submitted to the Director.

786 **110.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or sheathing,
787 all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed
788 are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

789 **110.3.5 Lath or gypsum board inspection.** Lath and gypsum board inspections shall be made
790 after lathing and gypsum board, interior and exterior, is in place, but before any plastering is
791 applied or before gypsum board joints and fasteners are taped and finished. Exception: Gypsum
792 board that is not part of a fire-resistive assembly or a shear assembly.

793 **110.3.6 Fire-and smoke-resistant penetrations.** Protection of joints and penetrations in fire-
794 resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from
795 view until inspected and approved.

796 **110.3.7 Other inspections.** In addition to the inspections specified above, the Director is
797 authorized to make or require other inspections of any construction work to ascertain compliance
798 with the provisions of this code and other laws that are enforced by the Department of Safety &
799 Permits.

800 **110.3.8 Special inspections.** For special inspections, see Chapter 17 of this Code.

801 **110.3.9. Final inspection.** The final inspection shall be made after all work required by the
802 building permit is completed.

803 **110.3.9.1 Flood hazard documentation.** If located in a flood hazard area, documentation of
804 the elevation of the lowest floor as required in Section 1612.5 of this Code shall be submitted to
805 the Director prior to the final inspection.

806 **110.10 Inspection agencies.**

807 Third-party inspection services, as provided herein, may perform certain construction inspections
808 which may be accepted by the City of New Orleans through the Director of Safety and Permits.
809 The Director may accept reports of approved inspection agencies, provided such agencies satisfy
810 the requirements as to qualifications and reliability, and in accordance with the following
811 regulations:

812 (1) Registration Required

- 813 a. Any company or individual wishing to act as a third-party inspection service
814 provider in the City of New Orleans must first file a registration application with
815 the Director on a form provided for that purpose. Inspection reports will not be
816 accepted from any company or individual not first registered with the Department
817 or that may be in violation of any of the requirements contained herein. Separate
818 registration is required for all companies providing inspection services and all
819 individuals performing inspections, either independently or on behalf of a
820 registered company.
- 821 i. Any company or individual must be registered with the Louisiana State
822 Uniform Construction Code Council, to be evidenced by State registration
823 number at the time of registration and/or renewal.
- 824 ii. Any company or individual may only be registered in the field(s) in which
825 they are certified by the International Code Council, to be evidenced by
826 submission of ICC certification at the time of registration and/or renewal.
- 827 iii. No company or individual may perform inspections on buildings or
828 structures in which they have any direct or indirect financial or
829 professional interest. Companies and individuals must disclose all parties
830 with a legal, financial, or beneficial interest at the time of registration
831 and/or renewal.
- 832 iv. Any company or individual must disclose any and all relationships,
833 including but not limited to: direct or indirect financial interests,
834 employer/employee, sub-contractor, advisor, consultant, or referrals of any
835 kind with any current City of New Orleans employee. City of New

- 836 Orleans employee includes any: city officer, employee, department,
837 agency, board, commission, and public benefit corporation.
- 838 v. Any company or individual must hold a valid Occupational License or
839 Registration from the Department of Finance, in compliance with Chapters
840 30 and 150 of the City Code, to be evidenced by submission of such
841 license or registration at the time of registration and/or renewal.
- 842 vi. Any company or individual must be insured and shall furnish proof of
843 commercial general liability insurance of not less than \$500,000 and shall
844 name the City of New Orleans as an additional insured party, to be
845 evidenced by submission of certificate of insurance at the time of
846 registration and/or renewal.
- 847 vii. Any company or individual holding a Louisiana license as a building,
848 residential or Home Improvement contractor is prohibited from registering
849 as a third-party inspection service provider.
- 850 viii. Any company or individual holding a New Orleans electrical or
851 mechanical license is prohibited from registering as a third-party
852 inspection service provider.
- 853 ix. The Director shall have the authority to accept or deny the credentials of
854 any third-party inspection service provider both at the time of registration
855 or any time thereafter.
- 856 x. Employees of the Department of Safety and Permits are prohibited from
857 acting as third-party inspection service providers, pursuant to La. R.S. §
858 42:1111, which prohibits public employees from receiving payment for
859 any service substantially similar to standard job responsibilities.
- 860 b. Registration Fees and Term of Registration
- 861 i. To obtain an initial registration or renew a registration, applicants shall
862 pay the applicable fee:
- 863 1. New Registration (Company or Individual): \$200.00
864 2. Renewal (Company or Individual): \$75.00

- 865 3. Delinquent Fee: \$30.00 per month, or portion thereof past
866 expiration date, in addition to the renewal fee.
- 867 c. Individual registration shall expire on the registrant's date of birth; corporate
868 registration shall expire on the anniversary date of registration.
- 869 d. New registration applications may be submitted at any time; renewals may be
870 submitted not more than 30-days prior to registration expiration.
- 871 e. Any registration not renewed prior to expiration is considered invalid and
872 inspection reports will not be accepted.
- 873 f. Any third-party inspection service provider registration not timely renewed shall
874 terminate. Subsequent re-registration will be considered a new registration.
- 875 (2) Inspection Documentation from Third-Party Inspection Service Providers
- 876 a. Third-party inspection service providers are required to submit written inspection
877 reports to the Director in form and manner to be established by the Department.
- 878 i. All written reports must contain:
- 879 1. An inspection pass/fail form, in a form provided by the City and
880 made available for that purpose. This form must clearly indicate
881 the name, affiliation, and registration number of the third-party
882 inspection service provider; and the name and contact information
883 for the contractor responsible for the work being inspected.
- 884 2. All inspection reports are required to include photographic
885 documentation of the observed conditions.
- 886 ii. Reports and photographs may be submitted electronically if deemed
887 appropriate by the Director.
- 888 b. Survey Requirements
- 889 i. No footings or foundations may be poured for new construction or
890 additions to existing structures until:
- 891 1. A survey, indicating the setbacks of the proposed structure from all
892 property lines, is submitted to the Zoning Administration Division.
- 893 2. The Zoning Administration Division reviews the setbacks for
894 compliance with the standards of the Comprehensive Zoning

895 Ordinance and for conformity with the submitted and approved
896 plans.

897 3. The submitted survey has been stamped to indicate approval or
898 denial of the setbacks.

899 ii. Foundation inspections are not considered “passed” until these
900 requirements are met.

901 iii. For elevation of existing structures, the survey requirements (above) are
902 required to be met prior to the issuance of a Certificate of Completion. An
903 inspection may not be indicated as “passed” until such time as these
904 requirements are met.

905 (3) Third-Party Inspection Services Not Authorized to Use City Insignia

906 a. Third party inspection service providers are not authorized to produce, develop,
907 purchase, utilize, or secure any sticker, form, or inspection report which bears the
908 Seal of the City of New Orleans, the words “City of New Orleans” or
909 “Department of Safety and Permits,” or any variation thereof, or any other symbol
910 or image which implies, infers, or states that the third-party inspection service
911 provider is acting on behalf of the City of New Orleans or any department,
912 agency, or administrative entity thereof.

913 i. Failure to abide by this Section will be considered due cause for
914 immediate revocation of third party registration.

915 b. Any publicly posted documentation of inspection results (i.e. pass/fail stickers,
916 etc) must be approved for content and form by the Department.

917 i. The name of the company or individual providing third-party inspection
918 services must be clearly discernible on any documentation so utilized.

919 (4) Authority of the Department of Safety and Permits

920 a. The Director retains the right and responsibility for conducting third party audit
921 inspections to verify the accuracy and reliability of third party inspection
922 providers.

923 i. Third party audit inspections will be randomly conducted; however, the
924 Director has the authority to cause inspection of specific properties where

925 third party inspections have been performed upon receipt of a request or
926 complaint, or as otherwise determined by the Director at his discretion.

927 b. Where a property has been previously inspected by the Department of Safety and
928 Permits and such inspection has resulted in a “fail,” a subsequent inspection by a
929 third party inspection provider will not be accepted unless there is specific
930 documentation included detailing correction of the original conditions.

931 c. In the event that the Department of Safety and Permits and a third party inspection
932 service provider disagrees on requirements of the relevant code, the final
933 determination of requirements shall be made by the Director in his capacity as the
934 Code-designated authority for rendering of interpretations in compliance with the
935 intent and purpose of this Code, pursuant to the Home Rule Charter.

936 d. The Director may, at any time, invalidate third-party inspection service provider
937 registration if said third-party inspection service provider violates the procedures
938 herein regulating their interaction with the City.

939 **110.11 Inspection requests.** It shall be the duty of the holder of the building permit or their duly
940 authorized agent to notify the Director when work is ready for inspection. It shall be the duty of
941 the permit holder to provide access to and means for inspection of such work for any inspections
942 that are required by this code.

943 **110.12 Approval required.** Work shall not be done beyond the point indicated in each
944 successive inspection without first obtaining the approval of the Director. The Director, upon
945 notification, shall make the requested inspections and shall either indicate the portion of the
946 construction that is satisfactory as completed, or shall notify the permit holder or an agent of the
947 permit holder wherein the same fails to comply with this code. Any portions that do not comply
948 shall be corrected and such portion shall not be covered or concealed until authorized by the
949 Director.

950 **110.13 Existing Building Inspections.** Before issuing a permit the Director may examine or
951 cause to be examined any building for which an application has been received for a permit to
952 enlarge, alter, repair, move, demolish, or change the occupancy. He shall inspect all buildings
953 and structures, from time to time, during and upon completion of the work for which a permit
954 was issued. He shall make a record of every such examination and inspection and of all

955 violations of this Code.

956 SECTION 111

957 CERTIFICATE OF OCCUPANCY

958 **111.1 Use and Occupancy.** No building or structure shall be used or occupied, and no change in
959 the existing occupancy classification of a building or structure or portion thereof shall be made
960 until the Director has issued a certificate of occupancy. Issuance of a certificate of occupancy
961 shall not be construed as an approval of a violation of the provisions of this code or of other
962 ordinances of the city.

963 **111.2 Change in use.** Changes in the character or use of an existing structure shall not be made
964 except as specified in Chapter 34 of this Code.

965 **111.2.1 Alterations.** Any building or structure which is enlarged, altered, raised, repaired, or
966 built upon to an extent exceeding an expenditure of 50% of the replacement value after
967 alterations, shall be made to comply in its entirety with the requirements for a new building
968 or structure. Where the expenditures are less than 50% of the said replacement value, only
969 portions added, altered, or replaced need be made to conform. Replacement value shall be
970 determined by the Director, as provided in 108.4 of this Code.

971 **111.3 Issuing Certificate of Occupancy.** Only after the final inspection, upon completion of a
972 building erected in accordance with this Code, approved building plan(s), permit(s), and any
973 other applicable ordinance, shall the Director issue a certificate of occupancy stating the nature
974 of the occupancy permitted.

975 **111.4 Temporary occupancy.** The Director is authorized to issue a temporary certificate of
976 occupancy before the completion of the entire work covered by the permit, provided that such
977 portion or portions shall be occupied safely. The Director shall set a time period during which
978 the temporary certificate of occupancy is valid.

979 **111.5 Revocation.** The Director is authorized to, in writing, suspend or revoke a certificate of
980 occupancy or completion issued under the provisions of this code wherever the certificate is
981 issued in error, or on the basis of incorrect information supplied, or where it is determined that
982 the building or structure or portion thereof is in violation of any ordinance or regulation or any of
983 the provisions of this code.

984 **111.6 Existing Building Certificate of Occupancy.** A certificate of occupancy for any existing

985 building may be obtained by applying to the Director and supplying the information and data
986 necessary to determine compliance with this Code for the occupancy intended. Where
987 necessary, in the opinion of the Director, two sets of detailed drawings, or a general inspection,
988 or both, may be required. When, upon examination and inspection, it is found that the building
989 conforms to the provisions of this Code for such occupancy, a certificate of occupancy may be
990 issued.

991 **SECTION 112**

992 **SERVICE UTILITIES**

993 **112.1 Connection of service utilities.** No person shall make connections from a utility, source
994 of energy, fuel or power to any building or system that is regulated by this code for which a
995 permit is required, until released by the Director.

996 **112.2 Temporary connection.** The Director shall have the authority to authorize the temporary
997 connection of the building or system to the utility source of energy, fuel or power.

998 **112.3 Authority to disconnect service utilities.** The Director shall have the authority to
999 authorize disconnection of utility service to the building, structure or system regulated by this
1000 code and the codes referenced in case of emergency where necessary to eliminate an immediate
1001 hazard to life or property. The Director shall notify the serving utility, and wherever possible the
1002 owner and occupant of the building, structure or service system of the decision to disconnect
1003 prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the
1004 building, structure or service system shall be notified in writing, as soon as practical thereafter.

1005 **SECTION 113**

1006 **BOARD OF BUILDING STANDARDS AND APPEALS**

1007 **113.1 - General**

1008 The Director has the authority and it is his duty, subject to the provisions of law and of this
1009 Code, to pass upon a question relative to the mode, manner of construction or materials to be
1010 used in the erection or alteration of any building or other structure erected or to be erected within
1011 the City of New Orleans, which is affected by the provisions of this Code, or of any existing law
1012 applicable to the City of New Orleans and relating to the design, construction, alteration,
1013 maintenance, repair, and removal of buildings or other structures therein, and to require that such
1014 design, mode, manner of construction, or materials shall conform to the true intent and meaning

1015 of the several provisions of this Code. If the Director, rejects or refuses to issue a building
1016 permit, or to approve the design, mode, manner of construction or materials proposed to be
1017 followed or used in the erection and alteration of any such building or structure, or when it is
1018 claimed that the rulings of the Director or the provisions of this Code do not apply, or that a more
1019 desirable and equally safe form of construction, from the owner's point of view can be employed
1020 in a specific case, or whenever the owner of a building or structure shall object to any decision
1021 given by the Director, relative to the extent of damage sustained by any building or structure, by
1022 fire or otherwise, or to the extent or value of repairs, alterations or improvements of any existing
1023 building or replacement value thereof, the owner of the building may appeal from the decision of
1024 the Director to the Board of Building Standards and Appeals.

1025 **113.2 — Appointment**

1026 There shall be in the City of New Orleans a Board to be called "Board of Building Standards and
1027 Appeals" hereinafter referred to as the "Board". The Board shall consist of five members to be
1028 appointed by the Mayor, one member to be a Louisiana State Registered Architect, one member
1029 to be a Louisiana State Registered Civil Engineer, one member to be a Louisiana State Licensed
1030 General Contractor, one member to be a Louisiana State Registered Mechanical or Electrical
1031 Engineer, and one member to be an engineer experienced in fire protection.

1032 **113.3 — Terms of Office**

1033 The term of office shall be five (5) years each, but each member shall serve until his successor is
1034 appointed and qualified. Said terms shall terminate on June 30 of the respective year. Any
1035 member may be removed by the Mayor, with approval of the Council, for malfeasance,
1036 incapacity or neglect of duty. Each member shall comply with the provisions of
1037 the Louisiana State Code of Ethics.

1038 **113.4 — Board Officers and Quorum**

1039 Each member shall take an oath of office in a form prescribed by the City Attorney, and the
1040 Board shall elect one of its members as Chairman and one as Vice-Chairman. A secretary, not a
1041 member of the Board, shall also be appointed. The Board shall meet when called by the
1042 Chairman to consider appeals which meeting shall be considered a regular meeting; or by the
1043 Director of the Department of Safety and Permits for the transaction of such business as he may
1044 designate, which shall not be held more often than twice in each month of each year. No appeal

1045 shall be considered at a meeting of the Board unless it is submitted at least five (5) working days
1046 prior to the date of the meeting. The Board shall meet when notified by the Director for the
1047 purpose of recommending appropriate changes in this code and then refer the same to the City
1048 Council for consideration and action. Three members shall constitute a quorum. In varying the
1049 application of any provisions of the Code, or in modifying an order of the Director, minimum
1050 three affirmative votes shall be required.

1051 **113.5 — Legal Advisor**

1052 The City Attorney is the legal advisor to the Board.

1053 **113.6 — Fees**

1054 Application for an appeal shall be accompanied by a check payable to the "City of New Orleans"
1055 for fees as follows:

1056	1 and 2 family dwelling.....	\$200.00
1057	All others.....	\$800.00
1058	Townhouses.....	\$200.00 each
1059		(Not to exceed \$600.00)
1060	Rehearing.....	\$200.00
1061	Special Board Meeting.....	\$1600.00

1062 In cases when an application for a slab elevation waiver is made AFTER pouring of a slab, the
1063 application fee shall be tripled.

1064 **113.7 — Duties and Powers**

1065 It shall be the duty of the Board:

- 1066 1. To hear and decide appeals where it is alleged there is error in any order, requirement,
1067 decision, or determination made by the Director in the enforcement of this Code.
- 1068 2. To hear and decide all matters referred to it or upon which it is required to pass under this
1069 Code.
- 1070 3. To pass upon appeals where there are practical difficulties or unnecessary hardships in
1071 the way of carrying out the strict letter of this Code, to vary or modify the application of
1072 any of the regulations or provisions of such sections relating to the construction or
1073 alteration of buildings or structures so that the spirit of this Code shall be observed,
1074 public safety and welfare secured and substantial justice done.

1075 4. To interpret the intent or meaning of this Code for the advice of the Director. In
1076 exercising the above-mentioned powers, the Board may reverse or affirm wholly or in
1077 part, or may modify the order, requirement, decision or determination appealed from and
1078 may make such order, requirement, decision or determination as ought to be made, and to
1079 that end shall have all the powers of the Director from whom the appeal is taken. The
1080 concurring vote of three members of the Board shall be necessary to recall any
1081 requirement, decision or determination of the Director, or to decide in favor of the
1082 applicant on any matters on which it is required to pass under this Code, or to effect any
1083 variation in this Code.

1084 **113.8 — Amendments**

1085 All technical amendments to this Code shall first be reviewed by the Board of Building
1086 Standards and Appeals, and shall be accompanied by its recommendation prior to consideration
1087 by the City Council.

1088 **113.9 — Rehearing**

1089 In cases when the Board rules against an application, and the applicant subsequently elects to
1090 modify his original building plan and submit the modified plan to the Board for rehearing, the
1091 applicant must pay to the Director a rehearing fee of \$200.00, which shall be deposited by the
1092 Director in the General Fund of the City.

1093 **113.10 — Actions**

1094 All cases in which application for appeals have been filed with the Board shall be heard, and the
1095 Board shall inform the Director of its decisions, stating the waivers or denials granted and
1096 conditions, if any, as they may require in each action. The decisions shall specify the variations
1097 allowed and the reason therefore, and shall be filed in the office of the Director within 30 days of
1098 the public hearing. When building conditions are very unusual, requiring site visit, research and
1099 the like, the Director may grant a reasonable extension of time. Failure to file the decision shall
1100 not delay issuance of permits in accordance with a favorable vote so long as conditions attached
1101 to the permits are in accord with the action of the Board. Copies of the decision shall be sent to
1102 the applicant and all parties involved in the appeal. If the order or refusal of the Director is
1103 affirmed, the order or refusal shall have full force and effect. If the order or refusal is modified
1104 or annulled, the Director shall issue a permit in accordance with the decision.

1105 **113.11 - Appeal to Courts**

1106 A person, or any officer, department, commission, board, bureau, or any other agency of the City
1107 of New Orleans jointly or singularly aggrieved by a decision of the Board of Building Standards
1108 and Appeals may present to the Civil District Court of the Parish of Orleans, within one (1) year
1109 after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and
1110 under such rules and regulations as are provided for such matters in appropriate legislation of the
1111 State of Louisiana.

1112 **SECTION 114**

1113 **VIOLATIONS**

1114 **114.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to erect, construct,
1115 alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment
1116 regulated by this code, or cause same to be done, in conflict with or in violation of any of the
1117 provisions of this code.

1118 **114.2 Notice of violation.** The Director is authorized to serve a notice of violation or order on
1119 the person responsible for the erection, construction, alteration, extension, repair, moving,
1120 removal, demolition or occupancy of a building or structure in violation of the provisions of this
1121 code, or in violation of a permit or certificate issued under the provisions of this code. The order
1122 shall direct the discontinuance of the illegal action or condition and the abatement of the
1123 violation.

1124 **114.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the
1125 Director is authorized to seek an administrative adjudication for any violation as provided in
1126 Chapter 6 of the Code of the City of New Orleans, or request the City Attorney to institute the
1127 appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to
1128 require the removal or termination of the unlawful occupancy of the building or structure in
1129 violation of the provisions of this code or of the order or direction made pursuant thereto.

1130 **114.4 Violation penalties.** A person who violates a provision of this code or fails to comply
1131 with any of the requirements thereof or who erects, constructs, alters or repairs a building or
1132 structure in violation of the approved construction documents or directive of the Director, or of a
1133 permit or certificate issued under the provisions of this code, is subject to penalties as prescribed
1134 by law. If necessary, the Director may request for penalties that include the disconnection of

1135 utilities or the cancellation of a certificate of occupancy until all required repairs are completed.

1136 **SECTION 115**

1137 **STOP WORK ORDER**

1138 **115.1 Authority.** The Director is authorized to issue a stop work order whenever he finds any
1139 work regulated by this code being performed in a manner contrary to the provisions of this code,
1140 any permit issued pursuant to this code, or in a dangerous or unsafe manner.

1141 **115.2 Issuance.** The stop work order shall be in writing and shall be posted in a conspicuous
1142 location on the property. Upon issuance of a stop work order, the cited work shall immediately
1143 cease. When an emergency exists, the Director shall not be required to give a written notice
1144 prior to stopping the work.

1145 **115.3 Unlawful continuance.** A person, who continues any work after having been served with
1146 a stop work order, except the work that person is directed to perform to remove a violation or
1147 unsafe condition, is subject to penalties as prescribed by law.

1148 **SECTION 116**

1149 **STREET ADDRESS**

1150 When issuing building permits, the Director shall designate thereon the street number that the
1151 building when completed will bear. Buildings shall have approved address numbers placed in a
1152 position to be plainly legible and visible from the street or road fronting the property. These
1153 numbers shall contrast with their background. Address numbers shall be Arabic numerals or
1154 alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of
1155 0.5 inch.

1156 **SECTION 117**

1157 **ZONING RESTRICTIONS**

1158 The provisions of the Comprehensive Zoning Ordinance of the City of New Orleans shall not be
1159 deemed to be modified by any provision of this Code. The provisions of the Comprehensive
1160 Zoning Ordinance shall be controlling, except that whenever this Code imposes greater
1161 restrictions by reason of the type of construction used, the provisions of this Code shall control.

1162 **SECTION 118**

1163 **FIRE PREVENTION**

1164 The provisions of the Fire Prevention Ordinance shall not be deemed to be modified by any

1165 provisions of this Code except that wherever the requirements of this Code are more restrictive,
1166 the requirements of this Code shall apply.

1167 **SECTION 119**

1168 **MINIMUM HOUSING RESTRICTIONS**

1169 The provisions of Chapter 26 of the City Code "Housing Standards - Minimum Housing
1170 Standards Code", as amended, shall not limit, restrict, contravene, or vitiate the provisions of this
1171 Code as adopted herein or hereafter amended. Wherever there is a conflict between the
1172 Minimum Housing Standards and the Building Code, the more restrictive provisions shall be
1173 enforced.

1174 **SECTION 120**

1175 **LOT FILL OR LOT GRADE**

1176 **120.1 General**

1177 It is unlawful to place fill on a lot or site or part thereof or grade a lot or site in a manner that
1178 allows runoff to drain onto abutting lots or sites. The requirement for prevention of water runoff
1179 to abutting sites or lots may be met by use of a retaining wall. Lots or sites shall generally be
1180 graded to drain the water toward the street(s) side (s) of the lot or site. Any retaining walls
1181 installed pursuant to the provisions of this section shall be constructed of concrete.

1182 **120.2 Notarized certificate.** Prior to issuance of a Certificate of Occupancy by the Department
1183 of Safety and Permits, the applicant shall present a notarized certificate signed by the owner
1184 stipulating that all filling, grading and sidewalk and driveway installations have met the
1185 requirements of the applicable sections of the Code of the City of New Orleans. Compliance
1186 with all filling, grading and sidewalk and driveway installation requirements shall be completed
1187 before final inspection by the Department of Safety and Permits.

1188 **120.2.1 Slab Foundations Certificate**

1189 The Department of Safety and Permits shall inscribe on the building permit the minimum floor
1190 elevation in accordance with the Federal Flood Insurance Rate Map and the Code of the City of
1191 New Orleans. In addition, the top of the slab shall not be less than 18 inches above the highest
1192 point of the curb in front of the lot or site. The builder shall obtain from a Land Surveyor or
1193 Civil Engineer, licensed in the State of Louisiana, a Certificate of Construction Bench Mark
1194 describing a mark of known elevation of the slab. Also, the Certificate of Construction Bench

1195 Mark must contain the elevations in the four corners of the lot. This certificate shall be furnished
1196 to the Department of Safety and Permits at the time of the building permit application. Before
1197 framing begins, a Certificate of Slab Elevation shall be submitted by the applicant to the
1198 Department of Safety and Permits. This certificate shall contain as built minimum sill height or
1199 floor elevation and shall be signed by a Civil Engineer or Land Surveyor, licensed in the State of
1200 Louisiana. If the slab is built below the stipulated elevation, the Director is empowered to
1201 order the removal or correction of said floor and the Department of the Director is empowered to
1202 cancel the building permit.

1203 **120.2.2 Pier or Chain Wall Foundation Certificate**

1204 The Department of Safety and Permits shall inscribe on the building permit the minimum floor
1205 elevation in accordance with the Federal Flood Insurance Rate Map and Chapter 78 of the Code
1206 of the City of New Orleans. In addition, the top of the finished lowest habitable floor shall not
1207 be less than 18 inches above the highest point of the curb in front of the lot or site. All
1208 construction below the Base Flood Elevation shall be of flood-resistant materials. Furthermore,
1209 the underside of a raised structure shall have a minimum of 18 inches from the underside of the
1210 sill to the ground beneath the entire structure. The builder shall obtain from a Land Surveyor or
1211 Civil Engineer, licensed in the State of Louisiana, a Certificate of Construction Bench Mark
1212 describing a mark of known elevation in immediate proximity to the property. This will be used
1213 in establishing the elevation of the piers or chain wall. This Certificate shall be furnished to the
1214 Department of Safety and Permits at the time of building permit application. Before framing
1215 begins, a Certificate of Floor Elevation shall be submitted by the applicant to the Department of
1216 Safety and Permits. This certificate shall contain “as built” minimum sill height or floor
1217 elevation and shall be signed by a Civil Engineer or Land Surveyor, licensed in the State of
1218 Louisiana. If the “as built” minimum floor elevation is built below the stipulated elevation, the
1219 Director is empowered to order the removal or correction of said floor and the Director is
1220 empowered to cancel the building permit.

1221 **120.3 Modifications** In the Central Business District (including the area known as the Vieux
1222 Carré), in built-up commercial areas and in areas where a satisfactory system of lot grades and
1223 building elevations already have been established, the Department of Safety and Permits may
1224 modify or vary the requirements of 120.2.1 and 120.2.2 provided the new construction in the

1225 above-mentioned areas shall always be equal to or above the average lower floor elevation in the
1226 particular block or area. However, the above modifications are allowed only in Flood Zone “B”
1227 (“X”). In accordance with NFIP regulations at 44 CFR 60.3 and information in the NFIP Flood
1228 Plain Management Bulletin for Historic Structures (FEMA p-467-2), all Historic Structures shall
1229 be exempted from the substantial improvement and substantial damage requirements under the
1230 definition of “substantial improvement”. To qualify for this exemption, the applicant shall
1231 provide an approval from the State Historic Preservation Office (SHPO) stating that the structure
1232 is and will continue to be a “Historic Structure” (including “contributing” to a historic district).
1233 **SECTION 9.** That Chapter 2 of the IBC, 2012 Edition, be amended to include the following:

1234 **CHAPTER 2**
1235 **DEFINITIONS**

1236 *****

1237 **Building Official:** The Director of the Department of Safety and Permits, or his duly authorized
1238 representative or employee.

1239 *****

1240 **CHAPTER 4**
1241 **SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY**

1242 *****

1243 **SECTION 425**
1244 **TENTS**

1245 **425.1 PERMIT REQUIRED.** Tents, with an area up to 1,200 sq. ft. and not located in the
1246 inner city fire limits, require only a Certificate of Compliance from Fire Prevention. Tents, with
1247 an area exceeding 1,200 sq. ft. and all tents located in the inner city fire limits, require a
1248 certificate of compliance from the Fire Department and a Building Permit from the Department
1249 of Safety and Permits.

1250 **SECTION 426**
1251 **PREFABRICATED AND MODULAR BUILDINGS**

1252 **426.1 SCOPE:** This section covers the installation of prefabricated and modular buildings within
1253 the City of New Orleans.

1254 **426.2 Definition:** Structures transportable in one or more sections and which are built on a
1255 permanent chassis shall be considered as prefabricated and/or modular buildings.

1256 **426.3 General:** Prefabricated and Modular Buildings shall be designed with a permanent
1257 foundation and must comply with the provisions of this code. It shall be the duty of the permit
1258 applicant to provide a label or seal of compliance with the provisions of this code, issued by an
1259 agency approved by the City of New Orleans. In the alternative, the permit applicant shall cause
1260 the work to be accessible and exposed for inspection purposes. The permit applicant is
1261 responsible for expense entailed in the removal or replacement of any material required to allow
1262 inspection.

1263 **426.4 Construction Documents:** Two sets of construction documents prepared by a Louisiana
1264 Registered Architect or Civil Engineer shall be submitted to the department along with an
1265 application for a permit. Construction documents shall include, among other things, plans,
1266 elevations, sections, foundation details, construction benchmark etc. The construction
1267 documents shall be drawn to scale and shall be of sufficient clarity to indicate the location,
1268 nature and extent of the proposed work and show in detail that the prefabricated and/or modular
1269 building will conform to the provisions of this code. All Prefabricated assemblies installed in the
1270 City of New Orleans shall either be thoroughly opened up for inspections by City Inspection
1271 Bureaus such as Electrical, Building etc., or have to be inspected and certified by one of the third
1272 party agencies approved by the City of New Orleans, for compliance with all applicable codes.
1273 The City approved third-party agencies are, any agencies listed by ICC-ES.

1274 *****

1275 CHAPTER 9

1276 FIRE PROTECTION SYSTEMS

1277 *****

1278 SECTION 916

1279 HYDRANTS, WATER MAINS & FIRE LANES

1280 **916.1 Fire Protection on Private Property.** Requirement for fire hydrants, water mains, fire
1281 lanes and driveways for the use of fire apparatus to combat fires on private property shall be
1282 installed in the following developments and land uses as specified below:

- 1283 1. Residential land use developments involving 2 acres or more.

- 1284 2. Medium and High Density Residential Land Uses.
- 1285 3. Large Scale Commercial Land Use Development involving 2 acres or more.
- 1286 4. Large Scale Industrial Land Use Development involving 2 acres or more.
- 1287 5. Light Industrial and Heavy Industrial Land Uses.
- 1288 6. New Subdivisions in excess of five building sites.
- 1289 7. New Subdivisions or Re-subdivisions requiring additional streets.
- 1290 8. Conditional land uses when approved by the Fire Department and Sewerage and Water
- 1291 Board.
- 1292 9. Any Private Development, land and buildings and containing 2 acres or more that does
- 1293 not already have public streets, water mains and fire hydrants.
- 1294 10. Campus development involving two acres or more.

1295 **916.2 Detail Requirements:** All firefighting systems required by this Code shall comply in all

1296 respects with:

- 1297 1. International Fire Code, 2012 as amended by the City of New Orleans.
- 1298 2. Requirements of the Sewerage and Water Board which include but are not limited to:
- 1299 (a) Connection to the public water supply, all connections to be made with a detector
- 1300 check valve, furnished and installed by the Sewerage and Water Board, the
- 1301 cost of installation charged to the applicant.
- 1302 (b) If domestic water is also taken off the fire main, full-flow meters will be installed
- 1303 in lieu of the detector check valve.
- 1304 (c) Granted Servitudes as required by the Sewerage and Water Board for servicing of
- 1305 water mains and fire hydrants which are to be installed according to the
- 1306 Sewerage and Water Board's specifications and the above code requirements.

1307 **916.3 Furnish layout plans for approval.**

1308 **916.3.1** Plans shall be drawn to scale and shall include, but are not limited to, the following

1309 essential details:

- 1310 1. The scale shall conform to the following:
- 1311 1.1 Projects containing more than 200 acres, not more than 200 ft. to one inch.
- 1312 1.2 Projects containing 50 acres to 200 acres, not more than 100 ft. to one inch.
- 1313 1.3 Projects containing less than 50 acres, not more than 60 ft. to one inch.

- 1314 1.4 Projects containing 10 acres or less, not more than 50 ft. to one inch.
- 1315 2. Size and location of water supply.
- 1316 3. Size and location of all mains, the class and type of mains to be installed and the depths
- 1317 to which it is to be buried.
- 1318 4. Size, type and location of all meters and valves.
- 1319 5. Number and size of hose outlets, thread detail, setting grade and location of all hydrants.
- 1320 6. Location and size of sprinkler and standpipe risers supplied by the system.
- 1321 7. Fire lane and driveway widths and turning radius.

1322 **916.4 Water Distribution System.** Water mains shall conform to the Specifications and/or

1323 Plumbing Code of the Sewerage and Water Board, and the applicable provisions of the codes and

1324 requirements mentioned herein.

1325 **916.4.1 Sizing of water mains.** The following is adopted minimum size of water mains along

1326 with other provisions to be used for fire hydrant supply:

- 1327 1. Large Scale Commercial and Industrial Land Use Developments (includes campus
- 1328 developments):
- 1329 1.1 12-in or larger mains can be used as a loop system around the area and shall be
- 1330 supplied by separate feeder mains.
- 1331 1.2 8-in mains can be used within the area when it completes a gridiron to be
- 1332 supplied by 12-in or larger mains at each end.
- 1333 1.3 Adjustment in main size above 12 in shall be made when additional fire flow is
- 1334 required for sprinklers, standpipes and special protective equipment for
- 1335 hazardous occupancy or processes.
- 1336 2. Heavy Industrial Land Uses:
- 1337 2.1 12 inch mains to be used throughout.
- 1338 2.2 Adjustment in main size to above 12 in. to be made when additional fire flow
- 1339 is required.
- 1340 3. Low, Medium and High Density Residential Land Uses: Large Scale Residential
- 1341 Land Use Developments (except when located in the Inner Fire Limits):
- 1342 3.1 8-in or larger mains to be used when supplied by at least two 8-in or larger
- 1343 feeders, separated from each other and when it completes a gridiron not

1344 exceeding 600 ft. to the side with a hydrant at each corner and intermediate
1345 hydrant between corners. However, the 6 inch mains are not to be dead-ended.

1346 4. Requests for variations from the above specified sizes may be approved by the
1347 Director provided such requests are accompanied by engineering design calculations
1348 for the intended land use prepared by a Louisiana Registered Engineer experienced
1349 in such work.

1350 **916.5 Fire Flow.** Fire flow at a residual pressure of 20 psi is required with the following flows:

1351 1. Low and medium density (one and two family) residential land uses 1000 to 2500
1352 gpm. Distribution based on ratio of one hydrant to each 150,000 to 140,000 sq. ft. of
1353 average area served.

1354 2. Large scale residential land use development 1500 to 3500 gpm. Distribution based
1355 on ratio of one hydrant to each 140,000 to 120,000 sq. ft. of average area served.

1356 3. Medium and high density (apartments) residential land uses 3500 to 4000 gpm.
1357 Distribution based on ratio of one hydrant to each 120,000 to 110,000 sq. ft. of
1358 average area served.

1359 5. All commercial land uses including campus development. (except those within the
1360 Inner Fire Limits) 3500 to 4000 gpm. Distribution based on ratio of one hydrant to
1361 each 110,000 to 100,000 sq. ft. of average area served.

1362 6. Light industrial land uses and large scale industrial land use developments 4000 to
1363 8000 gpm.

1364 4 Distribution based on ratio of one hydrant to each 100,000 to 60,000 sq. ft. of average
1365 area served.

1366 7. Heavy industrial land uses 8000 to 12000 gpm. Distribution based on ratio of one
1367 hydrant to each 60,000 to 40,000 sq. ft. of average area served.

1368 8. Additional fire flow is required in excess of the specified fire flow for extra hazardous
1369 occupancy, processes or conditional uses.

1370 **916.6 Fire Hydrants.** Hydrants shall meet the specifications of the Sewerage and Water Board.

1371 **916.6.1 Type of Hydrant.** Hose outlets size and threads to conform to the hose connections
1372 used by the Sewerage and Water Board.

1373 **912.6.2 Hydrant Spacing.** Hydrants shall be spaced as indicated below:

- 1374 1. Hydrants should be located no closer than 50 ft. from buildings in industrial districts.
1375 In other districts hydrants shall be located where the chance of fire and falling walls
1376 would not endanger hydrants.
- 1377 2. Spacing shall not be more than 350 ft. apart in residential districts.
- 1378 3. In industrial areas and shopping centers, hydrants shall be located to permit all sides
1379 of the building to be reached by a hose lay not in excess of 300 ft.
- 1380 4. In multiple housing developments, commercial districts and large scale
1381 developments, hydrants shall be located to permit all sides of the building to be
1382 reached by a hose lay not in excess of 400 ft.

1383 **916.6.3 Hydrant Setting.** Hydrants shall be protected from mechanical injury and shall be
1384 installed as indicated below:

- 1385 1. Hydrant settings, center of hose outlets should be not less than 18 in above the final
1386 grade line.
- 1387 2. Hydrant locations shall not be less than 18 in nor more than 30 in from the curb of a
1388 street or driveway, have no obstructions within 15 ft. on each side and shall be
1389 accessible so fire department pumpers can be connected with no more than 15 ft. of
1390 hose.

1391 **916.7 Fire Lanes.** Fire lanes as indicated below shall be provided for Fire Department access.

1392 **916.7.1 Low Density Residential Development.** Every part of a structure must be accessible
1393 from a street or highway, with a maximum of 150 ft. of hose in a low density Residential
1394 Development. In instances where the maximum hose lay is exceeded, specific plans of the
1395 structure and its location must be reviewed and approved by the Department of Fire.

1396 **916.7.2 Other Developments.** In all other residential districts, commercial and industrial
1397 developments, and large scale developments, no building of any type construction for any
1398 occupancy shall be constructed, unless every part of the structure is accessible from a street or
1399 highway with 150 ft. of fire hose, or provided that said structure may be erected at a greater
1400 distance if fire lanes are constructed as designated by this Code requirement.

1401 **916.7.3 Detail Requirements.**

- 1402 1. Fire lanes shall be located from whichever portion of any structure can be reached with
1403 150 ft. of fire hose. Private streets, built in accordance with the regulations of City of

1404 New Orleans, Department of Public Works, Standard Plans and Specifications, may be
1405 considered as fire lanes.

1406 2. Any such fire lanes more than 100 ft. long, shall either connect at both ends to a
1407 dedicated street or be provided with a turn-around having a minimum radius of 50 ft.; or
1408 other circulation system approved by the Department of Fire.

1409 3. Fire lanes shall have a minimum width of 20 ft. and a minimum height clearance of 14 ft.

1410 4. Fire lanes and road surfaces shall be constructed in accordance with the regulations of the
1411 City of New Orleans, Department of Public Works, Standard Plans and Specifications.

1412 *****

1413 **CHAPTER 11**

1414 **Accessibility**

1415 *****

1416 **SECTION 1101.1**

1417 *****

1418 These provisions are not applicable in areas where State mandated accessibility requirements are
1419 in effect.

1420 *****

1421 **CHAPTER 18**

1422 **SOILS AND FOUNDATIONS**

1423 *****

1424 **SECTION 1811**

1425 **SPECIAL PROVISIONS FOR THE CITY OF NEW ORLEANS**

1426 This Section offers provisions associated with the design and construction of foundations.
1427 However, it does not and cannot replace education or experience, and it must be used in
1428 conjunction with professional judgment. Not all aspects of this Section may be applicable in all
1429 circumstances. The provisions of this Section are not intended to represent or replace the
1430 standard of care by which the adequacy of a given professional service must be judged, nor
1431 should the provisions be applied without consideration of a project's many unique aspects.

1432 **1811.1 GENERAL**

1433 Foundation analysis and design in the City of New Orleans shall be conducted in conformance
1434 with Section 1813. Where there is conflict between a requirement of Section 1813 and a
1435 requirement of another section of the International Building Code (IBC), the requirement of
1436 Section 1813 shall govern.

1437 **1811.2 GEOTECHNICAL INVESTIGATION**

1438 **1811.2.1** Foundation capacity shall be determined by geotechnical investigation unless
1439 otherwise provided for in section 1811. The geotechnical investigation shall be performed under
1440 the direction of a Louisiana Registered Civil Engineer experienced in geotechnical engineering.
1441 The geotechnical investigation shall consist of undisturbed soil borings and laboratory tests or
1442 other applicable methods and procedures to define subsurface conditions. The type and extent of
1443 the subsurface investigation program shall be consistent with generally accepted geotechnical
1444 engineering practice, and it shall be influenced by the importance, type, size, planned grade
1445 changes, and location of the proposed construction.

1446 **1811.2.2.** An engineering analysis shall be made by a Louisiana Registered Civil Engineer
1447 experienced in geotechnical engineering that establishes information applicable to the design and
1448 construction of the foundation. This information includes the allowable soil bearing capacity,
1449 allowable pile or pier capacity, depth of foundation, expected movements (settlement, heave,
1450 etc.), depth to groundwater, and other items related to foundation design and construction.

1451 Data required for 1811.2.2 shall be obtained from a minimum of:

- 1452 1. One (1) soil boring (or equivalent) for structures two stories or less and 10,000 sq. ft. or
1453 less of ground floor area.
- 1454 2. Two (2) soil borings for other structures 15,000 sq. ft. or less of ground floor area.
- 1455 3. One (1) soil boring for each additional 15,000 sq. ft. of ground floor area.

1456 Deviations from the above may be allowed by the Director if supported by adequate geotechnical
1457 data.

1458 **1811.3 FOUNDATIONS**

1459 **1811.3.1** Foundations shall be supported on piles unless an engineering analysis from a
1460 Louisiana Registered Civil Engineer experienced in geotechnical engineering is provided. Such
1461 analysis would indicate the suitability of a spread foundation and establish allowable soil bearing
1462 capacity. Foundations shall be constructed of masonry, plain concrete, reinforced concrete, or of

1463 pile or pier materials described in Section 1811.

1464 **1811.3.2** Any person or entity contemplating foundation construction that may make use of, be
1465 adjacent to, or involve public property shall determine in advance of construction the existence
1466 of public or private underground or overhead utilities that may be occupying said public
1467 property. Such person shall secure the proper approval from public and private agencies
1468 concerned and shall observe all precautions necessary to avoid damage or disturbance to said
1469 utilities (telephone, telegraph, cable, fiber optic, sewerage, drainage, water, gas, electricity and
1470 the like).

1471 **1811.3.3** Temporary buildings (See Section 107) and buildings not exceeding one story in
1472 height and no more than 500 sq. ft. in area shall be exempt from these requirements.

1473 **1811.4 SPREAD FOUNDATIONS**

1474 **1811.4.1 Design**

1475 **1811.4.1.1** Spread foundations shall be constructed on suitable naturally occurring soil or on
1476 properly selected, placed, compacted, and controlled structural (engineered) fill. When structural
1477 fill is used, the in-place density and moisture content shall be independently verified by testing
1478 during construction. Footings are to be designed so that the allowable bearing capacity of the
1479 soil shall not be exceeded and the anticipated movements shall be within tolerable limits for the
1480 planned structure. The bottom of a spread foundation shall be at least 12 in. below the
1481 undisturbed ground surface.

1482 **1811.4.2 Soil Bearing Capacity**

1483 **1811.4.2.1** The Director may accept the allowable soil bearing capacity established by the
1484 engineering analysis in 1811.2.2 as meeting the minimum requirements. Such analysis shall be
1485 performed by a Louisiana Registered Civil Engineer experienced in geotechnical engineering.

1486 **1811.4.2.2.** The Director may accept other adequate proof as to the allowable soil bearing
1487 capacity at a particular location.

1488 **1811.4.3 Differential Settlement**

1489 **1811.4.3.1** Where footings are supported by soils of widely different bearing capacity,
1490 differential settlement can occur. Therefore, the allowable bearing values of the more yielding
1491 soil shall be reduced or special provisions shall be made in the design to reduce the likelihood for
1492 excessive or structurally intolerable differential settlements to occur.

1493 **1811.4.4 Excavations**

1494 **1811.4.4.1** When excavating for buildings and/or associated structures, such excavations shall
1495 be made safe to prevent danger or damage to life and property. Permanent excavations shall
1496 have retaining walls of sufficient strength made of steel, masonry, reinforced concrete,
1497 mechanically stabilized earth, or other suitable materials to retain embankments, together with
1498 any surcharge loads. Excavations for any purpose shall not extend within 1 ft. of the angle of
1499 repose or natural slope of the soil under any footing, foundation, or load-bearing element, unless
1500 such footing, foundation, or load-bearing element is first properly underpinned or protected
1501 against movement.

1502 **1811.5 PILE FOUNDATIONS**

1503 **1811.5.1 Design**

1504 **1811.5.1.1** All pile foundations shall be designed by a Louisiana Registered Civil Engineer.
1505 Piles shall be designed to include all applied weights and forces including the weight of mats or
1506 caps and the weight of earth or fill on top of the mats or caps considering the effect of buoyancy;
1507 the weight of the piles shall be given due consideration in the foundation design. In cases where
1508 piles are loaded eccentrically, provisions shall be made for such eccentricities. Further analyses
1509 should be performed for laterally loaded piles or piles subjected to dynamic loading (machinery,
1510 etc.). Consideration also should be given in design to the influence of negative skin friction
1511 (downdrag) on foundation performance.

1512 **1811.5.1.2** Except for lightly loaded piles (as defined elsewhere in Section 1811) where the
1513 minimum spacing is 2 ft., the minimum pile spacing for all other piles shall be either 3 ft., or
1514 three pile diameters (widths), or as determined by the expression:

1515 $SPAC = 0.05 (L_1) + 0.025 (L_2) + 0.0125 (L_3)$, in which:

1516 $SPAC$ = Center-to center spacing of piles, ft.

1517 L_1 = Pile penetration up to 100 ft.

1518 L_2 = Pile penetration from 101 to 200 ft.

1519 L_3 = Pile penetration beyond 201 ft.

1520 **1811.5.1.3** Greater spacing than the minimum value may be required to satisfy group perimeter
1521 shear as provided in 1811.5.3.1 and to assure that piles will not interfere with or intersect each
1522 other during installation.

1523 **1811.5.1.4** Piles extending above the ground surface, surrounded by relatively weak soil, or
1524 standing in free water, that are used as load-carrying members, shall be designed structurally in
1525 their unrestrained length in accordance with applicable column formulas as referenced in the
1526 IBC; due consideration to effective unsupported length must be given. Location of pile fixity
1527 shall be determined with due regard to soil properties.

1528 **1811.5.1.5** Where subsurface investigation records or site conditions indicate possible
1529 deleterious action of pile materials because of soil constituents, changing water levels,
1530 electrolysis, corrosion, or other factors, such materials shall be adequately protected. The
1531 effectiveness of such methods of processes for the particular purpose shall have been thoroughly
1532 established by satisfactory service records or other evidence that demonstrates the effectiveness
1533 of such protective measures. Cutoff of untreated timber piles shall not be higher than the lowest
1534 groundwater level anticipated for the life of the structure as determined by an engineering
1535 investigation based on established data, but in no case shall the cutoff be less than 7 ft. below the
1536 natural ground surface. Structural steel piles driven below the permanent water table and into
1537 natural soil need not be protected against electrolysis and/or corrosion unless previous site
1538 history or field conditions warrant otherwise.

1539 **1811.5.1.6** The design and installation of pile foundations shall be under the direct supervision
1540 of a Louisiana Registered Civil Engineer who shall certify to the Director that the piles, as
1541 installed, satisfy the design criteria.

1542 **1811.5.1.7** Pile foundations shall be designed and installed on the basis of a geotechnical
1543 investigation and report which shall include soil borings and laboratory tests or other subsurface
1544 exploration at locations and depths sufficient to determine the position and adequacy of the
1545 bearing soils except where sufficient data upon which to base the design and installation is
1546 available. The investigation and report shall include, but not be limited to, the following:

- 1547 1. Descriptions of the soil and groundwater conditions.
- 1548 2. Recommended pile types and predicted capacities.
- 1549 3. Pile installation criteria.
- 1550 4. Field observation procedures.
- 1551 5. Probe piles and pile load test requirements.
- 1552 6. Designation of bearing stratum or strata.

- 1553 7. Estimated movements (settlement, heave, etc.)
1554 8. Other applicable installation and performance considerations such as: lateral capacity,
1555 dynamic loads, vibrations, downdrag, fill placement, groundwater lowering, etc.

1556 **1811.5.1.8** Allowable stresses greater than those specified for each pile type in this Code may
1557 be permitted when supporting data justifying such higher stresses are filed with the Director.

1558 **1811.5.2 Pile Load Capacity for a Single Pile**

1559 **1811.5.2.1 Pile Load Test Case.** The pile load testing procedure for a single pile shall be
1560 conducted in general accordance with ASTM D 1143 under the direction of a Louisiana
1561 Registered Civil Engineer. The load-carrying capacity for a single pile in compression shall be
1562 established by any of the following methods:

1563 **Method 1:** When the total test load applied equals twice the proposed load capacity for a
1564 single pile, it shall be left in place at least 48 hr., the last 24 hr. of which shall be free from
1565 settlement. If after deducting rebound following the total release of this load, the net settlement
1566 at the top of the pile does not exceed 0.01 in. per ton of total test load, the pile shall be
1567 considered adequate to support the proposed load capacity for a single pile.

1568 **Method 2:** Where the pile is loaded to failure, the loading value where the load settlement
1569 curve begins to show an accelerated deviation from its previous trend may be considered the
1570 “yield point” for the given soil and pile. One-half of this value or one-half of the value at which
1571 the net settlement is estimated as $\frac{1}{2}$ in., whichever is smaller, shall be considered as the
1572 allowable load capacity for a single pile.

1573 **Method 3:** The failure load of a pile, one-half of which shall be used as the allowable load
1574 capacity for a single pile, shall be defined as that load which produces a settlement or movement
1575 of the tip equal to $\frac{1}{4}$ inch. The movement of the tip can be determined by actual measurement or
1576 by either of the following two load distribution cases, both involving the measurement of the butt
1577 movement. In each case, the failure load shall be defined as that load producing a movement of
1578 the butt equal to the elastic deformation of the pile under the failure load plus $\frac{1}{4}$ inch.

1579 **1811.5.2.2 Arbitrary Load Distribution Case.** In determining the elastic deformation of the
1580 pile, the assumption may be made that the soil-pile friction value is constant from tip to butt and
1581 that tip bearing is ignored. For a prismatic pile of one material, the butt movement shall be
1582 calculated by the expression:

1583 $D_f = (P_f L / AE) + 0.25$ in., in which:

1584 D_f = Butt movement, in.

1585 P_f = Failure load, kips

1586 L = Pile length, in.

1587 A = Pile cross-sectional area, sq. in.

1588 E = Modulus of elasticity of pile material, ksi.

1589 **1811.5.2.3 Actual Load Distribution Case.** In determining the elastic deformation of the pile,
1590 the actual distribution of stress into the soil may be used provided that sufficient soil data have
1591 been obtained.

1592 **1811.5.2.4** A variation of the load capacity of a load-tested pile shall be allowed without
1593 additional load tests provided that the load capacity is derived primarily from skin friction. The
1594 change in load capacity for a single pile may be increased by not more than 20% with an increase
1595 in length of 20%. A decrease in length of not more than 10% may be accompanied with a
1596 decreased in capacity of 20%. Such stipulation shall be made in writing by a Louisiana
1597 Registered Civil Engineer experienced in geotechnical engineering if the pile foundation will be
1598 subject to downdrag forces, lateral loads, vibration loads, etc.

1599 **1811.5.2.5** Where the number of piles required for a structure is 100 or less, the load per pile
1600 does not exceed 150 psf of embedded pile area, and the actual pile penetration into the
1601 supporting soil is not less than 40 ft., the Director may waive, upon specific request, the load test
1602 requirements. The basis for such a waiver shall be data developed by the geotechnical
1603 investigation and geotechnical engineering analysis (see 1811.2 and 1811.5.1.7). The allowable
1604 load on a single pile shall not exceed the value determined by the geotechnical engineering
1605 analysis.

1606 **1811.5.2.6** The Director may, upon specific request, accept as adequate proof of the load
1607 capacity of a single pile, load test results from other piles subject to all of the following
1608 conditions.

- 1609
- 1610 1. The previously load-tested pile must be located within 300 ft. (measured in any
1611 direction) from the new pile in question, but not to exceed 500 ft. to the farthest
1612 footprint of the building or structure.
 2. The load test(s) must have been performed on the same type and length of piles

1613 that are to be used at the new location.

1614 3. Adequate soil information (see 1813.2 and 1811.5.1.7) establishes the
1615 geotechnical similarity of the soils at each location. The variations described in
1616 1811.5.2.4 shall not be permitted in conjunction with this provision.

1617 **1811.5.3 Pile Group Capacity**

1618 **1811.5.3.1.** The supporting value of piles depending primarily on friction when driven in
1619 clusters or groups may be investigated on the basis of group perimeter shear by the expression:

1620 $Q_a = (PLc / FS_F) + [2.6q_u (1 + 0.2 w/b)] / FS_B$, in which:

1621 Q_a = Allowable load-carrying capacity of pile group, lb.

1622 P = Perimeter distance of pile group, ft.

1623 L = Length of pile, ft.

1624 C = Average (weighted) cohesion or shear strength of material between
1625 the surface and the depth of the pile tip, psf.

1626 u = Average unconfined compressive strength zone below pile tips, psf; the thickness
1627 of the zone shall consider the pile group size and shape, as well as the soil
1628 stratigraphy and soil properties.

1629 W = Width of base of pile group , ft.

1630 B = Length of base of pile group, ft.

1631 A = Base area of pile group, sq. ft.

1632 FS_F = Factor of safety for the group friction area = 2

1633 FS_B = Factor of safety for the group base area = 3

1634 **1811.5.3.2** The soil properties (c and q_u) used in the above formula shall be based on data
1635 obtained from the geotechnical investigation as described in 1811.2 and 1811.5.1.7. In the
1636 application of this formula, the weight of the piles, pile caps and mats, considering the effect of
1637 buoyancy, shall be included.

1638 **1811.5.4 Pile Splices**

1639 **1811.5.4.1** Splices shall be such that the resultant vertical and lateral loads at the splice location
1640 are adequately transmitted. Splices shall be so constructed as to provide and maintain the joint
1641 integrity and position of the component parts of the pile during installation and in service.

1642 **1811.5.4.2** Technical data shall be submitted to the Director to substantiate the suitability of the

1643 splice(s) for the proposed application.

1644 **1811.5.4.3** The Director shall maintain a file of permitted splices so that repetitive submissions
1645 of technical data will not be necessary, unless factors involving a particular application so
1646 warrant.

1647 **1811.6 WOOD-CONCRETE COMPOSITE PILES**

1648 **1811.6.1 Definition.** A wood-concrete composite pile is defined as a pile having an untreated
1649 timber pile lower section and a steel cased cast-in-place concrete upper section. The butt of the
1650 untreated lower section shall be located in accordance with the requirements of 1811.5.1.5. The
1651 two sections shall be jointed by a mechanical connector approved by the Director.

1652 **1811.6.2 Materials.** The timber section shall conform to the requirements of this Code; the
1653 concrete portion of the steel-cased cast-in-place concrete upper section also shall conform to the
1654 requirements of this Code. The steel casing shall be a minimum of 11-in. I.D. and sufficiently
1655 water tight to exclude water and foreign matter intrusion during concrete placement. The
1656 connector shall be manufactured or fabricated of structural grade steel and shall consist, in
1657 general, of a drive-shoe of 12 ga or thicker material that is firmly attached to the steel casing.
1658 The drive-shoe shall be capable of penetrating a minimum of 4 in. into the timber section.

1659 **1811.6.3 Allowable Stresses.** The allowable unit stresses in the timber section shall conform
1660 to the requirements of the Code. The allowable unit stresses in the concrete of the steel-cased
1661 cast-in place concrete upper section also shall conform to the requirements of this Code. The
1662 concrete in the steel-cased case-in-place concrete upper section shall have a minimum design
1663 compressive strength (f'_c) at 28 days 2500 psi as measured on concrete cylinders made, stored,
1664 and tested in general accordance with ASTM procedures. The wood-concrete composite pile
1665 shall not be designed for single pile capacity in excess of 25 tons in compression nor shall it be
1666 designed for tension (uplift) loads.

1667 **1811.6.4 Splices.** Except as provided for in this Section, the pile splice connector shall
1668 conform to the requirements of 1813.5.4. The splice shall withstand a minimum moment
1669 capacity of 4 ft.-kips, with no applied axial load. The splice shall withstand a minimum tensile
1670 force of 10 tons.

1671 **1811.6.5 Construction Considerations.** After installation to final depth and immediately before
1672 filling with concrete, it should be verified and documented that the inside of the steel casing is

1673 clean from top to bottom and that it is not collapsed or otherwise damaged. Any accumulated
1674 water or other foreign matter in a casing shall be removed before placing the concrete. Concrete
1675 should not be placed until all piles within a radius of 40 ft. have been driven, or the driving
1676 within a 40-ft. Radius shall be discontinued until the concrete has been placed and adequate
1677 strength has developed. The concrete placed in the casing does not need to be vibrated, but care
1678 shall be taken in placing concrete to prevent the formulation of voids. High-slump concrete that
1679 is properly designed and proportioned may be used.

1680 **1811.7 HIGH-CAPACITY PILES**

1681 **1811.7.1 General.** This Section addresses prestressed concrete and steel piles that have
1682 allowable load capacities greater than 40 tons. These special provisions apply only to the
1683 transfer of stress into the pile caps. At the option of the Louisiana Registered Civil
1684 Engineer responsible for the foundation design, the use of high-capacity piles may be used, in
1685 which event, all applicable provisions of this Section shall apply.

1686 **1811.7.2 Precast Concrete Piling.** The load from the pile shall be transferred to the concrete
1687 foundation over the area of the pile butt provided that:

- 1688 1. An allowable working stress of $0.80 f_c$ in the concrete foundation is not exceeded.
- 1689 2. The distance from the centerline of the pile to the edge of the concrete foundation
1690 is at least 1.5 times the pile width or diameter, but not less than 2ft 6 inches.
- 1691 3. The minimum f'_c of the concrete foundation is 3000 psi.
- 1692 4. The minimum embedment of the pile into the concrete foundation is 6 inches.
- 1693 5. Two-way continuous reinforcement is placed a minimum of 2 in. above the pile
1694 butt and its area per lineal foot in each direction shall be at least equal to the
1695 design pile load in kips divided by 3 times the yield stress of the reinforcement in
1696 kips per square inch.

1697 **1811.7.3 Steel Piling.** In the case of steel piling, the load of the pile shall be transferred to the
1698 concrete foundation in either of two ways.

- 1699 1. By bearing through a steel cap plate of a least the same dimension as the
1700 pile secured to and properly bearing on the pile butt and into the concrete
1701 mat foundation provided that:

1702 1.1 An allowable working stress of $0.80f'_c$ in the concrete foundation is not

- 1703 exceeded.
- 1704 1.2 The distance from the centerline of pile to the edge of the concrete
1705 foundation is at least 1.5 times the pile width or diameter, but not less than
1706 2 ft. 6 inches.
- 1707 1.3 The minimum f_c of the concrete foundation is 3000 psi.
- 1708 1.4 The minimum embedment of the pile into the concrete foundation is 6
1709 inches.
- 1710 1.5 Two-way continuous reinforcement is placed a minimum of 2 in. above
1711 the pile butt and its area per lineal foot in each direction shall be at least
1712 equal to the design pile load in kips divided by 3 times the yield stress of
1713 the reinforcement in kips per square inch.
- 1714 2. By direct transfer from the pile into the concrete foundation provided that:
- 1715 2.1 An allowable working stress of 12,000 psi in the concrete foundation is
1716 exceeded.
- 1717 2.2 The minimum concrete foundation thickness is 3 feet.
- 1718 2.3 The distance from the centerline of pile to the edge of the concrete foundation
1719 is at least 1.5 times the pile width or diameter, but not less than 2 ft. 6 inches.
- 1720 2.4 The minimum f_c of the concrete foundation is 3000 psi.
- 1721 2.5 The minimum embedment of the pile into the concrete foundation is 6 inches.
- 1722 2.6 The maximum thickness of the pile material is 5/8 inches.
- 1723 2.7 Two-way continuous reinforcement is placed a minimum of 2 in. above the
1724 pile butt and its area per lineal foot in each direction shall be at least equal to
1725 the design pile load in kips divided by 3 times the yield stress of the
1726 reinforcement in kips per square inch.

1727 **1811.8 ALTERNATIVES**

1728 **1811.8.1** For either concrete or steel piling, any other approach following a rational analysis
1729 using accepted rules and theories of engineering mechanics and strength of materials, as well as
1730 recognized allowable stresses of materials as referenced in this Code shall be submitted to the
1731 Director for evaluation and approval.

1732 **1811.9 SPECIAL PILES AND SPECIAL CONDITIONS**

1733 **1811.9.1** Pile types not specifically mentioned in Section 1813, including piles used to underpin
1734 and relevel existing structures, and piles under conditions not specifically covered in Section
1735 1811, shall be permitted. The use of such piles is subject to the approval of the Director, upon
1736 submission of acceptable test data, calculations, and other information relative to the properties
1737 and load-carrying capacity of such piles. Test data shall consists of at least five (5) consecutive
1738 field tests which shall include, but shall not be limited to, the driving, loading, extraction, and
1739 examination of the piles. The calculations shall follow rational engineering analysis and they
1740 shall be performed by a Louisiana Registered Civil Engineer.

1741 **1811.10 COMBINATION PILES**

1742 **1811.10.1** Individual segments of a combination pile shall comply with the requirements for
1743 piles of that type of section. Splices shall be in accordance with the requirements of 1813.5.4

1744 **1811.11 LIGHTLY LOADED PILES**

1745 **1811.11.1 General Requirements.** For purposes of this document, a lightly loaded pile shall
1746 conform to the provisions of 1813.11.2. Lightly loaded piles shall comply with all applicable
1747 requirements of this Section except as provided in this Section. Piles shall be properly held in
1748 place or adequately tied together at their butt end. Pile butts shall be protected by a minimum of
1749 3 in. of concrete around their perimeter. All piles for a building or structure shall extend to the
1750 same tip penetration and bear in the same stratum unless adequate provisions for differential
1751 settlement within the building or structure have been made. The Director shall be notified by
1752 the party installing the piles at least 24 hr. in advance of any pile driving.

1753 **1811.11.2 Size Requirements.** Except as provided in this Section, timber piles depending
1754 predominantly on skin friction for their load-carrying capacity shall have a minimum tip
1755 diameter of 6 in. and a minimum butt diameter of 8 inches. Timber piles depending
1756 predominantly on tip bearing (end bearing) for their load-carrying capacity shall have a
1757 minimum tip diameter of 6 in. with a natural taper to the butt. Piles for accessory buildings 1000
1758 sq. ft. or less in area shall be treated timber piles having a minimum 4- 3/4 in. tip diameter with a
1759 natural taper to the butt. Segmental jack-down piles of either concrete or steel that are
1760 mechanically connected, epoxied, or welded together, shall have a minimum outside dimension
1761 of 6 inches. Helical steel piles also may be acceptable to the Director. Cast-in-place concrete
1762 piles that have a minimum diameter of 6 in. and a maximum length of 10 ft. the last 2 ft. of

1763 which must penetrate into a supporting sand stratum, are also acceptable if verified by a
1764 geotechnical investigation performed in accordance with this Code.

1765 **1811.11.3 Design Requirements.** Except as provided in this Section, the maximum allowable
1766 load capacity for a single pile shall not exceed 8 tons; an allowable load capacity of up to 12 tons
1767 may be permitted if substantiated by a geotechnical investigation and a pile load test. Piles for
1768 one- and two-family dwellings and their accessory buildings that comply with the size
1769 requirement of 1811.11.2 shall be exempt from the load test and may be designed as per
1770 1811.12.2.3. The minimum pile spacing shall be 24 in. on center. The maximum load capacity
1771 limitations stated here refer to stresses in the pile material and not to the allowable load bearing
1772 value of the soil which may be more or less. The requirements of 1811.5.2.5 are applicable for
1773 lightly loaded piles except that the load per pile shall not exceed 90 psf of embedded pile area,
1774 the actual penetration into the supporting soil shall not be less than 30 ft. and a geotechnical
1775 investigation or a pile load test may not be required.

1776 **1811.11.4 Driving and Length Requirements.** Except as noted in 1811.11.2, and unless
1777 driven to refusal, the minimum pile length shall be 30 feet. When refusal occurs between 7 and
1778 30 ft. below the natural ground surface, the load bearing capacity of the pile shall not exceed the
1779 values shown in Table 1811.11.4, unless substantiated by a geotechnical investigation or a pile
1780 load test.

1781 **Table 1813.11.4**

1782 **Maximum Allowable Single Pile Load Capacity When Refusal Occurs**

1783 **City of New Orleans, Louisiana**

1784	Pile Tip	Maximum Allowable Single
1785	<u>Embedment, ft.</u>	<u>Pile Capacity (Compression), tons</u>
1786	7 to 10	1
1787	11 to 20	2
1788	21 to 30	4

1789 **1811.11.5 Material Requirements.** Lightly loaded timber piles shall conform to ASTM
1790 D25 except for size. Preservative and minimum final retention shall be in accordance with
1791 AWPA Standard C3. A certificate of treatment shall be furnished by the supplier.

1792 **1811.11.6 Wind Pressure and Computed Loads.** Please refer to Section 16 in the IBC for
1793 guidance.

1794 **1811.12 LIGHTLY LOADED PILES - RESIDENTIAL**

1795 **1811.12.1 Scope.** This portion of the Code covers piles foundation design for one-and two-
1796 family dwellings. Because most of the areas within the City of New Orleans have either soils
1797 with low bearing values, exhibit initial and continuing subsidence, or require fill to reach grade,
1798 all foundations for residential structures will be supported by pile foundations except as provided
1799 for in 1811.12.2.4 or 1811.12.2.6 and except in areas GM 19 and GM 20 (see map). When
1800 uncertainties exist, a geotechnical investigation should be conducted.

1801 **1811.12.2 Pile Foundations**

1802 **1813.12.2.1** All pile foundations shall be designed by a Louisiana Registered Civil Engineer or
1803 Louisiana Registered Architect. Residential piles shall comply with all applicable requirements
1804 of 1811.12. Piles shall be properly held in place or adequately tied together at their butt end.
1805 Pile butts shall be protected by a minimum of 3 in. of concrete around their perimeter. All piles
1806 for a building or structure shall extend to the same depth and bear in the same stratum
1807 unless adequate provisions for differential settlement within the building or structure have been
1808 made. During construction, the contractor shall be responsible for vibration monitoring and
1809 control as needed for the protection of adjacent property. A notarized affidavit from the piling
1810 contractor is required to be submitted to the Department of Safety And Permits by the owner or
1811 general contractor. The affidavit shall substantiate the number, size, type, treatment, and
1812 embedment of the piles. The affidavit also shall contain a certification that the piles comply with
1813 this Code and the permit drawings.

1814 **1811.12.2.2** Piles shall be treated modified ANSI Class 5 timber piles. Modified Class 5
1815 timber piles shall have a minimum tip diameter of 6 inches and a minimum butt diameter of 8
1816 inches. For piles less than 30 ft. long, the tip diameter shall be at least 6 inches with a
1817 natural taper to the butt. Composite Class 5 piles including steel or concrete sections with a
1818 minimum 6 inches diameter are permitted with the use of an approved connector. Treated
1819 ANSI Class 9 timber piles shall have a minimum tip diameter of 4 3/4 inches with a natural
1820 taper to the butt. ANSI Class 9 piles may only be used for accessory structures of 1000 square
1821 feet or less in area.

1822 **1811.12.2.3** Maximum allowable pile load capacities have been established for various types
1823 and embedments of piles. These values are tabulated for each area and are shown below in
1824 Table 1813.12.2.3. Also, each area is delineated on maps on file with the Department of Safety
1825 and Permits.
1826

1827

1828

Table 1811.12.2.3

1829

Maximum Allowable Single Pile Load Capacity without Investigations or Load Tests

1830

City of New Orleans, Louisiana

1831

Maximum Allowable

1832	Map	ANSI Pile	Pile Tip	Single Pile Capacity,
1833	<u>Area</u>	<u>Classification</u>	<u>Embedment, ft.</u>	<u>(Compression), tons</u>
1834	GM-1	Class 9	30	4[^]
1835	GM-21	Class 9	35	5*
1836		Class 5	30	5
1837		Class 5	35	6
1838		Class 5	40	8*
1839	GM-2	Class 9	30	4[^]
1840	GM-5 &	Class 9	35	5
1841	GM-3 (1,2,	Class 5	30	5
1842	3a,4,7)	Class 5	35	6
1843		Class 5	40	7
1844	GM-3 (3b,6,8)	Class 9	30	2.5[^]
1845	GM-8, GM-9	Class 9	35	3
1846	GM-12,GM-16	Class 9	40	4
1847	GM-17, GM-18	Class 5	30	3
1848	& GM-22	Class 5	35	4
1849		Class 5	40	5
1850	GM-4, GM-10	Class 9	18 - 33	5*[^]♣
1851	GM-11 & GM-15	Class 5	18 - 33	8*♣
1852	GM-6, GM-7	Class 9	10 - 25	5*[^]♣
1853	GM-13, GM - 14	Class 5	10 - 25	8*♣

1854 * Pile tip embedded in sand stratum.

1855 ^ ANSI Class 9 piles to be used only for accessory buildings of 1000 sq. ft. or less or utility
1856 usage.

1857 ♣ The allowable capacity of these piles is governed by 1813.11.4 unless a site-specific
1858 geotechnical investigation recommends otherwise. Areas not specifically covered in the
1859 above table or by the previously referenced maps shall require a geotechnical
1860 investigation.

1861 **1811.12.2.4** Requirements of the Code regarding the need for a pile foundation or the maximum
1862 design load capacity for the particular type of pile may be superseded by a geotechnical
1863 investigation that is performed on the site in accordance with 1811.2 or a pile load test which is
1864 performed in accordance with 1811.5.2. The Director may waive the distance requirement
1865 provided a written request, which demonstrates just cause for the waiver, is presented by a
1866 Louisiana Registered Civil Engineer or Louisiana Registered Architect.

1867 **1811.12.2.5** The minimum center-to-center pile spacing shall be the greater of 24 in. or 0.05
1868 L where 'L' is the pile length in feet.

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CHAPTER 27
ELECTRICAL

2701 - GENERAL

2701.1 - Scope - This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the National Electrical Code, (NFPA-70). Where there is conflict between a requirement of Chapter 27 and a requirement of the National Electrical Code, the requirement of Chapter 27 shall govern.

For low voltage installations refer to **Section 2734 (E) - BASIC STANDARDS** of this Chapter.

2702 - CERTIFIED ELECTRICAL CONTRACTOR OR ELECTRICIAN

Any person holding an electrical license issued by the Electrical Inspection Division of the Department of Safety and Permits is deemed a certified electrical contractor or electrician.

2703 - ELECTRICAL CONTRACTORS LICENSE REQUIREMENT

No person shall undertake any work as a Class "A" Electrical Contractor, Class "B" Fabrication Contractor, Class "C" Maintenance Electrician, Class "D" Journeyman Electrician, Class "E" Electrician Trainee, or Class "E" Student Trainee unless that person is registered with the Electrical Inspection Division of the Department of Safety and Permits and received a license in the respective classification. A person performing electrical work without the proper license shall be held in violation of this code.

2704 - CLASSIFICATION OF ELECTRICIANS

Class "A" Electrical Contractor - A Class "A" electrical license holder engaging in the business of installing or contracting to install or repairing or contracting to repair electrical conductors, motors, generators, fixtures, signs, or any electrical apparatus, equipment or material for all systems operating at a potential of forty-nine (49) volts or more.

Class "B" Fabrication Contractor - A Class "B" electrical license holder engaging in the business or contracting for the fabrication, assembly, and repair of electrical apparatus, equipment or material.

Class "C" Maintenance Electrician - A Class "C" electrical license holder who is employed as a Maintenance Electrician by a person, firm or corporation owning or operating any place of business. Said license is valid only while the Maintenance Electrician remains in the employment

1900 of a person, firm or corporation. A Maintenance Electrician may only perform work on existing
1901 electrical installations in the building or place of business in which he is employed.

1902 No new electrical apparatus, equipment or material shall be installed under this classification.

1903 **Class "D" Journeyman Electrician** - A Class "D" electrical license holder engaged in the trade
1904 of installing or repairing electrical materials or apparatus, equipment or material. A Journeyman
1905 electrician must be employed by and work under the supervision of a Class "A" Electrical
1906 Contractor.

1907 If deemed necessary by the Director, the Class "D" Journeyman Electrician shall provide an
1908 employment record showing proof of employment with the designated Class "A" Electrical
1909 Contractor.

1910 **2705 - Supervision and Responsibility for Work**

1911 A licensed electrician of the proper classification shall be present at all times and in direct
1912 supervision in the actual work of installing, maintaining, altering or repairing electrical
1913 conductors, material or equipment for which a permit is required by this Code.

1914 A Class "A" Electrical Contractor shall be liable and responsible for layout and technical
1915 supervision of any work which requires the securing of permits, and a Class "A" Electrical
1916 Contractor or a Class "D" Journeyman Electrician shall be in direct "on the job" supervision at
1917 the worksite for work carried out as specified within this Code. If such supervision and control
1918 is not being maintained, the Director shall take the necessary action for such violation or shall
1919 order the work to be discontinued. The person, firm or corporation to whom the permit has been
1920 issued shall discontinue further work until the Director is assured that proper supervision and
1921 control has been employed or supplied.

1922 Nothing herein shall be construed as prohibiting the employment of a Class "E" Electrician
1923 Trainee to assist the duly licensed and qualified Class "A" Electrical Contractor or Class "D"
1924 Journeyman Electrician under the provisions of this Chapter. The numeric ratio of Class "E"
1925 Electrician Trainees to Class "A" Electrical Contractors or Class "D" Journeyman Electricians
1926 should be consistent with proper supervision, training, and safety. In no instance shall such ratio
1927 provide for more than three (3) Class "E" Electrician Trainees for every Class "A" Electrical
1928 Contractor or Class "D" Journeyman Electrician employed at the same jobsite unless approved
1929 by the Director.

1930 Class "E" Electrician "Student Trainees" shall be under the same supervision, training and safety
1931 requirements and constraints as the Class "E" Electrician Trainee.

1932 **2706 - LICENSE APPLICATIONS**

1933 **2706.1 General** - Applicants for a Class "A" Electrical Contractor, Class "B" Fabrication
1934 Contractor, Class "C" Maintenance Electrician, Class "D" Journeyman Electrician, Class "E"
1935 Electrician Trainee and Class "E" Student Trainee license shall submit the application for
1936 certification, properly completed on forms furnished by the Electrical Inspection Division. All
1937 applications and renewals shall be made to the Director.

1938 All license applicants shall meet the following requirements.

- 1939 1. Each applicant shall pass the required electrical examination prior to the issuance of any
1940 new license issuance (except Class "E" Electrician Trainee and the Student Trainee).
- 1941 2. Each applicant shall furnish to the Electrical Inspection Division two passport type
1942 photos , 1 inch by 1 ½ inches in size.
- 1943 3. Each license shall identify the name of the person to whom the license is issued and the
1944 expiration date.
- 1945 4. Each applicant must be at least eighteen (18) years of age.
- 1946 5. Each applicant for a Class "A" or Class "B" license shall have had at least 5 years of
1947 experience in the occupation or business governed by the license for which he is
1948 applying; or be a graduate of a trade school or technical college of recognized
1949 standing and in addition have had four (4) years of practical experience in that class
1950 of occupation or business governed by the license for which he is applying.
- 1951 6. Each applicant for a Class "A" or Class "B" license must have and maintain an
1952 established place of business and have someone in attendance in order to receive
1953 communications from the Electrical Inspection Division of the Department of Safety
1954 and Permits, or other persons concerned, during regular business hours.
- 1955 7. A Class "A" Electrical or Class "B" Fabrication license holder shall represent only one
1956 firm, corporation or business at any one time.
- 1957 8. A license holder must have his license in his immediate possession at all times when
1958 performing work for which he is certified and shall display it upon demand of an
1959 agent of the Department of Safety and Permits.

1960 **2706.1.1** - Each Applicant for a Class “C” Maintenance Electrician license must have had at
1961 least five (5) years of experience working under the supervision of a Class "A" Electrical
1962 Contractor in that particular line or class of occupation in which he desires to engage.

1963 **2706.1.2** - Each applicant for a Class "D" Journeyman Electrician license must have at least five
1964 (5) years continuous experience working at the electrical trade as an electrician trainee or have a
1965 minimum of four (4) years of schooling in the electrical trade at a recognized state trade school
1966 or a state approved apprenticeship training program and must have a passing grade in the above
1967 programs, plus four (4) years of experience working as an electrician trainee.

1968 **2706.1.3** - Each applicant for a Class "E" Electrician Trainee license must have a letter of
1969 recommendation from a certified Class "A" Electrical Contractor recommending the applicant
1970 for licensing. An individual may not hold a Class "E" Electrician Trainee license for more than
1971 five (5) years from the initial issue date. Note: Any exception to this time limit for a longer or
1972 extended period must be in writing to and with the written approval of the Director.

1973 **2706.2 Duration of License** - All Class "A", "B", "C", “D” & “E” licenses issued under this
1974 Code expire on the applicant’s date of birth.

1975 For the initial license, the expiration date shall be on the date of birth in the year following the
1976 date of issuance. Licenses that have been expired for a period of up to two (2) years shall be
1977 renewed only after payment of the license registration fee and required delinquent fees.

1978 Licenses that have been expired for a period of more than two (2) years shall require an
1979 application as a new candidate.

1980 **2706.3 License Issuance** - When a candidate passes the examination, the original examination
1981 results and the completed application for the appropriate license must be submitted to the
1982 Electrical Inspection Division to qualify for license issuance. The appropriate license must be
1983 obtained by the qualified applicant within one year of the examination date. The issued license
1984 must be signed by the Director or his designee.

1985 **2706.4 - Revoked License** - Licenses issued under this code may be revoked for any reason or
1986 finding defined in Section 2706.5. Upon such finding the Director may order such revocation.
1987 However, the Director may find that the public interest is adequately protected by a warning or a
1988 suspension for a definite period of time not to exceed two years. No license shall be suspended or
1989 revoked except by the Director. Upon revocation, the Director shall not accept an application for

1990 a new license or a renewal within two (2) years from the date of such revocation, except for
1991 medical recovery supported by a physician's opinion, after Directors review and approval.

1992 **2706.4.1 - Code Violation Hearing** - If needed, the Chief Electrical Inspector shall initiate a
1993 hearing, in conjunction with the Chief Building Official and the Director, to review a code
1994 violation he has determined to exist, that would affect any electrical license issued by the
1995 Electrical Inspection Division to be suspended or revoked.

1996 **2706.5 - Revocation and Suspension Reasons**

- 1997 1. Violating, on more than one occasion, either willfully or maliciously, or by reason of
1998 incompetence, any provision of this code
- 1999 2. Conviction of any offense involving the defrauding of any person for whom a service
2000 has been rendered or contracted to be rendered under this chapter.
- 2001 3. Fraud or misrepresentation in obtaining a license or permit.
- 2002 4. Conviction of drunkenness or the use of narcotics.
- 2003 5. Adjudication of insanity.
- 2004 6. Securing a permit for electrical work not actually performed by the Class "A" Electrical
2005 Contractor or by certified (licensed) individuals under his control, supervision,
2006 direction and responsibility.
- 2007 7. Securing a permit under any pretext for an installation concerning which the applicant
2008 has no valid contract.
- 2009 8. Performing any electrical work as defined herein for which no electrical permit has been
2010 obtained.
- 2011 9. Refusing to finish the electrical work for which a permit was taken and for which full
2012 payment has been accepted.
- 2013 10. Performing any electrical work as defined herein for which an electrical permit has been
2014 obtained and which work is being performed by improperly certified (licensed)
2015 individuals under his control, supervision, direction and responsibility.
- 2016 11. False, misleading or deceptive advertising.
- 2017 12. Any medical reason wherein a physician's medical opinion is provided to the Director
2018 indicating that the person certified is unable to satisfactorily perform the duties and
2019 functions expected of a Class "A", Class "B", Class "C", Class "D", or Class "E"

2020 Electrical license holder, and that any further performance in the electrical field
2021 would be a danger to himself and endanger the life and property of others.

2022 **2706.6 - Notice of revocation or suspension hearing.** A notice shall be served upon the holder
2023 of the license stating the time and place of the hearing to be held by the Director. The notice
2024 shall be sent by the Director and shall enumerate the cause or causes for suspending or revoking
2025 the license. The notice may be mailed by registered or certified mail to the holder of the license
2026 at the address of his place of business as given by him on his application for the license, or it
2027 may be served on him in person by a Police Officer or employee of the Department of Safety and
2028 Permits.

2029 **2706.7 Appeal Procedure:** An appeal from the decision of the Director may be taken to the
2030 Board of Building Standards and Appeals, within ten (10) days of written notification to the
2031 appellant.

2032 **2707 - INSURANCE**

2033 Before a Class "A" Electrical Contractor or a Class "B" Fabrication Contractor license is issued
2034 or renewed, each certified Class "A" Electrical Contractor or Class "B" Fabrication Contractor
2035 must provide evidence of the following to the Director when he registers with the Electrical
2036 Inspection Division.

2037 **2707.1 - MINIMUM INSURANCE REQUIREMENTS:**

- 2038 (1) Workers' Compensation Insurance in accordance with Louisiana state law.
2039 (2) Comprehensive general liability insurance coverage with limits of not less than
2040 \$500,000 per occurrence for bodily injury and \$250,000 per occurrence for
2041 property damage, with coverage extended as follows:
2042 (A) Operations-premises liability:
2043 (B) Independent contractor's liability-broad form:
2044 (C) Contractual liability - broad form:
2045 (D) Completed operations and products liability.

2046 The required insurance shall be issued by a company duly registered and authorized to write such
2047 insurance in the State of Louisiana. Compliance with this section shall be considered as having
2048 been met when a copy of the policy, or a license of insurance has been filed with and approved
2049 by the Department of Safety and Permits.

2050 The policy shall include an endorsement that the Department of Safety and Permits will be
2051 notified at least 10 days in advance in the event the policy or policies are canceled or permitted
2052 to lapse by not renewing before the expiration date of the license.

2053 **2708 - FEDERAL IDENTIFICATION NUMBER AND OCCUPATIONAL LICENSE**

2054 Before a Class "A" Electrical Contractor or a Class "B" Fabrication Contractor license is issued
2055 or renewed, each certified Class "A" Electrical Contractor or Class "B" Fabrication Contractor
2056 must provide his Federal Identification (ID) number and his City of New Orleans Occupational
2057 License Number or Certificate of Registration Number to the Director when he registers with the
2058 Electrical Inspection Division.

2059 **2709 - APPLICATIONS FOR EXAMINATION AND LICENSES**

2060 All examination applications shall be made directly to the nationally recognized testing company
2061 under contract with the City of New Orleans prior to the deadline dates published in accordance
2062 with their information brochure.

2063 **2710 - EXAMINATIONS**

2064 1. The written examination for a Class "A" Electrical Contractor and a Class "B"
2065 Fabrication Contractor shall include the following:

- 2066 a. National Electric Code, (NFPA-70) questions,
- 2067 b. Practical wiring questions,
- 2068 c. Practical questions on electrical equipment,

2069 2. The written examination for a Class "C" Maintenance Electrician and a Class "D"
2070 Journeyman Electrician shall include the following:

- 2071 a. National Electric Code, (NFPA-70) questions,
- 2072 b. Practical wiring questions,
- 2073 c. Practical questions on electrical equipment.

2074 **2711 - RE-EXAMINATIONS**

2075 If an applicant fails to make a passing grade on the required examination, he is permitted to
2076 apply to be re-examined at the next regularly scheduled examination date. There is no limit to
2077 the number of examinations a candidate is allowed to take.

2078 **2712 - LICENSE FEES**

2079 To obtain an initial license, or renew a license, an applicant shall pay the applicable annual

2080 license fee as follows:

2081	Type	License
2082	Class "A" Electrical Contractor	\$125.00
2083	Class "A" Electrical Contractor (INACTIVE).....	\$30.00
2084	Class "B" Fabrication Contractor	\$125.00
2085	Class "C" Maintenance Electrician	\$60.00
2086	Class "D" Journeyman Electrician.....	\$60.00
2087	Class "E" Electrician Trainee	\$30.00

2088 License fees shall be made payable to "The City of New Orleans". Payment shall be made prior
2089 to license issuance. Examination fees are established by and paid directly to the nationally
2090 recognized testing company under contract with the City of New Orleans. No examination fees
2091 are to be directed to the Electrical Inspection Division or made payable to the "City of New
2092 Orleans." Licenses may be renewed for one or two years, subject to the discretion of the
2093 Director, with annual fees due accordingly. In the case of two-year renewals, licensees are
2094 required to provide proof of insurance annually.

2095 **2712.1 - ACCEPTANCE OF OTHER JURISDICTIONAL CERTIFICATION**

2096 The Electrical Inspection Division of the Department of Safety and Permits will extend to an
2097 electrical contractor or journeyman electrician, that is licensed in another jurisdiction, the
2098 recognition and acceptance of his certification without the requirement of additional examination
2099 provided that the jurisdiction requires passing of an examination given by a nationally
2100 recognized testing agency before issuance of such license.

2101 If approved by the Director, the applicant shall present a copy of his license for the City of New
2102 Orleans files and complete the necessary applications set forth by the Electrical Inspection
2103 Division of the City of New Orleans. The applicant shall pay the appropriate fee for the
2104 classification of license for which he is applying.

2105 **2713 - PAYMENT OF FEES: DATES FOR RENEWAL OF ACTIVE LICENSES**

2106 The initial license registration fee shall be paid to the Electrical Inspection Division at the time
2107 the application for the license is presented.

2108 The renewal license registration fee is due and payable to the Electrical Inspection Division on or
2109 before the first regular day of business after the applicant's date of birth. No renewal license

2110 shall be issued unless all work specified on permit(s) filed more than three (3) months prior to
2111 the applicant's date of birth has been completed, or a written reason, sufficient to the Director,
2112 has been submitted and approved, indicating why the job installation(s) remains incomplete.

2113 A license issued at any time during any calendar year shall expire, unless sooner revoked, on the
2114 applicant's date of birth. Application and renewal fees for the license renewal for the subsequent
2115 year shall be submitted to the Electrical Inspection Division prior to the first regular day of
2116 business after the applicant's date of birth.

2117 Should a Class "A" Electrical Contractor or a Class "B" Fabrication Contractor fail to renew his
2118 license prior to the first regular day of business after his date of birth, or fail to complete the
2119 work specified on his permit(s) issued more than three (3) months prior to his date of birth
2120 without explanation, a delinquent fee of ten (\$10.00) per month shall be added to the renewal fee
2121 beginning on the first regular day of business after his date of birth and extending through his
2122 date of birth in the following year.

2123 No permit application shall be processed, nor shall any permit be issued to any applicant who has
2124 not been issued a current active license for the year of the permit application.

2125 Failure to renew a Class "A" Electrical Contractor or a Class "B" Fabrication Contractor license
2126 that has been expired for more than a one (1) year period shall require examination as a new
2127 applicant.

2128 Should a Class "C" Maintenance Electrician license holder fail to renew his license prior to the
2129 first regular day of business after his date of birth a delinquent fee of five (\$5.00) per month shall
2130 be added to the renewal fee beginning on the first regular day of business after his date of birth
2131 and extending through his date of birth in the following year. Should a Class "D" Journeyman
2132 Electrician license holder fail to renew his license prior to the first regular day of business after
2133 his date of birth a delinquent fee of five (\$5.00) per month shall be added to the renewal fee
2134 beginning on the first regular day of business after his date of birth and extending through his
2135 date of birth in the following year.

2136 Failure to renew the Class "C", or Class "D" license that has been expired for more than a one (1)
2137 year period shall require examination as a new applicant.

2138 Should a Class "E" Electrician Trainee fail to renew his license prior to the first regular day of
2139 business after his date of birth a delinquent fee of five (\$5.00) per month shall be added to the

2140 renewal fee beginning on the first regular day of business after his date of birth and extending
2141 through his date of birth in the following year.

2142 The Class "E" five (5) year license time limit for the applicant remains unchanged from his
2143 initial issued date, regardless of failure to renew his license in a timely manner.

2144 The Class "E" "Student Trainee" three (3) issue limit remains unchanged from his initial
2145 issuance date. Any subsequent issue of this license shall not be considered as a renewal or a
2146 continuation of any previous issue.

2147 **2714 - INACTIVE LICENSE**

2148 A Class "A" Electrical Contractor may, by written request to and approval of the Director,
2149 change his license to an inactive status. The Class "A" Electrical Contractor that has changed his
2150 license to inactive, must maintain his inactive license in a current status by paying the annual
2151 renewal fee as required in this Code. The inactive status license must be renewed each year and
2152 the Director must be notified in writing that the contractor desires to remain in the inactive status
2153 for the ensuing year. There shall be no limit to the number of years the Class "A" Electrical
2154 Contractor may continue to carry his license in this inactive status No license renewal shall be
2155 made for any Class "A" Electrical Contractor that has allowed his inactive license to lapse and
2156 remain lapsed for a period of more than (2) years, until he has passed an examination as a new
2157 applicant.

2158 The inactive Class "A" license shall expire on his date of birth in the following year. The Class
2159 "A" Electrical Contractor may revert his license back to an active status by a written request to
2160 and approval by the Director. Reverting the license back to the active status requires the
2161 payment of the full active fee as required in this Code.

2162 No Class "A" Electrical Contractor shall engage in business as an electrical contractor while his
2163 license is in an inactive status. An inactive license holder can, however engage in electrical work
2164 under the supervision of an active Class "A" license holder. Only one change to an inactive
2165 status is allowed during any twelve (12) month period.

2166 **2715 - PROHIBITION AGAINST LICENSE TRANSFER**

2167 No Class "A" or Class "B" Electrical license holder shall assign or in any way convey his license
2168 to anyone by power of attorney or any other process or become involved in any type of
2169 agreement, assignment or use whereby he will not have supervision, direction, control or

2170 responsibility for the electrical work for which he has obtained an electrical permit from the
2171 Electrical Inspection Division of the Department of Safety and Permits.

2172 No Class "C", Class "D" or Class "E" Electrical license holder shall assign or in any way convey
2173 his license to anyone by power of attorney or any other process or become involved in any type
2174 of agreement, assignment or use whereby he will not have control of his own issued license.

2175 **2716 - LIMITATIONS OF LICENSE**

2176 A Class "A" Electrical license holder or Class "B" Fabrication license holder shall be limited to
2177 operations described in this Code. The use of his license shall not be applicable to more than one
2178 electrical contracting firm, company or corporation at one time. The license holder shall be
2179 allowed to file electrical permits only for the firm of which he is employed and registered in
2180 accordance with this Code.

2181 A Class "C" Maintenance Electrician shall not engage in the business of installing or repairing
2182 electrical wiring and apparatus outside the plant or premises of the person, firm or corporation by
2183 whom he is employed.

2184 A Class "D" Journeyman Electrician shall be limited to operations described in this Code. A
2185 Class "E" Electrician Trainee and "Student Trainee" shall be limited to operations described in
2186 this Code.

2187 **2717 - ELECTRICIAN'S AND OWNER'S RESPONSIBILITIES**

2188 (A) The Class "A" Electrical Contractor license holder shall keep on file with the Director, a
2189 letter designating which person, partnership, firm or corporation he represents. He shall notify
2190 the Director within ten (10) days of any status change. The Class "A" Electrical Contractor
2191 license holder shall represent only one person, partnership, firm or corporation.

2192 (B) Every Class "A" license holder certified in accordance with these regulations shall be
2193 responsible for any defects of construction installed by him until such time as a Certificate of
2194 Approval has been issued by the Director. Also, any and all defects (discrepancies) that may
2195 have been concealed by such Class "A" Electrical Contractor and discovered after a Certificate
2196 Approval has been issued shall be the responsibility of and corrected by said Class "A" Electrical
2197 Contractor.

2198 At the discretion of the Director, inspections may be withheld until all outstanding discrepancies
2199 on the same installation, which are in violation of the Code, have been corrected by the Class

2200 "A" Electrical Contractor.

2201 (C) A Class "C" Maintenance Electrician or a Class "A" Electrical Contractor with a
2202 maintenance contract shall be required in any building that requires an operating (stationary)
2203 engineer as defined in the amendments to the *International Mechanical Code*, 2012 Edition.

2204 The Class "C" Maintenance Electrician or the Class "A" Electrical Contractor with the
2205 maintenance contract, shall file a semi-annual inspection report with the Electrical Inspection
2206 Division. This inspection report shall be to inspect the current electrical service or apparatus in
2207 the building designated within, or contracted as a part of, the maintenance responsibilities.

2208 If electrical discrepancies or new electrical installations are discovered to exist as a result of this
2209 inspection, notification of same will be provided to the owner of the building or the "on-site"
2210 representative of the person, firm or corporation utilizing the building.

2211 (D) All power and control wiring shall be installed by a Class "A" Electrical license holder.

2212 **Exception:** Control wiring for HVAC appliances and electric water heaters ONLY (120 volts or
2213 less) may be installed by a non-electrical contractor.

2214 The installing non-electrical contractor must be a licensed Class "A" Master Gasfitter, Master
2215 Plumber or a Class "A" Air Conditioning and Refrigeration Contractor.

2216 The Electrical Inspection Division shall inspect the installation of all jacketed cable-only control
2217 wiring systems governed by this exception.

2218 The Electrical Division shall inspect all control wiring systems installed in raceways.

2219 All wiring must be installed in accordance with the National Electric Code, (NFPA-70) and this
2220 Code.

2221 (D) (1). All wiring for electrical appliances shall be supplied and installed from the main source
2222 of electric service through a remote disconnect switch to the electrical appliance by a Class "A"
2223 Electrical Contractor.

2224 **Exception:** On the installation of HVAC appliances and electric water heaters, [ten (10) tons, ten
2225 (10) tons including supplemental heat, or ten (10) kw or less] a non-electrical contractor may
2226 make ONLY the final electrical connections from the existing remote disconnect switch to the
2227 replaced unit, not to exceed eight (8) feet.

2228 If a remote disconnect switch is not present or is not within eight (8) feet of the electrical
2229 appliance, a remote disconnect switch must be installed and the distance location must be

2230 corrected by a Class "A" Electrical Contractor.

2231 **(2).** The installing non-electrical contractor must be a licensed Master Plumber, Class "A" Master
2232 Gasfitter, or Class "A" Air Conditioning and Refrigeration Contractor.

2233 The non-electrical contractors may troubleshoot or replace factory installed power elements that
2234 are a part of the appliance only when these power elements or the unit in which they are
2235 contained conform to standard electrical materials.

2236 **(E)** A Class "A" Electrical license shall not be required for the following allied contractors who
2237 are performing only their trade work on a system or apparatus having electrical work regulated
2238 by this code:

- 2239 1. Plumbing
- 2240 2. Air Conditioning and Refrigeration, (HVAC.)
- 2241 3. Gasfitting
- 2242 4. Sheet metal
- 2243 5. Insulating
- 2244 6. Operating (stationary) Engineers as defined in the amendments to the *International*
2245 *Mechanical Code*, 2012 Edition.

2246 **(F)** Whenever a Class "A" Electrical Contractor is replaced by another Class "A" Electrical
2247 Contractor in order to complete an electrical installation, the succeeding Class "A" Electrical
2248 Contractor must provide the following in order to take over the job:

- 2249 1. A letter from the owner or prime contractor to the Director attesting that the original
2250 Class "A" Electrical Contractor will no longer be utilized for the electrical
2251 installation at the listed job;
- 2252 2. File a new permit application for the entire electrical installation;
- 2253 3. Pay all fees, with the amount of the fees based upon the total required for the new
2254 application less the amount already paid by the original Class "A" Electrical
2255 Contractor.

2256 Whenever a Class "A" Electrical Contractor replaces another, he then becomes the Class "A"
2257 Electrical Contractor of record for the entire electrical installation. All future correspondence
2258 from the Electrical Inspection Division regarding that installation will be directed to the new
2259 Class "A" Electrical Contractor. Any deviation from the above due to extenuating circumstances

2260 must be coordinated in writing to and with the approval of the Director.

2261 **2718 - PERMIT REQUIRED**

2262 (1) Every Class "A" license holder proposing to install, repair or alter any electrical equipment or
2263 wires designated to carry electricity at a potential of forty-nine (49) volts or more for any
2264 purpose or service in or on any building or premises, shall file an application for a permit with
2265 the Electrical Inspection Division of the Department of Safety and Permits.

2266 Permit applications shall only be accepted from Class "A" or Class "B" license holders with
2267 current and active licenses and when properly completed and signed by the license holder.

2268 No work may be commenced until the permit application is approved and the acceptance is
2269 acknowledged by the Electrical Inspection Division, except when failure to commence the work
2270 would be life threatening or the work is an emergency due to a disaster or any uncontrolled event
2271 or occurrence.

2272 The permit fee for any work commenced prior to obtaining the required permit, excepting the
2273 emergency or life threatening conditions, shall be the listed permit fee plus a penalty fee of five
2274 (5) times the listed fee for such work. The determination of the extent of the penalty and the
2275 amount of the penalty fee for violations of this section, by any Contractor, shall be in the
2276 discretion of the Director.

2277 The applications for permits shall be in accordance with application forms provided by the
2278 Electrical Inspection Division of the Department of Safety and Permits.

2279 A permit shall be construed to be authorization to proceed with the work and shall NOT be
2280 construed as authority to violate, cancel, alter, or set aside any of the provisions of this Code, or
2281 any other ordinances adopted by the City of New Orleans, including the Comprehensive Zoning
2282 Ordinance nor shall such issuance of a permit prevent the Director from thereafter requiring a
2283 correction of errors in plans or in construction, or of violations of this Code.

2284 Every issued permit shall become invalid:

- 2285 1. if the work authorized by the permit is not commenced within six (6) months after
2286 its issuance, or
- 2287 2. if the work authorized by the permit is suspended for more than six (6) months
2288 after its issuance, or
- 2289 3. If the work authorized by the permit is suspended or abandoned for a period of six

2290 (6) months after the time the work is commenced. One or more extensions of
2291 time, for periods of not more than ninety (90) days each, may be allowed for the
2292 permit. The extension must be requested in writing and justifiable cause
2293 demonstrated to the Director. When an extension is granted it shall be in writing
2294 by him.

2295 (2) If deemed necessary, upon request by the Director, The Class "A" Electrical Contractor
2296 proposing to install any electrical apparatus shall provide a written contract or affidavit between
2297 him and the owner/general contractor. The contract or affidavit shall indicate the scope of the
2298 work to be accomplished at the job location by the Class "A" Electrical Contractor.

2299 **2719 - CONSTRUCTION DOCUMENTS:**

2300 Construction documents involving electrical installations are to be submitted at the time of
2301 application for building permits, as provided in Section 106 - Construction Documents of these
2302 New Orleans Amendments for details.

2303 **2720 - CERTIFICATES OF APPROVAL**

2304 The Director or his designee shall sign and issue all Certificates of Approval for the installation,
2305 repair or alteration of all electrical work. Said certificate shall not be issued until all work has
2306 been inspected and found to comply with all the requirements of National Electric Code, (NFPA-
2307 70), and this Code. Said certificate shall contain electrical data, name of the owner or owners,
2308 and exact location of the building or premises where the installed work was accomplished.

2309 The Director shall keep a record of the equipment inspected in each building giving the
2310 description of the equipment, the name of the owner or owners of the building, the inspection
2311 date and the amount collected for such inspections and the name of the installer for whom the
2312 inspection was made.

2313 **2721 - SPECIAL EVENTS: WIRING**

2314 A Special Event includes but is not limited to fairs, festivals, carnivals, circuses, road shows,
2315 trade shows, concerts, displays, expositions and such other functions with a temporary status
2316 generally taking place outdoors and indoors at a permanent location or building utilizing the
2317 electrical service at that location or building for electric service to support the Special Event.
2318 This includes the temporary installation of wiring or electrical equipment of any description to be
2319 powered by the use of any self-generated power equipment rented or owned by any of the types

2320 of Special Event.

2321 A permit is required for the Special Event temporary installation wiring or electric equipment of
2322 any description.

2323 All Certificates of Approval issued for Special Events wiring or electrical equipment of any
2324 description may be revoked at the discretion of the Director if the continued use of such wiring
2325 or electrical equipment for the Special Event is deemed unsafe and not in the interest of the
2326 safety, health and welfare of the general public for which the event was initially allowed.

2327 All permits shall automatically expire at the end of ninety (90) days.

2328 **2722 - CONNECTION OF ELECTRIC SERVICE**

2329 The Director has the sole responsibility and shall notify and authorize the Utility Company, via
2330 facsimile or telephone, to make the final electric meter connection of the building or premises
2331 electric system to the Utility Company's service facilities. To follow this authorization, the
2332 Director shall issue an *"Entergy Permit & Inspection Desk Electrical Meter Release*
2333 *Authorization"* form for that designated municipal address of the electric meter installation. No
2334 other person, firm or corporation shall be authorized to make the final connection.

2335 The connection of electricity from a privately owned source of electric supply to electrical wiring
2336 system or equipment within or on any building or premises shall not be made until a special
2337 permit is secured from the Director authorizing such connections.

2338 **2723 - ELECTRICAL METER RELEASE STIPULATIONS**

2339 (a) If any municipal address or location has been without electric service for a period of time
2340 exceeding six (6) months, an electrical permit must be obtained and an inspection must be made
2341 in accordance with this Code, before the electric service can be reconnected.

2342 (b) *"Entergy Permit & Inspection Desk electric Meter Release Authorization"* approvals, issued
2343 for electrical meter service connection by the Utility Company within residential, commercial or
2344 industrial establishments, shall expire six (6) months from the date of issuance to the Utility
2345 Company. If a meter is not installed prior to the expiration date a new release authorization
2346 shall be required.

2347 The new release authorization shall be issued only after a re-inspection of the location has been
2348 made by the Director.

2349 **2724 - DISCONTINUANCE OF ELECTRIC SERVICE**

2350 (A) If the Director or Director determines the construction, repair or installation of any electrical
2351 wiring, appliance or equipment at any municipal address or location to be in a dangerous,
2352 hazardous or perilous condition and imminently threatening to the safety, health and welfare of
2353 the users, occupants or the general public, immediate notification shall be given to the Utility
2354 Company to disconnect the meter or remove the electric service to the building or location. No
2355 utility service shall be resumed until the necessary corrections have been completed as required
2356 by this Code.

2357 (B) If the Director determines any electrical installation, wiring, equipment or appliances in any
2358 building to be unsafe or in a dangerous condition, or any electrical construction, installation, or
2359 repair work has been installed or is being used in violation of this Code or is being used in
2360 violation of the use provisions of the Comprehensive Zoning Ordinance, as interpreted by the
2361 Director in his authority pursuant to the City of New Orleans Home Rule Charter and such
2362 violations have not been corrected within ten (10) days of such determination, the Director shall
2363 send written notice to the person, firm or corporation responsible for the violation(s) to correct
2364 the condition(s) within the time specified in the written notice. This period may not be extended
2365 except by written permission from the Director.

2366 Failure to comply with this notice shall empower the Director to:

- 2367 1. request that charges be filed in the Municipal Court of the City of New Orleans; and
- 2368 2. seek relief through Civil District Court or another Court of competent jurisdiction; and
- 2369 3. notify as provided in Chapter 6, Article II, of the Code of the City of New Orleans.

2370 If the above Courts and/or Administrative Agency determination that the owner and person is in
2371 violation of the provisions of this Code or the provisions of the Comprehensive Zoning
2372 Ordinance and such violations have not been corrected within 10 days of said determination, the
2373 Director shall have authority to discontinue the service of the utility company until such time the
2374 violations have been corrected. When the violations have been corrected and the location is re-
2375 inspected by the Director, he shall notify the utility company that the electrical service may be
2376 reconnected.

2377 The Zoning Administrator must ascertain, and corroborate to the Director, that the Zoning
2378 violations have been corrected prior to reconnecting the utility service.

2379 **2725 - WORK BY OTHER THAN ELECTRICAL CONTRACTORS**

2380 No person, firm or corporation, erecting, repairing, or altering buildings, erecting signs, altering,
2381 changing or installing plumbing or engaged in any other work shall close in or conceal any
2382 wiring or raceways nor cut, break, destroy, disconnect or in any other manner interfere with the
2383 arrangements of any electrical conductors or appliances whatever inside or outside of any
2384 building or premises without receiving a permit from the Director; before the permit is issued,
2385 the person, firm or corporation shall serve the Director with a written notice at least forty-eight
2386 (48) hours before the contemplated work is to be commenced. The work of altering, changing
2387 or disconnecting electrical conductors or appliances must be done under the supervision of a
2388 Class "A" Electrical license holder.

2389 **2726 - DISPLAY OF CONTRACTOR'S SIGN, PUBLIC ADVERTISING OR**
2390 **ADVERTISEMENT OF SERVICES**

2391 Every location where work of an electrical nature is being done shall have displayed on a
2392 conspicuous place in front, an identifying sign indicating electrical work is being performed, and
2393 the words "CLASS "A" ELECTRICAL CONTRACTOR" in letters not less than two (2) inches
2394 high. The display of such a sign by other than a duly certified Class "A" Electrical Contractor
2395 shall constitute a violation of this Code.

2396 The sign shall contain the license number of the Class "A" Electrical Contractor, and the name,
2397 address, and telephone number of the firm or corporation in letters not less than two (2) inches
2398 high.

2399 Every Class "A" Electrical Contractor shall install a sign on each work vehicle utilized in the
2400 performance of his duties and responsibilities as a Class "A" Electrical Contractor as defined in
2401 Section 2705 of this Code. The vehicle sign shall contain the license number of the Class "A"
2402 Electrical Contractor, and the name, address and the telephone number of the firm or
2403 corporation, in letters not less than two (2) inches high.

2404 Every Class "A" Electrical Contractor advertising or proposing to advertise to the general public
2405 for the purposes of obtaining any of the types of electrical work as defined in this Code, shall
2406 provide his license number, and the name, address and telephone number of the firm or
2407 corporation. The display of a sign or advertising for the purposes of obtaining work by a person
2408 other than the duly certified Class "A" Electrical Contractor constitutes a violation of this Code.
2409 False, misleading or deceptive advertising shall constitute an attempt to circumvent the general

2410 health, welfare and safety of the public and shall constitute a violation of this Code.

2411 **2727 - FEES FOR ADDED INSPECTIONS**

2412 1. **Wasted Trip Inspection** - When a Class "A" license holder, after notice has been given
2413 by the Director, is found to have violated any of the requirements of this Code, or when
2414 through any such violation by any Class "A" license holder doing the work, it shall
2415 become necessary to make extra inspections because of a wasted trip, a fee of \$190.00
2416 shall be charged. This charge is for each and any extra inspections made necessary as a
2417 result of incomplete work, inaccessibility to perform the inspection or for alterations to
2418 work previously accepted. This fee is in addition to any regular required permit fees and
2419 shall be received before any further inspections are made by the Electrical Inspection
2420 Division.

2421 2. **Fire Marshal Inspection** - When any person, firm or corporation requests a complete
2422 electrical inspection of existing installations to comply with the State Fire Marshal Act, a
2423 fee of \$30.00 shall be charged.

2424 3. **After Hour Inspections** - When a person, firm or corporation requests an inspection of
2425 installed electrical equipment to be performed at a time other than the designated working
2426 hours of the Electrical Inspectors of the Department of Safety and Permits a fee shall be
2427 charged . The request and reason for the after hour inspection must be made to and
2428 approved by the Director for inspector assignment. A fee of \$220.00 shall be paid by the
2429 person, firm or corporation requesting the after hour inspection. Payment of this fee must
2430 be made to the "City of New Orleans" within forty- eight (48) hours of the request for the
2431 inspection and is to be paid in addition to any regular required permit fees in this Code.
2432 No further inspections are to be made by the Electrical Inspection Division until the
2433 required fee has been received.

2434 **2728 - EXEMPTIONS**

2435 The provisions in this Chapter do not apply to Companies regulated by the Louisiana Public
2436 Service Commission, or the Council of the City of New Orleans, with the following exceptions.

2437 1. Telephone and telegraph companies - a permit is required where electrical work is
2438 performed on the primary side of the source of power from the Utility Company
2439 at a voltage over fifty (50) volts and which consumes more than five hundred

2440 (500) watts of energy.

2441 2. Utility Company - a permit is required where electrical work is performed on the
2442 secondary side of the source of power from the Utility Company.

2443 3. Regional Transit Authority (RTA) - a permit is required where electrical work is
2444 performed on the secondary side of the source of power from the Utility
2445 Company.

2446 **2729 - PLENUM SPACES**

2447 If it is necessary to install electrical equipment in plenum spaces used for supply or return air
2448 systems, see *International Building Code*, 2012 Edition and the National Electric Code,
2449 (NFPA-70), for requirements.

2450 **2730 - EMERGENCY SYSTEMS, EXIT AND EMERGENCY ILLUMINATION**

2451 Means of egress shall be illuminated at all times in accordance with the *International Building*
2452 *Code*, 2012 Edition and the National Electric Code, (NFPA-70).

2453 **2731 - TEMPORARY DECORATIVE LIGHTING**

2454 No person, firm or corporation shall install wiring of a temporary decorative character in or
2455 about any municipal address or location without having first secured from the Director written
2456 permission authorizing the work to be installed. The Director shall be authorized to grant written
2457 and limited approval for any temporary installations which may, in his opinion, be necessary.
2458 Temporary installations of decorative lighting of residences or their premises otherwise
2459 complying with this Code may be exempted from this requirement by the Director.

2460 Temporary as defined within this Section shall include seasonal or holiday installations lasting
2461 for a limited time not to exceed thirty (30) days.

2462 **2732 - ELECTRICAL SIGNS**

2463 Before any electrically illuminated or electrically powered sign may be erected or placed in
2464 position upon, above, or attached to the outside of any building, structure or premises, an
2465 electrical permit shall be secured from the Director.

2466 The sign erector shall also secure a building permit prior to the erection of such sign as required
2467 by *The International Building Code*, 2012 Edition, as amended, Section 3107, signed by a Class
2468 "A" Electrical license holder, acknowledging intention to erect and notify the Director when the
2469 installation is completed. When an erector has been determined to be in violation of the Code

2470 and refuses to correct same, no further permits will be issued to him.

2471 Written notice shall be given by the sign contractor and by the Class "A" license holder to the
2472 Director upon completion of the installations. The Director shall then inspect the sign, and
2473 determine whether or not it is installed in conformity with applicable ordinances.

2474 Signs that are approved and labeled and such signs of billboard type, skeleton, ornamental,
2475 lettering and neon tubing inside and outside of buildings, which are wired in conformity with the
2476 National Electric Code, (NFPA-70) shall be considered as being in conformity with the
2477 requirements of this Code. Electric service shall not be connected to any sign or billboard until
2478 all work on same is completed, and then only when the Certificate of Approval is issued by the
2479 Director and the electric meter authorization is issued to the Utility Company.

2480 **2733-AUTOMATIC EARLY WARNING PROTECTIVE DEVICES**

2481 Early warning protective devices shall conform to *The International Building Code, 2012*
2482 Edition, as amended.

2483 **2734 - FEES: PERMITS**

2484 **(A) The electrical permit fee schedule is as follows:**

- 2485 1. Forty dollars (\$40.00) per construction loop (All construction loop permits issued may be
2486 revoked at any time at the discretion of the Director, however all such permits shall
2487 automatically expire at the end of ninety (90) days with the exception of those
2488 providing required construction power to the project still under construction.)
- 2489 2. Forty dollars (\$40.00) minimum per permit application for all installations, plus (A) &
2490 (B) below:
- 2491 (A) Thirty cents (.30) per ampere of service or protective device rating.
- 2492 (B) Three dollars (\$3.00) per connected circuit in each and every panel. (Within the
2493 meaning of the terms of this code, each main feeder, sub-main or branch circuit
2494 for power, light or any other purpose or service shall be considered a circuit.
2495 Each fused or other type of automatic cutout protected wire of a final branch
2496 multi-wire circuit shall be also be considered a circuit.)
- 2497 3. A minimum fee of forty dollars (\$40.00) shall apply for the repair or replacement of any
2498 existing electrical equipment of the same capacity, excluding circuits and service.
- 2499 4. A fee of forty dollars (\$40.00) shall apply for each illuminated sign, whether indoors or

- 2500 outdoors.
- 2501 5. A fee of sixty dollars (\$60.00) shall apply to each Elevator, Moving Stair, Dumbwaiter,
2502 and man lift.
- 2503 6. A fee of sixty dollars (\$60.00) shall apply for any elevator repair work, modernization or
2504 current changeover.
- 2505 7. A fee of forty dollars (\$40.00) shall apply for change of address.
- 2506 8. A fee of forty dollars (\$40.00) shall apply for low voltage.

2507 **2735 - BASIC STANDARDS**

2508 (A) No electrical work for light, heat or power shall be installed or placed in or on any
2509 building, structure or premises, unless this work is in conformity with current
2510 approved methods of construction. Compliance with the regulations in the National
2511 Electric Code, (NFPA-70) shall be prima facie evidence of conformity with such
2512 approved methods. No electrical equipment shall be installed below grade elevation,
2513 including service, switchboards and panel boards.

2514 (B) All installed electrical wiring shall conform to the requirements of the *International*
2515 *Building Code*, 2012 Edition, as amended, the National Electric Code, (NFPA-70)
2516 and such other applicable safety codes as enforced by the Department of Safety and
2517 Permits.

2518 (C) All electrical devices, fittings, materials, equipment, and appliances shall be those
2519 approved for the purpose for which they are used. Only such electrical devices,
2520 fittings, materials, equipment, and appliances, that are constructed in conformity with
2521 their listing or labeled by a testing laboratory acceptable to the Director, shall be
2522 installed. The satisfactory listing or labeling of these devices, fittings, materials,
2523 equipment, and appliances shall be prima facie evidence of conformity with the
2524 requirements of this Code.

2525 (D) The Director or his designee is hereby authorized to seize, de-energize or cause to make
2526 inoperable any electrical apparatus deemed by him to be dangerous, hazardous or
2527 perilous, when such electrical apparatus is either being used in a manner for which it
2528 is not approved or being used for a purpose for which it does not conform electrically.
2529 Large or bulky electrical apparatus that is not capable of being moved or transported

2530 to a location designated by the Chief Administrative Officer for storage shall be
2531 de-energized and "locked off" so as to be inoperable or incapable of being used. The
2532 seized electrical apparatus that is capable of being moved shall be transported to a
2533 location designated by the Chief Administrative Officer for storage. The custodian of
2534 the storage area shall maintain records of the impounded electrical apparatus and the
2535 date on which it was impounded and shall hold the apparatus in the storage area for a
2536 period of not more than thirty (30) days. Any electrical apparatus so held or "locked
2537 off" may be redeemed by the owner thereof upon the payment of a fee to the City of
2538 New Orleans through the custodian thereof, consisting of a total of \$150.00 plus
2539 \$10.00 per day storage fee for each day the apparatus is stored. Any electrical
2540 apparatus impounded and stored or "locked off" and not redeemed by the owner
2541 thereof within thirty (30) days may be transferred or assigned to the custody of the
2542 Department of Finance to be sold at public auction in the same manner as surplus
2543 property of the City.

2544 (E) Low voltage installation wiring shall:

- 2545 1. be properly attached to structural components.
- 2546 2. be removed if it is abandoned as a result of a new low voltage installation.
- 2547 3. be installed in a neat and workmanlike manner.
- 2548 4. be installed so as not to impair or degrade the fire rating or structural integrity of a
2549 penetrated wall ceiling in accordance with **Section 300.21** of the NEC.
- 2550 5. be properly listed and labeled in accordance with **Section 110.3 (B)** of the NEC.

2551 **2736 - FIRE PUMPS**

2552 All wiring of fire pump installations shall be in accordance with the National Electric Code,
2553 (NFPA-70), and Centrifugal Fire Pumps, (NFPA-20), (See Chapter 35 of the *International*
2554 *Building Code*, 2012 ed., as amended).

2555 **2737 - STANDARD ELECTRICAL MATERIALS**

2556 Before any electrical material, appliance, or equipment (including prefabricated or pre-assembled
2557 electrical units or systems) is used, it shall be constructed in conformity with current standards,
2558 and be classified and listed by, including but not limited to, Underwriters Laboratory (UL),
2559 Factory Mutual (FM), Canadian Standards Association (CSA), Electrical Testing Laboratories

2560 (ETL), MET Laboratories and others listed by the ICC-ES to insure safety to life and property.

2561 **2738 - ALTERNATE MATERIALS AND METHODS**

2562 The provisions of this Code are not intended to prevent the use of any material or method of
2563 construction not specifically prescribed by this Code, provided an alternate has been approved by
2564 the Director. The Director may approve an alternate, provided he finds that the alternate for the
2565 purpose intended is at least the equivalent of that prescribed in this Code in quality, strength,
2566 effectiveness, fire resistance, durability and safety. The Director shall require that sufficient
2567 evidence or proof be submitted to substantiate any claim made regarding the alternate. The
2568 Director may recommend an amendment to this Code in order to make permissible the use of the
2569 alternate. If, in the opinion of the Director, the evidence and proof are not sufficient to justify
2570 approval or recommendation for an amendment, the applicant may refer the entire matter to the
2571 Board of Building Standards and Appeals as specified in Section 112 of the *International*
2572 *Building Code*, 2012 Edition, as amended.

2573 **2739 - TESTS OF MATERIALS AND SYSTEMS OF CONSTRUCTION**

2574 Where new and alternate systems of construction, qualities of materials or tests are proposed for
2575 use, tests may be required by the Director. The required tests shall be made at the expense of the
2576 owner or his agent by a testing laboratory or other organization approved for the purpose by the
2577 Director. Certified copies of the test reports shall be filed with the Director for his approval
2578 before the systems of construction or materials are used. The owner or his agent shall notify the
2579 Director of the time and location of the tests so that he or his representative may be present.

2580 **2740 - COMPLIANCE REQUIREMENTS**

2581 All electrical contractors and electricians certified under this Chapter must also comply with all
2582 applicable laws and regulations of the State of Louisiana, in order to be considered in compliance
2583 with this Chapter.

2584 **2741 - ELECTRIC FENCE**

2585 No fence shall be electrified in the City of New Orleans.

2586 **2742** – At least (2) 5/ 8” copper-clad (8 ft.) ground rods, installed at least 6 feet apart with not
2587 less than 13 mills of copper coating shall be installed or (1) high grade stainless steel (8 ft.)
2588 ground rod at the service.

2589 * * * *

2590 **CHAPTER 35**

2591 **REFERENCED STANDARDS**

2592 ********

2593 The following additional Standards are referenced in various Sections of this code.

2594 NFPA 20-05, Centrifugal Fire Pumps.....2736

2595 NFPA 70-05, National Electrical Code.....2701

2596 * * * *

2597 **CHAPTER 36**

2598 **INTERNATIONAL RESIDENTIAL CODE**

2599 The following Chapters of the International Building Code, (2012) as amended shall also be
2600 applicable to the construction of any One and Two Family dwelling when the structure is
2601 designed and constructed in accordance with the International Residential Code, 2012.

2602 Chapter 1..... Administration

2603 Chapter 18..... Soils and Foundations (Where applicable to One and Two Family
2604 Dwellings

2605 The following Chapters of International Residential Code are deleted in their entirety.

2606 Chapter 1..... Administration

2607 Chapter 12..... Mechanical Administration

2608 Chapter 13..... General Mechanical System Requirements

2609 Chapter 14..... Heating and Cooling Equipment

2610 Chapter 15..... Exhaust System

2611 Chapter 16..... Duct Systems

2612 Chapter 17..... Combustion Air

2613 Chapter 18..... Chimneys and Vents

2614 Chapter 19..... Special Fuel-Burning Equipment

2615 Chapter 20..... Boilers/Water Heaters

2616 Chapter 21..... Hydronic Piping

2617 Chapter 22..... Special Piping and Storage Systems

2618 Chapter 23..... Solar Systems

2619 Chapter 24..... Fuel Gas

2620 Chapter 25..... Plumbing Administration

2621 Chapter 26..... General Plumbing Requirements

2622 Chapter 27..... Plumbing Fixtures

2623 Chapter 28..... Water Heaters

2624 Chapter 29..... Water Supply and Distribution

2625 Chapter 30..... Sanitary Drainage

2626 Chapter 31..... Vents

2627 Chapter 32..... Traps

2628 Chapter 33..... General Requirements

2629 Chapter 34..... Electrical Definitions

2630 Chapter 35..... Services

2631 Chapter 36..... Branch Circuit and Feeder Requirements

2632 Chapter 37..... Wiring Methods

2633 Chapter 38..... Power and Lighting Distribution

2634 Chapter 39..... Devices and Luminaries

2635 Chapter 40..... Appliance Installation

2636 Chapter 41..... Swimming Pools

2637 Chapter 42..... Class 2 Remote-Control Signaling and Power - Limited Circuits

2638 All electrical work with respect to One- and Two-Family Dwellings shall be in accordance with

2639 the National Electrical Code, NFPA 70 (See Chapter 35 of the International Building Code.)

2640 All mechanical and gas work with respect to One and Two Family Dwellings shall be in

2641 accordance with the International Mechanical Code and International Fuel Gas Code (See

2642 Chapter 35 of the International Building Code.

* * * *

CHAPTER 3

Building Planning

* * * *

2647 **R302.1 Exterior walls.** Exterior walls with a fire separation distance less than 3 feet (914 mm)

2648 shall have not less than a one-hour fire-resistive rating with exposure from both sides.

2649 Projections shall not extend to a point closer than 2 feet (610 mm) from the line used to

2650 determine the fire separation distance.

2651 Projections extending into the fire separation distance shall have not less than one-hour fire-
2652 resistive construction on the underside. The above provisions shall not apply to walls which are
2653 perpendicular to the line used to determine the fire separation distance.

2654 **R302.2 Openings.** Openings shall not be permitted in the exterior wall of a dwelling or
2655 accessory building with a fire separation distance less than 3 feet (914 mm). This distance shall
2656 be measured perpendicular to the line used to determine the fire separation distance.

2657 **Exceptions:**

2658 1. Openings shall be permitted in walls that are perpendicular to the line used to
2659 determine the fire separation distance.

2660 2. Foundation vents installed in compliance with this code are permitted.

2661 **R302.3 Penetrations.** Penetrations located in the exterior wall of a dwelling with a fire
2662 separation distance less than 3 feet (914 mm) shall be protected in accordance with Section
2663 R317.3)

2664 **Exception:** Penetrations shall be permitted in walls that are perpendicular to the line used to
2665 determine the fire separation distance.

2666 **R317.2 Townhouses.** Each townhouse shall be considered a separate building and shall be
2667 separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302 for
2668 exterior walls.

2669 **Exception:** A common 2-hour fire-resistance-rated concrete masonry wall is permitted for
2670 townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the
2671 cavity of the common wall. Electrical installations shall be installed in accordance with The
2672 National Electrical Code (See Chapter 35 of IBC). Penetrations of electrical outlet boxes shall
2673 be in accordance with Section R317.3.

2674 * * * *

2675 **APPENDIX D**

2676 **SECTION D 101**

2677 **GENERAL**

2678 **D 101.1 — Scope**

2679 For the purpose of this Code, fire district shall include that territory or portions of the City as

2680 described in Section D101.1.2.

2681 **D 101.1.1 Mapping.** The fire district complying with the provisions of Section D101.1 shall be
2682 shown on a map that shall be available to the public.

2683 **D 101.1.2 Fire District.** The area included within the following described boundaries is
2684 hereby designated “ Fire District.” Commencing at the center line of John Churchill Chase Street
2685 at the Mississippi River, thence along the center line of John Churchill Chase Street to the center
2686 line of Camp Street, thence along the center line of Calliope Street to the center line of St. Charles
2687 Avenue, thence along the center line of St. Charles Avenue to the intersection of Howard Avenue,
2688 thence along the center line of Howard Avenue to the center line of Claiborne Avenue, thence
2689 along the center line of Claiborne Avenue to the center line of St. Peter Street, thence along the
2690 center line of St. Peter Street to the Mississippi River, thence along the Mississippi River to the
2691 point of commencement.

2692 SECTION D 102

2693 BUILDING RESTRICTIONS

2694 **D102.1 Types of construction permitted.** Within the fire district every building hereafter
2695 erected shall be either Type I, II, III or IV, except as permitted in Section D104.

2696 **D102.2 Other specific requirements.**

2697 **D102.2.1 Exterior walls.** Exterior walls of buildings located in the fire district shall comply
2698 with the requirements in Table 601 except as required in Section D102.2.6.

2699 **D102.2.2 Group H prohibited.** Group H occupancies shall be prohibited from location within
2700 the fire district.

2701 **D102.2.3 Construction type.** Every building shall be constructed as required based on the type
2702 of construction indicated in Chapter 6.

2703 **D102.2.4 Roof covering.** Roof covering in the fire district shall conform to the requirements of
2704 Class A or B roof coverings as defined in Section 1505.

2705 **D102.2.5 Structural fire rating.** Walls, floors, roofs, and their supporting structural members
2706 shall be a minimum of 1-hour fire-resistance-rated construction.

2707 **Exceptions:**

- 2708 1. Buildings of Type IV construction.
2709 2. Buildings equipped throughout with an automatic sprinkler system in accordance with

- 2710 Section 903.3.1.1.
- 2711 3. Automobile parking structures.
- 2712 4. Buildings surrounded on all sides by a permanently open space of not less than 30
2713 feet (9144 mm).
- 2714 5. Partitions complying with Section 603.1 (8).
- 2715 **D102.2.6 Exterior walls.** Exterior load-bearing walls of Type II buildings shall have a fire-
2716 resistance rating of 2 hours or more where such walls are located within 30 feet (9144 mm) of a
2717 common property line or an assumed property line. Exterior nonload-bearing walls of Type II
2718 buildings located within 30 feet (9144 mm) of a common property line or an assumed property
2719 line shall have fire-resistance ratings as required by Table 601, but not less than 1 hour. Exterior
2720 walls located more than 30 feet (9144 mm) from a common property line or an assumed property
2721 line shall comply with Table 601.
- 2722 **Exception:** In the case of one story buildings that are 2,000 square feet
2723 (108 M₂) or less in area, exterior walls located more than 15 Feet (4572 mm) from a common
2724 property line or an assumed property line need only comply with Table 601.
- 2725 **D102.2.7 Architectural trim.** Architectural trim on buildings located in the fire district shall be
2726 constructed of approved noncombustible materials or fire retardant treated wood.
- 2727 **D102.2.8 Permanent canopies.** Permanent canopies are permitted to extend over adjacent open
2728 spaces provided:
- 2729 1 The canopy and its supports shall be of noncombustible material, fire-retardant-
2730 treated wood, Type IV construction, or of 1-hour fire resistance rated construction.
- 2731 1.1 **Exception:** Any textile covering for the canopy shall be flame resistant as
2732 determined by tests conducted in accordance with NFPA 701 after both
2733 accelerated water leaching and accelerating weathering.
- 2734 2 Any canopy covering, other than textiles, shall have a flame spread index not
2735 greater than 25 when tested in accordance with ASTM E 84 in the form intended for
2736 use.
- 2737 3 The canopy shall have at least one long side open.
- 2738 4 The maximum horizontal width of the canopy shall not exceed 15 feet (4572 mm).
- 2739 5 The fire resistance of exterior walls shall not be reduced.

2740 **D102.2.9 Roof structures.** Structures, except aerial supports 12 feet (3658 mm) high or less,
2741 flag poles, water tanks and cooling towers, placed above the roof of any building within the fire
2742 district shall be of noncombustible material and shall be supported by construction on non-
2743 combustible material.

2744 **D102.2.10 Plastic signs.** The use of plastics complying with Section 2611 for signs is permitted
2745 provided the structure of the sign in which the plastic is mounted or installed is noncombustible.

2746 **D102.2.11 Plastic veneer.** Exterior plastic veneer is not permitted in the fire district.

2747 **D102.2.12 Temporary Buildings.** Temporary structures such as reviewing stands and other
2748 miscellaneous structure conforming to the requirements of this Code and shed, canopies or
2749 fences used for the protection of the public around and in conjunction with construction work
2750 may be erected in the Fire Limits and outer Fire Limits by permit from the Director for a limited
2751 period of time, and such building or structure shall be completely removed upon the expiration of
2752 the time limit stated in such permit.

2753 **D102.2.13 Other minor structures.** A special permit of 90 days may be issued for other minor,
2754 one story, temporary structures used for shelter purposes only and not exceeding 100 sq. ft. in
2755 area.

2756 SECTION D103

2757 CHANGES TO BUILDINGS

2758 **D103.1 Existing buildings within the fire district.** An existing building shall not hereafter be
2759 increased in height or area unless it is of a type of construction permitted for new buildings
2760 within the fire district or is altered to comply with the requirements for such type of construction.
2761 Nor shall any existing building be hereafter extended on any side, nor square footage or floors
2762 added within the existing building unless such modifications are of a type of construction
2763 permitted for new buildings within the fire district.

2764 **D103.2 Other alterations.** Nothing in Section D103.1 shall prohibit other alterations within the
2765 fire district provided there is no change of occupancy that is otherwise prohibited and provided
2766 the fire hazard is not increased by such alteration.

2767 **D103.3 Moving buildings.** Buildings shall not hereafter be moved into the fire district or to
2768 another lot in the fire district unless the building is of a type of construction permitted in the fire
2769 district.

2770 **SECTION D104**

2771 **BUILDINGS LOCATED PARTIALLY IN THE FIRE DISTRICT**

2772 **D104.1 General.** Any building located partially in the fire district shall be of a type of
2773 construction required for the fire district, unless the major portion of such building lies outside of
2774 the fire district and no part is more than 10 feet (3048mm) inside the boundaries of the fire
2775 district. **SECTION D105**

2776 **EXCEPTIONS TO RESTRICTIONS IN FIRE DISTRICT**

2777 **D105.1 General.** The preceding provisions of this appendix shall not apply in the following
2778 instances:

- 2779 1. Temporary buildings used in connection with duly authorized construction.
- 2780 2. A private garage used exclusively as such, not more than one story in height, nor more
2781 than 650 square feet (60 m²) in area, located on the same lot with a dwelling.
- 2782 3. Fences not over 7 feet (2438 mm) high.
- 2783 4. Coal tipples, material bins, and trestles constructed of Type IV construction.
- 2784 5. Water tanks and cooling towers conforming to Section 1509.3 and 1509.4.
- 2785 6. Greenhouses less than 15 feet (4572mm) high.
- 2786 7. Porches on dwellings not over one story in height, and not over 10 feet (3048 mm) wide
2787 from the face of the building, provided such porch does not come within 5 feet (1524
2788 mm) of any property line.
- 2789 8. Sheds open on a long side not over 15 feet (4572 mm) high and 500 square feet (46 m²)
2790 in area.
- 2791 9. One- and two-family dwellings where of a type of construction not permitted in the fire
2792 District can be extended 25 percent of the floor area existing at the time of inclusion
2793 in the fire district by any type of construction permitted by this code.
- 2794 10. Wood decks less than 600 square feet (56 m²) where constructed of 2-inch (51 mm)
2795 nominal wood, pressure treated for exterior use.
- 2796 11. Wood veneers on exterior walls conforming to Section 1405.4.
- 2797 12. Exterior plastic veneer complying with Section 2605.2 where installed on exterior walls
2798 required to have a fire-resistance rating not less than 1 hour, provided the exterior

2799 plastic veneer does not exhibit sustained flaming as defined in NFPA 268.

2800 **SECTION D106**

2801 **REFERENCED STANDARDS**

2802	ASTM E 84-04	Test Methods for Surface	D102.2.8
2803		Burning Characteristics of	
2804		Building Materials	
2805	NFPA 268-01	Test Method for Determining	D105.1
2806		Ignitability of Exterior Wall	
2807		Assemblies Using a Radiant	
2808		Heat Energy Source	
2809	NFPA 701-99	Methods of Fire Test for	D102.2.8
2810		Flame-resistant Textiles and Films.”	

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:
YEAS:
NAYS:
ABSENT:

