

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: November 30, 2007

CALENDAR NO. 26,798

NO. 22938 MAYOR COUNCIL SERIES

**BY: COUNCILMEMBERS, ARNIE FEILKOW, JACKIE CLARKSON,
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CYNTHIA HEDGE-MORRELL, CYNTHIA WILLARD-LEWIS (BY REQUEST)**

**AN ORDINANCE TO AMEND AND REORDAIN ORDINANCE NO. 11,625 M.C.S., AS
AMENDED, TO CONFORM TO THE INTERNATIONAL BUILDING CODE, 2006
EDITION, AND APPENDIX “D” THERETO; AND OTHERWISE TO PROVIDE WITH
RESPECT THERETO:**

1 **SECTION 1. The COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That Ordinance No. 11, 625 M.C.S., as amended, The Building Code of City of
3 New Orleans be and the same is hereby amended in its entirety and re-ordained to read as set
4 forth in the International Building Code, 2006 Edition, except that the text of said document shall
5 read as modified by the amendments on the following pages, including a new Chapter 36 . In the
6 event of conflict these amendments shall supersede and take priority over any amended or
7 unamended section. If an amendment is in conflict with only part of a section, it shall be
8 construed as superseding only the part of the section with which it is in conflict.

1 **SECTION 2. CITY NOT LIABLE.** Nothing contained in this Building Code shall be
2 construed to relieve or lessen the responsibility or liability of any person for injury or damage to
3 persons or property caused by or resulting from any defects of any nature in any work performed

4 by said person or in any equipment owned, controlled, installed, operated or used by him ,nor
5 shall the City of New Orleans, or any officer, agent or employee thereof incur, or be held to
6 assume, any liability by reason or in consequence of any permit, permission, certificate of
7 inspection of approval authorized therein, or issued or given as herein provided, or by any reason
8 of or in consequence of any things done or acts performed pursuant to any provisions of this
9 Building Code.

1 **SECTION 3. PRIOR VIOLATIONS.** All suits at law or in equity and all prosecutions
2 resulting from the violation of any building ordinances heretofore in effect, which are now
3 pending in any of the Courts of this State, or of the United States, shall not be abated or
4 abandoned by reason of the adoption of this Building Code, but shall be prosecuted to their
5 finality the same as if this Building Code has not been adopted; and nothing in this Building
6 Code shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now
7 pending, or which may have heretofore been instituted or prosecuted.

1 **SECTION 4. RETROACTIVE CLAUSE.** In the case of violations of building
2 ordinances committed before the effective date of this ordinance, the building ordinance existing
3 at the time such violations were committed shall apply and govern.

1 **SECTION 5.** That if any portion of or application of this Ordinance be held
2 unconstitutional or invalid by a Court of competent jurisdiction, such holding shall not effect the
3 validity of the remaining portion of or application of the Ordinance, but such remaining portion
4 or application shall be and remain in full force and effect.

1 **SECTION 6. EFFECTIVE DATE.** This ordinance shall become effective on
2 **JANUARY 1, 2008.**

1 **SECTION 7.** That all ordinances, or parts of ordinances, contrary to or in conflict

22 facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to
23 life and property from fire and other hazards attributed to the built environment and to provide
24 safety to fire fighters and emergency responders during emergency operations.

25 **101.3.1 Quality Control.** Quality control of materials and workmanship is not within the
26 purview of this Code except as it relates to the purposes stated herein.

27 **101.3.2 Permitting and Inspection.** The inspection or permitting of any building or plan
28 by the City of New Orleans, under the requirement of this Code shall not be construed in
29 any court as a warranty of the physical condition of such building or the adequacy of such
30 plan. Neither the City of New Orleans nor any employee thereof shall be liable in tort for
31 damages for any defect or hazardous or illegal condition or inadequacy in such building
32 or plan, or for any failure of any component of such building, which may occur
33 subsequent to such inspection or permitting.

34 **101.4 Referenced Codes.** The other codes listed in Sections 101.4.1 through 101.4.6 and
35 referenced elsewhere in this code shall be considered part of the requirements of this code to the
36 prescribed extent of each such reference.

37 **101.4.1 Electrical.** The provisions of the Chapter 27 of this Code shall apply to the
38 installation of electrical systems, including alterations, repairs, replacement, equipment,
39 appliances, fixtures, fittings and appurtenances thereto.

40 **101.4.2 Gas.** The provisions of the *International Fuel Gas Code* shall apply to the
41 installation of gas piping from the point of delivery, gas appliances and related
42 accessories as covered in this code. These requirements apply to gas piping systems
43 extending from the point of delivery to the inlet connections of appliances and the
44 installation and operation of residential and commercial gas appliances and related

45 accessories.

46 **101.4.3 Mechanical.** The provisions of the International Mechanical Code shall apply to
47 the installation, alterations, repairs, and replacement of mechanical systems, including
48 equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating,
49 heating, cooling, air conditioning and refrigeration systems, incinerators, and other
50 energy-related systems.

51 **101.4.4 Plumbing.** Refer to Sewerage and Water Board for all plumbing requirements.

52 **101.4.5 Fire Prevention.** The provisions of the International Fire Code shall apply to
53 matters affecting or relating to structures, processes and premises from the hazard of fire
54 and explosion arising from the storage, handling or use of structures, materials or
55 devices; from conditions hazardous to life, property or public welfare in the occupancy of
56 structures or premises; and from the construction, extension, repair, alteration or removal
57 of fire suppression and alarm systems or fire hazards in the structure or on the premises
58 from occupancy or operation.

59 **101.4.6 Energy.** The provisions of the *International Energy Conservation Code* shall
60 apply to all matters governing the design and construction of buildings for energy
61 efficiency. These provisions are not applicable in areas where state mandated energy
62 requirements are in effect.

63 **SECTION 102**

64 **APPLICABILITY**

65 **102.1 General.** Where, in any specific case, different sections of this code specify different
66 materials, methods of construction or other requirements, the most restrictive shall govern.

67 Where there is a conflict between a general requirement and a specific requirement, the specific
68 requirement shall be applicable.

69 **102.2 Other Laws.** The provisions of this code shall not be deemed to nullify any provisions of
70 local, state or federal law.

71 **102.3 Application of References.** References to chapter or section numbers, or to provisions
72 not specifically identified by number, shall be constructed to refer to such chapter, section or
73 provision of this code.

74 **102.4 Referenced Codes and Standards.** The codes and standards referenced in this code shall
75 be considered part of the requirements of this code to the prescribed extent of each such
76 reference. Where differences occur between provisions of this code and referenced codes and
77 standards, the provisions of this code shall apply.

78 **102.5 Partial Invalidity.** In the event any part or provision of this code is held to be illegal or
79 void, this shall not have the effect of making void or illegal any of the other parts or provisions.

80 **102.6 Existing Structures.** The legal occupancy of any structure existing on the date of
81 adoption of this code shall be permitted to continue without change, except as is specifically
82 covered in this code, the *International Fire Code* or as is deemed necessary by the Director for
83 the general safety and welfare of the occupants and the public.

84 **SECTION 103**

85 **DEPARTMENT OF SAFETY AND PERMITS**

86 **103.1 General.** The Department of Safety and Permits headed by the Director is the agency
87 responsible for administration and enforcement of this code. The Director has the authority to
88 render interpretations of this code and to adopt policies and procedures in order to clarify the

89 application of its provisions. The interpretations, policies and procedures shall be in compliance
90 with the intent and purpose of this code. The policies and procedures shall not have the effect of
91 waiving requirements specifically provided for in this code.

92 **103.2 Records.** The Director shall keep, or cause to be kept, a record of the business of the
93 department in accordance with the public record law of the State of Louisiana. The records of
94 the department shall be open to public inspection.

95 **103.3 Applications and Permits.** The Director shall receive applications, review construction
96 documents and issue permits for the erection, and alteration, demolition and moving of building
97 and structures, inspect the premises for which such permits have been issued and enforce
98 compliance with the provisions of this code.

99 **103.4 Notices and Orders.** The Director shall issue all necessary notices or orders to ensure
100 compliance with this code.

101 **103.5 Inspections.** The Director shall make all of the required inspections, or the Director shall
102 have the authority to accept reports of inspection by approved agencies or individuals. Reports
103 of such inspections shall be in writing and be certified by a responsible officer of such approved
104 agency or by the responsible individual. The Director is authorized to engage such expert
105 opinion as deemed necessary to report upon unusual technical issues.

106 **103.6 Identification.** The Director and employees of the Department of Safety and Permits shall
107 carry proper identification when inspecting structures or premises in the performance of duties
108 under this code.

109 **103.7 Right of Entry.** Where it is necessary to make an inspection to enforce the provisions of
110 this code, or where the Director has reasonable cause to believe that there exists in a structure or
111 upon a premises a condition which is contrary to or in violation of this code which makes the

112 structure or premises unsafe, dangerous or hazardous, the Director is authorized to enter the
113 structure or premises at reasonable times to inspect or to perform the duties imposed by this
114 code, provided that if such structure or premises be occupied that credentials be presented to the
115 occupant and entry requested. If such structure or premises be unoccupied, the Director shall
116 first make a reasonable effort to locate the owner or other person having charge or control of the
117 structure or premises and request entry. If entry is refused, the Director shall have recourse to
118 the remedies provided by law to secure entry.

119 **103.8 Liability.** The Director, members of the Board of Building Standards and Appeals or
120 employees charged with the enforcement of this code, while acting for the jurisdiction in good
121 faith and without malice in the discharge of the duties required by this code or other pertinent
122 law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from
123 personal liability for any damage accruing to persons or property as a result of any act or by
124 reason of an act or omission in the discharge of official duties. Any suit instituted against an
125 officer or employee because of an act performed by that officer or employee in the lawful
126 discharge of duties and under the provisions of this code shall be defended by legal
127 representative of the jurisdiction until the final termination of the proceedings. The Director or
128 any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in
129 pursuance of the provisions of this code.

130 **103.9 Approved Materials and Equipment.** Materials, equipment and devices approved by the
131 Director shall be constructed and installed in accordance with such approval.

132 **103.10 Used Materials and Equipment.** The use of used materials which meet the
133 requirements of this code for new materials is permitted. Used equipment and devices shall not
134 be reused unless approved by the Director.

135 **103.11 Modifications.** Wherever there are practical difficulties involved in carrying out the
136 provisions of this code, the Director shall have the authority to grant modifications for individual
137 cases, upon application of the owner or owner's representative, provided the Director shall first
138 find that special individual reason makes the strict letter of this code impractical and the
139 modification is in compliance with the intent and purpose of this code and that such modification
140 does not lessen health, accessibility, life and fire safety, or structural requirements. The details
141 of action granting modifications shall be recorded and entered in the files of the department of
142 Safety and Permits.

143 **103.12 Alternative Materials, Design and Methods of Construction and Equipment.** The
144 provisions of this code are not intended to prevent the installation of any material or to prohibit
145 any design or method of construction not specifically prescribed by this code, provided that any
146 such alternative has been approved. An alternative material, design or method of construction
147 shall be approved where the Director finds that the proposed design is satisfactory and complies
148 with the intent of the provisions of this code, and that the materials, method or work offered is,
149 for the purpose intended, at least the equivalent of that prescribed in this code in quality,
150 strength, effectiveness, fire resistance, durability and safety.

151 **103.13 Research Reports.** Supporting data where necessary to assist in the approval of
152 materials or assemblies not specifically provided for in this code, shall consist of valid research
153 reports from approved sources. Product Evaluation Reports, as listed by ICC-ES, could be used
154 to consider alternate materials or methods for acceptance and shall be referenced on the plans
155 submittal package submitted for obtaining the permit.

156 **103.14 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this
157 code, or evidence that a material or method does not conform to the requirements of this code, or

158 in order to substantiate claims for alternative materials or methods, the Director shall have the
159 authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.
160 Test methods shall be as specified in this code or by other recognized test standards. In the
161 absence of recognized and accepted test methods, the Director shall approve the testing
162 procedures. Tests shall be performed by an approved agency. Reports of such tests shall be
163 retained by the Director for the period required for retention of public records.

164 **103.15 Requirements Not Covered by Code.** Any requirements necessary for the strength or
165 stability of an existing or proposed building or structure, or for the public safety, health and
166 general welfare, not specifically covered by this Code, shall be determined by the Director.

167 **103.16 Employees.** The Director shall appoint all employees of the Department of Safety and
168 Permits subject to the existing Civil Service Laws of the State of Louisiana and the City of New
169 Orleans. The person or persons appointed shall be persons fully qualified by technical training
170 and experience, in both theory and practice, in the field in which their services will be utilized.

171 **103.17 Construction or Demolishing Privileges.**

172 Materials or equipment for use in connection with the construction, demolishing, repair or
173 maintenance of a building may not be placed upon any portion of public-right-of-way (street or
174 sidewalk), adjacent to the building without a permit issued by the Director of Department
175 of Public Works. (“See Chapter 33 “Safeguards During Construction” for additional
176 information.)

177 **103.17.1** Any person having the use as described herein of any portion of the street or
178 sidewalk shall cause red lights to be placed and maintained in a conspicuous place in
179 front of all obstructions from sunset to sunrise each night, during the time such
180 obstructions remain on the street or sidewalk and, further, shall cause barricades to be

181 placed and maintained in a conspicuous place in front of all obstructions twenty-four (24)
182 hours a day. Said person shall agree to indemnify and hold harmless the City of New
183 Orleans, its officials, agents and employees from and against all claims, suits, liabilities,
184 damages, losses and expenses, including, but not limited to, costs, attorney's fees and
185 interest, for all injuries to persons, and for all damage to the property of the City or
186 others, caused by or resulting from failure to properly light and guard the obstruction or
187 caused by or resulting from the negligence of himself, his employers or his agents, in
188 connection with said use of the street or sidewalk, and further, said person shall
189 indemnify and hold harmless the City of New Orleans, its officials, agents and employees
190 from and against all claims of strict liability brought against the City in connection with
191 injury against all persons or property occurring in connection with said use of the street
192 or sidewalk.

193 **103.17.2** All materials shall be handled in full compliance with Federal Guide Lines
194 (EPA) taken from excavations and materials or rubbish taken from buildings shall not be
195 stored upon the sidewalks or streets, but shall be removed from day to day as rapidly as
196 accumulated. When such materials are dry, and likely to produce a dust when handled,
197 they shall be kept moist so as to prevent the wind blowing the same about. Materials or
198 rubbish accumulated on upper floors, shall be lowered by elevators in closed receptacles
199 or by closed chutes discharging directly to containers or trucks.

200 **103.17.3** Any temporary structures used by a builder shall be removed upon completion
201 of the work. The street and sidewalk shall be cleared of all materials as soon as the use of
202 the street for storage is no longer required.

203 **103.17.4** In consideration of the foregoing permission to use streets and sidewalks for

204 the piling and storing of materials and tools, or the use of equipment, the owner of the
205 building shall be obligated in the event that any of the street or sidewalk pavements or the
206 surface of the paved streets, be damaged by the piling or storing of materials or tools, or
207 the use of equipment, to restore the same within 30 days after completion and acceptance
208 of building, to the original condition in which they were before materials or tools were
209 piled or stored thereon, or before the use of equipment.

210 **103.17.5** In every building of reinforced concrete construction, forms of combustible
211 materials shall be stripped from the concrete and removed from the building as soon as
212 practicable.

213 **103.18 Demolition Requirement.** When drawings and detail statements are filed with the
214 Director for the construction of a new building, if any existing building or part of an existing
215 building is to be demolished, such facts shall be stated in the statement so filed. In demolishing a
216 building, story after story shall be completely removed. No material shall be placed upon the
217 floor of such building in the course of demolishing, but brick, timbers and other structural parts
218 of each story shall be lowered to the ground immediately upon displacement. The owner,
219 architect, Builder or contractor for a structure to be demolished, shall give not less than a twenty-
220 four (24) hour notice in writing to the Director of such intended demolition. The material being
221 removed shall be properly wetted down to lay the dust incident to its removal. Immediately
222 following the displacement or demolition of plaster, masonry, concrete, and other dust-raising
223 materials, they shall again be thoroughly hosed down to insure against dust or other
224 objectionable features before further removal or disturbance. Public ways and Drainage Systems
225 shall be protected from contamination. All remaining exposed walls of adjoining buildings must
226 be left perfectly safe, and all proper safeguards for the public shall be taken. Any surface holes

227 or irregularities, wells, septic or underground storage tanks, basements, cellars, sidewalk vaults,
228 or coal chutes remaining after demolition of any building or structure shall be filled with material
229 as approved by the Director, and shall be graded in such a manner as to provide effective surface
230 drainage. In demolishing buildings, covered walkways in accordance with the requirements of
231 Chapter 33 may be required when, in the opinion of the Director, such walkways are necessary
232 for public safety.

233 **103.18.1** All demolition contracts for properties to be demolished in which the city is a
234 party shall contain language to mandate that demolition contractors recycle all
235 salvageable construction materials from such demolition projects and to prohibit such
236 contractors from such demolition projects and to prohibit such contractors from
237 depositing any salvageable construction materials in any landfills or from otherwise
238 disposing of such materials, salvageable construction materials shall include but not be
239 limited to wooden door frames, wooden window frames, brackets, doors, windows, any
240 decorative millwork, structural lumber, bricks, cinder blocks, ironwork, baseboards,
241 roofing slate, tile, shingles floorboards, glasswork, gable ends and shutters, weather
242 boards, cabinets, bathtubs, plumbing and wiring.

243 **103.18.2 Removal of Debris.** It is unlawful to leave debris, resulting from a fire, or in
244 the demolition or partial demolition of a building, or upon the completion of a new
245 building on such lot, it is hereby made the duty of the owner of the property or his agent,
246 to remove or cause to be removed from sidewalk and street, all such debris within six (6)
247 days after a notice served upon him by the Director and to place such debris in such a
248 manner as not to be dangerous.

249 **103.18.3 Moving of Buildings.** No building or part of any building shall be moved or

250 relocated within the City limits without first obtaining permission from the proper City
251 authorities. See Chapter 26 of the New Orleans City Code for additional requirements.

252 **103.18.4 State Laws.** Laws of the State of Louisiana regulating the protection of
253 workmen, and the public, in construction shall be deemed a part of this Code.

254 **103.18.5 Penalties.** Any person, firm or corporation who shall be the owner of any
255 such building or buildings, or parts thereof, chimneys, staging, or other structure which
256 has become dangerous or unsafe, and a menace to life and limb, and who shall fail,
257 neglect or refuse to comply with the orders of the Director within the time hereinbefore
258 specified, shall be deemed and held guilty of a violation of this Code. Each day that the
259 said person, firm or corporation remains in violation, shall constitute a separate violation;
260 and the fact that the Director may cause said building, buildings or parts thereof,
261 chimneys, staging or other structure to be demolished at the expense of the person, firm
262 or corporation owning the same, shall not preclude the Director from preferring charges
263 against the person, firm or corporation who shall fail, neglect or refuse to comply with
264 the orders of the Director.

265 SECTION 104

266 UNSAFE BUILDINGS, INSTALLATION AND MACHINERY

267 **104.1 Definitions:** For purposes of this section, the following definition shall apply.

268 **104.2 Public Nuisance.** A building or structure is deemed to be a public nuisance if by reason
269 of the condition in which it is permitted to be or remain, it shall or may endanger the health, life,
270 limb, or property of a person, or cause any hurt, harm, damages, injury or loss to a person or
271 persons in one or more of the following circumstances.

272 (A) By reasons of being dilapidated, decayed, rodent or insect infested unsafe or
273 unsanitary is detrimental to health, morals, safety, public welfare, and the well-being of
274 the community, endangers life or property or is conducive to ill health, delinquency and
275 crime.

276 (B) By reason of being a fire hazard.

277 (C) By reason of the conditions which require its continued vacancy, the public nuisance,
278 and its surrounding grounds are not reasonably or adequately maintained thereby causing
279 deterioration and creating a blighting influence or condition on nearby properties and
280 thereby depreciating the value, use and enjoyment to an extent that it is harmful to the
281 public health, welfare, morals, safety and the economic stability of the area, community,
282 or neighborhood in which such a public nuisance is located. A vacant structure that is not
283 secured against entry shall be deemed unsafe.

284 **104.3 Unsafe Mechanical or Electrical Installations.**

285 Any premises, building or buildings, part or parts of a building, mechanical or electrical
286 installations and equipment, chimneys, staging or other structure that from any cause may now
287 be or shall at any time hereafter become dangerous or unsafe, shall be taken down and removed,
288 or made safe.

289 **104.4 Menace to Public Safety.** The Director shall determine as a matter of fact whether or
290 not said public nuisance is in imminent danger of collapse and constitutes a menace to public
291 safety.

292 **104.5 Imminent Danger.** If the Director determines that the public nuisance is in imminent
293 danger of collapse, and constitutes a menace, he shall have the authority to cause the demolition
294 of said nuisance by a municipal department or private company without previous notice to the

295 owner, executor, administrator, agent, lessee, or any person or persons who may have a vested or
296 contingent interest in said nuisance.

297 **104.6 Public Nuisance.** If the Director or his duly authorized representative determines that
298 said public nuisance is not in imminent danger of collapse, but is a nuisance, as defined in
299 Section 104.2 of this code, the following procedure shall be followed:

300 (a) A determination shall be made by the Director or his representative whether the
301 nuisance must be removed or repaired. If the nuisance is in the Vieux Carré
302 District, the Director or his representative shall obtain the written
303 recommendations of the Vieux Carré Commission before complying with Section
304 (d) below. If the nuisance is located in an historic district established or adopted
305 by the City Council or is a structure, or portion thereof, designated as a landmark
306 by the appropriate commission, the Director shall obtain the written
307 recommendation of the Historic District Landmarks Commission having
308 jurisdiction over the nuisance or area of work.

309 (b) The Director shall give notice as defined in Section 104.6 below to the owner or
310 one of the owners, executor, administrator, agent, lessee, or person or persons
311 who may have a vested or contingent interest in the nuisance as determined by
312 part (a) above. Said notice shall direct the person or person notified to certify to
313 the director within twenty-four (24) hours from the time of notification of his or
314 their assent or refusal to repair or remove same. Provided that, in the alternative,
315 or in addition to the enforcement procedures outlined herein, the Director may
316 proceed to enforce the provisions of the Code by proceedings pursuant to Chapter
317 28 of the City Code.

318 (c) If the person or persons so notified assent with the requirements of Section 104.6
319 above, the work shall be initiated within ten (10) days of the notice and performed
320 as speedily as possible and shall be continuously prosecuted until completed to
321 the satisfaction of the Director or his representative.

322 (d) Failure to comply with the Director's order to repair or demolish the nuisance in
323 question, shall empower the Director to:

324 (1) file charges in the Municipal Court of the City of New Orleans; and/or

325 (2) notify, as provided in Section 104 of this Ordinance, the owner, executor,
326 administrator, agent, lessee or any person or persons who may have a

327 vested or contingent interest in the nuisance of the time and place to

328 appear before the Council of the City of New Orleans to show cause why

329 said nuisance should not be demolished; and/or

330 (3) seek relief through Civil District Court or another Court of competent
331 jurisdiction; and /or

332 (4) notify as provided in Chapter 6 of the Code of the City of New Orleans,

333 the owner of record and/or any other person whom the City Attorney

334 identifies as required to receive notice, to appear before an Administrative

335 Hearing Officer to show cause why the said owner and/or person should

336 not be adjudicated as a violator to the said Chapter 6 and why said

337 nuisance should not be demolished.

338 (e) Any person who fails to appear or who does not receive a continuance from the
339 City council shall be deemed in violation of this Code and the demolition hearing
340 before the City Council shall proceed without further notice.

341 **104.7 Demolition of Nuisance.** Upon a determination of the City Council that the nuisance
342 should be demolished or, in the case of imminent danger as in Section 104.5, the Director shall
343 employ such labor, furnish such materials and take such steps as in his judgment may be
344 necessary to demolish said nuisance.

345 **104.8 Bids for Demolition of Nuisance.** The Director shall then proceed to effect the said
346 demolition by advertising for bids through the City Purchasing Bureau, which bids shall be
347 submitted to the Council for acceptance or rejection and final disposition. The City may do the
348 work of demolition itself, through the use of its own employees or volunteers, or may without
349 competitive bidding employ the services of volunteers, where the work is to be done at cost, and
350 where the value of the demolition work and/or said cost is less than \$5,000. The service of
351 another governmental entity shall be employed in accordance with an intergovernmental
352 agreement approved and executed as a written contract.

353 **104.9 Lien and Privilege.** All expenses incurred by the City of New Orleans in the
354 enforcement of Section 104 shall be borne by the person or persons owning the public nuisance
355 which sums so expended together with the attorney fees and interest at the rate of twelve (12%)
356 percent per annum from the date of completion of such work shall be charged to the owner of the
357 property on the next regular tax bill forwarded to such owner by the City, if not paid by such
358 owner thereto, which charge shall be due and payable by such owner at the time of payment of
359 such tax bill. If the full amount due the City under this Section is not paid by the owner within
360 ten (10) days after the work has been done the Director or his representative shall cause to be
361 recorded in the Mortgage Office of the Parish a sworn statement showing the cost and expense
362 incurred for the work and the date, place or property on which such work was done, and the
363 recordation of such sworn statement shall constitute a lien and privilege on the property and shall

364 remain in full force and effect for the amount due in principal and interest, plus costs of court, if
365 any, for collection, until final payment has been made. Such costs and expenses shall be
366 collected in the manner fixed by law for the collection of taxes; and further shall be subject to a
367 delinquent penalty of ten (10%) percent in the event they are not paid in full on or before the date
368 the tax bill upon which the charge appears becomes delinquent. Sworn statements recorded in
369 accordance with the provisions hereto shall be prima facie evidence that all legal formalities have
370 been complied with and that the work has been properly and satisfactorily done and shall be full
371 notice to every person concerned that the amount of the statement, plus interest, constitutes a
372 charge against the property designated or described in the statement and that such charge is due
373 and collectible as provided by law.

374 **104.10 Legal Action.** The fact that the City may cause said premises, building, buildings,
375 or parts thereof, chimneys, staging or other structure to be demolished or repaired at the
376 expense of the person, firm or corporation owning the same, shall not preclude the Director from
377 taking legal action in a court of competent jurisdiction against the person, firm or corporation
378 who shall fail, neglect or refuse to comply with the orders of the Director and the violation or
379 disregard of such orders shall be considered a violation of this Code.

380 **104.11 Notice to Owners.** For purposes of this Ordinance, notice which is required to be given
381 to the owner, executor, administrator, agent or lessee or person or persons who may have a
382 vested interest in the nuisance, it shall be sufficient to serve one of the aforementioned parties
383 with the required notice, and in the case of multiple owners, it shall be sufficient to notify one of
384 them.

385 **104.12 Posting of Notice.** Service shall be deemed sufficient in the case of persons residing
386 in Orleans Parish to attempt personal or domiciliary service on three separate occasions within a

387 fourteen (14) day period, and failing such service, a posting of copy of the notice of public
388 nuisance in a conspicuous place on the premises, a certified letter return receipt requested to the
389 last known address of the owner, executor, administrator, agent, lessee or person or persons who
390 may have an interest in the premises and the publishing of a notice in a newspaper of general
391 circulation in the City of New Orleans once each week for two (2) consecutive weeks, prior to
392 the date of such hearing before the City Council shall be deemed the equivalent of personal
393 service.

394 **104.13 Notice in a Newspaper.** In the case of persons residing outside Orleans Parish, the
395 posting of copy of the notice of public nuisance in a conspicuous place on the premises, a
396 certified letter return receipt requested to the last known address of the owner, executor,
397 administrator, agent, lessee or person or persons who may have an interest in the premises and
398 the publishing of a notice in a newspaper of general circulation in the City of New Orleans once
399 each week for two (2) consecutive weeks, prior to the date of such hearing before the City
400 Council shall be deemed the equivalent of personal service.

401 **104.14 Serving of Notice.** Furthermore, notice must be served forty-eight (48) hours before
402 any hearing.

403 **104.15 Discontinue Utilities.** The Director shall have authority to discontinue service of the
404 utility companies. Before discontinuing the supply of any or all utilities to any person or
405 persons, the Director shall give the parties concerned written notice by certified mail of at least
406 ten (10) calendar days in advance of the date to do so, with a copy of said notice being sent to the
407 Office of the Utility Company or companies or board providing the service. Should the violating
408 party or parties fail or refuse to comply with orders of the Director to proceed to remedy the
409 violation within said period of ten (10) calendar days, the supply of any or all utilities shall be

410 discontinued by the company or board concerned upon written notification by the Director.

411 **SECTION 105**

412 **PERMITS**

413 **105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter,
414 repair, move, demolish, or change the occupancy of a building or structure, or to erect, install,
415 enlarge, alter, repair, remove, convert or replace any electrical, gas or mechanical system, the
416 installation of which is regulated by this code, or to cause any such work to be done, shall first
417 make application to the Director and obtain the required permit.

418 **105.1.1 Annual Permit.** In lieu of an individual permit for each alteration to an
419 already approved electrical, gas, or mechanical installation, the Director is authorized to
420 issue an annual permit upon application therefore to any person, firm or corporation regularly
421 employing one or more qualified trade persons in the building, structure or on the premise
422 owned or operated by the applicant for the permit.

423 **105.1.2 Annual Permit Records.** The person to whom an annual permit is issued shall
424 keep a detailed record of alterations made under such annual permit. The Director shall
425 have access to such records at all times or such records shall be filed with the official as
426 designated.

427 **105.2 Work Exempt from Permit.** Exemptions from permit requirements of this
428 Code shall not be deemed to grant authorization for any work to be done in any manner
429 in violation of the provisions of this Code or any other laws or ordinances of the City of
430 New Orleans including Vieux Carré Commission and Historic District Landmarks
431 Commission requirements.

432 A building permit shall not be required for the following, unless in the opinion of the

433 Director it involves hazardous or complex conditions which require permitting and
434 inspection:

- 435 (1) Removal and replacement of deteriorated weather boards, aluminum or vinyl
436 siding.
- 437 (2) Removal and replacement of deteriorated floor boards.
- 438 (3) Removal and replacement of deteriorated porches and steps - front and rear and
439 sides, when not in conflict with the Zoning Ordinance.
- 440 (4) Interior painting, papering and similar finish work.
- 441 (5) Paving of yard when in compliance with applicable Zoning Ordinance.
- 442 (6) Retaining walls which are not over three (3) ft. in height.
- 443 (7) Exterior painting when not requiring protective scaffolding over public property.
- 444 (8) Roofing and/or gutter work with respect to one and two family dwellings.
- 445 (9) Fences up to seven (7) ft. in height.
- 446 (10) Swings and other playground equipment accessory to detached one- and two-
447 family dwellings.
- 448 (11) Tents with an area less than 1200 sq. ft. and not located in the Fire District (See
449 Section 421).

450 **Electrical:**

451 Repairs and maintenance: Minor repair work, including the replacement of lamps or the
452 connection of approved portable electrical equipment to approved permanently installed
453 receptacles.

454 **Radio and Television Transmitting Stations:** The provisions of this code shall not
455 apply to electrical equipment used for radio and television transmissions, but do apply to

456 equipment and wiring for power supply, and the installations of towers and antennas.

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

460 **Gas:**

- 461 1. Portable heating appliance.
- 462 2. Replacement of any minor part that does not alter approval of equipment or make
463 such equipment unsafe.

464 **Mechanical:**

- 465 1. Portable heating appliance;
- 466 2. Portable ventilation equipment;
- 467 3. Portable cooling unit;
- 468 4. Steam, hot or chilled water piping within any heating or cooling equipment
469 regulated by this code;
- 470 5. Replacement of any part which does not alter its approval or make it unsafe.
- 471 6. Portable evaporative cooler;
- 472 7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of
473 refrigerant and actuated by motors of 1 horsepower (746 W) or less.

474 **105.2.1 Emergency Repairs.** Where equipment replacements and repairs must be
475 performed in an emergency situation, the permit application shall be submitted within the
476 next working business day to the Director.

477 **105.2.2 Repairs.** Application or notice to the Director is not required for ordinary
478 repairs to structures, replacement of lamps or the connection of approved portable

479 electrical equipment to approved permanently installed receptacles. Such repairs shall
480 not include the cutting away of any wall, partition or portion thereof, the removal or
481 cutting of any structural beam or load bearing support, or the removal or change of any
482 required means of egress, or rearrangement of parts of a structure affecting the egress
483 requirements; nor shall ordinary repairs include addition to, alteration of, replacement or
484 relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste,
485 vent or similar piping, electric wiring or mechanical or other work affecting public health
486 or general safety.

487 **105.2.3 Public Service Agencies.** A permit shall not be required for the installation,
488 alteration or repair of generation, transmission, distribution or metering or other related
489 equipment that is under the ownership and control of public service agencies by
490 established right.

491 **105.3 Application for Permit.** To obtain a permit, the applicant shall first file an application
492 therefor in writing on a form furnished by the department of Safety and Permit for that purpose.

493 Such application shall:

- 494 1. Identify and describe the work to be covered by the permit for which application
495 is made.
- 496 2. Describe the land on which the proposed work is to be done by legal description,
497 street address or similar description that will readily identify and definitely locate
498 the proposed building or work.
- 499 3. Indicate the use and occupancy for which the proposed work is intended.
- 500 4. Be accompanied by construction documents and other information as required in
501 Section 106.

- 502 5. State the valuation of the proposed work.
- 503 6. Be signed by the applicant, or the applicant's authorized agent.
- 504 7. Give such other data and information as required by the Director.

505 **105.3.1 Action on Application.** The Director shall examine or cause to be examined
506 applications for permits and amendments thereto within a reasonable time after filing. If
507 the application or the construction documents do not conform to the requirements of
508 pertinent laws, the Director shall reject such application in writing, stating the reasons
509 therefor. If the Director is satisfied that the proposed work conforms to the requirements
510 of this code and laws and ordinances applicable thereto, the Director shall issue a permit
511 therefor as soon as practicable.

512 **105.3.2 Time Limitation of Application.** An application for a permit for any proposed
513 work shall be deemed to have been abandoned 180 days after the date of filing, unless
514 such application has been pursued in good faith or a permit has been issued; except that
515 the Director is authorized to grant one or more extensions of time for additional periods
516 not exceeding 90 days each. The extension shall be requested in writing and justifiable
517 cause demonstrated.

518 **105.4 Validity of Permit.** The issuance or granting of a permit shall not be construed to be a
519 permit for, or an approval of, any violation of any of the provisions of this code or of any other
520 ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the
521 provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of
522 a permit based on construction documents and other data shall not prevent the Director from
523 requiring the correction of errors in the construction documents and other data. The Director is
524 also authorized to prevent occupancy or use of a structure where in violation of this code or of

525 any other ordinances of this jurisdiction.

526 **105.5 Expiration.** A permit becomes invalid unless the work authorized by the permit is
527 commenced within 180 days after its issuance, or if the work authorized on the permit is
528 suspended or abandoned for a period of 180 days after the time the work is commenced. The
529 Director is authorized to grant, in writing, one or more extensions of time, for periods not more
530 than 180 days each. The extension shall be requested in writing and justifiable cause
531 demonstrated.

532 **105.6 Suspension or Revocation.** The Director is authorized to suspend or revoke a permit
533 issued under the provisions of this code wherever the permit is issued in error or on the basis of
534 incorrect, inaccurate or any false statement or misrepresentation, or in violation of any ordinance
535 or regulation or any of the provisions of this code.

536 **105.7 Placement of Permit.** The building permit or copy shall be displayed on the site of the
537 work until the completion of the project.

538 SECTION 106

539 CONSTRUCTION DOCUMENTS

540 **106.1 Submittal Documents.** Construction documents, shall be prepared by or under the direct
541 supervision of a Louisiana Registered Architect or a Louisiana Registered Civil Engineer, within
542 the purview of the State of Louisiana licensing law provisions, and said construction documents
543 shall be imprinted with his seal designating, him as the professional of record. Construction
544 documents involving mechanical, gas and electrical installations except as follows, shall be
545 prepared by or under the direct supervision of a Louisiana Registered Mechanical or Electrical
546 Engineer, as applicable, within the purview of the State of Louisiana licensing law provisions,

547 and said drawings and specifications shall be imprinted with his seal designating, him as the
548 professional of record and further, said drawings are to be submitted at the time of application
549 for building permits. Where special conditions exists, the Director is authorized to require
550 additional construction documents to be prepared by a registered design professional. The
551 Director may waive the requirements of construction documents, if he finds that the nature of the
552 work applied for is such that construction documents are not necessary to obtain compliance with
553 the adopted codes.

554 **Exceptions:**

- 555 **1.** The submission of construction documents involving mechanical, gas and
556 electrical installations is not necessary when the electrical work does not exceed
557 \$15,000 and/or when the mechanical work does not exceed \$15,000, in the
558 opinion of the Director.
- 559 **2.** The submission of construction documents and involving mechanical, gas and
560 electrical installations is not necessary for the construction and or the repair work
561 for one and two family dwellings.

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

567 **106.1.1 Information on Construction Documents.** Construction documents
568 shall be dimensioned and drawn upon suitable material. Electronic media
569 documents are permitted to be submitted when approved by the Director.

570 Construction documents shall be of sufficient clarity to indicate the location,
571 nature and extent of the work proposed and show in detail that it will conform to
572 the provisions of this code and relevant laws, ordinances, rules and regulations, as
573 determined by the Director.

574 **106.1.1.1 Fire Protection System Shop Drawings.** Shop drawings for the
575 fire protection system(s) shall be submitted to indicate conformance with this
576 code and the construction documents and shall be approved prior to the start of
577 system installation. Shop drawings shall contain all information as required by the
578 referenced installation Standards in Chapter 9.

579 **106.1.2 Means of Egress.** The construction documents shall show in sufficient
580 detail the location, construction, size and character of all portions of the means of
581 egress in compliance with the provisions of this code. In other than occupancies
582 in Groups R-2, and R-3 and I-1, the construction documents shall designate the
583 number of occupants to be accommodated on every floor, and in all rooms and
584 spaces.

585 **106.1.3 Exterior Wall Envelope.** Construction documents for all buildings
586 shall describe the exterior wall envelope in sufficient detail to determine
587 compliance with this code. The construction documents shall provide details of
588 the exterior wall envelope as required, including flashing, intersections with
589 dissimilar materials, corners, end details, control joints, intersections at roof,
590 eaves, or parapets, means of drainage, water-resistive membrane, and details
591 around openings.

592 The construction documents shall include manufacturing installation instructions

593 that provide supporting documentation that the proposed penetration and opening
594 details described in the construction documents maintain the weather resistance of
595 the exterior wall envelope. The supporting documentation shall fully describe the
596 exterior wall system which was tested, where applicable, as well as the test
597 procedure used.

598 **106.2 Site Plan.** The construction documents submitted with the application for permit shall be
599 accompanied by a site plan showing to scale the size and location of new construction and
600 existing structures on the site, distances from lot lines, the established street grades and the
601 proposed finished grades; and it shall be drawn in accordance with an accurate boundary line
602 survey. In the case of demolition, the site plan shall show construction to be demolished and the
603 location and size of existing structures and construction that are to remain on the site or plot.
604 The Director is authorized to waive or modify the requirement for a site plan when the
605 application for permit is for alteration or repair or when otherwise warranted.

606 **106.3 Examination of Documents.** The Director shall examine or cause to be examined the
607 accompanying construction documents and shall ascertain by such examinations whether the
608 construction indicated and described is in accordance with the requirements of this code and
609 other pertinent laws or ordinances.

610 **106.3.1 Approval of Construction Documents.** When the Director issues a permit, the
611 construction documents when submitted shall be approved, in writing or by stamp, as
612 “Reviewed for Code Compliance.” One set of construction documents so reviewed shall
613 be retained by the Director. The other set shall be returned to the applicant, shall be kept
614 at the site of work and shall be open to inspection by the Director or his authorized
615 representative.

616 **106.3.2 Previous Approvals.** This code shall not require changes in the construction
617 documents, construction or designated occupancy of a structure for which a lawful permit
618 has been heretofore issued or otherwise lawfully authorized, and the construction of
619 which has been pursued in good faith within 180 days after the effective date of this code
620 and has not been abandoned.

621 **106.3.3 Phased Approval.** The Director is authorized to issue a permit for the
622 construction of foundations or any other part of a building or structure before the
623 construction documents for the whole building or structure have been submitted,
624 provided that adequate information and detailed statements have been filed complying
625 with pertinent requirements of this code. The holder of such permit for the foundation or
626 other parts of a building or structure shall proceed at the holder's own risk with the
627 building operation and without assurance that a permit for the entire structure will be
628 granted.

629 **106.3.4 Revision of Approved Construction Documents.** It shall be unlawful to
630 erase, materially alter or modify any lines, figures, letters, words or coloring contained in
631 the construction documents stamped by the Director. If during the progress of the
632 execution of such work it is desired to deviate in any manner affecting the construction or
633 other essentials of the building from the terms of the applications plans, or specifications
634 or statement of cost of work, notice of such intention to alter or deviate shall be given in
635 writing to the Director, and his written assent shall be obtained before such alterations or
636 deviations may be made. If such change or deviation affects structural design, exit
637 arrangement, occupancy change etc., then new construction documents thereof shall be
638 submitted to the Director for approval, and, if necessary, an additional permit shall be

639 secured.

640 **106.3.5 Design Professional in Responsible Charge.**

641 **106.3.5.1 General.** When it is required that documents be prepared by a
642 registered design professional, the Director shall be authorized to require the
643 owner to engage and designate on the building permit application a registered
644 design professional who shall act as the registered design professional in
645 responsible charge. If the circumstances require, the owner shall designate a
646 substitute registered design professional in responsible charge who shall perform
647 the duties required of the original registered design professional in responsible
648 charge. The Director shall be notified in writing by the owner if the registered
649 design professional in responsible charge is changed or is unable to continue to
650 perform the duties.

651 The registered design professional in responsible charge shall be responsible for
652 reviewing and coordinating submittal documents prepared by others, including
653 phased and deferred submittal items, for compatibility with the design of the
654 building.

655 **106.3.5.2 Deferred submittals.** For the purpose of this section, deferred
656 submittals are defined as those portions of the design that are not submitted at the
657 time of the application and that are to be submitted to the Director within a
658 specified period. Deferral of any submittal items shall have the prior approval of
659 the Director. The registered design professional in responsible charge shall list
660 the deferred submittals on the construction documents for review by the Director.
661 Submittal documents for deferred submittal items shall be submitted to the

662 registered design professional in responsible charge who shall review them and
663 forward them to the Director with a notation indicating that the deferred submittal
664 documents have been reviewed and that they have been found to be in general
665 conformance with the design of the building. The deferred submittal items shall
666 not be installed until their design and submittal documents have been approved by
667 the Director.

668 SECTION 107

669 TEMPORARY STRUCTURES AND USES

670 **107.1 General.** The Director is authorized to issue a permit for temporary structures and
671 temporary uses. Such permit shall be limited as to time of service, but shall not be permitted for
672 more than 180 days. The Director is authorized to grant extensions for demonstrated cause.

673 **107.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire
674 safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as
675 necessary to ensure the public health, safety and general welfare.

676 **107.3 Temporary power.** The Director is authorized to give permission to temporarily supply
677 and use power in part of an electric installation before such installation has been fully completed
678 and the final certificate of completion has been issued. The part covered by the temporary
679 certificate shall comply with the requirements specified for temporary lighting, heat or power.

680 **107.4 Termination of approval.** The Director is authorized to terminate a permit for a
681 temporary structure or use and to order the temporary structure or use to be discontinued.

682 SECTION 108

FEES

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108.1 PAYMENT OF FEES. A permit is not valid until the fees prescribed by law are paid.

An amendment to a permit will not be released until the additional fee, if any, has been paid.

108.2 Work Commencing Before Permit Issuance. Any person who commences any work on

a building or a structure before obtaining the necessary building permit shall be subject to a

penalty of 200% of all fees in addition to the required permit fee. Where work for which a

permit is required by this code is commenced after an application is made to obtain a building

permit but prior to the review and approval of such permit, such work shall be subject to penalty

of 100% of all fees in addition to the required permit fees. The penalty for commencing

demolition shall not be more than the replacement value of the structure or the demolished

portion thereof as determined by the provisions of Section 108.4. The determination of the

extent of the penalty, and the amount of the penalty shall be in the sole discretion of the Director.

108.3 Accounting. The Director is to collect fees for certificates and permits and shall give

receipts for same; he shall deposit daily all sums collected under this Code to the Bureau of the

Treasury, to the account of the General Fund, except guarantee deposit fees shall be kept in a

separate account by the Director of Finance.

The Director shall keep a permanent, accurate account of all fees and other monies collected and

received under this Code.

108.4 Building Permit Valuations. The determination of value or valuation under any of the

provisions of this Code shall be made by the Director, and in so determining the value he shall be

guided by recognized appraisal methods. For construction, structural repairs, additions and

structural alterations, a permit must be secured and fee paid, except in cases where the work is

actually performed by the City Government in which case a building permit shall be secured

706 without payment of fee.

707 **108.5 Related fees.** The payment of the fee for the construction, alteration, removal or
708 demolition for work done in connection with or concurrently with the work authorized by a
709 building permit shall not relieve the applicant or holder of the permit from the payment of other
710 fees that are prescribed by law.

711 **108.6 Schedule of Permit Fees.** On all buildings, structures or alterations requiring a building
712 permit, a fee for each building permit shall be paid as required at the time of filing application, in
713 accordance with the following schedule:

714 1. Permit fees for all work requiring permits, except for removal or demolition. These fees
715 include the certificate of use and occupancy (with or without plans). \$50.00 plus \$5.00
716 per \$1000.00 or fraction thereof of construction value.

717 2. When plans are required and filed with an application for a building permit, the
718 Department of Safety and Permits shall collect a plan checking fee, determined as one-
719 tenth of 1% for the total valuation of all construction work. Total valuation shall be the
720 same as that used in determining building permit fees. There shall be a minimum fee of
721 \$50.00 for this review. When plans are submitted for a re-review process, the
722 Department of Safety and Permits shall collect a re-review plan checking fee. The
723 amount of the fee shall be determined as one-twentieth of one percent for the total
724 valuation of all construction work. The total valuation shall be the same as used in
725 determining building permit fees. There shall be a minimum fee of \$35.00 and a
726 maximum of \$5,000.00 per application for re-review.

727 3. Permit fees for removal or demolition shall be as follows:
728 \$75.00 plus \$5.00 for each \$1000.00 of demolition cost.

- 729 **4.** An extra inspection or wasted trip fee of \$50.00 shall be incurred for each inspection
730 called for by the owner or the owner's representative when, in the opinion of the Director,
731 the work to be inspected is incomplete and/or not suitable for inspection. This charge is
732 for each and any extra inspections made necessary as a result of blatantly incomplete
733 work, inaccessibility to perform the inspection or for alterations to work previously
734 accepted. This fee is in addition to any regular required permit fees.
- 735 **5.** A fee of \$50.00 for each residential unit or phase and \$100.00 for each commercial unit
736 or phase shall be incurred to process the request for a Temporary Certificate of
737 Occupancy.
- 738 **6.** On all buildings, structures, or alterations which fall within the Vieux Carré, as defined in
739 Section 65-6 of the Code of the City of New Orleans, and which require a permit from
740 the Vieux Carré Commission in addition to requiring a building permit under this Code,
741 an additional 50 percent surcharge is added to the permit fee and the plan checking fee as
742 enumerated in subsections 1, 2 and 3 of Section 108.6. above.
- 743 **7.** On all buildings, structures, or alterations which fall within an officially designated
744 Historic District, or any officially designated landmark, or which otherwise may require
745 Historic District Landmarks Commission staff review, an additional 50 percent surcharge
746 is added to the permit fee and the plan checking fee as enumerated in subsections 1, 2,
747 and 3 of Section 108.6. above.
- 748 **108.7 Refunds.** Subject to the discretion of the Director of Safety and Permits, the applicant for
749 a permit or holder of a permit shall not be entitled to a refund of any fee paid.

750

SECTION 109

751 **INSPECTIONS**

752 **109.1 General.** Construction or work for which a permit is required is subject to inspection by
753 the Director and the construction or work shall remain accessible and exposed for inspection
754 purposes until approved. Approval as a result of an inspection shall not be construed to be an
755 approval of a violation of the provisions of this code or of other ordinances of the city.

756 Inspections presuming to give authority to violate or cancel the provisions of this code or of
757 other ordinances of the city shall not be valid. It shall be the duty of the permit applicant to
758 cause the work to remain accessible and exposed for inspection purposes. Neither the Director
759 nor the city shall be liable for expense entailed in the removal or replacement of any material
760 required to allow inspection.

761 **109.2 Preliminary inspection.** Before issuing a permit, the Director is authorized to examine or
762 cause to be examined buildings, structures and sites for which an application has been filed.

763 **109.3 Required inspections.** The Director, upon notification, shall make the inspections set
764 forth in Sections 109.3.1 through 109.3.9.

765 **109.3.1 Footing or foundation inspection.** Footing and foundation inspections shall be
766 made after excavations for footings are complete and any required reinforcing steel is in
767 place. For concrete foundations, any required forms shall be in place prior to inspection.
768 Materials for the foundation shall be on the job, except where concrete is ready mixed in
769 accordance with ASTM C 94, the concrete need not be on the job.

770 **109.3.2 Concrete slab or under-floor inspection.** Concrete slab and under-floor
771 inspections shall be make after in-slab or under-floor reinforcing steel and building
772 service equipment, conduit, piping accessories and other ancillary equipment items are in
773 place, but before any concrete is placed or floor sheathing installed, including the

774 subfloor.

775 **109.3.3 Lowest floor elevation.** Upon placement of the lowest floor, including the
776 basement, and prior to further vertical construction, the elevation certification required in
777 Section 119 shall be submitted the Director.

778 **109.3.4 Frame inspection.** Framing inspections shall be made after the roof deck or
779 sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and
780 vents to be concealed are complete and the rough electrical, plumbing, heating wires,
781 pipes and ducts are approved.

782 **109.3.5 Lath or gypsum board inspection.** Lath and gypsum board inspections shall be
783 made after lathing and gypsum board, interior and exterior, is in place , but before any
784 plastering is applied or before gypsum board joints and fasteners are taped and finished.

785 **Exception:** Gypsum board that is not part of a fire-resistive assembly or a shear
786 assembly.

787 **109.3.6 Fire-resistant penetrations.** Protection of joints and penetrations in fire-
788 resistance-rated assemblies shall not be concealed from view until inspected and
789 approved.

790 **109.3.7 Other inspections.** In addition to the inspections specified above, the Director is
791 authorized to make or require other inspections of any construction work to ascertain
792 compliance with the provisions of this code and other laws that are enforced by the
793 Department of Safety & Permits.

794 **109.3.8 Special inspections.** For special inspections, see Section 1704.

795 **109.3.9. Final inspection.** The final inspection shall be made after all work required by
796 the building permit is completed.

797 **109.4 Inspection agencies.** The Director is authorized to accept reports of approved inspection
798 agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

799 **109.5 Inspection requests.** It shall be the duty of the holder of the building permit or their duly
800 authorized agent to notify the Director when work is ready for inspection. It shall be the duty of
801 the permit holder to provide access to and means for inspection of such work for any inspections
802 that are required by this code.

803 **109.6 Approval required.** Work shall not be done beyond the point indicated in each
804 successive inspection without first obtaining the approval of the Director. The Director, upon
805 notification, shall make the requested inspections and shall either indicate the portion of the
806 construction that is satisfactory as completed, or shall notify the permit holder or an agent of the
807 permit holder wherein the same fails to comply with this code. Any portions that do not comply
808 shall be corrected and such portion shall not be covered or concealed until authorized by the
809 Director.

810 **109.7 Existing Building Inspections.** Before issuing a permit the Director may examine or
811 cause to be examined any building for which an application has been received for a permit to
812 enlarge, alter, repair, move, demolish, or change the occupancy. He shall inspect all buildings
813 and structures, from time to time, during and upon completion of the work for which a permit
814 was issued. He shall make a record of every such examination and inspection and of all
815 violations of this Code.

816 **SECTION 110**

817 **CERTIFICATE OF OCCUPANCY**

818 **110.1 Use and Occupancy.** No building or structure shall be used or occupied, and no change in

819 the existing occupancy classification of a building or structure or portion thereof shall be made
820 until the Director has issued a certificate of occupancy. Issuance of a certificate of occupancy
821 shall not be construed as an approval of a violation of the provisions of this code or of other
822 ordinances of the city.

823 **110.2 Change in use.** Changes in the character or use of an existing structure shall not be made
824 except as specified in Chapter 34.

825 **110.2.1 Alterations.** Any building or structure which is enlarged, altered, raised,
826 repaired, or built upon to an extent exceeding an expenditure of 50% of the replacement
827 value after alterations, shall be made to comply in its entirety with the requirements for a
828 new building or structure. Where the expenditures are less than 50% of the said
829 replacement value, only portions added, altered, or replaced need be made to conform.
830 Replacement value shall be determined by the Director, as provided in 108.4.

831 **110.3 Issuing Certificate Of Occupancy.** Upon completion of a building erected in accordance
832 with an approved building permit and after the final inspection the Director shall issue a
833 certificate of occupancy stating the nature of the occupancy permitted.

834 **110.4 Temporary occupancy.** The Director is authorized to issue a temporary certificate of
835 occupancy before the completion of the entire work covered by the permit, provided that such
836 portion or portions shall be occupied safely. The Director shall set a time period during which
837 the temporary certificate of occupancy is valid.

838 **110.5 Revocation.** The Director is authorized to, in writing, suspend or revoke a certificate of
839 occupancy or completion issued under the provisions of this code wherever the certificate is
840 issued in error, or on the basis of incorrect information supplied, or where it is determined that
841 the building or structure or portion thereof is in violation of any ordinance or regulation or any of

842 the provisions of this code.

843 **110.6 Existing Building Certificate Of Occupancy.** A certificate of occupancy for any existing
844 building may be obtained by applying to the Director and supplying the information and data
845 necessary to determine compliance with this Code for the occupancy intended. Where
846 necessary, in the opinion of the Director, two sets of detailed drawings, or a general inspection,
847 or both, may be required. When, upon examination and inspection, it is found that the building
848 conforms to the provisions of this Code for such occupancy, a certificate of occupancy may be
849 issued.

850 **SECTION 111**

851 **SERVICE UTILITIES**

852 **111.1 Connection of service utilities.** No person shall make connections from a utility, source
853 of energy, fuel or power to any building or system that is regulated by this code for which a
854 permit is required, until released by the Director.

855 **111.2 Temporary connection.** The Director shall have the authority to authorize the temporary
856 connection of the building or system to the utility source of energy, fuel or power.

857 **111.3 Authority to disconnect service utilities.** The Director shall have the authority to
858 authorize disconnection of utility service to the building, structure or system regulated by this
859 code and the codes referenced in case of emergency where necessary to eliminate an immediate
860 hazard to life or property. The Director shall notify the serving utility, and wherever possible the
861 owner and occupant of the building, structure or service system of the decision to disconnect
862 prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the
863 building, structure or service system shall be notified in writing, as soon as practical thereafter.

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SECTION 112

BOARD OF BUILDING STANDARDS AND APPEALS

112.1 - General

The Director has the authority and it is his duty, subject to the provisions of law and of this Code, to pass upon a question relative to the mode, manner of construction or materials to be used in the erection or alteration of any building or other structure erected or to be erected within the City of New Orleans, which is affected by the provisions of this Code, or of any existing law applicable to the City of New Orleans and relating to the design, construction, alteration, maintenance, repair, and removal of buildings or other structures therein, and to require that such design, mode, manner of construction, or materials shall conform to the true intent and meaning of the several provisions of this Code. If the Director, rejects or refuses to issue a building permit, or to approve the design, mode, manner of construction or materials proposed to be followed or used in the erection and alteration of any such building or structure, or when it is claimed that the rulings of the Director or the provisions of this Code do not apply, or that a more desirable and equally safe form of construction, from the owner's point of view can be employed in a specific case, or whenever the owner of a building or structure shall object to any decision given by the Director, relative to the extent of damage sustained by any building or structure, by fire or otherwise, or to the extent or value of repairs, alterations or improvements of any existing building or replacement value thereof, the owner of the building may appeal from the decision of the Director to the Board of Building Standards and Appeals.

112.2 — Appointment

There shall be in the City of New Orleans a Board to be called "Board of Building Standards and Appeals" hereinafter referred to as the "Board". The Board shall consist of five members to be

887 appointed by the Mayor, one member to be a Louisiana State Registered Architect, one member
888 to be a Louisiana State Registered Civil Engineer, one member to be a Louisiana State Licensed
889 General Contractor, one member to be a Louisiana State Registered Mechanical or Electrical
890 Engineer, and one member to be an engineer experienced in fire protection.

891 **112.3 — Terms of Office**

892 The term of office shall be five (5) years each, but each member shall serve until his successor is
893 appointed and qualified. Said terms shall terminate on June 30 of the respective year. Any
894 member may be removed by the Mayor, with approval of the Council, for malfeasance,
895 incapacity or neglect of duty. In case a member is interested in any way in an appeal, he shall be
896 recused and the Board shall appoint a member of the same calling to serve in his stead for the
897 particular case.

898 **112.4 — Board Officers and Quorum**

899 Each member shall take an oath of office in a form prescribed by the City Attorney, and the
900 Board shall elect one of its members as Chairman and one as Vice-Chairman. A secretary, not a
901 member of the Board, shall also be appointed. The Board shall meet when called by the
902 Chairman to consider appeals which meeting shall be considered a regular meeting; or by the
903 Director of the Department of Safety and Permits for the transaction of such business as he may
904 designate, which shall not be held more often than twice in each month of each year. No appeal
905 shall be considered at a meeting of the Board unless it is submitted at least five (5) working days
906 prior to the date of the meeting. The Board shall meet when notified by the Director for the
907 purpose of recommending appropriate changes in this code and then refer the same to the City
908 Council for consideration and action. Three members shall constitute a quorum. In varying the
909 application of any provisions of the Code, or in modifying an order of the Director, minimum

910 three affirmative votes shall be required.

911 **112.5 — Legal Advisor**

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

913 **112.6 — Appeals**

914 Whenever the owner of an alleged unsafe structure or an alleged public nuisance does not agree
915 with the order from the Department of Safety and Permits, as to the corrections to be made, he
916 shall have the right to appeal to the Board of Building Standards and Appeals within fifteen (15)
917 days from the date of the order stating how he proposes to make the structure safe and, if
918 required by the Board, shall submit detailed engineering analysis or recommendations
919 accompanied by plans and specifications prepared by a Louisiana registered architect or a
920 Louisiana registered civil engineer, or other substantiating data concerning the removal or other
921 remedial steps to be taken to render the structure safe. In cases of emergency, and when the
922 Director considers the structure in imminent danger of collapse, that portion of 104.5 relative to
923 imminently dangerous structures shall govern and no appeal to the Board shall be permitted.

924 **112.7 — Fees**

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

927	1 and 2 family dwelling.....	\$200.00
928	All others.....	\$800.00
929	Townhouses -\$200.00 each, not to exceed.....	\$600.00
930	Rehearing.....	\$200.00
931	Special Board Meeting.....	\$1600.00

932 In cases when an application for a slab elevation waiver is made AFTER pouring of a slab, the

933 application fee shall be tripled.

934 **112.8 — Duties and Powers**

935 It shall be the duty of the Board:

- 936 **1.** To hear and decide appeals where it is alleged there is error in any order, requirement,
937 decision, or determination made by the Director in the enforcement of this Code.
- 938 **2.** To hear and decide all matters referred to it or upon which it is required to pass under this
939 Code.
- 940 **3.** To pass upon appeals where there are practical difficulties or unnecessary hardships in
941 the way of carrying out the strict letter of this Code, to vary or modify the application of
942 any of the regulations or provisions of such sections relating to the construction or
943 alteration of buildings or structures so that the spirit of this Code shall be observed,
944 public safety and welfare secured and substantial justice done.
- 945 **4.** To interpret the intent or meaning of this Code for the advice of the Director. In
946 exercising the above-mentioned powers, the Board may reverse or affirm wholly or in
947 part, or may modify the order, requirement, decision or determination appealed from and
948 may make such order, requirement, decision or determination as ought to be made, and to
949 that end shall have all the powers of the Director from whom the appeal is taken. The
950 concurring vote of three members of the Board shall be necessary to recall any
951 requirement, decision or determination of the Director, or to decide in favor of the
952 applicant on any matters on which it is required to pass under this Code, or to effect any
953 variation in this Code.

954 **112.9 — Amendments**

955 All amendments to this Code shall first be reviewed by the Board of Building Standards and

956 Appeals, and shall be accompanied by its recommendation prior to consideration by the City
957 Council.

958 **112.10 — Rehearing**

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

963 **112.11 — Actions**

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

975 **112.12 - Appeal to Courts**

976 A person, or any officer, department, commission, board, bureau, or any other agency of the City
977 of New Orleans jointly or singularly aggrieved by a decision of the Board of Building Standards
978 and Appeals may present to the Civil District Court of the Parish of Orleans, within one (1) year

979 after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and
980 under such rules and regulations as are provided for such matters in appropriate legislation of the
981 State of Louisiana.

982 SECTION 113

983 VIOLATIONS

984 **113.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to erect, construct,
985 alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment
986 regulated by this code, or cause same to be done, in conflict with or in violation of any of the
987 provisions of this code.

988 **113.2 Notice of violation.** The Director is authorized to serve a notice of violation or order on
989 the person responsible for the erection, construction, alteration, extension, repair, moving,
990 removal, demolition or occupancy of a building or structure in violation of the provisions of this
991 code, or in violation of a permit or certificate issued under the provisions of this code. The order
992 shall direct the discontinuance of the illegal action or condition and the abatement of the
993 violation.

994 **113.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the
995 Director is authorized to request the City Attorney to institute the appropriate proceeding at law
996 or in equity to restrain, correct or abate such violation, or to require the removal or termination of
997 the unlawful occupancy of the building or structure in violation of the provisions of this code or
998 of the order or direction made pursuant thereto.

999 **113.4 Violation penalties.** A person who violates a provision of this code or fails to comply
1000 with any of the requirements thereof or who erects, constructs, alters or repairs a building or

1001 structure in violation of the approved construction documents or directive of the Director, or of a
1002 permit or certificate issued under the provisions of this code, is subject to penalties as prescribed
1003 by law.

1004 SECTION 114

1005 STOP WORK ORDER

1006 **114.1 Authority.** The Director is authorized to issue a stop work order whenever he finds any
1007 work regulated by this code being performed in a manner contrary to the provisions of this code
1008 or in a dangerous or unsafe manner.

1009 **114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the
1010 property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a
1011 stop work order, the cited work shall immediately cease.

1012 When an emergency exists, the Director shall not be required to give a written notice prior to
1013 stopping the work.

1014 **114.3 Unlawful continuance.** A person who continues any work after having been served with
1015 a stop work order, except the work that person is directed to perform to remove a violation or
1016 unsafe condition, is subject to penalties as prescribed by law.

1017 SECTION 115

1018 STREET ADDRESS

1019 When issuing building permits, the Director shall designate thereon the street number that the
1020 building when completed will bear. Buildings shall have approved address numbers placed in a
1021 position to be plainly legible and visible from the street or road fronting the property. These

1022 numbers shall contrast with their background. Address numbers shall be Arabic numerals or
1023 alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of
1024 0.5 inch.

1025 **SECTION 116**

1026 **ZONING RESTRICTIONS**

1027 The provisions of the Comprehensive Zoning Ordinance of the City of New Orleans shall not be
1028 deemed to be modified by any provision of this Code. The provisions of the Comprehensive
1029 Zoning Ordinance shall be controlling, except that whenever this Code imposes greater
1030 restrictions by reason of the type of construction used, the provisions of this Code shall control.

1031 **SECTION 117**

1032 **FIRE PREVENTION**

1033 The provisions of the Fire Prevention Ordinance shall not be deemed to be modified by any
1034 provisions of this Code except that wherever the requirements of this Code are more restrictive,
1035 the requirements of this Code shall apply.

1036 **SECTION 118**

1037 **MINIMUM HOUSING RESTRICTIONS**

1038 The provisions of Chapter 26 of the City Code "Housing Standards - Minimum Housing
1039 Standards Code", as amended, shall not limit, restrict, contravene, or vitiate the provisions of this
1040 Code as adopted herein or hereafter amended. Wherever there is a conflict between the
1041 Minimum Housing Standards and the Building Code, the more restrictive provisions shall be

1042 enforced.

1043 **SECTION 119**

1044 **LOT FILL OR LOT GRADE**

1045 **119.1 General**

1046 It is unlawful to place fill on a lot or site or part thereof or grade a lot or site in a manner that
1047 allows runoff to drain onto abutting lots or sites. The requirement for prevention of water runoff
1048 to abutting sites or lots may be met by use of a perimeter swale or a retaining wall. Lots or sites
1049 shall generally be graded to drain the water toward the street(s) side (s) of the lot or site. Any
1050 retaining walls installed pursuant to the provisions of this section shall be constructed of
1051 concrete. Request for approval of materials other than concrete may be reviewed and approved
1052 or disapproved by the Director depending upon the structural integrity of the alternate material.
1053 Retaining walls of treated lumber when approved are limited to a maximum height of 12 inches.

1054 **119.2 Notarized certificate.** Prior to issuance of a Certificate of Occupancy by the Department
1055 of Safety and Permits, the applicant shall present a notarized certificate signed by the owner
1056 stipulating that all filling, grading and sidewalk and driveway installations have met the
1057 requirements of the applicable sections of the Code of the City of New Orleans.

1058 Compliance with all filling, grading and sidewalk and driveway installation requirements shall
1059 be completed before final inspection by the Department of Safety and Permits.

1060 **119.2.1 Slab Foundations Certificate**

1061 The Department of Safety and Permits shall inscribe on the building permit the minimum
1062 floor elevation in accordance with the Federal Flood Insurance Rate Map and the Code of
1063 the City of New Orleans. In addition, the top of the slab shall not be less than 18 inches

1064 above the highest point of the curb in front of the lot or site. The builder shall obtain
1065 from a Land Surveyor or Civil Engineer, licensed in the State of Louisiana, a Certificate
1066 of Construction Bench Mark describing a mark of known elevation of the slab. Also, the
1067 Certificate of Construction Bench Mark must contain the elevations in the four corners of
1068 the lot. This certificate shall be furnished to the Department of Safety and Permits at the
1069 time of the building permit application. Before framing begins, a Certificate of Slab
1070 Elevation shall be submitted by the applicant to the Department of Safety and Permits.
1071 This certificate shall contain as built minimum sill height or floor elevation and shall be
1072 signed by a Civil Engineer or Land Surveyor, licensed in the State of Louisiana. If the
1073 slab is built below the stipulated elevation, the Director is empowered to order the
1074 removal or correction of said floor and the Department of the Director is empowered to
1075 cancel the building permit.

1076 **119.2.2 Pier or Chain Wall Foundation Certificate**

1077 The Department of Safety and Permits shall inscribe on the building permit the minimum
1078 floor elevation in accordance with the Federal Flood Insurance Rate Map and the Code of
1079 the City of New Orleans. In addition, the top of the finished lowest habitable floor shall
1080 not be less than 18 inches above the highest point of the curb in front of the lot or site.

1081 All construction below the Base Flood Elevation shall be of flood-resistant materials.

1082 Furthermore, the underside of a raised structure shall have a minimum of 18 inches from
1083 the underside of the sill to the ground beneath the entire structure. The builder shall
1084 obtain from a Land Surveyor or Civil Engineer, licensed in the State of Louisiana, a
1085 Certificate of Construction Bench Mark describing a mark of known elevation in
1086 immediate proximity to the property. This will be used in establishing the elevation of

1087 the piers or chain wall. This Certificate shall be furnished to the Department of Safety
1088 and Permits at the time of building permit application. Before framing begins, a
1089 Certificate of Floor Elevation shall be submitted by the applicant to the Department of
1090 Safety and Permits. This certificate shall contain “as built” minimum sill height or floor
1091 elevation and shall be signed by a Civil Engineer or Land Surveyor, licensed in the State
1092 of Louisiana. If the “as built” minimum floor elevation is built below the stipulated
1093 elevation, the Director is empowered to order the removal or correction of said floor and
1094 the Director is empowered to cancel the building permit.

1095 **119.3 Modifications**

1096 In the Central Business District (including the area known as the Vieux Carré), in built-up
1097 commercial areas and in areas where a satisfactory system of lot grades and building elevations
1098 already have been established, the Department of Safety and Permits may modify or vary the
1099 requirements of 119.2.1 and 119.2.2 provided the new construction in the above-mentioned areas
1100 shall always be equal to or above the average lower floor elevation in the particular block or
1101 area.

1 **SECTION 9.** That Chapter 2 of the IBC, 2006 Edition, be amended to include the
2 following:

3 **“CHAPTER 2**

4 **DEFINITIONS**

5 ********

6 **Building Official:** The Director of the Department of Safety and Permits, or his duly authorized

7 representative or employee.

8 ****”

1 **SECTION 10.** That Chapter 4 of the IBC, 2006 Edition, be amended to include the
2 following:

3 **“CHAPTER 4**
4 **SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY**

5 ****

6 **SECTION 421**

7 **TENTS**

8 **421.1 PERMIT REQUIRED.** Tents, with an area up to 1,200 sq. ft. and not located in the
9 inner city fire limits, require only a Certificate of Compliance from Fire Prevention. Tents, with
10 an area exceeding 1,200 sq. ft. and all tents located in the inner city fire limits, require a
11 certificate of compliance from the Fire Department and a Building Permit from the Department
12 of Safety and Permits.

13 **SECTION 422**

14 **PREFABRICATED AND MODULAR BUILDINGS**

15 **422.1 SCOPE:** This section covers the installation of prefabricated and modular buildings within
16 the City of New Orleans.

17 **422.2 Definition:** Structures transportable in one or more sections and which are built on a

18 permanent chassis shall be considered as prefabricated and/or modular buildings.

19 **422.3 General:** Prefabricated and Modular Buildings shall be designed with a permanent
20 foundation and must comply with the provisions of this code. It shall be the duty of the permit
21 applicant to provide a label or seal of compliance with the provisions of this code, issued by an
22 agency approved by the City of New Orleans. In the alternative, the permit applicant shall cause
23 the work to be accessible and exposed for inspection purposes. The permit applicant is
24 responsible for expense entailed in the removal or replacement of any material required to allow
25 inspection.

26 **422.4 Construction Documents:** Two sets of construction documents prepared by a Louisiana
27 Registered Architect or Civil Engineer shall be submitted to the department along with an
28 application for a permit. Construction documents shall include, among other things, plans,
29 elevations, sections, foundation details, construction benchmark etc. The construction
30 documents shall be drawn to scale and shall be of sufficient clarity to indicate the location,
31 nature and extent of the proposed work and show in detail that the prefabricated and/or modular
32 building will conform to the provisions of this code. All Prefabricated assemblies installed in the
33 City of New Orleans shall EITHER be thoroughly opened up for inspections by City Inspection
34 Bureaus such as Electrical, Building etc., OR have to be inspected and certified by one of the
35 third party agencies approved by the City of New Orleans, for compliance with all applicable
36 codes. The City approved third-party agencies are, any agencies listed by ICC-ES .

37 *****”

21 not already have public streets, water mains and fire hydrants.

22 **10.** Campus development involving two acres or more.

23 **912.2 Detail Requirements:** All fire fighting systems required by this Code shall comply in all
24 respects with:

25 **1.** International Fire Code, 2006 as amended by the City of New Orleans.

26 **2.** Requirements of the Sewerage and Water Board which include but are not limited to:

27 **(a)** Connection to the public water supply, all connections to be made with a detector
28 check valve, furnished and installed by the Sewerage and Water Board, the cost of
29 installation charged to the applicant.

30 **(b)** If domestic water is also taken off the fire main, full-flow meters will be installed
31 in lieu of the detector check valve.

32 **(c)** Granted Servitudes as required by the Sewerage and Water Board for servicing of
33 water mains and fire hydrants which are to be installed according to the Sewerage
34 and Water Board's specifications and the above code requirements.

35 **912.3** Furnish layout plans for approval.

36 **912.3.1** Plans shall be drawn to scale and shall include, but are not limited to, the
37 following essential details:

38 **1.** The scale shall conform to the following:

39 **1.1** Projects containing more than 200 acres, not more than 200 ft to one inch.

40 **1.2** Projects containing 50 acres to 200 acres, not more than 100 ft to one inch.

41 **1.3** Projects containing less than 50 acres, not more than 60 ft to one inch.

42 **1.4** Projects containing 10 acres or less, not more than 50 ft. to one inch.

43 **2.** Size and location of water supply.

- 44 **3.** Size and location of all mains, the class and type of mains to be installed and the
45 depths to which it is to be buried.
- 46 **4.** Size, type and location of all meters and valves.
- 47 **5.** Number and size of hose outlets, thread detail, setting grade and location of all
48 hydrants.
- 49 **6.** Location and size of sprinkler and standpipe risers supplied by the system.
- 50 **7.** Fire lane and driveway widths and turning radius.

51 **912.4 Water Distribution System.** Water mains shall conform to the Specifications and/or
52 Plumbing Code of the Sewerage and Water Board, and the applicable provisions of the codes and
53 requirements mentioned herein.

54 **912.4.1 Sizing of water mains.** The following is adopted minimum size of water mains
55 along with other provisions to be used for fire hydrant supply:

56 **1.** Large Scale Commercial and Industrial Land Use Developments (includes campus
57 developments):

58 **1.1** 12-in or larger mains can be used as a loop system around the area and shall
59 be supplied by separate feeder mains.

60 **1.2** 8-in mains can be used within the area when it completes a gridiron to be
61 supplied by 12-in or larger mains at each end.

62 **1.3** Adjustment in main size above 12 in shall be made when additional fire flow
63 is required for sprinklers, standpipes and special protective equipment for
64 hazardous occupancy or processes.

65 **2.** Heavy Industrial Land Uses:

66 **2.1** 12 inch mains to be used throughout.

67 **2.2** Adjustment in main size to above 12 in. to be made when additional fire flow
68 is required.

69 **3.** Low, Medium and High Density Residential Land Uses: Large Scale Residential Land
70 Use Developments (except when located in the Inner Fire Limits):

71 **3.1** 8-in or larger mains to be used when supplied by at least two 8-in or larger
72 feeders, separated from each other and when it completes a gridiron not
73 exceeding 600 ft to the side with a hydrant at each corner and intermediate
74 hydrant between corners. However, the 6 inch mains are not to be dead-ended.

75 **4.** Requests for variations from the above specified sizes may be approved by the
76 Director provided such requests are accompanied by engineering design calculations for
77 the intended land use prepared by a Louisiana Registered Engineer experienced in such
78 work.

79 **912.5 Fire Flow.** Fire flow at a residual pressure of 20 psi is required with the following flows:

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

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

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

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

90 **5.** Light industrial land uses and large scale industrial land use developments 4000 to 8000 gpm.
91 Distribution based on ratio of one hydrant to each 100,000 to 60,000 sq ft of average area served.

92 **6.** Heavy industrial land uses 8000 to 12000 gpm. Distribution based on ratio of one hydrant to
93 each 60,000 to 40,000 sq ft of average area served.

94 **7.** Additional fire flow is required in excess of the specified fire flow for extra hazardous
95 occupancy, processes or conditional uses.

96 **912.6 Fire Hydrants.** Hydrants shall meet the specifications of the Sewerage and Water Board.

97 **906.6.1 Type of Hydrant.** Hose outlets size and threads to conform to the hose
98 connections used by the Sewerage and Water Board.

99 **912.6.2 Hydrant Spacing.** Hydrants shall be spaced as indicated below:

100 **1.** Hydrants should be located no closer than 50 ft from buildings in industrial districts.

101 In other districts hydrants shall be located where the chance of fire and falling walls
102 would not endanger hydrants.

103 **2.** Spacing shall not be more than 350 ft. apart in residential districts.

104 **3.** In industrial areas and shopping centers, hydrants shall be located to permit all sides of
105 the building to be reached by a hose lay not in excess of 300 ft.

106 **4.** In multiple housing developments, commercial districts and large scale developments,
107 hydrants shall be located to permit all sides of the building to be reached by a hose lay
108 not in excess of 400 ft.

109 **912.6.3 Hydrant Setting.** Hydrants shall be protected from mechanical injury and shall
110 be installed as indicated below:

111 **1.** Hydrant settings, center of hose outlets should be not less than 18 in above the final
112 grade line.

113 **2.** Hydrant locations shall not be less than 18 in nor more than 30 in from the curb of a
114 street or driveway, have no obstructions within 15 ft on each side and shall be accessible
115 so fire department pumpers can be connected with no more than 15 ft of hose.

116 **912.7 Fire Lanes.** Fire lanes as indicated below shall be provided for Fire Department access.

117 **912.7.1 Low Density Residential Development.** Every part of a structure must be
118 accessible from a street or highway, with a maximum of 150 ft of hose in a low density
119 Residential Development. In instances where the maximum hose lay is exceeded,
120 specific plans of the structure and its location must be reviewed and approved by the
121 Department of Fire.

122 **912.7.2 Other Developments.** In all other residential districts, commercial and industrial
123 developments, and large scale developments, no building of any type construction for any
124 occupancy shall be constructed, unless every part of the structure is accessible from a
125 street or highway with 150 ft of fire hose, or provided that said structure may be erected
126 at a greater distance if fire lanes are constructed as designated by this Code requirement.

127 **912.7.3 Detail Requirements.**

128 **1.** Fire lanes shall be located from whichever portion of any structure can be reached
129 with 150 ft of fire hose. Private streets, built in accordance with the regulations of City
130 of New Orleans, Department of Public Works, Standard Plans and Specifications, may be
131 considered as fire lanes.

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

135 **3.** Fire lanes shall have a minimum width of 20 ft. and a minimum height clearance of

136 14 ft.

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

140 *********

1 **SECTION 12.** That Section 1101.1 Chapter 11 of the IBC, 2006 Edition be amended
2 to read as follows:

3 **“SECTION 1101.1**

4 *********

5 These provisions are not applicable in areas where State mandated accessibility
6 requirements are in effect.

1 **”SECTION 13.** That Chapter 18 of the IBC, 2006, Edition, be amended to include the
2 following:

3 **“CHAPTER 18**

4 **SOILS AND FOUNDATIONS**

5 *********

6 **SECTION 1813**

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

8 Preamble: This Section offers provisions associated with the design and construction of

9 foundations. However, it does not and cannot replace education or experience, and it
10 must be used in conjunction with professional judgement. Not all aspects of this Section
11 may be applicable in all circumstances. The provisions of this Section are not intended to
12 represent or replace the standard of care by which the adequacy of a given professional
13 service must be judged, nor should the provisions be applied without consideration of a
14 project's many unique aspects.

15 **1812.1 GENERAL**

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

20 **1813.2 GEOTECHNICAL INVESTIGATION**

21 **1813.2.1** Foundation capacity shall be determined by geotechnical investigation unless
22 otherwise provided for in section 1813. The geotechnical investigation shall be
23 performed under the direction of a Louisiana Registered Civil Engineer experienced in
24 geotechnical engineering. The geotechnical investigation shall consist of undisturbed soil
25 borings and laboratory tests or other applicable methods and procedures to define
26 subsurface conditions. The type and extent of the subsurface investigation program shall
27 be consistent with generally accepted geotechnical engineering practice, and it shall be
28 influenced by the importance, type, size, planned grade changes, and location of the
29 proposed construction.

30 **1813.2.2.** An engineering analysis shall be made by a Louisiana Registered Civil
31 Engineer experienced in geotechnical engineering that establishes information applicable
32 to the design and construction of the foundation. This information includes the allowable
33 soil bearing capacity, allowable pile or pier capacity, depth of foundation, expected

34 movements (settlement, heave, etc), depth to groundwater, and other items related to
35 foundation design and construction.

36 Data required for 1813.2.2 shall be obtained from a minimum of:

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

41 Deviations from the above may be allowed by the Director if supported by
42 adequate geotechnical data.

43 **1813.3 FOUNDATIONS**

44 **1813.3.1** Foundations shall be supported on piles unless an engineering analysis from
45 a Louisiana Registered Civil Engineer experienced in geotechnical engineering is provided.

46 Such analysis would indicate the suitability of a spread foundation and establish allowable soil
47 bearing capacity. Foundations shall be constructed of masonry, plain concrete, reinforced
48 concrete, or of pile or pier materials described in Section 1813.

49 **1813.3.2** Any person or entity contemplating foundation construction that may make
50 use of, be adjacent to, or involve public property shall determine in advance of
51 construction the existence of public or private underground or overhead utilities that may
52 be occupying said public property.

53 Such person shall secure the proper approval from public and private agencies concerned
54 and shall observe all precautions necessary to avoid damage or disturbance to said
55 utilities (telephone, telegraph, cable, fiber optic, sewerage, drainage, water, gas,
56 electricity and the like).

57 **1813.3.3** Temporary buildings (See Section 107) and buildings not exceeding one
58 story in height and no more than 500 sq. ft. in area shall be exempt from these
59 requirements.

60 **1813.4 SPREAD FOUNDATIONS**

61 **1813.4.1 Design**

62 **1813.4.1.1** Spread foundations shall be constructed on suitable naturally occurring soil
63 or on properly selected, placed, compacted, and controlled structural (engineered) fill.
64 When structural fill is used, the in-place density and moisture content shall be
65 independently verified by testing during construction. Footings are to be designed so that
66 the allowable bearing capacity of the soil shall not be exceeded and the anticipated
67 movements shall be within tolerable limits for the planned structure. The bottom of a
68 spread foundation shall be at least 12 in. below the undisturbed ground surface.

69 **1813.4.2 Soil Bearing Capacity**

70 **1813.4.2.1** The Director may accept the allowable soil bearing capacity established by
71 the engineering analysis in 1813.2.2 as meeting the minimum requirements. Such
72 analysis shall be performed by a Louisiana Registered Civil Engineer experienced in
73 geotechnical engineering.

74 **1813.4.2.2.** The Director may accept other adequate proof as to the allowable soil
75 bearing capacity at a particular location.

76 **1813.4.3 Differential Settlement**

77 **1813.4.3.1** Where footings are supported by soils of widely different bearing capacity,
78 differential settlement can occur. Therefore, the allowable bearing values of the more
79 yielding soil shall be reduced or special provisions shall be made in the design to reduce

80 the likelihood for excessive or structurally intolerable differential settlements to occur.

81 **1813.4.4 Excavations**

82 **1813.4.4.1** When excavating for buildings and/or associated structures, such
83 excavations shall be made safe to prevent danger or damage to life and property.

84 Permanent excavations shall have retaining walls of sufficient strength made of steel,
85 masonry, reinforced concrete, mechanically stabilized earth, or other suitable materials to
86 retain embankments, together with any surcharge loads. Excavations for any purpose
87 shall not extend within 1 ft. of the angle of repose or natural slope of the soil under any
88 footing, foundation, or load-bearing element, unless such footing, foundation, or load-
89 bearing element is first properly underpinned or protected against movement.

90 **1813.5 PILE FOUNDATIONS**

91 **1813.5.1 Design**

92 **1813.5.1.1** All pile foundations shall be designed by a Louisiana Registered Civil
93 Engineer. Piles shall be designed to include all applied weights and forces including the
94 weight of mats or caps and the weight of earth or fill on top of the mats or caps
95 considering the effect of buoyancy; the weight of the piles shall be given due
96 consideration in the foundation design. In cases where piles are loaded eccentrically,
97 provisions shall be made for such eccentricities. Further analyses should be performed
98 for laterally loaded piles or piles subjected to dynamic loading (machinery, etc.).
99 Consideration also should be given in design to the influence of negative skin friction
100 (downdrag) on foundation performance.

101 **1813.5.1.2** Except for lightly loaded piles (as defined elsewhere in Section 1813) where
102 the minimum spacing is 2 ft., the minimum pile spacing for all other piles shall be either

103 3 ft, or three pile diameters (widths), or as determined by the expression.

104 $SPAC = 0.05 (L_1) + 0.025 (L_2) + 0.0125 (L_3)$, in which:

105 $SPAC =$ Center-to center spacing of piles, ft.

106 $L_1 =$ Pile penetration up to 100 ft.

107 $L_2 =$ Pile penetration from 101 to 200 ft.

108 $L_3 =$ Pile penetration beyond 201 ft.

109 **1813.5.1.3** Greater spacing than the minimum value may be required to satisfy group
110 perimeter shear as provided in 1813.5.3.1 and to assure that piles will not interfere with
111 or intersect each other during installation.

112 **1813.5.1.4** Piles extending above the ground surface, surrounded by relatively weak
113 soil, or standing in free water, that are used as load-carrying members, shall be designed
114 structurally in their unrestrained length in accordance with applicable column formulas as
115 referenced in the IBC; due consideration to effective unsupported length must be given.
116 Location of pile fixity shall be determined with due regard to soil properties.

117 **1813.5.1.5** Where subsurface investigation records or site conditions indicate possible
118 deleterious action of pile materials because of soil constituents, changing water levels,
119 electrolysis, corrosion, or other factors, such materials shall be adequately protected. The
120 effectiveness of such methods or processes for the particular purpose shall have been
121 thoroughly established by satisfactory service records or other evidence that demonstrates
122 the effectiveness of such protective measures. Cutoff of untreated timber piles shall not
123 be higher than the lowest groundwater level anticipated for the life of the structure as
124 determined by an engineering investigation based on established data, but in no case shall
125 the cutoff be less than 7 ft. below the natural ground surface. Structural steel piles driven

126 below the permanent water table and into natural soil need not be protected against
127 electrolysis and/or corrosion unless previous site history or field conditions warrant
128 otherwise.

129 **1813.5.1.6** The design and installation of pile foundations shall be under the direct
130 supervision of a Louisiana Registered Civil Engineer who shall certify to the Director
131 that the piles, as installed, satisfy the design criteria.

132 **1813.5.1.7** Pile foundations shall be designed and installed on the basis of a
133 geotechnical investigation and report which shall include soil borings and laboratory tests
134 or other subsurface exploration at locations and depths sufficient to determine the
135 position and adequacy of the bearing soils except where sufficient data upon which to
136 base the design and installation is available. The investigation and report shall include,
137 but not be limited to, the following.

- 138 1. Descriptions of the soil and groundwater conditions.
- 139 2. Recommended pile types and predicted capacities.
- 140 3. Pile installation criteria.
- 141 4. Field observation procedures.
- 142 5. Probe piles and pile load test requirements.
- 143 6. Designation of bearing stratum or strata.
- 144 7. Estimated movements (settlement, heave, etc.)
- 145 8. Other applicable installation and performance considerations such as: lateral
146 capacity, dynamic loads, vibrations, downdrag, fill placement, groundwater
147 lowering, etc.

148 **1813.5.1.8** Allowable stresses greater than those specified for each pile type in this

149 Code may be permitted when supporting data justifying such higher stresses are filed
150 with the Director.

151 **1813.5.2 Pile Load Capacity for a Single Pile**

152 **1813.5.2.1 Pile Load Test Case.** The pile load testing procedure for a single pile
153 shall be conducted in general accordance with ASTM D 1143 under the direction of a
154 Louisiana Registered Civil Engineer. The load-carrying capacity for a single pile in
155 compression shall be established by any of the following methods:

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

161 **Method 2:** Where the pile is loaded to failure, the loading value where the load
162 settlement curve begins to show an accelerated deviation from its previous trend may be
163 considered the “yield point” for the given soil and pile. One-half of this value or one-half
164 of the value at which the net settlement is estimated as ½ in., whichever is smaller, shall
165 be considered as the allowable load capacity for a single pile.

166 **Method 3:** The failure load of a pile, one-half of which shall be used as the allowable
167 load capacity for a single pile, shall be defined as that load which produces a settlement
168 or movement of the tip equal to 1/4 inch. The movement of the tip can be determined by
169 actual measurement or by either of the following two load distribution cases, both
170 involving the measurement of the butt movement. In each case, the failure load shall be
171 defined as that load producing a movement of the butt equal to the elastic deformation of

172 the pile under the failure load plus 1/4 inch.

173 **1813.5.2.2 Arbitrary Load Distribution Case.** In determining the elastic deformation
174 of the pile, the assumption may be made that the soil-pile friction value is constant from
175 tip to butt and that tip bearing is ignored. For a prismatic pile of one material, the butt
176 movement shall be calculated by the expression:

177 $D_f = (P_f L / AE) + 0.25 \text{ in.}$, in which:

178 $D_f =$ Butt movement, in.

179 $P_f =$ Failure load, kips

180 $L =$ Pile length, in.

181 $A =$ Pile cross-sectional area, sq. in.

182 $E =$ Modulus of elasticity of pile material, ksi.

183 **1813.5.2.3 Actual Load Distribution Case.** In determining the elastic deformation
184 of the pile, the actual distribution of stress into the soil may be used provided that
185 sufficient soil data have been obtained.

186 **1813.5.2.4** A variation of the load capacity of a load-tested pile shall be allowed
187 without additional load tests provided that the load capacity is derived primarily from
188 skin friction. The change in load capacity for a single pile may be increased by not more
189 than 20% with an increase in length of 20%. A decrease in length of not more than 10%
190 may be accompanied with a decreased in capacity of 20%. Such stipulation shall be
191 made in writing by a Louisiana Registered Civil Engineer experienced in geotechnical
192 engineering if the pile foundation will be subject to downdrag forces, lateral loads,
193 vibration loads, etc.

194 **1813.5.2.5** Where the number of piles required for a structure is 100 or less, the load

195 per pile does not exceed 150 psf of embedded pile area, and the actual pile penetration
196 into the supporting soil is not less than 40 ft., the Director may waive, upon specific
197 request, the load test requirements. The basis for such a waiver shall be data developed
198 by the geotechnical investigation and geotechnical engineering analysis (see 1813.2 and
199 1813.5.1.7). The allowable load on a single pile shall not exceed the value determined by
200 the geotechnical engineering analysis.

201 **1813.5.2.6** The Director may, upon specific request, accept as adequate proof of the
202 load capacity of a single pile, load test results from other piles subject to all of the
203 following conditions.

204 (1) The previously load-tested pile must be located within 300 ft. (measured in any
205 direction) from the new pile in question, but not to exceed 500 ft. to the farthest footprint
206 of the building or structure. (2) The load test(s) must have been performed on the same
207 type and length of piles that are to be used at the new location. (3) Adequate soil
208 information (see 1813.2 and 1813.5.1.7) establishes the geotechnical similarity of the
209 soils at each location. The variations described in 1813.5.2.4 shall not be permitted in
210 conjunction with this provision.

211 **1813.5.3 Pile Group Capacity**

212 **1813.5.3.1.** The supporting value of piles depending primarily on friction when driven
213 in clusters or groups may be investigated on the basis of group perimeter shear by the
214 expression:

215 $Q_a = (PL_c / FS_F) + \sqrt{2.6q_u(1 + 0.2 w/b)} / FS_B$, in which

216 $Q_a =$ Allowable load-carrying capacity of pile group, lb

217	P	=	Perimeter distance of pile group, ft.
218	L	=	Length of pile, ft
219	c	=	Average (weighted) cohesion or shear strength of material between
220			the surface and the depth of the pile tip, psf.
221	qu	=	Average unconfined compressive strength zone below pile tips,
222			psf; the thickness of the zone shall consider the pile group size and
223			shape, as well as the soil stratigraphy and soil properties.
224	w	=	Width of base of pile group , ft.
225	b	=	Length of base of pile group, ft.
226	A	=	Base area of pile group, sq. ft.
227	FS _F	=	Factor of safety for the group friction area = 2
228	FS _B	=	Factor of safety for the group base area = 3

229 **1813.5.3.2** The soil properties (c and qu) used in the above formula shall be based on
230 data obtained from the geotechnical investigation as described in 1813.2 and 1813.5.1.7.
231 In the application of this formula, the weight of the piles, pile caps and mats, considering
232 the effect of buoyancy, shall be included.

233 **1813.5.4 Pile Splices**

234 **1813.5.4.1** Splices shall be such that the resultant vertical and lateral loads at the
235 splice location are adequately transmitted. Splices shall be so constructed as to provide
236 and maintain the joint integrity and position of the component parts of the pile during
237 installation and in service.

238 **1813.5.4.2** Technical data shall be submitted to the Director to substantiate the
239 suitability of the splice(s) for the proposed application.

240 **1813.5.4.3** The Director shall maintain a file of permitted splices so that repetitive
241 submissions of technical data will not be necessary, unless factors involving a particular
242 application so warrant.

243 **1813.6 WOOD-CONCRETE COMPOSITE PILES**

244 **1813.6.1 Definition.** A wood-concrete composite pile is defined as a pile having an
245 untreated timber pile lower section and a steel cased cast-in-place concrete upper section.
246 The butt of the untreated lower section shall be located in accordance with the
247 requirements of 1813.5.1.5. The two sections shall be jointed by a mechanical connector
248 approved by the Director.

249 **1813.6.2 Materials.** The timber section shall conform to the requirements of this Code; the
250 concrete portion of the steel-cased cast-in-place concrete upper section also shall conform to the
251 requirements of this Code. The steel casing shall be a minimum of 11-in. I.D. and sufficiently
252 water tight to exclude water and foreign matter intrusion during concrete placement. The
253 connector shall be manufactured or fabricated of structural grade steel and shall consist, in
254 general, of a drive-shoe of 12 ga or thicker material that is firmly attached to the steel casing.
255 The drive-shoe shall be capable of penetrating a minimum of 4 in. into the timber section.

256 **1813.6.3 Allowable Stresses.** The allowable unit stresses in the timber section shall
257 conform to the requirements of the Code. The allowable unit stresses in the concrete of
258 the steel-cased cast-in place concrete upper section also shall conform to the requirements
259 of this Code. The concrete in the steel-cased case-in-place concrete upper section shall
260 have a minimum design compressive strength (f'_c) at 28 days 2500 psi as measured on
261 concrete cylinders made, stored, and tested in general accordance with ASTM procedures. The
262 wood-concrete composite pile shall not be designed for single pile capacity in excess of 25 tons

263 in compression nor shall it be designed for tension (uplift) loads.

264 **1813.6.4 Splices.** Except as provided for in this Section, the pile splice connector shall
265 conform to the requirements of 1813.5.4. The splice shall withstand a minimum moment
266 capacity of 4 ft-kips, with no applied axial load. The splice shall withstand a minimum tensile
267 force of 10 tons.

268 **1813.6.5 Construction Considerations.** After installation to final depth and immediately
269 before filling with concrete, it should be verified and documented that the inside of the steel
270 casing is clean from top to bottom and that it is not collapsed or otherwise damaged. Any
271 accumulated water or other foreign matter in a casing shall be removed before placing the
272 concrete. Concrete should not be placed until all piles within a radius of 40 ft. have been driven,
273 or the driving within a 40-ft. Radius shall be discontinued until the concrete has been placed and
274 adequate strength has developed. The concrete placed in the casing does not need to be vibrated,
275 but care shall be taken in placing concrete to prevent the formulation of voids. High-slump
276 concrete that is properly designed and proportioned may be used.

277 **1813.7 HIGH-CAPACITY PILES**

278 **1813.7.1 General.** This Section addresses prestressed concrete and steel piles that have
279 allowable load capacities greater than 40 tons. These special provisions apply only to the
280 transfer of stress into the pile caps. At the option of the Louisiana Registered Civil
281 Engineer responsible for the foundation design, the use of high-capacity piles may be
282 used, in which event, all applicable provisions of this Section shall apply.

283 **1813.7.2 Precast Concrete Piling.** The load from the pile shall be transferred to the
284 concrete foundation over the area of the pile butt provided that:

285 1. An allowable working stress of $0.80 f_c$ in the concrete foundation is not

- 286 exceeded.
- 287 2. The distance from the centerline of the pile to the edge of the concrete
- 288 foundation is at least 1.5 times the pile width or diameter, but not less than
- 289 2ft 6 inches.
- 290 3. The minimum f'_c of the concrete foundation is 3000 psi.
- 291 4. The minimum embedment of the pile into the concrete foundation is 6
- 292 inches.
- 293 5. Two-way continuous reinforcement is placed a minimum of 2 in. above
- 294 the pile butt and its area per lineal foot in each direction shall be at least
- 295 equal to the design pile load in kips divided by 3 times the yield stress of
- 296 the reinforcement in kips per square inch.

297 **1813.7.3 Steel Piling.** In the case of steel piling, the load of the pile shall be

298 transferred to the concrete foundation in either of two ways.

- 299 1. By bearing through a steel cap plate of a least the same dimension as the
- 300 pile secured to and properly bearing on the pile butt and into the concrete
- 301 mat foundation provided that:
- 302 1.1 An allowable working stress of $0.80f'_c$ in the concrete foundation is not
- 303 exceeded.
- 304 1.2 The distance from the centerline of pile to the edge of the concrete
- 305 foundation is at least 1.5 times the pile width or diameter, but not less than
- 306 2 ft. 6 inches.
- 307 1.3 The minimum f'_c of the concrete foundation is 3000 psi.
- 308 1.4 The minimum embedment of the pile into the concrete foundation is 6

309 inches.
310 1.5 Two-way continuous reinforcement is placed a minimum of 2 in. above
311 the pile butt and its area per lineal foot in each direction shall be at least
312 equal to the design pile load in kips divided by 3 times the yield stress of
313 the reinforcement in kips per square inch.

314 2. By direct transfer from the pile into the concrete foundation provided that:

315 2.1 An allowable working stress of 12,000 psi in the concrete foundation is
316 exceeded.

317 2.2 The minimum concrete foundation thickness is 3 feet.

318 2.3 The distance from the centerline of pile to the edge of the concrete
319 foundation is at least 1.5 times the pile width or diameter, but not less
320 than 2 ft. 6 inches.

321 2.4 The minimum f_c of the concrete foundation is 3000 psi.

322 2.5 The minimum embedment of the pile into the concrete foundation is 6
323 inches.

324 2.6 The maximum thickness of the pile material is 5/8 inches.

325 2.7 Two-way continuous reinforcement is placed a minimum of 2 in. above
326 the pile butt and its area per lineal foot in each direction shall be at least
327 equal to the design pile load in kips divided by 3 times the yield stress of
328 the reinforcement in kips per square inch.

329 **1813.8 ALTERNATIVES**

330 **1813.8.1** For either concrete or steel piling, any other approach following a rational
331 analysis using accepted rules and theories of engineering mechanics and strength of

332 materials, as well as recognized allowable stresses of materials as referenced in this Code
333 shall be submitted to the Director for evaluation and approval.

334 **1813.9 SPECIAL PILES AND SPECIAL CONDITIONS**

335 **1813.9.1** Pile types not specifically mentioned in Section 1813, including piles used to
336 underpin and relevel existing structures, and piles under conditions not specifically
337 covered in Section 1813, shall be permitted. The use of such piles is subject to the
338 approval of the Director, upon submission of acceptable test data, calculations, and other
339 information relative to the properties and load-carrying capacity of such piles. Test data
340 shall consist of at least five (5) consecutive field tests which shall include, but shall not
341 be limited to, the driving, loading, extraction, and examination of the piles. The
342 calculations shall follow rational engineering analysis and they shall be performed by a
343 Louisiana Registered Civil Engineer.

344 **1813.10 COMBINATION PILES**

345 **1813.10.1** Individual segments of a combination pile shall comply with the
346 requirements for piles of that type of section. Splices shall be in accordance with the
347 requirements of 1813.5.4

348 **1813.11 LIGHTLY LOADED PILES**

349 **1813.11.1 General Requirements.** For purposes of this document, a lightly loaded
350 pile shall conform to the provisions of 1813.11.2. Lightly loaded piles shall comply with
351 all applicable requirements of this Section except as provided in this Section. Piles shall
352 be properly held in place or adequately tied together at their butt end. Pile butts shall be
353 protected by a minimum of 3 in. of concrete around their perimeter. All piles for a
354 building or structure shall extend to the same tip penetration and bear in the same stratum

355 unless adequate provisions for differential settlement within the building or structure
356 have been made. The Director shall be notified by the party installing the piles at least
357 24 hr. in advance of any pile driving.

358 **1813.11.2 Size Requirements.** Except as provided in this Section, timber piles
359 depending predominantly on skin friction for their load-carrying capacity shall have a
360 minimum tip diameter of 6 in. and a minimum butt diameter of 8 inches. Timber piles
361 depending predominantly on tip bearing (end bearing) for their load-carrying capacity
362 shall have a minimum tip diameter of 6 in. with a natural taper to the butt. Piles for
363 accessory buildings 1000 sq. ft. or less in area shall be treated timber piles having a
364 minimum 4- 3/4 in. tip diameter with a natural taper to the butt. Segmental jack-down
365 piles of either concrete or steel that are mechanically connected, epoxied, or welded
366 together, shall have a minimum outside dimension of 6 inches. Helical steel piles also
367 may be acceptable to the Director. Cast-in-place concrete piles that have a minimum
368 diameter of 6 in. and a maximum length of 10 ft. the last 2 ft. of which must penetrate
369 into a supporting sand stratum, are also acceptable if verified by a geotechnical
370 investigation performed in accordance with this Code.

371 **1813.11.3 Design Requirements.** Except as provided in this Section, the maximum
372 allowable load capacity for a single pile shall not exceed 8 tons; an allowable load
373 capacity of up to 12 tons may be permitted if substantiated by a geotechnical
374 investigation and a pile load test. Piles for one- and two-family dwellings and their
375 accessory buildings that comply with the size requirement of 1813.11.2 shall be exempt
376 from the load test and may be designed as per 1813.12.2.3. The minimum pile spacing
377 shall be 24 in. on center. The maximum load capacity limitations stated here refer to

378 stresses in the pile material and not to the allowable load bearing value of the soil which
 379 may be more or less. The requirements of 1813.5.2.5 are applicable for lightly loaded
 380 piles except that the load per pile shall not exceed 90 psf of embedded pile area, the
 381 actual penetration into the supporting soil shall not be less than 30 ft. and a geotechnical
 382 investigation or a pile load test may not be required.

383 **1813.11.4 Driving and Length Requirements.** Except as noted in 1813.11.2, and
 384 unless driven to refusal, the minimum pile length shall be 30 feet. When refusal occurs
 385 between 7 and 30 ft. below the natural ground surface, the load bearing capacity of the
 386 pile shall not exceed the values shown in Table 1813.11.4, unless substantiated by a
 387 geotechnical investigation or a pile load test.

388 **Table 1813.11.4**
 389 **Maximum Allowable Single Pile Load Capacity When Refusal Occurs**
 390 **City of New Orleans, Louisiana**

391	Pile Tip	Maximum Allowable Single
392	<u>Embedment, ft.</u>	<u>Pile Capacity (Compression), tons</u>
393	7 to 10	1
394	11 to 20	2
395	21 to 30	4

396 **1813.11.5 Material Requirements.** Lightly loaded timber piles shall conform to ASTM
 397 D25 except for size. Preservative and minimum final retention shall be in
 398 accordance with AWWA Standard C3. A certificate of treatment shall be furnished by the
 399 supplier.

400 **1813.11.6 Wind Pressure and Computed Loads.** Please refer to Section 16 in the
 401 IBC for guidance.

402 **1813.12 LIGHTLY LOADED PILES - RESIDENTIAL**

403 **1813.12.1 Scope.** This portion of the Code covers pile foundation design for
404 one-and two-family dwellings. Accessory buildings, not having their roofs or
405 foundations connected to the main building, need not comply with the following
406 requirements provided the gross floor area does not exceed 500 sq. feet. Because
407 most of the areas within the City of New Orleans have either soils with low
408 bearing values, exhibit initial and continuing subsidence, or require fill to reach
409 grade, all foundations for residential structures will be supported by pile f
410 foundations except as provided for in 1813.12.2.4 or 1813.12.2.6 and except in
411 areas GM 19 and GM 20 (see map).

412 When uncertainties exist, a geotechnical investigation should be conducted.

413 **1813.12.2 Pile Foundations**

414 **1813.12.2.1** All pile foundations shall be designed by a Louisiana Registered
415 Civil Engineer or Louisiana Registered Architect. Residential piles shall comply
416 with all applicable requirements of 1813.12. Piles shall be properly held in place
417 or adequately tied together at their butt end. Pile butts shall be protected by a
418 minimum of 3 in. of concrete around their perimeter. All piles for a building or
419 structure shall extend to the same depth and bear in the same stratum unless
420 adequate provisions for differential settlement within the building or structure
421 have been made. During construction, the contractor shall be responsible for
422 vibration monitoring and control as needed for the protection of adjacent property.
423 A notarized affidavit from the piling contractor is required to be submitted to the
424 Department of Safety And Permits by the owner or general contractor. The
425 affidavit shall substantiate the number, size, type, treatment, and embedment of

426 the piles. The affidavit also shall contain a certification that the piles comply with
427 this Code and the permit drawings.

428 **1813.12.2.2** Piles shall be treated modified ANSI Class 5 timber piles.
429 Modified Class 5 timber piles shall have a minimum tip diameter of 6 inches and
430 a minimum butt diameter of 8 inches. For piles less than 30 ft. long, the tip
431 diameter shall be at least 6 inches with a natural taper to the butt. Composite
432 Class 5 piles including steel or concrete sections with a minimum 6 inches
433 diameter are permitted with the use of an approved connector. Treated ANSI
434 Class 9 timber piles shall have a minimum tip diameter of 4 3/4 inches with a
435 natural taper to the butt. ANSI Class 9 piles may only be used for accessory
436 structures of 1000 square feet or less in area.

437 **1813.12.2.3** Maximum allowable pile load capacities have been established for
438 various types and embedments of piles. These values are tabulated for each area
439 and are shown below in Table 1813.12.2.3. Also, each area is delineated on maps
440 on file with the Department of Safety and Permits.

441 **Table 1813.12.2.3**
442 **Maximum Allowable Single Pile Load Capacity without Investigations or Load Tests**
443 **City of New Orleans, Louisiana**
444 **Maximum Allowable**

445 Map	445 ANSI Pile	445 Pile Tip	445 Single Pile Capacity,
446 <u>Area</u>	446 <u>Classification</u>	446 <u>Embedment, ft.</u>	446 <u>(Compression), tons</u>
447 GM-1	447 Class 9	447 30	447 4[^]
448 GM-21	448 Class 9	448 35	448 5*
449	449 Class 5	449 30	449 5
450	450 Class 5	450 35	450 6
451	451 Class 5	451 40	451 8*
452 GM-2	452 Class 9	452 30	452 4[^]
453 GM-5 &	453 Class 9	453 35	453 5
454 GM-3 (1,2,	454 Class 5	454 30	454 5

455	3a,4,7)	Class 5	35	6
456		Class 5	40	7
457	GM-3 (3b,6,8)	Class 9	30	2.5^
458	GM-8, GM-9	Class 9	35	3
459	GM-12,GM-16	Class 9	40	4
460	GM-17, GM-18	Class 5	30	3
461	& GM-22	Class 5	35	4
462		Class 5	40	5
463	GM-4, GM-10	Class 9	18 - 33	5*^♣
464	GM-11 & GM-15	Class 5	18 - 33	8*♣
465	GM-6, GM-7	Class 9	10 - 25	5*^♣
466	GM-13, GM - 14	Class 5	10 - 25	8*♣

467 * Pile tip embedded in sand stratum.

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

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

474 **1813.12.2.4** Requirements of the Code regarding the need for a pile foundation or the
475 maximum design load capacity for the particular type of pile may be superseded by a
476 geotechnical investigation that is performed on the site in accordance with 1813.2 or a
477 pile load test which is performed in accordance with 1813.5.2. The Director may waive
478 the distance requirement provided a written request, which demonstrates just cause
479 for the waiver, is presented by a Louisiana Registered Civil Engineer or Louisiana
480 Registered Architect.

481 **1813.12.2.5** The minimum center-to-center pile spacing shall be the greater of
482 24 in. or 0.05 L where 'L' is the pile length in feet.

483 **1813.12.2.6 Exemption:** New one- and two-family dwellings up to two
484 stories in height with pier foundation and not more than 2000 sq. ft. in area in
485 established neighborhoods (80% developed) shall be exempt from the pile
486 requirements of Section 1813.12.1 provided that a Louisiana Registered Civil
487 Engineer or Louisiana Registered Architect states in writing, that he is familiar
488 with the soil conditions in that particular area and that the foundation design
489 submitted is adequate for that structure in that location.”

1 **SECTION 14.** That Chapter 27 of the IBC, 2006 Edition, be deleted in its entirety, and

2 the following shall be substituted in lieu thereof:

3

4 **“CHAPTER 27**

5 **ELECTRICAL**

6 **2701 - GENERAL**

7 **2701.1 - Scope** - This chapter governs the electrical components, equipment and systems
8 used in buildings and structures covered by this code. Electrical components, equipment and
9 systems shall be designed and constructed in accordance with the provisions of the National
10 Electrical Code, (NFPA-70). Where there is conflict between a requirement of Chapter 27 and
11 a requirement of the National Electrical Code, the requirement of Chapter 27 shall govern.

12 For low voltage installations refer to **Section 2735 (E) - BASIC STANDARDS** of this Chapter.

13 **2702 - EMERGENCY AND STANDBY POWER SYSTEMS**

14 **2702.1 - Installation.** Emergency and standby power systems shall be installed in accordance
15 with the National Electric Code, (NFPA-70), National Emergency and Standby Power Systems,
16 (NFPA-110) and National Stored Electrical Energy Emergency and Standby Power Systems,
17 (NFPA-111).

18 **2703 - CERTIFIED ELECTRICAL CONTRACTOR OR ELECTRICIAN**

19 A person holding an electrical license issued by the Electrical Inspection Division of the
20 Department of Safety and Permits.

21 **2704 - ELECTRICAL CONTRACTORS LICENSE REQUIREMENT**

22 No person shall undertake any work as a Class "A" Electrical Contractor, Class "B" Fabrication
23 Contractor, Class "C" Maintenance Electrician, Class "D" Journeyman Electrician, Class "E"
24 Electrician Trainee, or Class “E” Student Trainee unless that person is registered with the
25 Electrical Inspection Division of the Department of Safety and Permits and received a license in
26 the respective classification.

27 A person performing electrical work without the proper license shall be held in violation of this
28 code.

29 **2705 - CLASSIFICATION OF ELECTRICIANS**

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

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

37 **Class "C" Maintenance Electrician** - A Class "C" electrical license holder who is employed as
38 a Maintenance Electrician by a person, firm or corporation owning or operating any place of
39 business. Said license is valid only while the Maintenance Electrician remains in the employment
40 of a person, firm or corporation. A Maintenance Electrician may only perform work on existing
41 electrical installations in the building or place of business in which he is employed.

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

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

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

50 **Class "E" Electrician Trainee** - A Class "E" electrical license holder engaged in the trade of
51 installing or repairing electrical apparatus equipment or materials. A Class "E" electrician trainee
52 must work under the direct supervision of a Class "A" Electrical Contractor or a Class "D"
53 Journeyman Electrician.

54 If deemed necessary by the Director, the Class "E" Electrician Trainee shall provide an
55 employment record showing proof of employment with the designated Class "A" Electrical
56 Contractor.

57 **Class "E" Electrician "student trainee"** - A "STUDENT TRAINEE" may be designated under
58 the provisions of the Class "E" Electrician Trainee classification if: 1) the individual is a "bona
59 fide" student of a recognized Louisiana Department of Education Secondary or Post Secondary
60 School, 2) the duration of the license is no longer than the period of May through Sept. of the
61 issuing year. The issued license shall be in accord with the U.S. Department of Labor Child
62 Labor Law.

63 The designation "STUDENT TRAINEE" shall be noted in bold letters on the face of the license
64 when issued.

65 **2705.1 - Supervision and Responsibility for Work**

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

69 A Class "A" Electrical Contractor shall be liable and responsible for layout and technical
70 supervision of any work which requires the securing of permits, and a Class "A" Electrical
71 Contractor or a Class "D" Journeyman Electrician shall be in direct "on the job" supervision of
72 work carried out as specified within this Code. If such supervision and control is not being

73 maintained, the Director shall take the necessary action for such violation or shall order the work
74 to be discontinued. The person, firm or corporation to whom the permit has been issued shall
75 discontinue further work until the Director is assured that proper supervision and control has
76 been employed or supplied.

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

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

87 **2706 - LICENSE APPLICATIONS**

88 **2706.1 General** - Applicants for a Class "A" Electrical Contractor, Class "B" Fabrication
89 Contractor, Class "C" Maintenance Electrician, Class "D" Journeyman Electrician, Class
90 "E" Electrician Trainee and Class "E" Student Trainee license shall submit the
91 application for certification, properly completed on forms furnished by the Electrical
92 Inspection Division. All applications and renewals shall be made to the Director.

93 All license applicants shall meet the following requirements.

94 Each applicant shall pass the required electrical examination prior to the issuance of any
95 new license issuance [except Class "E" Electrician Trainee and the Student Trainee].

96 Each applicant shall furnish to the Electrical Inspection Division two passport type
97 photos , 1 inch by 1 ½ inches in size.

98 Each license shall identify the name of the person to whom the license is issued and the
99 expiration date.

100 Each applicant must be at least eighteen (18) years of age.

101 Each applicant for a Class "A" or Class "B" license shall have had at least 5 year's
102 experience in the occupation or business governed by the license for which he is applying; or be
103 a graduate of a trade school or technical college of recognized standing and in addition have had
104 four (4) years of practical experience in that class of occupation or business governed by the
105 license for which he is applying.

106 Each applicant for a Class "A" or Class "B" license must have and maintain an established
107 place of business and have someone in attendance in order to receive communications from the
108 Electrical Inspection Division of the Department of Safety and Permits, or other persons
109 concerned, during regular business hours.

110 A Class "A" Electrical or Class "B" Fabrication license holder shall represent only one firm,
111 corporation or business at any one time.

112 A license holder must have his license in his immediate possession at all times when
113 performing work for which he is certified and shall display it upon demand of an agent of the
114 Department of Safety and Permits.

115 **2706.1.1** - Each Applicant for a Class "C" Maintenance Electrician license must have
116 had at least five (5) years experience working under the supervision of a Class "A"
117 Electrical Contractor in that particular line or class of occupation in which he desires to
118 engage.

119 **2706.1.2** - Each applicant for a Class "D" Journeyman Electrician license must have at
120 least five (5) years continuous experience working at the electrical trade as an electrician
121 trainee or have a minimum of four (4) years of schooling in the electrical trade at a
122 recognized state trade school or a state approved apprenticeship training program and
123 must have a passing grade in the above programs, plus four (4) years experience working
124 as an electrician trainee.

125 **2706.1.3** - Each applicant for a Class "E" Electrician Trainee license must have a letter of
126 recommendation from a certified Class "A" Electrical Contractor recommending the
127 applicant for licensing. An individual may not hold a Class "E" Electrician Trainee
128 license for more than five (5) years from the initial issue date. Note: Any exception to
129 this time limit for a longer or extended period must be in writing to and with the written
130 approval of the Director.

131 **2706.1.4** - Each applicant for a "Student Trainee" license must have a letter of
132 recommendation from a Class "A" Electrical Contractor. A "Student Trainee" license
133 shall be valid only for the period of May 1 through September 30 of any issuing year. A
134 "Student Trainee" license shall not be issued to an individual more than three times.

135 **2706.2 Duration of License** - All Class "A", "B", "C", "D" & "E" licenses issued under this
136 Code expire on the applicant's date of birth.

137 For the initial license, the expiration date shall be on the date of birth in the year following the
138 date of issuance.

139 Licenses that have been expired for a period of up to two (2) years shall be renewed only after
140 payment of the license registration fee and required delinquent fees.

141 Licenses that have been expired for a period of more than two (2) years shall require an

142 application as a new candidate.

143 **2706.3 License Issuance** - When a candidate passes the examination, the original examination
144 results and the completed application for the appropriate license must be submitted to the
145 Electrical Inspection Division to qualify for license issuance. The appropriate license must be
146 obtained by the qualified applicant within one year of the examination date. The issued license
147 must be signed by the Director or his designee.

148 **2706.4 - Revoked License** - Licenses issued under this code may be revoked for any reason or
149 finding defined in **Section 2706.5**. Upon such finding the Director may order such revocation.
150 However, the Director may find that the public interest is adequately protected by a warning or a
151 suspension for a definite period of time not to exceed two years. No license shall be suspended or
152 revoked except by the Director. Upon revocation, the Director shall not accept an application for
153 a new license or a renewal within two (2) years from the date of such revocation, [except for
154 medical recovery supported by a physician's opinion, after Directors review and approval].

155 **2706.4.1 - Code Violation Hearing** - If needed, the Chief Electrical Inspector shall
156 initiate a hearing, in conjunction with the Chief Building Official and the Director, to
157 review a code violation he has determined to exist, that would effect any electrical license
158 issued by the Electrical Inspection Division to be suspended or revoked.

159 **2706.5 - Revocation and Suspension Reasons**

- 160 **1.** Violating, on more than one occasion, either willfully or maliciously, or by reason of
161 incompetence, any provision of this code
- 162 **2.** Conviction of any offense involving the defrauding of any person for whom a service
163 has been rendered or contracted to be rendered under this chapter.
- 164 **3.** Fraud or misrepresentation in obtaining a license or permit.

- 165 4. Conviction of drunkenness or the use of narcotics.
- 166 5. Adjudication of insanity.
- 167 6. Securing a permit for electrical work not actually performed by the Class "A" Electrical
168 Contractor or by certified (licensed) individuals under his control, supervision, direction
169 and responsibility.
- 170 7. Securing a permit under any pretext for an installation concerning which the applicant
171 has no valid contract.
- 172 8. Performing any electrical work as defined herein for which no electrical permit has been
173 obtained.
- 174 9. Refusing to finish the electrical work for which a permit was taken and for which full
175 payment has been accepted.
- 176 10. Performing any electrical work as defined herein for which an electrical permit has been
177 obtained and which work is being performed by improperly certified (licensed)
178 individuals under his control, supervision, direction and responsibility.
- 179 11. False, misleading or deceptive advertising.
- 180 12. Any medical reason wherein a physician's medical opinion is provided to the Director
181 indicating that the person certified is unable to satisfactorily perform the duties and
182 functions expected of a Class "A", Class "B", Class "C", Class "D", or Class "E"
183 Electrical license holder, and that any further performance in the electrical field would
184 be a danger to himself and endanger the life and property of others.
- 185 **2706.6 - Notice of revocation or suspension hearing.** A notice shall be served upon the holder
186 of the license stating the time and place of the hearing to be held by the Director . The notice
187 shall be sent by the Director and shall enumerate the cause or causes for suspending or revoking

188 the license. The notice may be mailed by registered or certified mail to the holder of the license
189 at the address of his place of business as given by him on his application for the license, or it
190 may be served on him in person by a Police Officer or employee of the Department of Safety and
191 Permits.

192 **2706.7 Appeal Procedure:** An appeal from the decision of the Director may be taken to the
193 Board of Building Standards and Appeals, within ten (10) days of written notification to the
194 appellant.

195 **2707 - INSURANCE**

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

200 **2707.1 - MINIMUM INSURANCE REQUIREMENTS:**

201 (A) Workers' Compensation Insurance in accordance with Louisiana state law.

202 (B) Comprehensive general liability insurance coverage with limits of not less than \$500,000
203 per occurrence for bodily injury and \$250,000 per occurrence for property damage, with
204 coverage extended as follows:

205 (i) Operations-premises liability:

206 (ii) Independent contractor's liability-broad form:

207 (iii) Contractual liability - broad form:

208 (iv) Completed operations and products liability.

209 The required insurance shall be issued by a company duly registered and authorized to write such
210 insurance in the State of Louisiana. Compliance with this section shall be considered as having

211 been met when a copy of the policy, or a license of insurance has been filed with and approved
212 by the Department of Safety and Permits.

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

216 **2708 - FEDERAL IDENTIFICATION NUMBER AND OCCUPATIONAL LICENSE**

217 Before a Class "A" Electrical Contractor or a Class "B" Fabrication Contractor license is issued
218 or renewed, each certified Class "A" Electrical Contractor or Class "B" Fabrication Contractor
219 must provide his Federal Identification Number and his Parish Occupational license number to
220 the Director when he registers with the Electrical Inspection Division.

221 **2709 - APPLICATIONS FOR EXAMINATION AND LICENSES**

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

225 **2710 - EXAMINATIONS**

226 (A) The written examination for a Class "A" Electrical Contractor and a Class "B"
227 Fabrication Contractor shall include the following:

- 228 (a) National Electric Code, (NFPA-70) questions,
229 (b) Practical wiring questions,
230 (c) Practical questions on electrical equipment,

231 (B) The written examination for a Class "C" Maintenance Electrician and a Class "D"
232 Journeyman Electrician shall include the following:

- 233 (a) National Electric Code, (NFPA-70) questions,

- 234 (b) Practical wiring questions,
- 235 (c) Practical questions on electrical equipment.

236 **2711 - RE-EXAMINATIONS**

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

240 **2712 - LICENSE FEES**

241 (A) To obtain an initial license, or renew a license, an applicant shall pay the applicable annual
 242 license fee as follows:

243 Type	License
244 Class "A" Electrical Contractor	\$100.00
245 Class "A" Electrical Contractor (INACTIVE)...	\$ 25.00
246 Class "B" Fabrication Contractor	\$100.00
247 Class "C" Maintenance Electrician	\$ 50.00
248 Class "D" Journeyman Electrician.....	\$ 50.00
249 Class "E" Electrician Trainee	\$ 25.00
250 Class "E" Electrician "Student Trainee".....	\$ 25.00

251 (B) License fees shall be made payable to "The City of New Orleans". Payment shall be made
 252 prior to license issuance.

253 (C) Examination fees are established by and paid directly to the nationally recognized testing
 254 company under contract with the City of New Orleans. No examination fees are to be directed
 255 to the Electrical Inspection Division or made payable to the "City of New Orleans."

256 **2712.1 - ACCEPTANCE OF OTHER JURISDICTIONAL CERTIFICATION**

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

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

266 **2713 - PAYMENT OF FEES: DATES FOR RENEWAL OF ACTIVE LICENSES**

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

269 The renewal license registration fee is due and payable to the Electrical Inspection Division on
270 or before the first regular day of business after the applicants date of birth. No renewal license
271 shall be issued unless all work specified on permit(s) filed more than three (3) months prior to
272 the applicant's date of birth has been completed, or a written reason, sufficient to the Director,
273 has been submitted and approved, indicating why the job installation(s) remains incomplete.

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

278 Should a Class "A" Electrical Contractor or a Class "B" Fabrication Contractor fail to renew his
279 license prior to the first regular day of business after his date of birth, or fail to complete the

280 work specified on his permit(s) issued more than three (3) months prior to his date of birth
281 without explanation, a delinquent fee of ten (\$10.00) per month shall be added to the renewal fee
282 beginning on the first regular day of business after his date of birth and extending through his
283 date of birth in the following year.

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

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

289 Should a Class "C" Maintenance Electrician license holder fail to renew his license prior to
290 the first regular day of business after his date of birth a delinquent fee of five (\$5.00) per month
291 shall be added to the renewal fee beginning on the first regular day of business after his date of
292 birth and extending through his date of birth in the following year. Should a Class "D"
293 Journeyman Electrician license holder fail to renew his license prior to the first regular day of
294 business after his date of birth a delinquent fee of five (\$5.00) per month shall be added to the
295 renewal fee beginning on the first regular day of business after his date of birth and extending
296 through his date of birth in the following year.

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

299 Should a Class "E" Electrician Trainee fail to renew his license prior to the first regular day of
300 business after his date of birth a delinquent fee of five (\$5.00) per month shall be added to the
301 renewal fee beginning on the first regular day of business after his date of birth and extending
302 through his date of birth in the following year.

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

305 The Class “E” “Student Trainee” three (3) issue limit remains unchanged from his initial
306 issuance date. Any subsequent issue of this license shall not be considered as a renewal or a
307 continuation of any previous issue.

308 **2714 - INACTIVE LICENSE**

309 A Class "A" Electrical Contractor may, by written request to and approval of the Director,
310 change his license to an inactive status. The Class "A" Electrical Contractor that has changed his
311 license to inactive, must maintain his inactive license in a current status by paying the annual
312 renewal fee as required in this Code. The inactive status license must be renewed each year and
313 the Director must be notified in writing that the contractor desires to remain in the inactive status
314 for the ensuing year. There shall be no limit to the number of years the Class "A" Electrical
315 Contractor may continue to carry his license in this inactive status. No license renewal shall be
316 made for any Class "A" Electrical Contractor that has allowed his inactive license to lapse and
317 remain lapsed for a period of more than (2) years, until he has passed an examination as a new
318 applicant.

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

323 No Class "A" Electrical Contractor shall engage in business as an electrical contractor while his
324 license is in an inactive status. An inactive license holder can, however engage in electrical work
325 under the supervision of an active Class “A” license holder.

326 Only one change to an inactive status is allowed during any twelve (12) month period.

327 **2715 - PROHIBITION AGAINST LICENSE TRANSFER**

328 No Class "A" or Class "B" Electrical license holder shall assign or in any way convey his
329 license to anyone by power of attorney or any other process or become involved in any type of
330 agreement, assignment or use whereby he will not have supervision, direction, control or
331 responsibility for the electrical work for which he has obtained an electrical permit from the
332 Electrical Inspection Division of the Department of Safety and Permits.

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

337 **2716 - LIMITATIONS OF LICENSE**

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

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

346 A Class "D" Journeyman Electrician shall be limited to operations described in this Code. A
347 Class "E" Electrician Trainee and "Student Trainee" shall be limited to operations described in
348 this Code.

349 **2717 - ELECTRICIAN'S AND OWNER'S RESPONSIBILITIES**

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

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

360 At the discretion of the Director, inspections may be withheld until all outstanding
361 discrepancies on the same installation, that are in violation of the Code, have been corrected by
362 the Class "A" Electrical Contractor.

363 (C) A Class "C" Maintenance Electrician or a Class "A" Electrical Contractor with a
364 maintenance contract shall be required in any building that requires an operating (stationary)
365 engineer as defined in the amendments to the *International Mechanical Code*, 2006 edition.

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

370 If electrical discrepancies or new electrical installations are discovered to exist as a result of
371 this inspection, notification of same will be provided to the owner of the building or the "on-site"

372 representative of the person, firm or corporation utilizing the building.

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

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

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

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

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

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

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

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

390 If a remote disconnect switch is not present or is not within eight (8) feet of the electrical
391 appliance, a remote disconnect switch must be installed and the distance location must be
392 corrected by a Class "A" Electrical Contractor.

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

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

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

401 1. Plumbing

402 2. Air Conditioning and Refrigeration, (HVAC.)

403 3. Gasfitting

404 4. Sheet metal

405 5. Insulating

406 6. Operating (stationary) Engineers as defined in the amendments to the *International*
407 *Mechanical Code*, 2006 edition.

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

411 1. A letter from the owner or prime contractor to the Director attesting that the
412 original Class "A" Electrical Contractor will no longer be utilized for the
413 electrical installation at the listed job;

414 2. File a new permit application for the entire electrical installation;

415 3. Pay all fees, with the amount of the fees based upon the total required for the new
416 application less the amount already paid by the original Class "A" Electrical
417 Contractor.

418 Whenever a Class "A" Electrical Contractor replaces another, he then becomes the Class "A"
419 Electrical Contractor of record for the entire electrical installation. All future correspondence
420 from the Electrical Inspection Division regarding that installation will be directed to the new
421 Class "A" Electrical Contractor. Any deviation from the above due to extenuating circumstances
422 must be coordinated in writing to and with the approval of the Director.

423 **2718 - PERMIT REQUIRED**

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

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

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

434 The permit fee for any work commenced prior to obtaining the required permit, excepting the
435 emergency or life threatening conditions, shall be the listed permit fee plus a penalty fee of five
436 (5) times the listed fee for such work.

437 **The determination of the extent of the penalty and the amount of the penalty fee for**
438 **violations of this section, by any Contractor, shall be in the discretion of the Director.**

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

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

446 Every issued permit shall become invalid:

447 (a) if the work authorized by the permit is not commenced within six (6) months after
448 its issuance, or

449 (b) if the work authorized by the permit is suspended for more than six (6) months
450 after its issuance, or

451 (c) if the work authorized by the permit is suspended or abandoned for a period of six
452 (6) months after the time the work is commenced. One or more extensions of
453 time, for periods of not more than ninety (90) days each, may be allowed for the
454 permit. The extension must be requested in writing and justifiable cause
455 demonstrated to the Director. When an extension is granted it shall be in writing
456 by him.

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

461 **2719 - CONSTRUCTION DOCUMENTS:**

462 Construction documents involving electrical installations are to be submitted at the time of
463 application for building permits. See **Section 106 - Construction Documents:** of these New

464 Orleans Amendments for details.

465 **2720 - CERTIFICATES OF APPROVAL**

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

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

476 **2721 - SPECIAL EVENTS: WIRING**

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

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

486 All Certificates of Approval issued for Special Events wiring or electrical equipment of any

487 description may be revoked at the discretion of the Director if the continued use of such wiring
488 or electrical equipment for the Special Event is deemed unsafe and not in the interest of the
489 safety, health and welfare of the general public for which the event was initially allowed.

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

491 **2722 - CONNECTION OF ELECTRIC SERVICE**

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

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

501 **2723 - ELECTRICAL METER RELEASE STIPULATIONS**

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

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

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

512 **2724 - DISCONTINUANCE OF ELECTRIC SERVICE**

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

520 **(B)** If the Director determines any electrical installation, wiring, equipment or appliances in any
521 building to be unsafe or in a dangerous condition, or any electrical construction, installation, or
522 repair work has been installed or is being used in violation of this Code or is being used in
523 violation of the use provisions of the Comprehensive Zoning Ordinance as interpreted by the
524 Zoning Administrator, and such violations have not been corrected within ten (10) days of such
525 determination, the Director shall send written notice to the person, firm or corporation
526 responsible for the violation(s) to correct the condition(s) within the time specified in the written
527 notice. This period may not be extended except by written permission from the Director.

528 Failure to comply with this notice shall empower the Director or Director to:

- 529 **(1)** request that charges be filed in the Municipal Court of the City of New Orleans; and
530 **(2)** seek relief through Civil District Court or another Court of competent jurisdiction; and
531 **(3)** notify as provided in Chapter 6, Article II, of the Code of the City of New Orleans, the
532 owner of record and any other person whom the City Attorney identifies as required to

533 receive notice, to appear before an Administrative Hearing Officer to show cause why the
534 said owner and person; should not be adjudicated as a violator to the said Chapter 6,
535 Article II.

536 If the above Courts and Administrative Agency determination that the owner and person is in
537 violation of the provisions of this Code or the provisions of the Comprehensive Zoning
538 Ordinance and such violations have not been corrected within 10 days of said determination, the
539 Director shall have authority to discontinue the service of the utility company until such time the
540 violations have been corrected. When the violations have been corrected and the location is re-
541 inspected by the Director, he shall notify the utility company that the electrical service may be
542 reconnected.

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

545 **2725 - WORK BY OTHER THAN ELECTRICAL CONTRACTORS**

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

555 **2726 - DISPLAY OF CONTRACTOR'S SIGN, PUBLIC ADVERTISING OR**

556 **ADVERTISEMENT OF SERVICES**

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

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

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

570 Every Class "A" Electrical Contractor advertising or proposing to advertise to the general
571 public for the purposes of obtaining any of the types of electrical work as defined in this Code,
572 shall provide his license number, and the name, address and telephone number of the firm or
573 corporation. The display of a sign or advertising for the purposes of obtaining work by a person
574 other than the duly certified Class "A" Electrical Contractor constitutes a violation of this Code.

575 False, misleading or deceptive advertising shall constitute an attempt to circumvent the
576 general health, welfare and safety of the public and shall constitute a violation of this Code.

577 **2727 - FEES FOR ADDED INSPECTIONS**

578 (a) **wasted trip inspection** - When a Class "A" license holder, after notice has been

579 given by the Director, is found to have violated any of the requirements of this
580 Code, or when through any such violation by any Class "A" license holder doing the
581 work, it shall become necessary to make extra inspections because of a wasted trip, a fee
582 of \$150.00 shall be charged. This charge is for each and any extra inspections made
583 necessary as a result of incomplete work, inaccessibility to perform the inspection or for
584 alterations to work previously accepted. This fee is in addition to any regular required
585 permit fees and shall be received before any further inspections are made by the
586 Electrical Inspection Division.

587 **(b) Fire Marshal Inspection** - When any person, firm or corporation requests a complete
588 electrical inspection of existing installations to comply with the State Fire Marshal Act, a
589 fee of \$30.00 shall be charged.

590 **(c) After Hour Inspections** - When a person, firm or corporation requests an inspection of
591 installed electrical equipment to be performed at a time other than the designated working
592 hours of the Electrical Inspectors of the Department of Safety and Permits a fee shall be
593 charged . The request and reason for the after hour inspection must be made to and
594 approved by the Director for inspector assignment.

595 A fee of \$175.00 shall be paid by the person, firm or corporation requesting the after hour
596 inspection. Payment of this fee must be made to the "City of New Orleans" within forty-
597 eight (48) hours of the request for the inspection and is to be paid in addition to any
598 regular required permit fees in this Code. No further inspections are to be made by the
599 Electrical Inspection Division until the required fee has been received.

600 **2728 - EXEMPTIONS**

601 The provisions in this Chapter do not apply to Companies regulated by the Louisiana Public

602 Service Commission, or the Council of the City of New Orleans, with the following exceptions.

603 (a) Telephone and telegraph companies - a permit is required where electrical work is
604 performed on the primary side of the source of power from the Utility Company at a
605 voltage over fifty (50) volts and which consumes more than five hundred (500) watts of
606 energy.

607 (b) Utility Company - a permit is required where electrical work is performed on the
608 secondary side of the source of power from the Utility Company.

609 (c) Regional Transit Authority (RTA) - a permit is required where electrical work is
610 performed on the secondary side of the source of power from the Utility Company.

611 **2729 - PLENUM SPACES**

612 If it is necessary to install electrical equipment in plenum spaces used for supply or return air
613 systems, see *International Building Code*, 2006 edition and the National Electric Code,
614 (NFPA-70), for requirements.

615 **2730 - EMERGENCY SYSTEMS, EXIT AND EMERGENCY ILLUMINATION**

616 Means of egress shall be illuminated at all times in accordance with the *International Building*
617 *Code*, 2006 edition and the National Electric Code, (NFPA-70).

618 **2731 - TEMPORARY DECORATIVE LIGHTING**

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

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

627 **2732 - ELECTRICAL SIGNS**

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

631 The sign erector shall also secure a building permit prior to the erection of such sign as
632 required by *The International Building Code*, 2006 edition, as amended, Section 3107, signed by
633 a Class "A" Electrical license holder, acknowledging intention to erect and notify the Director
634 when the installation is completed. When an erector has been determined to be in violation of the
635 Code and refuses to correct same, no further permits will be issued to him.

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

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

645 **2733-AUTOMATIC EARLY WARNING PROTECTIVE DEVICES**

646 Early warning protective devices shall conform to *The International Building Code*, 2006
647 edition, as amended.

648 **2734 - FEES: PERMITS**

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

650 **1.** Thirty dollars (\$30.00) per construction loop.

651 All construction loop permits issued may be revoked at any time at the discretion of the Director,
652 however all such permits shall automatically expire at the end of ninety (90) days with the
653 exception of those providing required construction power to the project still under construction.

654 **2.** Thirty dollars (\$30.00) minimum per permit application for all installations, plus (a) &
655 (b) below.

656 **(a)**Thirty cents (.30) per ampere of service or protective device rating.

657 **(b)** Three dollars (\$3.00) per connected circuit in each and every panel. [Within the
658 meaning of the terms of this code, each main feeder, sub-main or branch circuit for power, light
659 or any other purpose or service shall be considered a circuit. Each fused or other type of
660 automatic cutout protected wire of a final branch multi-wire circuit shall be also be considered a
661 circuit.]

662 **3.** A minimum fee of thirty dollars (\$30.00) shall apply for the repair or replacement of any
663 existing electrical equipment of the same capacity, excluding circuits and service.

664 **4.** A fee of thirty dollars (\$30.00) shall apply for each illuminated sign, whether indoors or
665 outdoors.

666 **5.** A fee of fifty dollars (\$50.00) shall apply to each Elevator, Moving Stair, Dumbwaiter,
667 and Man lift.

668 **6.** A fee of fifty dollars (\$50.00) shall apply for any elevator repair work, modernization or
669 current changeover.

670 **2735 - BASIC STANDARDS**

671 (A) No electrical work for light, heat or power shall be installed or placed in or on any building,
672 structure or premises, unless this work is in conformity with current approved methods of
673 construction. Compliance with the regulations in the National Electric Code, (NFPA-70) shall
674 be prima facie evidence of conformity with such approved methods. No electrical equipment
675 shall be installed below grade elevation, including service, switchboards and panelboards.

676 (B) All installed electrical wiring shall conform to the requirements of the *International Building*
677 *Code*, 2006 edition, as amended, the National Electric Code, (NFPA-70) and such other
678 applicable safety codes as enforced by the Department of Safety and Permits.

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

685 (D) The Director or his designee is hereby authorized to seize, de-energize or cause to make
686 inoperable any electrical apparatus deemed by him to be dangerous, hazardous or perilous, when
687 such electrical apparatus is either being used in a manner for which it is not approved or being
688 used for a purpose for which it does not conform electrically.

689 Large or bulky electrical apparatus that is not capable of being moved or transported to a
690 location designated by the Chief Administrative Officer for storage shall be de-energized and
691 "locked off" so as to be inoperable or incapable of being used.

692 The seized electrical apparatus that is capable of being moved shall be transported to a
693 location designated by the Chief Administrative Officer for storage. The custodian of the storage

694 area shall maintain records of the impounded electrical apparatus and the date on which it was
695 impounded and shall hold the apparatus in the storage area for a period of not more than thirty
696 (30) days. Any electrical apparatus so held, or "locked off" may be redeemed by the owner
697 thereof upon the payment of a fee to the City of New Orleans through the custodian thereof,
698 consisting of a total of \$150.00 plus \$10.00 per day storage fee for each day the apparatus is
699 stored. Any electrical apparatus impounded and stored or "locked off" and not redeemed by the
700 owner thereof within thirty (30) days may be transferred or assigned to the custody of the
701 Department of Finance to be sold at public auction in the same manner as surplus property of the
702 City.

703 **(E)** Low voltage installation wiring shall:

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

710 **2736 - FIRE PUMPS**

711 All wiring of fire pump installations shall be in accordance with the National Electric Code,
712 (NFPA-70), and Centrifugal Fire Pumps, (NFPA-20), (See Chapter 35 of the *International*
713 *Building Code*, 2006 ed., as amended).

714 **2737 - STANDARD ELECTRICAL MATERIALS**

715 Before any electrical material, appliance, or equipment (including prefabricated or pre-assembled
716 electrical units or systems) is used, it shall be constructed in conformity with current standards,

717 and be classified and listed by, including but not limited to, Underwriters Laboratory (UL),
718 Factory Mutual (FM), Canadian Standards Association (CSA), Electrical Testing Laboratories
719 (ETL), MET Laboratories and others listed by the ICC-ES to insure safety to life and property.

720 **2738 - ALTERNATE MATERIALS AND METHODS**

721 The provisions of this Code are not intended to prevent the use of any material or method of
722 construction not specifically prescribed by this Code, provided an alternate has been approved by
723 the Director. The Director may approve an alternate,
724 provided he finds that the alternate for the purpose intended is at least the equivalent of that
725 prescribed in this Code in quality, strength, effectiveness, fire resistance, durability and safety.

726 The Director shall require that sufficient evidence or proof be submitted to substantiate any claim
727 made regarding the alternate. The Director may recommend an amendment to this Code in order
728 to make permissible the use of the alternate. If, in the opinion of the Director, the evidence and
729 proof are not sufficient to justify approval or recommendation for an amendment, the applicant
730 may refer the entire matter to the Board of Building Standards and Appeals as specified in
731 Section 112 of the *International Building Code*, 2006 Edition, as amended.

732 **2739 - TESTS OF MATERIALS AND SYSTEMS OF CONSTRUCTION**

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

739 **2740 - COMPLIANCE REQUIREMENTS**

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

743 **2741 - ELECTRIC FENCE**

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

745 **2742** – At least (2) 5/ 8”copper-clad (8 ft.) ground rods, installed at least 6 feet apart with not
746 less than 13 mills of copper coating shall be installed or (1) high grade stainless steel (8 ft.)
747 ground rod at the service.

1 **SECTION 15.** That Chapter 35 of the IBC, 2006 Edition, be amended to include the
2 following:

3 **“CHAPTER 35**

4 **REFERENCED STANDARDS**

5 ********

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

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

8 NFPA 70-05, National Electrical Code.....2701”

1 **SECTION 16.** That a new Chapter, to be designated as Chapter 36, be adopted to read
2 as follows:

3 **“CHAPTER 36**

4 **INTERNATIONAL RESIDENTIAL CODE**

5 The following Chapters of the International Building Code, (2006) as amended shall also be
6 applicable to the construction of any One and Two Family dwelling when the structure is
7 designed and constructed in accordance with the International Residential Code, 2006.

- 8 Chapter 1.....Administration
- 9 Chapter 18..... Soils and Foundations (Where applicable to One and Two Family
10 Dwellings.)

11 The following Chapters of International Residential Code are deleted.

- 12 Chapter 1.....Administration
- 13 Chapter 12.....Mechanical Administration
- 14 Chapter 13.....General Mechanical System Requirements
- 15 Chapter 14.....Heating and Cooling Equipment
- 16 Chapter 15.....Exhaust System
- 17 Chapter 16.....Duct Systems
- 18 Chapter 17.....Combustion Air
- 19 Chapter 18.....Chimneys and Vents
- 20 Chapter 19.....Special Fuel-Burning Equipment
- 21 Chapter 20.....Boilers/Water Heaters
- 22 Chapter 21.....Hydronic Piping
- 23 Chapter 22.....Special Piping and Storage Systems
- 24 Chapter 23.....Solar Systems
- 25 Chapter 24.....Fuel Gas
- 26 Chapter 25.....Plumbing Administration
- 27 Chapter 26.....General Plumbing Requirements

28 Chapter 27.....Plumbing Fixtures

29 Chapter 28.....Water Heaters

30 Chapter 29.....Water Supply and Distribution

31 Chapter 30.....Sanitary Drainage

32 Chapter 31.....Vents

33 Chapter 32.....Traps

34 Chapter 33.....General Requirements

35 Chapter 34.....Electrical Definitions

36 Chapter 35.....Services

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

38 Chapter 37.....Wiring Methods

39 Chapter 38.....Power and Lighting Distribution

40 Chapter 39.....Devices and Luminaries

41 Chapter 40.....Appliance Installation

42 Chapter 41.....Swimming Pools

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

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

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

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

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

48 Chapter 35 of the International Building Code.”

1 **SECTION 17.** That Chapter 3 of the International Residential Code, 2006 Edition be

2 amended to include the following.

3 **R302.1 Exterior walls.** Exterior walls with a fire separation distance less than 3 feet (914
4 mm) shall have not less than a one-hour fire-resistive rating with exposure from both sides.

5 Projections shall not extend to a point closer than 2 feet (610 mm) from the line used to
6 determine the fire separation distance.

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

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

13 **Exceptions:**

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

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

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

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

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

25 **Exception:** A common 2-hour fire-resistance-rated concrete masonry wall is permitted for

19 **SECTION D 102**

20 **BUILDING RESTRICTIONS**

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

23 **D102.2 Other specific requirements.**

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

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

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

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

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

34 **Exceptions:**

- 35 1. Buildings of Type IV construction.
- 36 2. Buildings equipped throughout with an automatic sprinkler system in accordance with
37 Section 903.3.1.1.
- 38 3. Automobile parking structures.
- 39 4. Buildings surrounded on all sides by a permanently open space of not less than 30
40 feet (9144 mm).
- 41 5. Partitions complying with Section 603.1 (8).

42 **D102.2.6 Exterior walls.** Exterior load-bearing walls of Type II buildings shall have a
43 fire-resistance rating of 2 hours or more where such walls are located within 30 feet
44 (9144 mm) of a common property line or an assumed property line. Exterior nonload-
45 bearing walls of Type II buildings located within 30 feet (9144 mm) of a common
46 property line or an assumed property line shall have fire-resistance ratings as required by
47 Table 601, but not less than 1 hour. Exterior walls located more than 30 feet (9144 mm)
48 from a common property line or an assumed property line shall comply with Table 601.

49 **Exception:** In the case of one story buildings that are 2,000 square feet
50 (108 M₂) or less in area, exterior walls located more than 15 Feet (4572 mm)
51 from a common property line or an assumed property line need only comply with
52 Table 601.

53 **D102.2.7 Architectural trim.** Architectural trim on buildings located in the fire district
54 shall be constructed of approved noncombustible materials or fire retardant treated wood.

55 **D102.2.8 Permanent canopies.** Permanent canopies are permitted to extend over
56 adjacent open spaces provided:

57 1. The canopy and its supports shall be of noncombustible material, fire-retardant-
58 treaded wood, Type IV construction, or of 1-hour fire resistance rated construction.

59 **Exception:** Any textile covering for the canopy shall be flame resistant as determined
60 by tests conducted in accordance with NFPA 701 after both accelerated water leaching
61 and accelerating weathering.

62 2. Any canopy covering, other than textiles, shall have a flame spread index not greater
63 than 25 when tested in accordance with ASTM E 84 in the form intended for use.

64 3. The canopy shall have at least one long side open.

65 4. The maximum horizontal width of the canopy shall not exceed 15 feet (4572 mm).

66 5. The fire resistance of exterior walls shall not be reduced.

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

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

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

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

81 **D102.2.13 Other minor structures.** A special permit of 90 days may be issued for other
82 minor, one story, temporary structures used for shelter purposes only and not exceeding
83 100 sq. ft. in area.

SECTION D103

84 CHANGES TO BUILDINGS

85 **D103.1 Existing buildings within the fire district.** An existing building shall not hereafter be

86 increased in height or area unless it is of a type of construction permitted for new buildings
87 within the fire district or is altered to comply with the requirements for such type of construction.
88 Nor shall any existing building be hereafter extended on any side, nor square footage or floors
89 added within the existing building unless such modifications are of a type of construction
90 permitted for new buildings within the fire district.

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

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

97 SECTION D104

98 BUILDINGS LOCATED PARTIALLY IN THE FIRE DISTRICT

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

103 EXCEPTIONS TO RESTRICTIONS IN FIRE DISTRICT

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

- 106 1. Temporary buildings used in connection with duly authorized construction.
- 107 2. A private garage used exclusively as such, not more than one story in height, nor
108 more than 650 square feet (60 m²) in area, located on the same lot with a dwelling.

- 109 3. Fences not over 7 feet (2438 mm) high.
- 110 4. Coal tipples, material bins, and trestles constructed of Type IV construction.
- 111 5. Water tanks and cooling towers conforming to Section 1509.3 and 1509.4.
- 112 6. Greenhouses less than 15 feet (4572mm) high.
- 113 7. Porches on dwellings not over one story in height, and not over 10 feet (3048 mm) wide
114 from the face of the building, provided such porch does not come within 5 feet (1524
115 mm) of any property line.
- 116 8. Sheds open on a long side not over 15 feet (4572 mm) high and 500 square feet (46 m2)
117 in area.
- 118 9. One- and two-family dwellings where of a type of construction not permitted in the fire
119 District can be extended 25 percent of the floor area existing at the time of inclusion in t
120 the fire district by any type of construction permitted by this code.
- 121 10. Wood decks less than 600 square feet (56 m2) where constructed of 2-inch (51 mm)
122 nominal wood, pressure treated for exterior use.
- 123 11. Wood veneers on exterior walls conforming to Section 1405.4.
- 124 12. Exterior plastic veneer complying with Section 2605.2 where installed on exterior walls
125 required to have a fire-resistance rating not less than 1 hour, provided the exterior plastic
126 veneer does not exhibit sustained flaming as defined in NFPA 268.

127 **SECTION D106**

128 **REFERENCED STANDARDS**

129	ASTM E 84-04	Test Methods for Surface	D102.2.8
130		Burning Characteristics of	
131		Building Materials	
132	NFPA 268-01	Test Method for Determining	D105.1
133		Ignitability of Exterior Wall	
134		Assemblies Using a Radiant	
135		Heat Energy Source	

136 NFPA 701-99

Methods of Fire Test for

D102.2.8

137

Flame-resistant Textiles and Films”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

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

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT: