



**Strengthening Neighborhoods  
Facilitating Recovery**

# **HOUSING CODE ENFORCEMENT**

A Handbook for New Orleans Residents



The City of New Orleans

# Introduction to this Handbook

Your property is vital to the recovery of New Orleans! As the City rebuilds, it is essential that all residents and businesses maintain their property. This is especially true for unoccupied properties that can deteriorate more easily over time.

The Mayor’s Office of Recovery & Development Administration (ORDA) works with property owners to ensure that all properties are safe and in good repair. ORDA is a new department that includes the Code Enforcement Department, Safety and Permits, the Housing Department and the Office of Recovery Management.

ORDA is currently making a number of changes to improve its ability to fight blight and protect reinvestment in the City. This includes creating clearer legal standards, increasing enforcement tools, hiring more staff, using new technology, increasing transparency and making financial and technical assistance available to qualified property owners.

ORDA is conducting “sweeps” of neighborhoods throughout the City to identify unoccupied properties that violate the City’s laws for proper maintenance. Inspectors are looking at building exteriors, roofs, yards, pools, foundations, and other items. If an inspector determines that an unoccupied property violates any of the City’s laws, a hearing can be conducted against the property owner. Failure to make the necessary repairs can result in daily fines and, in the worst cases, lead to the seizure of the property for demolition or resale.

This handbook explains the City’s standards for unoccupied properties, describes how the hearing process works, explains the rights and responsibilities of property owners before, during, and after a property is inspected and describes how to get a house back into compliance.

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## An Overview of the Code Enforcement Process

If an inspector determines that a property violates any of the City's laws for property maintenance, the owner receives a Notice of Violation. The notice is posted on the property and is mailed to the owner as part of a Notice of Violation packet. The notice lists the specific violations observed and gives a hearing date. At the hearing, the City determines whether the property is guilty or innocent of being a "public nuisance," "blight," or both. If the property is declared either a public nuisance or blight, daily fines and other penalties can be issued.

The following is an outline of what happens before and after a hearing and the property owner's right and responsibilities at each phase.

### 1. Pre-Hearing

*Proving that the Property has been Repaired or Demolished*  
Before the hearing date, a property owner can mail information to the City that proves that the violations have been corrected or that the property was demolished. An inspector revisits the property and if it now meets City laws, the case is closed. Proof that the violations were corrected or the property was demolished must be sent by certified mail to the City at least seven days before the hearing. The Notice of Violation packet includes a form that describes how to prove that repairs or demolition have been done.

*Requesting an Extension of Time to Comply*

A property owner who has received a Notice of Violation may be eligible for a one-time sixty (60) day extension if he provides a valid reason. The property owner must request the extension in writing no later than seven (7) days after the date that the notice is mailed. An extension-request form is provided in the Notice of Violation packet. Property owners will be notified whether the extension was granted within seven (7) of the scheduled hearing date.

### 2. The Administrative Hearing

If a property owner does not correct the violations observed by city inspectors, an administrative hearing is conducted by an impartial judge. The judge determines whether the property is a public nuisance or blight.

At the hearing, both the City and the property owner testify under oath. The City presents the inspectors report, including photographs and other information. The property owner has the right to be represented by an attorney, present evidence, introduce witnesses, and question city inspectors under oath.

If a property owner cannot attend the hearing, a representative that has been given power of attorney can attend in place of the owner.

### 3. Judgment: Determining Public Nuisance & Blight

Within seven (7) days of the hearing, the Judge will decide whether a property owner is innocent or guilty. If guilty, the owner's property is declared a "public nuisance," "blight," or both. The Judge will then issue a fine that must range from \$100 to \$500 per day until the violations are corrected. Depending on whether a property is declared a public nuisance or blight, other actions are also required.

*Public Nuisances*

If a property is declared a "public nuisance," an owner has ten (10) days to correct or remove the nuisances. The owner must prove these measures were performed by using the form included in the Notice of Violation packet. A city inspector will revisit the property to verify that the property now meets City laws.

A one-time extension of time may be granted if an owner proves that additional time is need. The owner must use the extension-request form provided in the Notice of Violation packet to prove the need for an extension.

If a public nuisance has not been removed within ten (10) days of a final judgment or an extension has not been given, a fine of \$100-\$500 a day will be charged against the property owner. In addition, the City will notify the property owner that the City can enter the property to remove the nuisances. If this happens, the owner will be charged with the fees and costs related to the City removing the nuisances.

### *Blight*

If a property is declared "blight," the property can be seized under the City's eminent domain authority. Before attempts to seize a property, the property owner will be given the opportunity to enter into an agreement with the City to either repair or sell the property. Daily fines are suspended during the duration of the agreement.

If the property owner does not enter into the agreement or breaches the terms of the agreement, the New Orleans Redevelopment Authority will initiate the process to forcibly acquire ownership of the property. If a property is seized, the owner will be paid fair market value for the property.

## **4. Appeals**

After a final judgment by a Judge is issued, a property owner has thirty (30) days to appeal. Homeowners should contact the Civil District Court to file an appeal. Their number is (504) 592-9250.

## Presumptions of Public Nuisance

A property can be considered a public nuisance if:

- There is a significant amount of trash or garbage on the lot.
- There are plants or weeds above 18 inches.
- There are abandoned automobiles, building material, discarded appliances, machinery or furnishing.
- It could be a hazard to children because of the condition of its foundation, the condition of the slab, abandoned machinery, unsecured building materials, uncovered holes or uncovered excavation.
- There are conditions that could allow vermin infestation.
- There are objects that can hold standing water.

## Presumptions of Blight

A property can be considered a blight if:

- It is chronically vacant.
- There are unresolved code violations for unsafe, unsanitary or unhealthy conditions.
- It has been declared a fire hazard.
- It is lacking in facilities or equipment required by the Housing Code of the City of New Orleans.
- It has been deemed "demolition by neglect" pursuant to section 84-108 or 84-208 of the City Code.
- It has a substantial negative impact on the health, safety, or economic vitality of a neighborhood.
- It is a vacant lot that is abandoned, does not meet the requirements of the City Code or has been adjudicated.
- There is a vermin infestation.

# The City's Housing Requirements

When your house was new, the architect and the builder made sure that it met the City's Minimum Housing Requirements. This insured that it was safe, clean and structurally sound. As your home gets older, you need to keep it repaired so that it still meets these requirements. This section tells you what the City's requirements are. If you get your house up to these standards, your case will be closed.

## Section I: Outside Walls and Features

### Outside Surfaces

- All wood surfaces on the outside of the house need to be painted or covered with a protective treatment. This doesn't apply to decay-resistant woods.
- Paint that is peeling, flaking or chipped has to be taken off and repainted.
- All metal surfaces must be coated to prevent rust. If they have rusted, the rust needs to be taken off and they need to be coated.

### Load Bearing Structures

- These are the parts of the house such as rafters, beams and load bearing walls that carry most of the weight of the house. Without them, the house might collapse.
- These parts must be in good condition and able to support the weight of a house.
- They cannot have a lot of termite damage.
- They must meet the manufacturer's standards for



installation - this means that they have to be level, plumb, sturdy and meet the manufacturer's installation standards.

### Foundation Walls

- The foundation walls must be level and plumb.
- They cannot have large cracks or breaks.
- They must keep out rodents and other pests.
- The space underneath a raised house must be free of debris.
- The foundation cannot have any rotted columns or missing or leaning peers. The foundation cannot be sagging or breaking.
- Concrete cannot be crumbling or cracking.

### Outside Walls

- The walls must be level and plumb.
- The exterior walls must be free from large holes, breaks and loose or rotting materials.
- The walls must prevent water and wind from entering the house.
- The walls must have a finish, such as paint or siding.
- The walls must have an exterior finish and coating that makes them water tight.

### Decorative Features

- Cornices, belts courses, corbels, terra cotta trim, wall facings and other decorative features have to be in good repair.
- They must be properly secured and anchored to the house.
- They cannot be leaning or falling off of a house.
- They cannot have deterioration that creates sharp or protruding parts.
- They have to be painted or have protective treatment.
- If the decorative features are removed, the interior framing of the house cannot be exposed.

**House Numbers**

- Your house numbers have to be visible from the street.
- The numbers must contrast with their background.
- The numbers have to be in Arabic numerals or alphabet letters.
- The numbers must be a minimum of four inches high with a stroke width of .5 inches.

**Section II: Roofs****Roofs**

- The roof cannot allow rain or wind to enter into the house.
- The roof cannot have broken or loose materials.
- Shingles, flashing, felt paper and tiles cannot must be in good condition.
- The roof cannot have extensive termite damage.
- Roof drains, gutters and downspouts must be in good repair and cannot be blocked up. Gutters cannot allow standing water because this allows mosquitoes to breed.
- Roof water has to drain towards the street and cannot drain onto adjacent property. Water can't drain under your house because this weakens the foundation.

**Chimneys**

- Chimneys and similar structures must be safe and in good repair.
- None of the material can be falling off or crumbling.
- The metal of a chimney cannot be touching any wood because this could start a fire. If you don't want to fix a chimney you can remove it. If you do this you have to cap off the opening to prevent water from entering your house.

**Part III: Yards and Lots****Trash**

- All trash outside of your house must be in a trash can

or garbage bag.

- Containers in the yard that can hold water must be empty and turned over.

**Grading and Drainage**

- Water from your property has to drain towards the street. It cannot drain onto your neighbor's property or under your house.
- Your property must drain in a way that prevents standing water from accumulating.
- The fill of your lot must be maintained and has to be replaced when erosion occurs.

**Grass, Weeds and Trees**

- Yards cannot have weeds or grass taller than 18 inches.
- You have to mow the grass along sidewalks and curbs.
- You cannot blow grass onto city property (such as a street) and leave it there.
- Dead trees must be removed from your property.
- Poison oak, poison ivy and other unhealthy plants cannot grow on your property or sidewalk.
- Dead trees must be removed from your property.

**Sidewalks**

- The City is responsible for damage done by tree roots or work done by city departments. Private companies are responsible for damage done during their work. You are responsible for maintaining the sidewalk in all other situations.
- The sidewalks cannot have uneven surfaces or be blocked.
- You cannot allow weeds or grass that are over 18 inches high to grow on sidewalks.
- You need a permit before you put any construction materials or dumpsters onto sidewalks or streets.

**Rodents**

- Your property has to keep rodents from nesting and has to prevent infestations. If you find rodents, they must be exterminated by approved processes which are not a threat to humans or pets.
- Afterwards you have to fix the problem that caused the infestation. This may mean clearing debris or putting mesh over vents.
- The city offers free assistance with rodent, mosquito and termite control. You can call the Rodent, Mosquito and Termite Control Department at (504) 658-2400. For rodents they offer extermination. For mosquitoes they spray and give mosquito eating fish that can be put in swimming pools. For termites they offer advice and information. All of their services are free.

**Garages, Sheds, Fences and Free Standing Walls**

- They cannot have excessive deterioration that might cause them to fall apart.
- The walls of the structures must be plumb and level.
- There cannot be any loose pieces that might come off during stormy weather.
- These structures must be painted or covered with protective treatments.

**Part IV: Other Structures on Lot****Stairways, Steps, Decks, Porches and Balconies**

- These structures cannot be in danger of collapsing. Wood cannot be significantly weak, damaged or deteriorating. They have to be anchored to the house and they have to be able to support what they were designed to support.
- Stairways cannot be blocked.
- Steps cannot be missing.

**Handrails and Guardrails**

- They must be firmly fastened and capable of supporting normal loads.
- Wood cannot have deteriorated to the point where

it might collapse.

- They must be the proper height.
- They must be secured and anchored to the building.

**Motor Vehicles**

- You cannot have inoperative or unlicensed vehicles on your property except in an enclosed space.
- You cannot repair, strip or dismantle a vehicle on your property.
- You can only paint a vehicle in an approved commercial buildings with an approved paint booth.

**Swimming pools**

- Swimming pools must keep mosquitoes from breeding. You can use chlorine, cover the pool or stock it with fish that eat mosquito eggs.
- Pool structures must be strong and in good condition.
- Pools, hot tubs and spas must be surrounded by a five foot high fence to keep neighborhood children from falling in.
- Pool gates must to be self closing and self latching

**Refrigerators**

- Iceboxes and refrigerators cannot be left in a yard if they have airtight doors that can't be opened from the inside. This is a hazard to children.
- A refrigerator left in a yard must have its snap lock or doors removed.

**Part V: Doors and Windows****Securing your property**

- You cannot have broken doors or windows or frames with nothing in them. You must either repair and replace them or properly board them. This packet contains a separate form for how to board your house.

**Doors**

- Doors, door assemblies and door hardware cannot have significant deterioration.
- Screens cannot have large tears.
- Glass doors cannot be broken.
- All doors have to have working locks.
- A door must fit into the door frame.

**Window, skylight and door frames**

- They must be in good condition and weather tight.
- They must prevent water and air entry.
- Windows must be operable.
- Windows that open must have locks.
- Windows cannot have any panes missing or broken.
- Door frames have to be in good working order.
- Door frames have to be level and plumb.
- Door frames cannot have extensive deterioration.

**Insect Screens**

- A window or an opening that is used for ventilation has to have a screen that covers it. The screen has to have no less than 16 meshes per inch.
- Screens cannot have large tears.



## How to Find People To Make the Repairs

**Contractors**

A good way to find a contractor is to ask friends for recommendations. It is also easy to find one by going to the State's Licensing Board of Contractor's website:

[www.lslbc.louisiana.gov](http://www.lslbc.louisiana.gov)

Click on "Find a Contractor."

Click on "Search by City/Town of Contractor" to search by city.

Click on "Search by Type of Contractor" to search by type. After that, click on "Home Improvement" for small jobs, or click on "Commercial" to search by the type of work, such as roofing.

**Protecting Yourself From Contractor Fraud**

- Be very hesitant about giving money up front.
- Create a written contract that states every task that the contractor will complete.
- Ask for proof of insurance. The best way to do this is to ask for a certificate of general liability insurance with the homeowner's name listed as a certificate holder. With this document, the insurance company will contact the homeowner if the contractor cancels his policy.
- Check the contractor's references. You can also go to the Better Business Bureau website to see if any complaints have been filed against them: [www.neworleans.bbb.org](http://www.neworleans.bbb.org)
- Keep all receipts for anything related to the contractor's work.

### Swimming Pools

The Better Business Bureau website has a list of companies that can service or repair your pool:

[www.neworleans.bbb.org](http://www.neworleans.bbb.org)

Click on "List of Members" and go to "Swimming Pool Service & Repair."

### Rodent and Pest Control

The City offers free assistance with rodent, mosquito and termite control. Call the Rodent, Mosquito and Termite Control Department at (504) 658-2400.

### Assistance from Non Profits

There are several non profits that are assisting elderly, low income and disabled residents with home repairs. The amount of assistance they can offer depends on their resources at the time.

- ACORN (504) 943-0044
- Providence Community Housing (504) 821-7222
- EFCA Crisis Response (985) 893-0218
- Rebuilding Together (504) 947-0038
- Hands On (504) 483-7041
- Operation Helping Hands (504) 895-5439
- Phoenix of New Orleans (504) 342-4399
- Trinity Christian Fellowship (504) 482-7822
- Neighborhood Housing Services (504) 899-5900



*Strengthening Neighborhoods, Facilitating Recovery — Code Enforcement*

## Useful City Numbers

Code Enforcement Department  
(504) 658-4300

Department of Public Works  
(504) 658-4000

Safety and Permits Department  
(504) 658-7130

Housing Department  
(504) 658-4200

Mayor's Office  
(504) 658-4900

Mayor's Office of Public Advocacy  
(504) 658-4000

New Orleans Redevelopment Authority (NORA)  
(504) 658-4400

Health Department  
(504) 658-2500

Historic District Landmark Commission  
(504) 658-7040

City Hall Switchboard  
(504) 658-4000

Department of Environmental Affairs  
(504) 658-4070

Rodent, Mosquito and Termite Control  
(504) 658-2400



# The City of New Orleans Housing Code

This booklet is intended to provide highlights to the code in easy-to-understand language. Although every attempt has been made to maintain accuracy, this is merely a brief summary of applicable laws or regulations for quick reference.

The City's housing laws follow the ICC's International Building Code, the International Residential Code for One and Two Family Dwellings and amendments to these codes that are in Chapter 1 of the City Charter.

Anyone who makes repairs to a home should have an understanding of these documents and must meet any code requirements not discussed in this handbook. The Code Enforcement Department's unoccupied housing policy is stated in Chapter 28 of the City's Charter.

## Liability

Although this booklet has offered suggestions for how to find contractors, non profit agencies and private businesses involved in home repairs, the City does not accept any legal responsibility for the work or actions of any contractor, non profit agency, private repair business or their workers.



The City of New Orleans

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