

DEPARTMENT OF SAFETY AND PERMITS
CITY OF NEW ORLEANS

MITCHELL J. LANDRIEU
MAYOR

JARED E. MUNSTER, PH.D.
DIRECTOR

DEPARTMENTAL POLICY MEMORANDUM

DATE: November 13, 2014
FROM: Jared Munster, Ph.D., Director
RE: Review Requirements for Backflow Preventers

Effective immediately, all plans for new commercial or multi-family construction or plans for large-scale renovations of existing buildings are required to include the location of backflow preventers.

The location of such equipment is subject to regulation under Article 15 of the Comprehensive Zoning Ordinance (CZO) (Ordinance 4,264 MCS, as amended), and is required to be reviewed as part of the zoning compliance review process. The location indicated on plans presented to the Department of Safety and Permits must reflect placement of these devices in a location acceptable pursuant to the standards below. If a project cannot comply with these standards, a variance may be sought through the Board of Zoning Adjustments.

Section 15.5.7 of the CZO requires that “[e]very part of a required yard area shall be open to the sky,” subject to exceptions provided in subsequent sections. Of the exceptions provided in Section 15.5.12(9) – *Accessory Structures* speaks to equipment analogous to backflow preventers. The CZO provides “apparatus or machinery not a part of the main building and when accessory to permitted uses shall be permitted in the buildable area or required side or rear yards only when so placed and operated as to cause the least inconvenience to owners and tenants of adjoining lots and buildings; and provided that all of the above mentioned activities comply with existing City ordinances and do not cause serious annoyance or injury to occupants of adjoining premises by reason of the emission of odors, fumes, or gases, dust, smoke, noise or vibration, light, glare, or other nuisances.”

Given that the exception is limited to circumstances that are not injurious to adjoining properties or public safety, the following regulations apply to backflow preventers and other freestanding pieces of equipment;

- No equipment is permitted within required front- or corner side-yards.
- To the extent possible, all equipment should be placed within the buildable area of the lot.
- Any equipment placed within a required side- or rear-yard must be located in a manner as to prevent obstruction of emergency access between the structure and the property line.
- Placement of equipment within the required front- or corner side-yards may be authorized provided that a variance from the standards of Section 15.5.12 is obtained to allow an accessory structure within the required front-yard area.

The location of backflow preventers is also subject to review and approval by the Sewerage and Water Board as required by Louisiana Administrative Code, Part XIV, Section 609.F.5.

