

HAND BOOK
ON
COMPREHENSIVE ZONE LAW
FOR
New Orleans, Louisiana

CONTAINING
TEXT TO ORDINANCE 11,302 C.C.S., AS AMENDED,
WITH
KEY MAP TO ZONE DISTRICT MAPS,
REVISED TO INCLUDE AMENDMENTS
TO LAW THROUGH JUNE 14, 1944
TOGETHER WITH
OTHER RELATED INFORMATION

THE CITY PLANNING AND ZONING COMMISSION
New Orleans, Louisiana

Printed September, 1944

(Copies may be purchased at City Engineer's Office)

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This book has been prepared in brief form for convenient reference use only.

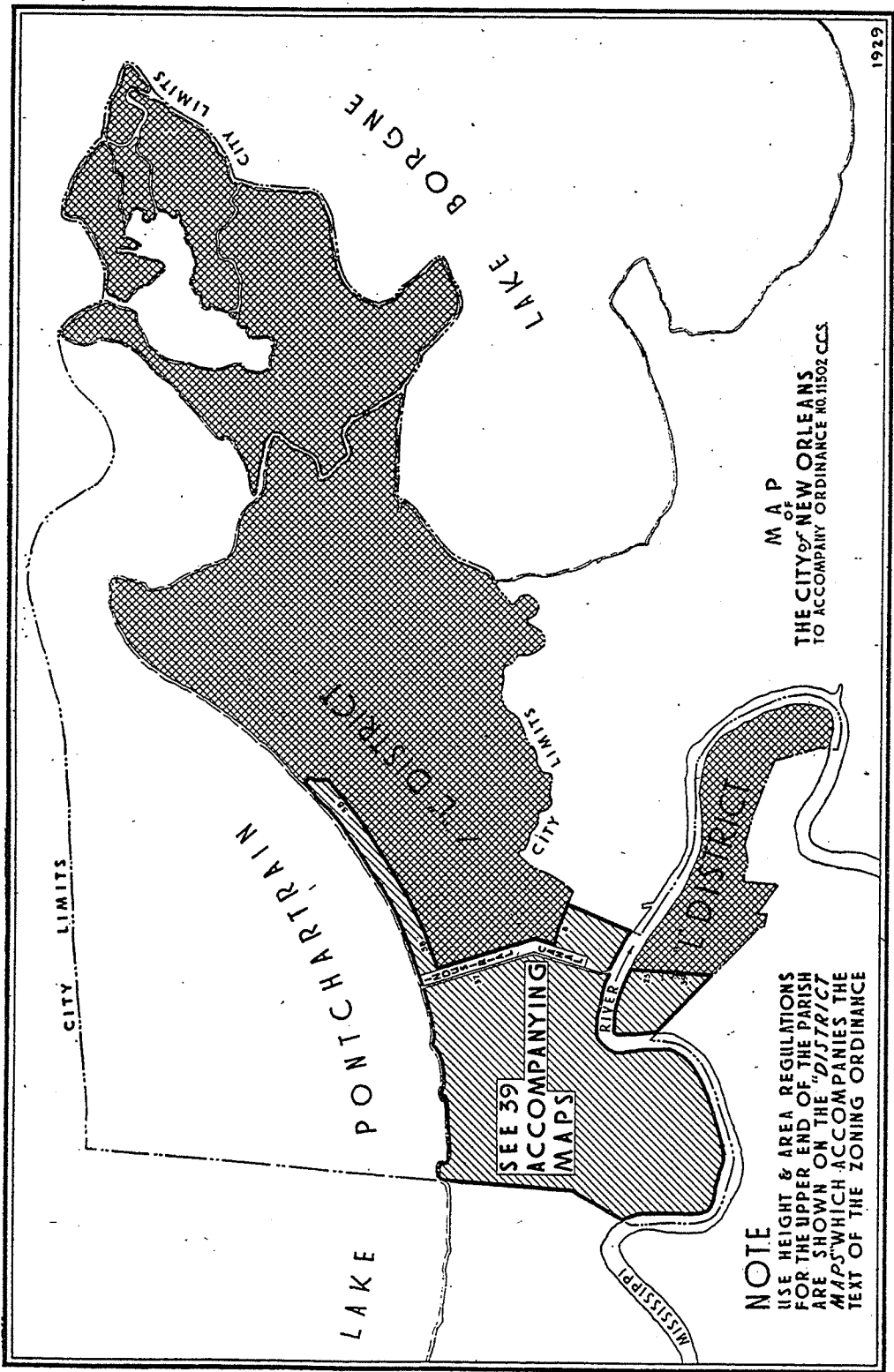
You will note that the text to Ordinance 11,302 C.C.S. shows the dates of approval and adoption in the year 1929.

However, the text of the 1929 Comprehensive Zoning Law Ordinance 11,302 C.C.S. as re-printed in this book has been revised, compiled and printed so as to insert at the proper places all text amendments adopted by the Council from the date when the law became effective in 1929 through June 14, 1944. Words, phrases and sentences required to be stricken from said text by the amendments have been omitted. The sequence numbers of the ordinances amending the text are shown for legal reference purposes only.

The small official District Map (which is the Key Map referring to the forty (40) Large Scale Official Zone District Maps) has also been amended to show all changes made by the Commission Council by amending ordinances during the above mentioned period.

The sequence numbers of the ordinances amending the official District Maps are not shown on the Key Map as it is too small.

When detailed information is desired for some particular purpose such as legal research, leases or sales, then information is available (in records on file in the office of the City Planning and Zoning Commission, and in the City Hall records) as to the procedures by which each zone change was adopted, together with information on legal matters, public hearings and minute records relative to each particular zone text amendment and zone district map amendments.



1929

PLATE A

Outline Map of the City of New Orleans, Orleans Parish, Showing Limits of Zone Map No. 40 and of the 39 Other Zone Maps (See Ord. 15,502 C.C.S. of Feb. 10, 1942 for only change to zone map #40, not shown on Plate A.)

INTRODUCTION

Official District Zone Maps

The text of the Zoning Law is illustrated by forty sheets called the Large Scale Official District Zone Maps. Thirty-six of these maps are drawn to the scale of 1:2000, showing lots and squares, etc. Three of the sections are drawn to the scale of 1:6000, and one section showing the whole parish is drawn to the scale of 1:80,000. (See Plate A.)

The originals of the Official District Zone Maps are in the files of the Commission Council and copies are on file in the following places:

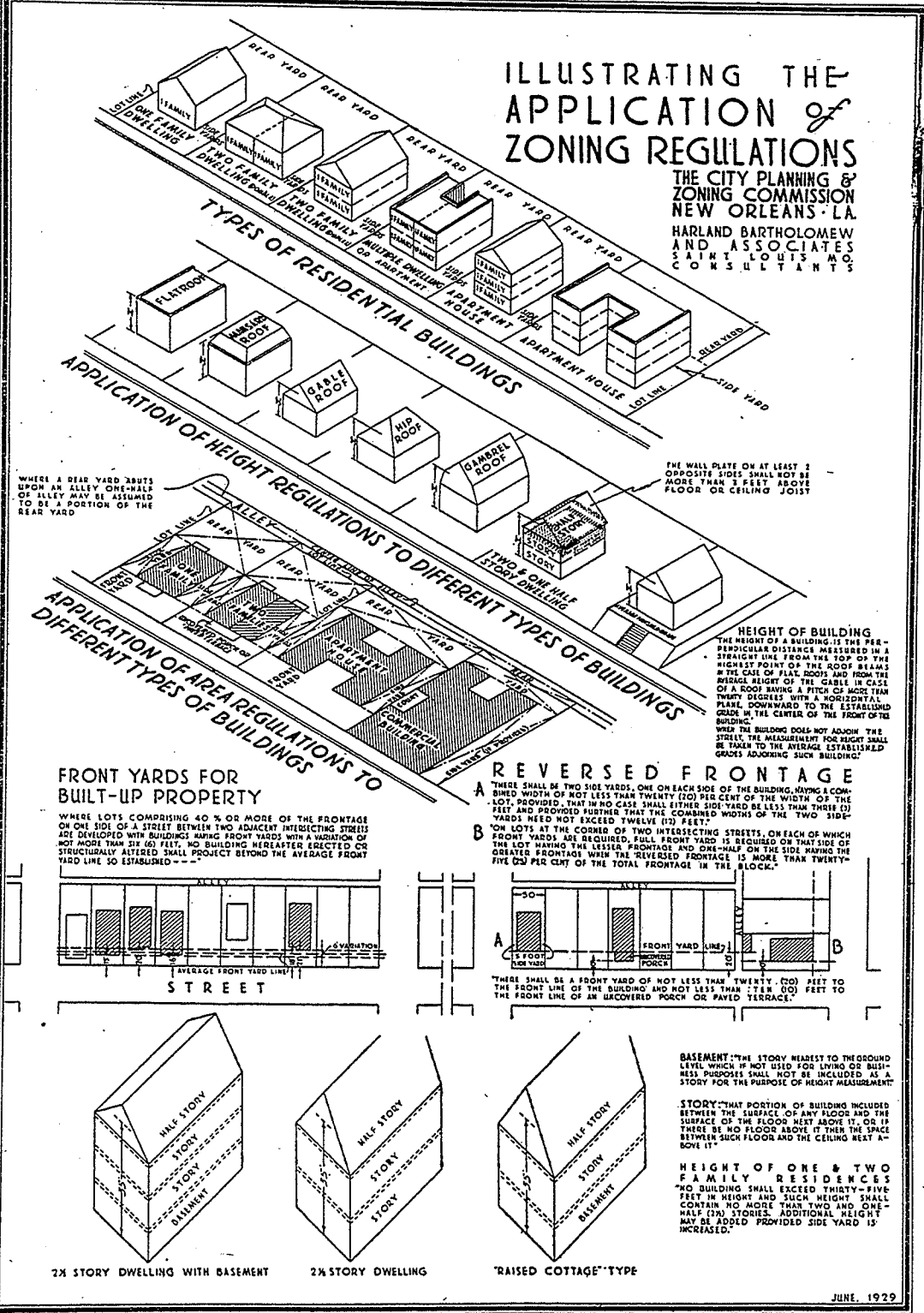
- (1) City Engineer's Office, Building Division, Room 25, City Hall.
- (2) City Planning and Zoning Commission Office, Room 602, Sewerage and Water Board Building.

The key map to the large Official District Zone Maps is divided into sections with numbers corresponding to the pages of the large scale Official District Zone Maps, and is attached to the cover of this booklet.

The Official Maps should be consulted for lot and square numbers and measurements, and to determine exact district classification on squares of mixed use classification.

ILLUSTRATING THE APPLICATION OF ZONING REGULATIONS

THE CITY PLANNING & ZONING COMMISSION
NEW ORLEANS, LA.
HARLAND BARTHOLOMEW AND ASSOCIATES
CITY PLANNERS
CONSULTANTS



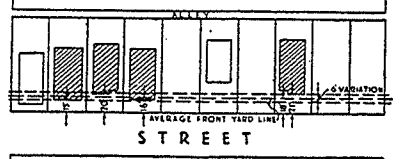
WHERE A REAR YARD ABUTS UPON AN ALLEY OR REAR OF ALLEY MAY BE ASSUMED TO BE A PORTION OF THE REAR YARD

THE WALL PLATE ON AT LEAST 2 OPPOSITE SIDES SHALL NOT BE MORE THAN 3 FEET ABOVE FLOOR OR CEILING JOIST

HEIGHT OF BUILDING
THE HEIGHT OF A BUILDING IS THE PERPENDICULAR DISTANCE MEASURED IN A STRAIGHT LINE FROM THE TOP OF THE HIGHEST POINT OF THE ROOF BEAMS IN THE CASE OF FLAT ROOFS AND FROM THE VERTICAL HEIGHT OF THE GABLE IN CASE OF A ROOF HAVING A PITCH OF MORE THAN TWENTY DEGREES WITH A HORIZONTAL PLANE, DOWNWARD TO THE ESTABLISHED GRADE IN THE CENTER OF THE FRONT OF THE BUILDING.
WHERE THE BUILDING DOES NOT ADJOIN THE STREET, THE MEASUREMENT FOR HEIGHT SHALL BE TAKEN TO THE AVERAGE ESTABLISHED GRADES ADJOINING SUCH BUILDING.

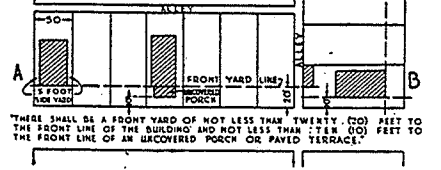
FRONT YARDS FOR BUILT-UP PROPERTY

WHERE LOTS COMPRISING 40% OR MORE OF THE FRONTAGE ON ONE SIDE OF A STREET BETWEEN TWO ADJACENT INTERSECTING STREETS ARE DEVELOPED WITH BUILDINGS HAVING FRONT YARDS WITH A VARIATION OF NOT MORE THAN SIX (6) FEET, NO BUILDING HEREAFTER ERECTED OR STRUCTURALLY ALTERED SHALL PROJECT BEYOND THE AVERAGE FRONT YARD LINE SO ESTABLISHED.

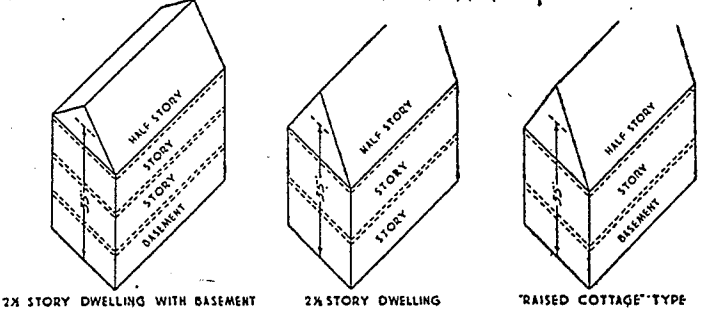


REVERSED FRONTAGE

- A THERE SHALL BE TWO SIDE YARDS, ONE ON EACH SIDE OF THE BUILDING, HAVING A COMBINED WIDTH OF NOT LESS THAN TWENTY (20) PER CENT OF THE WIDTH OF THE LOT, PROVIDED, THAT IN NO CASE SHALL EITHER SIDE YARD BE LESS THAN THREE (3) FEET AND PROVIDED FURTHER THAT THE COMBINED WIDTHS OF THE TWO SIDE YARDS NEED NOT EXCEED TWELVE (12) FEET.
- B ON LOTS AT THE CORNER OF TWO INTERSECTING STREETS, ON EACH OF WHICH FRONT YARDS ARE REQUIRED, FULL FRONT YARD IS REQUIRED ON THAT SIDE OF THE LOT HAVING THE LESSER FRONTAGE AND ONE-HALF ON THE SIDE HAVING THE GREATER FRONTAGE WHEN THE REVERSED FRONTAGE IS MORE THAN TWENTY-FIVE (25) PER CENT OF THE TOTAL FRONTAGE IN THE BLOCK.



THERE SHALL BE A FRONT YARD OF NOT LESS THAN TWENTY (20) FEET TO THE FRONT LINE OF THE BUILDING AND NOT LESS THAN TEN (10) FEET TO THE FRONT LINE OF AN UNCOVERED PORCH OR PAVED TERRACE.



BASEMENT: THE STORY NEAREST TO THE GROUND LEVEL WHICH IS NOT USED FOR LIVING OR BUSINESS PURPOSES SHALL NOT BE INCLUDED AS A STORY FOR THE PURPOSE OF HEIGHT MEASUREMENT.

STORY: THAT PORTION OF BUILDING INCLUDED BETWEEN THE SURFACE OF ANY FLOOR AND THE SURFACE OF THE FLOOR NEXT ABOVE IT, OR IF THERE BE NO FLOOR ABOVE IT THEN THE SPACE BETWEEN SUCH FLOOR AND THE CEILING NEXT ABOVE IT.

HEIGHT OF ONE & TWO FAMILY RESIDENCES
NO BUILDING SHALL EXCEED THIRTY-FIVE FEET IN HEIGHT AND SUCH HEIGHT SHALL CONTAIN NO MORE THAN TWO AND ONE-HALF (2 1/2) STORIES. ADDITIONAL HEIGHT MAY BE ADDED PROVIDED SIDE YARD IS INCREASED.

JUNE, 1929

PLATE I

Ordinance No. 11,302, Commission Council Series, As Amended

Revised to Include All Text Amendments in Proper Sequence
Through June 14, 1944

Mayoralty of New Orleans,
City Hall, June 6, 1929,
Calendar No. 11,105.

AN ORDINANCE prepared by authority of Act 240 of the Legislature of Louisiana, 1926, and Commission Council Ordinance No. 9613, passed February 25, 1927, to regulate and restrict the height, number of stories, and size of all buildings, and other structures, the percentage of lot that may be occupied, the size of yards and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence or other purposes and for said purposes divide the city into districts; to regulate and restrict the erection, structural alteration or use of buildings or land therein; to provide for the change of such regulations, restrictions and boundaries of zones; to provide for enforcement and to provide for the removal of non-conforming uses and to provide penalties for the violation of its provisions.

WHEREAS, The Commission Council of the City of New Orleans, Louisiana, deems it necessary in order to lessen congestion in the public streets; to secure safety from fire; to promote health, safety and morals and the general welfare; to provide adequate light and air; to avoid undue concentration of population; to facilitate adequate transportation, water supply, sewage, schools, parks and other public requirements; to conserve the value of buildings and encourage the most appropriate use of land throughout the City in accordance with a comprehensive plan; NOW, THEREFORE,

Sec. 1. Definitions. Be it ordained by the Commission Council of the City of New Orleans, that for the purpose of this ordinance certain terms and words are herewith defined as follows:

Words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "building" includes the word "structure," the word "shall" is mandatory and not directory.

Accessory Building. A subordinate building, attached to or detached from the main building, the use of which is incidental to that of the main building and not used as a place of habitation or a living room, kitchen, dining room, parlor, bedroom, library, etc.

Alley. A way which affords only a secondary means of access to abutting See Plate I. property.

Apartment House. See Multiple Dwelling.

Apartment Hotel. An apartment building under resident supervision which maintains an inner lobby through which all tenants must pass to gain access to the apartments and which may furnish dining room service for the exclusive use of its tenants by previous arrangement and not to any one who may apply.

Basement. A basement is that portion of a building below the first story of a residence or apartment and may be above or below grade and used for storage, garages for use of occupants of the building, janitor or watchman quarters, or other utilities (exclusive of rooms of habitation or assembly) common for the rest of the building. A basement used for the above purposes shall not be counted as a story, provided its height in the clear shall not exceed seven feet six inches (7' 6"). See Plate I.

Boarding House. A building other than a hotel, containing not more than fifteen (15) sleeping rooms, where lodging and meals for five or more persons are provided for compensation pursuant to previous arrangement and not to anyone who may apply.

Building. Any structure built or used for the shelter or enclosure of persons, animals, or chattels, or any part of such structure when subdivided by a division, or party wall without openings.

See Plate I. Buildings, Height Of. The height of a building is the perpendicular distance measured in a straight line from the top of the highest point of the roof beams in the case of flat roofs and from the average height of the gable in case of a roof having a pitch of more than twenty degrees with a horizontal plane, downward to the established grade in the center of the front of the building.

See Plate I. When the building does not adjoin the street, the measurement for height shall be taken to the average established grades adjoining such building.

See Plate 1. Dwelling, One-Family. A detached building designed for or occupied exclusively by one family.

Dwelling, Two-Family. A detached or semi-detached building designed for or occupied exclusively by two families.

See Plate 1. Dwelling, Multiple. A building or portion thereof which is occupied in whole or in part as a home or residence of three or more families (of one or more persons) living independently in one or more rooms used as a single house-keeping unit, including bath and culinary accommodations.

Garage: A building or portion thereof and/or any lot or lots of ground or piece or portion thereof used for the housing, temporary storage, parking, and/or care of self-propelled vehicles or trailers. (As amended by Ordinance 11,920 C.C.S.)

Private Garage. A garage used for storage only with a capacity for not more than four (4) self-propelled vehicles or trailers and in which garage space for not more than two vehicles or trailers may be rented to persons not occupants of the premises.

Storage Garage. Any premises, except those described as a private or public garage, used exclusively for the storage of self-propelled vehicles.

Public Garage. A garage other than a private garage, where self-propelled vehicles are stored, equipped for operation, repaired, or kept for remuneration, hire or sale.

Hotel. A building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals and in which there are more than fifteen (15) sleeping rooms usually occupied singly and no provision made for cooking in any individual suite.

Lodging House. A building other than a hotel, containing not more than fifteen (15) sleeping rooms, where lodging for five or more persons, is provided for compensation pursuant to previous arrangement and not to any one who may apply.

Lot. Land occupied or which may hereafter be occupied by a building and its accessory buildings together with such open spaces as are required under this ordinance, and having its principal frontage upon a street or officially approved place.

Corner Lot. A lot situated at the junction of two or more streets, and having a width not greater than seventy-five (75) feet.

Interior Lot. A lot other than a corner lot.

Through Lot. An interior lot having frontage on two parallel or approximately parallel streets.

Lot Lines. The lines bounding a lot as defined herein.

Non-Conforming Use: A building, or portion thereof, or land, or portion thereof, occupied by a use that does not conform with the regulations of use district in which it is situated. (As amended by Ordinance 13,746 C.C.S., Section 1.)

Place. An open, unoccupied public or private space other than a street or alley, permanently reserved for purposes of joint access to abutting property. (As amended by Ordinance 15,155 C.C.S.)

Stable, Private. A stable other than a public stable with capacity for not more than two horses or mules, provided, however, that on lots having an area of four thousand (4,000) square feet or more the capacity of a private stable may be in-

creased if the premises whereon such stable is located contains not less than two thousand (2,000) square feet for each horse or mule.

Stable, Public. A stable other than a private stable which is operated for remuneration, hire, sale or stabling with a capacity for more than two horses or mules.

Story. That portion of building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it. See Plate I.

Story, Half. That part of a story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story. See Plate I.

Street. A public thoroughfare which affords principal means of access to abutting property.

Structure. Anything constructed or erected, the use of which requires more or less permanent location on the ground, or attached to something having a permanent location on the ground.

Structural Alterations. Any change, except for repair and/or replacement, in the supporting members of a building such as bearing walls, columns, beams or girders. (As amended by Ordinance 13.746 C.C.S., Section 2.)

Vacant. For the purpose of this Ordinance the word "vacant" shall be construed to mean that the building or land has not been occupied or used in whole or in part, bonafide, by any non-conforming commercial or industrial use for a period of six (6) calendar months. Neither the intention of the owner nor that of anybody else to use a building or lot or part of either for any non-conforming commercial or industrial use, nor the fact that said building or lot or part of either may have been used by a makeshift or pretended non-conforming commercial or industrial use shall be taken into consideration in interpreting and construing the word "vacant" as used in this ordinance; provided that any building or part of any building used for a non-conforming commercial or industrial purpose, which had been constructed at the date of the adoption of any prohibitory ordinance affecting said building or part thereof shall not be deemed vacant for a period of six (6) months from said date, and any such building or part thereof which had not been constructed at said date, if completed within six (6) months from said date, shall not be deemed vacant for a period of six (6) months from the date of its completion; provided further that if the lessee of any building or place used or occupied for non-conforming commercial or industrial purposes under a bona fide lease duly recorded in the conveyance office shall at any time before the expiration of said lease cease to occupy or use said building for non-conforming commercial or industrial purposes, said building or place shall nevertheless be considered as used or occupied for such purposes and shall not be considered vacant until the owner of said building or place shall again obtain legal control of its occupancy and use; but this exemption shall not apply if the lessor for any reason be entitled legally to regain possession and does not by legal or other effective means attempt so to do; and provided further that in the event of bankruptcy a building or place used for non-conforming commercial or industrial purposes shall not be considered vacant until after said building or place is sold or possession thereof returned to the owner by order of court or otherwise in the bankruptcy proceedings; and provided further, that any building or place used for non-conforming commercial or industrial purposes upon which a mortgage has been inscribed and recorded prior to the adoption of Ordinance 11,302 C.C.S., shall not be considered vacant until mortgagee (the holder of the mortgage) or purchaser at foreclosure sale takes possession after foreclosure proceedings have been instituted and ownership established by court procedure or until mortgagee gains possession of the property by a recorded legal transfer, provided, however, that in the event of default by the mortgagor that foreclosure proceedings shall be instituted or legal transfer effected before six (6) months have elapsed from the date of any such default.

The foregoing provisions as to mortgages shall have full force and effect and the benefits thereof shall apply to all persons who would be entitled to the relief

had this provision been in effect at the time of the adoption of Ordinance 11,302 C.C.S., provided, however, that the six months vacancy in those cases shall begin as of the date of the passage of this ordinance, but provided that this clause shall only apply to legally established non-conforming places and shall not be misused so as to apply to a vacant non-conforming place established or operated illegally and contrary to old piece-meal zoning laws or present Zone Ordinance No. 11,302 C.C.S. (As amended by Ordinance 13,746 C.C.S., Section 3.)

Yard. An open space, on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

See Plate I. Front Yard. A yard extending across the full width of the lot and measured between:

- (a) the street or place line and front line of the building, and
- (b) the street or place line and the nearest line of any projection of the building such as an uncovered porch, terrace, steps, or stairs, etc.

See Plate I. Rear Yard. A yard extending across the full width of the lot and measured between the rear line of the lot and the rear line of the building.

See Plate I. Side Yard. A yard extending from the front yard to the rear yard and measured between the side line of the lot and the side line of the building or any projection thereof.

Sec. 2. [As Amended by Ordinance 15,005 C.C.S.; Ordinance 15,156 C.C.S.] Be It Further Ordained, Etc. That in order to regulate and restrict the location and use of buildings and land for trade, industry, residence and other purposes; to regulate and restrict the height and size of buildings hereafter erected or structurally altered, the size of yards and other open spaces and the density of population, the City of New Orleans is hereby divided into districts of which there shall be fifteen (15) known as:

- "A" Residence District
- "A(1)" Residence District
- "A(2)" Residence District
- "B" Residence District
- "C" Apartment District
- "C(1)" Housing Authority District
- "D" Apartment District
- "E" Commercial District
- "F" Commercial District
- "G" Commercial District
- "H" Vieux Carre District
- "I" Industrial District
- "J" Industrial District
- "K" Industrial District
- "L" Unrestricted District

The City of New Orleans is hereby divided into fifteen (15) districts aforesaid and the boundaries of such districts are shown upon the maps attached hereto and made a part of this ordinance being designated as the "Official Maps" and said maps and all the notations, references and other information shown thereon shall be as much a part of this ordinance as if the matters and information set forth by said maps were all fully described herein.

EXCEPT AS HEREINAFTER PROVIDED:

(1) No building shall be erected, reconstructed or structurally altered, nor shall any building or premises be used for any purpose other than is permitted in the District in which such building or premises is located.

(2) No building shall be erected to exceed the height limits herein established for the District in which such building is located.

(3) Every building hereafter erected shall be located upon a lot as herein defined.

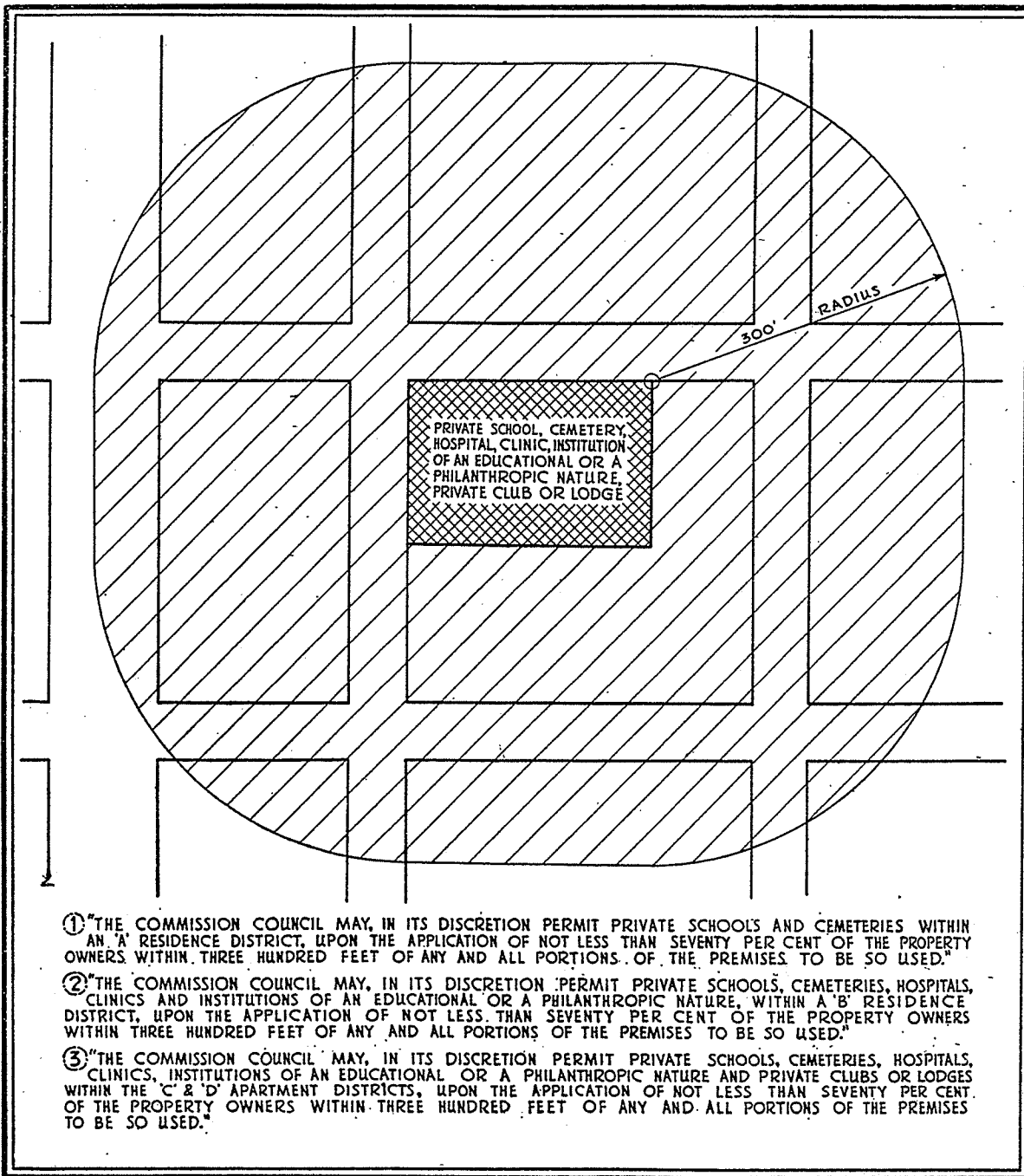


PLATE II

Note: Private Schools Are Also Permitted Within "A(1)" and "A(2)" Residence Districts, Under Above Conditions

Sec. 3. Use Regulations. "A" Residence District: Be it further ordained, etc., That in the "A" Residence District no building or premises shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. One-Family Dwelling
2. Two-Family Dwelling
3. Churches
4. Public schools, elementary and high, provided, however, that the Commission Council may, in its discretion, permit private schools within an "A" residence district, upon the application of not less than seventy (70%) percent of the property owners within 300 feet of any and all portions of the premises to be so used.
5. Museums, Libraries, Parks, Playgrounds, Community Centers, owned and operated by the City of New Orleans.
6. Golf Courses and Tennis Courts, excepting those the chief activity of which is a service customarily carried on as a business. [As Amended by Ordinance 13,747 C.C.S.]
7. Cemeteries, provided, however, that the Commission Council may, in its discretion permit cemeteries within an "A" residence district, upon the application of not less than seventy (70%) percent of the property owners within 300 feet of any and all portions of the premises to be so used.
8. Farming, Truck Gardening, Nurseries and Greenhouses for the propagation and cultivating of plants only.
9. Accessory Buildings, including one private garage (or in the case of a two (2) family dwelling, two (2) individual garages having a combined capacity not exceeding that of a private garage as herein defined). A private garage may exceed four (4) cars capacity provided the area of the lot whereon such private garage is to be located shall contain not less than twelve hundred (1200) square feet for each vehicle stored. (See Section 21, p, q, r.)
10. Private Stable.
11. (A) Certain auxiliary uses customarily conducted in dwellings and homes, namely, the office of a physician, surgeon, dentist or other professional persons; provided no person shall engage in such professional occupation other than the members of the family who reside on the premises; and provided further that in no case shall more than 15% of the floor area of said building be used for more than one of the said enumerated professional occupations, and provided further that no window or other display or sign is used to advertise such occupancy other than a single sign not more than 4 inches in height and 18 inches in length.
(B) Dressmaking or tailoring will be permitted in dwellings and homes in any residential district, when such occupation is incidental to the residence, but not when said building is used principally for such occupation with the residence as an incident thereto to evade the prohibitions of this ordinance; provided that in no case shall more than fifteen (15%) percent of the floor area of said building be used for said occupation; provided also that not more than three (3) persons shall be engaged in said occupation; and provided further that no window or other display or sign shall be used to advertise such occupation other than a single sign not more than four (4) inches in height and eighteen (18) inches in length.
(C) Advertising signs not exceeding 12 square feet in area when used to advertise the lease, hire or sale of a building or premises or portion thereof will be permitted in "A" Residential District.
12. Power-plants, and/or heating-plants and/or other machinery customarily used in connection with churches, schools, museums, libraries, parks, playgrounds, community centers, golf courses, farms, truck-gardens, nurseries, and green-houses and their accessory buildings as above defined and restricted in this section will be permitted provided all such uses so place their power-plants, heating-plants, or other

See Plate II.

See Plate II.

machinery on their property as to cause the least inconvenience to adjoining residences, and provided that all 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 vibrations or other nuisances.

Sec. "3(1)". [As added by Ordinance 15,157 C.C.S.] Use Regulation, "A(1)" Residence District. Be It Further Ordained, Etc., That in the "A(1)" Residence District no buildings or premises shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses:

1. Single Family Dwelling.
2. Churches (See Section 26).
3. Public Schools, elementary and high, provided, however, that the Commission Council may, in its discretion, permit private schools within an "A(1)" Residence District upon the application of not less than seventy per cent (70%) of the property owners within 300 feet of any and all portions of the premises to be so used. (See Section 26).
4. Public Museums, Public Libraries, Parks, Playgrounds and Community Centers, owned and operated by the Governmental agencies of Federal, State, Orleans Parish or City of New Orleans. (See Section "11(1)"; See Section 26).
5. Private Golf courses and tennis courts, excepting those the chief activity of which is a service customarily carried on as a business. (See Section 26).
6. Private gardens; and private nurseries or hot houses for the propagation and cultivation of plants when not involving the conduct of business. (See Section 26).
7. Accessory Buildings; One private garage having the combined capacity to accommodate two private vehicles only will be permitted; but where the lot on which such private garages are to be located does contain no less than 3,125 square feet for each additional vehicle stored, a private garage may be erected to exceed the two (2) car capacity, but may not contain a capacity for more than four (4) private cars. (See Section 26).
8. (A) Certain auxiliary uses customarily conducted in dwellings and homes, namely, the office of a physician, surgeon, dentist or other professional persons; provided no person shall engage in such professional occupation other than the members of the family who reside on the premises;

And, provided further that in no case shall more than 10% of the floor area of said building be used for more than one of the said enumerated professional occupations, and provided further that no window or other display or sign is used to advertise such professional occupancy other than a single sign not more than 4 inches in height and 18 inches in length placed on the front door. (See Section 26).

(B) One advertising sign not exceeding two (2) square feet in area, when used only to advertise the lease, hire or sale of a building or lot or portion of either, will be permitted in an "A(1)" Residence District.

9. Power plants and/or heating and/or such other machinery customarily used in connection with permitted residential uses as above defined, provided all such uses are so placed, as to cause the least inconvenience to owners or tenants of adjoining lots and buildings and provided that all of 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 vibrations or other nuisances. (See Section 26).

Sec. 3(2). (As added by Ordinance 15,158 C.C.S.) Use Regulations. "A (2)" Residence District. Be It Further Ordained, Etc., That in the "A (2)" Residence District no building or premises shall be used and no building shall be hereafter

erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any use permitted in the "A (1)" Residence District.
2. Two-family dwelling of the duplex type.

Sec. 4. [As amended by Ordinance 15,060 C.C.S.] Use Regulation. "B" Residence District: Be it further ordained, etc., That in the "B" Residence District no building or premises shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Any use permitted in the "A" Residence District.
2. Multiple Dwellings designed for or occupied by not more than four (4) families.

3. Fraternity and Sorority Houses.

4. Boarding and Lodging Houses.

See Plate
II.

5. Hospitals, Clinics, Telephone Exchanges and institutions of a philanthropic nature, provided, however, that the Commission Council may in its discretion permit Hospitals, Clinics, Telephone Exchanges and institutions of a Philanthropic nature within a "B" residence district, upon the application of not less than seventy (70%) percent of the property owners within 300 feet of any and all portions of the premises to be so used.

See Plate
II.

6. Institutions of an educational nature, provided, however, that the Commission Council may in its discretion, permit private schools within a "B" residence district, upon the application of not less than seventy (70%) percent of the property owners within 300 feet of any and all portions of the premises to be so used.

7. Nurseries and Greenhouses used only for propagating and cultivating of plants.

8. Accessory buildings as provided in Section 21, p, q, r, and uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business.

9. Power-plants, and/or heating-plants, and/or other machinery customarily used in connection with churches, schools, museums, libraries, parks, playgrounds, community centers, golf courses, farms, truck-gardens, nurseries and green-houses, hospitals, clinics, telephone exchanges, institutions of a philanthropic nature and their accessory buildings as above defined and restricted in this section will be permitted provided all such users so place their power-plants, heating-plants, or other machinery on their property as to cause the least inconvenience to adjoining residences, and provided that all 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, noise, or vibrations or other nuisances.

Sec. 5. Use Regulations. "C" & "D" Apartment Districts: Be it further ordained, etc., That in the "C" and "D" Apartment Districts no building or premises shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this ordinance except for one or more of the following uses:

1. Any use permitted in the "B" Residence District.
2. Multiple Dwellings.
3. Apartment Hotels.

See Plate
II.

4. Private Clubs and Lodges, excepting those the chief activity of which is a service customarily carried on as a business, provided, however, that the Commission Council may in its discretion, permit private clubs and lodges, excepting those the chief activity of which is a service customarily carried on as a business, within the "C" and "D" apartment districts, upon the application of not less than seventy (70%) percent of the property owners within 300 feet of any and all portions of the premises to be so used.

5. Accessory Buildings, including storage garages, as provided in Section 21, p, q, r, and uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business.

Sec. 5 (a). [As added by Ordinance 15,003 C.C.S]. Use Regulations. "C (1)" Housing Authority District. Be it further ordained, etc., That in the "C (1)" Housing Authority District, no building or premises shall be used, and no building or structure shall be hereafter erected or structurally altered except for one of the following uses:

1. Grouped multiple dwellings when comprehensively planned as part of an officially approved subdivision of the Housing Authority of New Orleans.

2. Parks, playgrounds and community centers, when these are owned and operated by Federal, State, Parish or City authorities and/or by the Housing Authority of New Orleans, or private parks, playgrounds and community centers when officially approved by local authorities in accord with State and City Laws.

3. Accessory uses, to include only housing administrative and service buildings, designated open car-parking areas, garages and storage garages or buildings; power plants and/or heating plants and/or other machinery, but only such as are customarily used in connection with the above defined main dwelling uses listed in this particular section (and not to permit trades or businesses); provided, however, that all such accessory uses be placed on the property so as to cause the least inconvenience to adjoining residences, and provided that all above mentioned activities comply with existing city ordinances and do not cause serious annoyance or injury to occupants of adjoining premises by reason of emission of odors, fumes, or gases, dust, smoke, noise or vibration or other nuisances.

4. Advertising signs, not exceeding 12 square feet in area when officially used to advertise the lease, hire, or sale of a building or premises will be permitted in a "C (1)" Housing Authority District.

Sec. 6. Use Regulations. "E," "F" & "G" Commercial Districts: Be it further ordained, etc., That in the "E," "F" and "G" Commercial Districts all buildings and premises except as otherwise provided in this ordinance may be used for any use permitted in the Apartment Districts or for any other use except the following:

1. Automobile or Vehicle Washing.
2. Bakery (employing more than five (5) persons) on the premises.
3. Blacksmith or horseshoeing shop.
4. Bottling works.
5. Building material storage yard.
6. Carting, express, hauling or storage yard.
7. Contractor's plant or storage yard.
8. Coal, coke or wood yard.
9. Cooperage works.
10. Dyeing and cleaning works (employing more than five (5) persons on the premises).
11. Ice plant or storage house of more than five (5) tons capacity per day of 24 hours.
12. Laundry (employing more than five (5) persons on the premises).
13. Public stables and/or Livery stables and/or Riding Academy.
14. Lumber yard.
15. Machine shop.
16. Mortuary establishments, provided, however, that mortuary establishments may be permitted by the Commission Council upon the application of not less than **See Plate II.** seventy percent (70%) of the property owners within 300 feet of any and all portions of the lot or lots to be so used. [As amended by Ordinance 13,748 C.C.S.]

17. Public Garage.
18. Milk distributing station other than a retail business conducted on the premises.
19. Stone monumental works (employing more than five (5) persons).
20. Storage warehouse.
21. Wholesale houses.
22. All uses excluded from the light industrial districts.
23. Any kind of manufacture or treatment; provided the manufacture or treatment of products clearly incidental to the conduct of a retail business conducted on the premises may be permitted by employing not more than five (5) persons.

Sec. 7. Use Regulations. "H" Vieux Carre District: Be it further ordained, etc., That in the "H" Vieux Carre District all buildings and premises except as otherwise provided in this ordinance may be used for any use permitted in the Commercial Districts excepting gasoline filling stations, or for any other use except the following:

1. Building material storage yard.
2. Dyeing and Cleaning Works (employing more than fifteen (15) persons on the premises).
3. Ice plant or ice storage house of more than five (5) ton capacity, per day of 24 hours.
4. Laundry (employing more than fifteen (15) persons on the premises).
5. Livery stable.
6. Lumber yard.
7. Machine shop.
8. Public Garage.
9. Milk distributing station other than a retail business conducted on the premises.
10. Stone monumental works (employing more than five (5) persons).
11. All uses excluded from the "I," "J," "K" industrial districts and the "L" unrestricted district.
12. Any kind of manufacture or treatment other than the manufacture or treatment of products clearly incidental to the conduct of a retail business conducted on the premises.

Sec. 8. Use Regulations. "I," "J," and "K" Industrial Districts: Be it further ordained, etc., That in the "I," "J," and "K" Industrial Districts all buildings and premises except as otherwise provided in this ordinance may be used for any use permitted in the Commercial District or for any other use except the following:

1. Acetylene gas and/or other explosive manufacture or storage.
2. Acid manufacture.
3. Alcohol manufacture.
4. Ammonia, bleaching powder, or chlorine manufacture.
5. Arsenal.
6. Asphalt manufacture or refining.
7. Bag cleaning.
8. Blast furnace.
9. Boiler works.
10. Brick, tile or terra cotta manufacture.
11. Candle manufacture.
12. Celluloid manufacture.
13. Cement, lime, gypsum or plaster of paris manufacture.

14. Coke ovens.
15. Cotton gin.
16. Creosote treatment or manufacture.
17. Disinfectants manufacture.
18. Distillation of bones, coal or wood.
19. Dyestuff manufacture.
20. Explosives, manufacture or storage.
21. Exterminator and insect poison manufacture.
22. Emery cloth and sand paper manufacture.
23. Fat rendering.
24. Fertilizer manufacture.
25. Fireworks or explosive manufacture or storage.
26. Fish smoking and curing.
27. Forge plant.
28. Garbage, offal or dead animals, reduction or dumping, except garbage incinerators as now required by the Building Code and Municipal incinerators.
29. Gas (illuminating or heating) manufacture.
30. Glue, size or gelatine manufacture.
31. Gunpowder, manufacture or storage.
32. Iron, steel, brass or copper foundry or fabrication plant.
33. Lamp black manufacture.
34. Oilcloth or linoleum manufacture.
35. Oiled or rubber goods manufacture.
36. Ore reduction.
37. Paint, oil, shellac, turpentine or varnish manufacture.
38. Paper and pulp manufacture.
39. Petroleum products, refining or wholesale storage of petroleum.
40. Potash works.
41. Pyroxlin manufacture.
42. Rock crusher.
43. Rolling mill.
44. Rubber or gutta-percha manufacture or treatment.
45. Salt works.
46. Sauerkraut manufacture.
47. Shoe polish manufacture.
48. Smelting of tin, copper, zinc or iron ores.
49. Soap (bar) manufacture.
50. Soda and compound manufacture.
51. Stock yards or slaughter of animals.
52. Stone mill or quarry.
53. Storage or baling of rags, iron or junk.
54. Stove polish manufacture.
55. Tallow, grease or lard manufacture or refining from animal fat.
56. Tanning, curing or storage of raw hides or skins.
57. Tar distillation or manufacture.
58. Tar roofing or waterproofing manufacture.
59. Tobacco (chewing) manufacture or treatment.
60. Vinegar manufacture.
61. Wool pulling or scouring.
62. Yeast plant.
63. And in general those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas or noise or vibration.

Sec. 9. Use Regulations. "L" Unrestricted District. Be It Further Ordained, etc., That in the "L" Unrestricted District buildings and premises may be used for any purpose whatsoever not in conflict with any ordinance of the City of New Orleans regulating nuisances, provided, however, that no building or occupancy permit shall be issued for any of the following uses until and unless the location of such use shall have been approved by the Commission Council.

1. Acid manufacture.
2. Cement, lime, gypsum, or plaster of paris manufacture.
3. Distillation of bones.
4. Explosives and/or inflammables manufacture or storage.
5. Fat rendering.
6. Fertilizer manufacture.
7. Garbage, offal or dead animals reduction or dumping, except garbage incinerators as now required by the Building Code and Municipal incinerators.
8. Glue manufacture.
9. Petroleum refining, and/or wholesale storage of petroleum.
10. Smelting of tin, copper, zinc or iron ores.
11. Stock yards or slaughter of animals.

Sec. 10. [As amended by Ordinance 15,999 C.C.S.] Non-Conforming Use. (a) **Existing Use of Land or Portion Thereof:** Be It Further Ordained, etc., That the lawful use of land, or portion thereof, existing at the time of the passage of this ordinance, although such lawful existing use does not conform to the provisions hereof, may be continued except as hereinafter provided in paragraphs (c) and (d), but if such non-conforming use is discontinued, prior to the time allowed in paragraphs (c) and (d), any future use of said land, or portion thereof, shall be in conformity with the regulations of the district in which it is situated. [Same as amendment by Ordinance 13,749 C.C.S.]

(b) **Existing Use of a Building or Portion Thereof.** The lawful use of a building, or portion thereof, existing at the time of the passage of this ordinance may be continued except as hereinafter provided in paragraphs (c) and (d), although such lawful existing use of said building or portion thereof does not conform to the provisions hereof, provided, that the lawfully existing non-conforming use shall not be expanded so as to encroach into any other portion of the building, and provided further, that no structural alterations except those required by law or ordinance shall be made in the non-conforming building or non-conforming part of a building.

If no structural alterations are made except those required by law or ordinance, and further if the non-conforming square foot area and/or non-conforming cubical contents of a building or portion thereof occupied by a legally established non-conforming use are not increased, then a legally established non-conforming use of a building or portion thereof may be changed to other non-conforming uses of the same or more restricted classification, but in no case exceeding two such uses. [Same as amendment by Ordinance 13,749 C.C.S.]

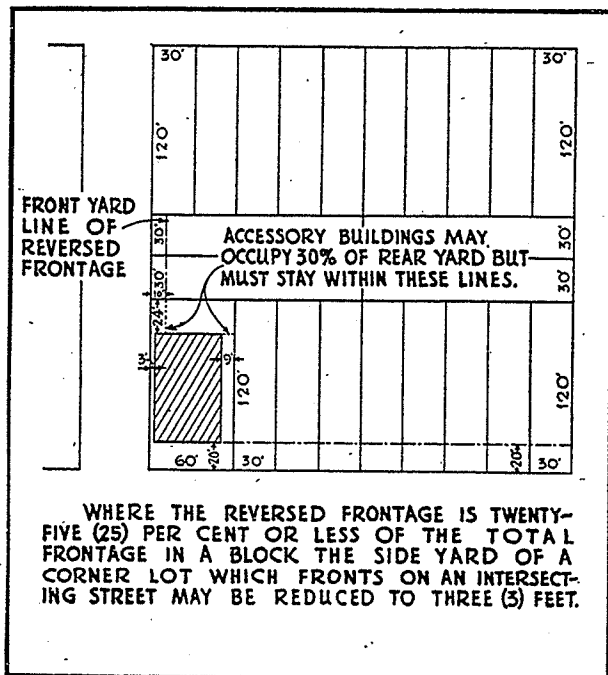


PLATE III

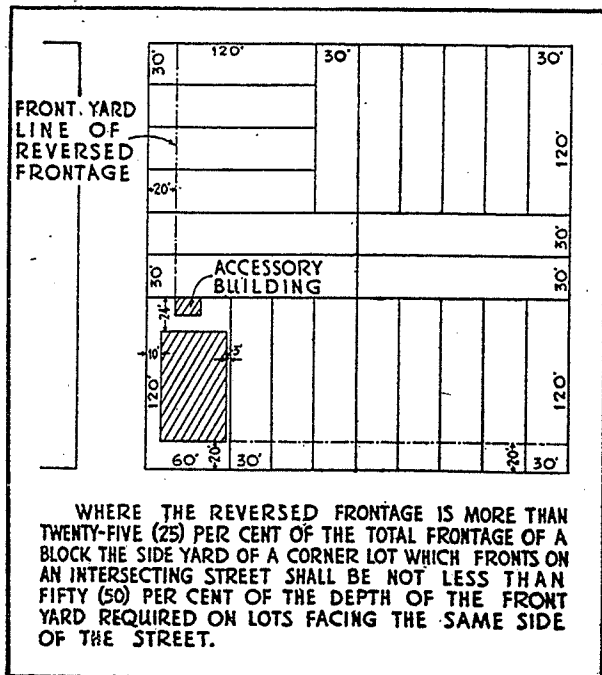


PLATE IV

(c) **Vacant Buildings or Vacant Parts of Buildings:** No building or part thereof, used in whole or in part for non-conforming commercial or industrial purposes and located in a Residence or Apartment District, and no building or part thereof, used in whole or in part for non-conforming industrial purposes and located in a commercial district, according to the provisions of this ordinance, which hereafter becomes and remains vacant for a continuous period of six (6) calendar months shall again be used except in conformity with the regulations of the district in which such building is situated; provided, too, that this regulation shall apply to vacant buildings, or portions thereof, last used in whole or in part for non-conforming commercial or industrial purposes and situated in a Residence or Apartment District at the time of the passage of this ordinance, and shall also apply to vacant buildings or portions thereof last used in whole or in part for non-conforming industrial purposes and situated in a commercial district at the time of the passage of this Ordinance. [Same as amendment by Ordinance 13,749 C.C.S.]

(d) **Removal of Non-Conforming Commercial or Industrial Uses:** All non-conforming commercial or industrial uses of lands or buildings or portions thereof located in Residence or Apartment Districts according to the provisions of Ordinance No. 11,302 C.C.S., as amended, shall within a period of twenty (20) years from June 1, 1929, vacate in "A," "A-1," "A-2," and "B"

Residence Districts, and "C" Apartment District, "C-1" Housing Authority District, and "D" Apartment District, or in any other Residence or Apartment Districts as classified by Ordinance No. 11,302 C.C.S., as amended; provided, however, that this provision shall not be construed or interpreted to apply to the removal of uses herein

permitted in Residential or Apartment Districts as enumerated under Sections 3, 3(1), 3(2), 4, 5 and 5(a), and which were legally established at the time of the passage of Ordinance No. 11,302 C.C.S., or as amended.

The foregoing provisions shall apply to any of the aforesaid non-conforming uses in any other district which may hereafter be reclassified into any of the aforesaid districts. [As amended by Ordinance 15,999 C.C.S.]

Sec. 11. Height & Area Regulation. "A" Residence District: Be It Further Ordained, etc., That in the "A" Residence District the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

See Plates
I, IX, X.

Height: No building shall exceed thirty-five feet in height and such height shall contain no more than two and one-half (2½) stories as herein defined. (See Section 21, a, b, c, g.)*

See Plate I.

Rear Yard: There shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot, provided such rear yard shall not be less than fifteen (15) feet and need not exceed twenty-five (25) feet. (See Section 21, f, g, j, k, l.)*

See Plate I.

Side Yard: There shall be two side yards, one on each side of the building, having a combined width of not less than twenty (20) percent of the width of the lot, provided, that in no case shall either side yard be less than three (3) feet and provided further that the combined widths of the two side yards need not exceed twelve (12) feet. (See Section 21, f, g, l, m.)*

See Plate I.

Front Yard: There shall be a front yard of not less than twenty (20) feet to the front line of the building and not less than ten (10) feet to the front line of any projection of the building such as an uncovered porch, terrace, steps, or stairs, etc. (See Section 21, g, l.)* provided, however, that

See Plate I.

(1) Where lots comprising 40 percent or more of the frontage on one side of a street between two adjacent intersecting streets are developed with buildings having front yards with a variation of not more than six (6) feet, no building hereafter erected or structurally altered shall project beyond the average front yard line so established, provided further, that in no case shall the front yard, between the street line and the building, be less than ten (10) feet, and need not exceed twenty (20) feet.

See Plates
III and IV.

(2) On lots at the corner of two intersecting streets, on which intersecting streets front yards are required, this regulation shall apply on that side of the lot having the lesser street frontage; and upon the side having the greater street frontage there shall be a side yard of not less than fifty (50) percent of the depth of the front yard required on the same side of the street for the lots facing that said street; provided, however, that on corner lots located where the total reversed frontage of lots facing on the same side of the street between two intersecting streets is only twenty-five (25) percent or less of the total frontage on that same side of the street between two intersecting streets, then and in that event the side yard on the same street side of the said corner lot may be reduced to three (3) feet; provided, however, that no accessory building on said corner lot shall project beyond the front yard line of either street; (See Section 21, p, q, r, Accessory Buildings), and provided further, that in case the said lots forming the reversed frontage on the same side of the street between the two aforesaid intersecting streets shall have a frontage not greater than thirty (30) percent of the total frontage on that same side of the street between two intersecting streets, then and in that event, the front yard requirements for these lots having reversed frontage, need not be greater than ten (10) feet, provided, further, that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record or as shown by existing contract of purchase at the time of the passage of this ordinance, to less than twenty-four (24) feet. [As amended by Ordinance 13,752 C.C.S.]

* [As amended by Ordinance 13,751 C.C.S.; Sections 1, 5, 9, 12.]

Lot Area Per Family. "A" Residence District: Every building hereafter erected in the "A" Residence District shall provide a lot area of not less than twenty-two hundred (2200) square feet per family (see Section 21, g); provided, however, that where a lot has less area than herein required as shown of record, and had been purchased or bona fide contracted to be purchased by the applicant prior to June 1, 1929, said lot may be occupied by not more than one (1) family. [As amended by Ordinance 13,750 C.C.S.]

Sec. 11 (1) [As added by Ordinance 15,159 C.C.S.] Height and Area Regulations, "A (1)" Residence District and "A (2)" Residence District. Be It Further Ordained, Etc., That in the "A (1)" and "A (2)" Residence Districts the height of buildings, the minimum dimensions of yards and the minimum lot coverage percentage and the minimum lot area per family (except as provided in Section 26 of this ordinance) shall be as follows:

(a) **Height:** No building shall exceed thirty-five (35) feet in height and such height shall contain no more than two and one-half (2½) stories as herein defined. (See Section 21, a, c.).

(b) **Rear Yard:** The rear yard measured from the farthest back projection of the principal building to the rear property line shall not be less than 16% of the depth of the lot, except that in deep lots, said need not exceed, at any point, a maximum of 20 feet and on shallow lots no rear yard shall be less, at any one point, than a minimum of 15 feet and shall remain unobstructed except by garages which may be attached to the main building or unattached.

(c) **Side Yard:** There shall be two side yards one on each side of the building, having combined width of not less than a minimum of twenty-four percent (24%) of the width of the lot; provided, that in no case shall either side yard be less than six (6) feet; and provided further, that the combined width of the two side yards need not exceed twenty-one (21) feet; but provided further, that the total lot area must remain unobstructed in accord with stricter requirements of paragraphs (d) and (e) of this Section 11 (1). (See also Section 21 f, l, and n.)

(d) **Front Yard:** There shall be a front yard of not less than twenty (20) feet to the front line of the building, and also not less than twenty (20) feet to the front line of any projection of the building such as an uncovered or covered porch, terrace, stair landing, etc. (See Section 21, Area par. 1.). (See also par. (e), Lot Coverage, of this Section 11 (1)).

On lots fronting on streets at the corner at the intersection of any publicly owned and/or officially approved street and/or lane and/or park with any other publicly owned and/or officially approved street and/or lane and/or park, on which said street and/or lane and/or park front yards are required, then said corner lot, in addition to complying with requirements of above paragraph (d) for front yard, shall also provide a side yard of not less than fifteen (15) feet.

(e) **Lot Coverage in "A (1)" and "A (2)" Residence Districts:** No single-dwelling building area shall cover more than thirty per-cent (30%) of the total lot area whether it be located in an "A (1)" or "A (2)" Residence District; and no duplex or two-family flat permitted in an "A (2)" Residence District shall cover more than forty-five (45%) percent of the total lot area, except that in computing the above lot coverage, the ground floor area of a one-story garage, whether attached to or detached from dwelling, when located on same lot, may be deducted from the building area above, but not to exceed two hundred (200) square feet for single dwelling and four hundred (400) square feet for duplexes and/or flats.

(f) **Lot Area Per Family, "A (1)" Residence District:** Every building hereafter erected in the "A (1)" Residence District shall provide a minimum lot area of not less than four thousand five hundred (4500) square feet per family. (See Section 26).

(g) **Lot Area Per Family, "A (2)" Residence District:** Every building hereafter erected in the "A (2)" Residence District shall provide a minimum lot area of not less than three thousand one hundred and twenty-five (3,125) square feet per family. (See Section 26).

Sec. 12. Height & Area Regulations, "B" Residence District: Be It Further Ordained, etc., That in the "B" Residence District the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

See Plates I, IX, X. **Height.** No building shall exceed thirty-five (35) feet in height and such height shall contain no more than two and one-half (2½) stories as herein defined. (See Section 21, a, b, c, g.)*

See Plate I. **Rear Yard.** There shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot, provided such rear yard shall not be less than fifteen (15) feet and need not exceed twenty-five (25) feet. (See Section 21, f, g, j, k, l.)*

See Plate I. **Side Yard.** There shall be two side yards, one on each side of the building, having a combined width of not less than twenty (20) percent of the width of the lot, provided, that in no case shall either side yard be less than three (3) feet and provided further that the combined widths of the two side yards need not exceed twelve (12) feet. (See Section 21, f, g, l, m.)*

See Plate I. **Front Yard.** There shall be a front yard of not less than fifteen (15) feet to the front line of the building and not less than five (5) feet to the front line of any projection of the building such as an uncovered porch, terrace, steps, or stairs, etc. (See Section 21, g, l.)* provided, however, that

See Plate I. (1) Where lots comprising 40 percent or more of the frontage on one side of a street between two adjacent intersecting streets are developed with buildings having front yards with a variation of not more than six (6) feet, no building hereafter erected or structurally altered shall project beyond the average front yard line so established, provided further, that in no case shall the front yard, between the street line and the building, be less than five (5) feet, and need not exceed fifteen (15) feet.

See Plates III and IV. (2) [As amended by Ordinance 13,753 C.C.S.] On a lot at the corner of two intersecting streets, on which intersecting streets front yards are required, this regulation shall apply on that side of the lot having the lesser frontage; and upon the side having the greater street frontage there shall be a side yard of not less than fifty (50) percent of the depth of the front yard required on the same side of the street for the lots facing that said street; provided, however, that on corner lots located where the total reversed frontage of lots facing on the same side of the street between two intersecting streets is only twenty-five (25) percent or less of the total frontage on that same side of the street, between two intersecting streets then and in that event the side yard on the same street side of the said corner lot may be reduced to three (3) feet, provided, however, that no accessory building on a corner lot shall project beyond the front line of either street (See Section 21, p, q, r, Accessory Building), and provided further, that in case the said lots forming the reversed frontage on the same side of the street between the two aforesaid intersecting streets shall have a frontage not greater than thirty (30) percent of the total frontage on that same side of the street between two intersecting streets, then and in that event, the front yard requirements for these lots having reversed frontage, need not be greater than five (5) feet, and, provided further, that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record or as shown by existing contract of purchase at the time of the passage of this ordinance, to less than twenty-four (24) feet.

* [As amended by Ordinance 13,751 C.C.S.; Sections 1, 5, 9, 13.]

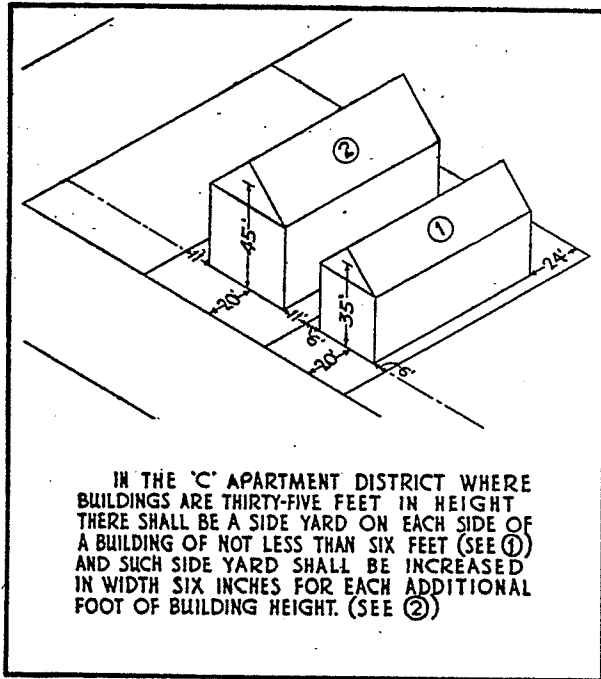


PLATE V

Lot Area Per Family. "B" Residence District. Every building hereafter erected or structurally altered in the "B" Residence District shall provide a lot area of not less than fifteen hundred (1,500) square feet per family. (See Section 21, g) provided, however, that where a lot has less area than herein required as shown of record or by existing contract of purchase at the time of the passage of this ordinance, said lot may be occupied by not more than one (1) family.

Sec. 13. Height & Area Regulations. "C" Apartment District: Be It Further Ordained, etc., That in the "C" Apartment District the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

Height: No building shall exceed forty-five (45) feet in height and such height shall contain no more than three (3) stories as herein defined. (See Section 21, I, IX a, c, g.)*

Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot for interior lots nor less than fifteen (15) percent for corner lots, provided, that on interior lots such rear yards shall not be less than fifteen (15) feet and need not exceed twenty-five (25) feet; on corner lots such rear yard need not exceed fifteen (15) feet. (See Section 21, f, g, j, k, l.)*

Side Yard. For buildings less than thirty-five (35) feet in height the side yard requirements shall be the same as required in the "A" Residence District. (See Section 21, f, g, l and n.)*

For buildings thirty-five (35) feet in height there shall be a side yard on each side of a building of not less than six (6) feet and such side yard shall be increased in width by six (6) inches for each additional foot of building height. (See Section 21, n.)

Front Yards [As amended by Ordinance 13,754 C.C.S.] There shall be a front yard of not less than twenty (20) feet to the front line of the building and not less than ten (10) feet to the front line of any projection of the building such as an uncovered porch, terrace, steps, or stairs, etc. (See Section 21, g, l.) provided, however, that

(1) Where lots comprising 40 percent or more of the frontage on one side of a street between two adjacent intersecting streets are developed with buildings having an average front yard with a variation of not more than six (6) feet, no building hereafter erected or structurally altered shall project beyond the average front

*[As amended by Ordinance 13,751 C.C.S.; See Sections 2, 6, 10.]

yard line so established, provided further, that in no case shall the front yard, between the street line and the building, be less than ten (10) feet and need not exceed twenty (20) feet.

See Plates
III, IV.

(2) [As amended by Ordinance 13,752 C.C.S.] On lots at the corner of two intersecting streets, on which intersecting streets front yards are required, this regulation shall apply on that side of the lot having the lesser street frontage; and upon the side having the greater street frontage there shall be a side yard of not less than fifty (50) percent of the depth of the front yard required on the same side of the street for the lots facing that said street; provided, however, that on corner lots located where the total reversed frontage of lots facing on the same side of the street between two intersecting streets is only twenty-five (25) percent or less of the total frontage on that same side of the street between two intersecting streets, then and in that event the side yard on the same street side of the said corner lot may be reduced to three (3) feet; provided, however, that no accessory building on said corner lot shall project beyond the front yard line of either street; (See Section 21, p, q, r, Accessory Buildings), and provided further, that in case the said lots forming the reversed frontage on the same side of the street between the two aforesaid intersecting streets shall have a frontage not greater than thirty (30) percent of the total frontage on that same side of the street between two intersecting streets, then and in that event, the front yard requirements for these lots having reversed frontage, need not be greater than ten (10) feet, provided, further, that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record or as shown by existing contract of purchase at the time of the passage of this ordinance to less than twenty-four (24) feet.

Lot Area Per Family. Every building hereafter erected shall provide a lot area of not less than six hundred (600) square feet per family; provided, however, that this regulation shall not apply to apartment hotels where no cooking is done in any individual room, suite or apartment. (See Section 21, g.)

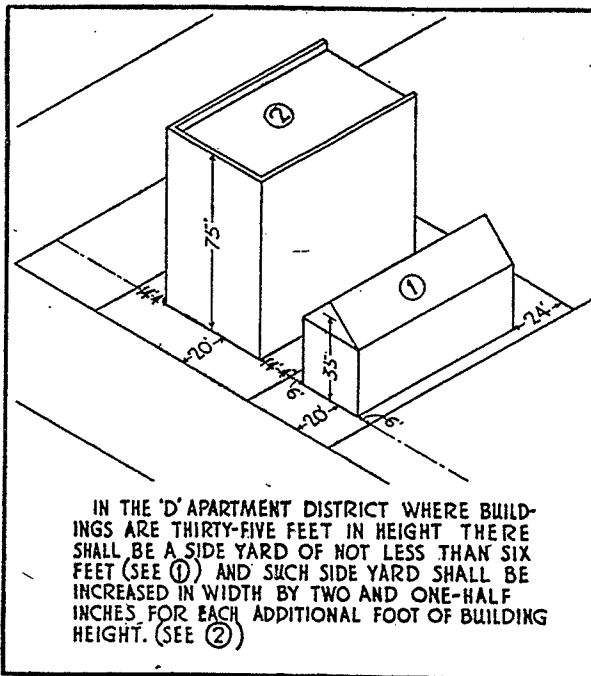


PLATE VI

Sec. 13 (a). [As added by Ordinance 15,004 C.C.S.] Height and Area Regulations, "C (1)" Housing Authority District.

Be it further ordained, etc., That in the "C (1)" Housing Authority District the height of buildings, the minimum open spaces shall be as follows:

Height. No building shall exceed forty-five (45) feet in height and such heights shall contain no more than three (3) stories as herein defined. (See Section 21 a, c, g, and o.)

Yards or Open Spaces. There shall be provided for each building a rear yard, two side yards and a front yard as required in above Section 13, unless substitute varied open areas are provided in accord with restrictions and exceptions of Section 21 o, which allows yard variances when totalled open areas are equal to,

or in excess of, requirements of Section 13.

Lot Area Per Family. Every building hereafter erected shall provide a lot area as required in above Section 13; except that this lot area per family may be varied as to distribution over the tract when totalled and averaged in accord with the provisions of Section 21 o.

Sec. 14. Height & Area Regulations. "D" Apartment Dist.: Be It Further Ordained, etc., That in the "D" Apartment District the height of buildings, the minimum dimension of yards and the minimum lot area per family shall be as follows:

Height. No building shall exceed seventy-five (75) feet in height and such height shall contain no more than six (6) stories. (See Section 21, c, g.)

Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot for interior lots nor less than fifteen (15) percent for corner lots, provided, that on interior lots such rear yard shall not be less than fifteen (15) feet and need not exceed twenty-five (25) feet; on corner lots such rear yard need not exceed fifteen (15) feet. (See Section 21, f, g, j, k, l.)*

Side Yard. For buildings less than thirty-five (35) feet in height the side yard requirements shall be the same as required in the "A" Residence District. (See Section 21, f, g, l, n.)*

For buildings thirty-five (35) feet in height there shall be a side yard on each side of a building of not less than six (6) feet and such side yard shall be increased in width by two and one-half (2½) inches for each additional foot of building height. (See Section 21, g, n.) See Plate VI.

Front Yard. There shall be a front yard of not less than twenty (20) feet to the front line of the building and not less than ten (10) feet to the front line of any projection of the building such as an uncovered porch, terrace, steps, or stairs, etc., (see Section 21, g, l.)* provided, however, that

(1) Where lots comprising forty (40) percent or more of the frontage on one side of a street between two adjacent intersecting streets are developed with buildings having front yards with a variation of not more than six (6) feet, no building hereafter erected or structurally altered shall project beyond the average front yard line so established, provided further, that in no case shall the front yard, between the street line and the building, be less than ten (10) feet and need not exceed twenty (20) feet. See Plate I.

(2) [As amended by Ordinance 13,752 C.C.S.] On lots at the corner of two intersecting streets, on which intersecting streets front yards are required, this regulation shall apply on that side of the lot having the lesser street frontage; and upon the side having the greater street frontage there shall be a side yard of not less than fifty (50) percent of the depth of the front yard required on the same side of the street for the lots facing that said street; provided, however, that on corner lots located where the total reversed frontage of lots facing on the same side of the street between two intersecting streets is only twenty-five (25) percent or less of the total frontage on that same side of the street between two intersecting streets, then and in that event the side yard on the same street side of the said corner lot may be reduced to three (3) feet; provided, however, that no accessory building on said corner lot shall project beyond the front yard line of either street; (See Section 21, p, q, r, Accessory Buildings), and provided further, that in case the said lots forming the reversed frontage on the same side of the street between the two aforesaid intersecting streets shall have a frontage not greater than thirty (30) percent of the total frontage on that same side of the street between two intersecting streets, then and in that event, the front yard requirements for these lots having reversed frontage, need not be greater than ten (10) feet, provided, further, that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record or as shown by existing contract of purchase at the time of the passage of this ordinance, to less than twenty-four (24) feet. See Plates III, IV.

* [As amended by Ordinance 13,751 C.C.S., see Sections 6, 10, 12, 15.]

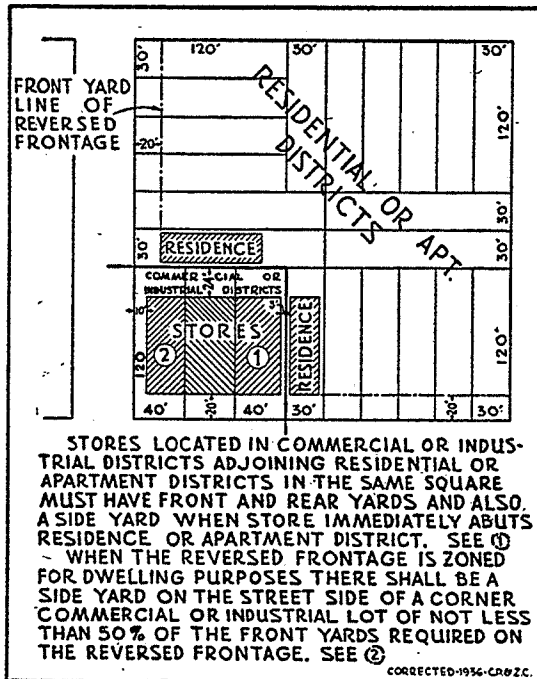


PLATE VII

Lot Area Per Family. Every building hereafter erected or structurally altered shall provide a lot area of not less than four hundred (400) square feet per family, provided, however, that this regulation shall not apply to hotels or apartment hotels where no cooking is done in any room, suite or apartment. (See Section 21, g.)*

*[As amended by Ordinance 13,751 C.C.S., see Sections 6, 10, 12, 15.]

Sec. 15. Height & Area Regulation, "E" Commercial District: Be It Further Ordained, etc., That in the "E" Commercial District the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows, provided, however, that buildings erected exclusively for dwelling purposes shall comply with the Side Yard regulations of the "C" Residence District.

Height. No building shall exceed thirty-five (35) feet in height and

such height shall contain no more than two and one-half (2½) stories as herein defined. (See Section 21, a, c, g.)

Rear Yard. There shall be a rear yard having a depth of not less than twenty (20) percent of depth of the lot, provided such rear yard shall not be less than fifteen (15) feet and need not exceed twenty-five (25) feet. (See Section 21, f, g, j, k, l.)*

Side Yard. Not required except on that side of a lot abutting upon the side of a lot zoned for dwelling purposes in which case there shall be a side yard of not less than three (3) feet. In all other cases a side yard if provided shall be not less than three (3) feet. (See Section 21, f, g, i, l, n.)*

Front Yard. Where all of the frontage on the same side of the street between two adjacent intersecting streets is located in the Commercial District no front yard shall be required on that same side. Where the frontage on the same side of the street between two adjacent intersecting streets is located in a Commercial District and Residence or Apartment District, the front yard requirement of the Residence or Apartment District shall apply to the entire frontage on that same side except that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record, or as shown by existing contract of purchase at the time of the passage of this ordinance, to less than twenty-four (24) feet. (See Section 21, l, m.)*

Lot Area Per Family. Every building or portion thereof hereafter erected or structurally altered shall provide a lot area of not less than six hundred (600) square feet per family. (See Section 21, g.)

Sec. 16. Height and Area Regulations. "F" Commercial and "I" Industrial Districts: Be It Further Ordained, etc., That in the "F" Commercial District and "I" Industrial District the height of buildings, the minimum dimension of yards and the minimum lot area per family shall be as follows, provided, however, that buildings

*[As amended by Ordinance 13,751 C.C.S., See Sections 6, 11, 14.]

erected for dwelling purposes exclusively shall comply with the Side and Rear Yard regulations of the "C" Apartment District. [As amended by Ordinance 13,755 C.C.S.]

Height. No building shall exceed forty-five (45) feet in height and such height shall contain not more than three (3) stories as herein defined. (See Section 21, a, c, g.)

Rear Yard. In the "F" Commercial District there shall be a rear yard having a depth of not less than twenty (20) percent of the depth of the lot for interior lots nor less than fifteen (15) percent for corner lots, provided, that on interior lots such rear yard shall not be less than fifteen (15) feet and need not exceed twenty-five (25) feet; on corner lots such rear yard need not exceed fifteen (15) feet.

In the "I" Industrial District no rear yard shall be required except where the "I" Industrial District abuts on a Residence or Apartment District in which case there shall be a rear yard of not less than ten (10) feet. (See Section 21, f, g, j, k, l.)*

Side Yard. Not required except on that side of a lot abutting upon the side of a lot zoned for dwelling purposes in which case there shall be a side yard of not less than three (3) feet. In all other cases a side yard if provided shall be not less than three (3) feet. (See Section 21, f, g, i, l, n.)* **See Plate VII.**

Front Yard. (As amended by Ordinance 13,756 C.C.S.) Where all the front-**See Plate** age on the same side of the street between two intersecting streets is located in the VII. Commercial and/or Industrial District no front yard shall be required on that same side. Where the frontage on the same side of the street between two intersecting streets is located in a Commercial and/or Industrial District and a Residence or Apartment District the front yard requirement in the Residence or Apartment District shall apply to the entire frontage on that same side except that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record, or as shown by existing contract of purchase at the time of the passage of this ordinance, to less than twenty-four (24) feet. (See Section 21, l, m.)*

Lot Area Per Family. Every building or portion thereof hereafter erected or structurally altered shall provide a lot area of not less than six hundred (600) square feet per family. (See Section 21, g.)

Sec. 17. Height & Area Regulations. "G" Commercial District: Be It Further Ordained, etc., That in the "G" Commercial District the height of buildings, the minimum dimension of yards and the minimum lot area per family shall be as follows, provided, however, that buildings erected for dwelling purposes exclusively shall comply with the Side and Rear Yard Lot Area per Family regulations of the "D" Apartment District.

Height. No building shall exceed one hundred (100) feet in height and such height shall contain not more than eight (8) stories as herein defined. (See Section 21, c, g.)*

Rear Yard. There shall be a rear yard of not less than ten (10) feet. (See Section 21, f, g, j, l.)*

Side Yard. Not required except on that side of a lot abutting upon the side of a lot zoned for dwelling purposes in which case there shall be a side yard of not less than three (3) feet. In all other cases a side yard if provided shall be not less than three (3) feet. (See Section 21, f, g, i, l, n.)* **See Plate VII.**

Front Yard. Where all the frontage on the same side of the street between two intersecting streets is located in the Commercial District no front yard shall be required on that same side. Where the frontage on the same side of the street between two intersecting streets is located in a Commercial and Residence or Apartment District the front yard requirement in the Residence or Apartment District shall apply to the entire frontage on that same side except that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record or as shown by the existing contract of purchase at the time of the passage of this ordinance, to less than twenty-four (24) feet. (See Section 21, l, m.)* **See Plate VII.**

*[As amended by Ordinance 13,751 C.C.S., See Sections 7, 11, 14.]

**[As added by Ordinance 13,751 C.C.S.; See Sections 3, 8, 11, 14.]

Lot Area Per Family: [As added by Ordinance 13,757 C.C.S.] Every building or portion thereof hereafter erected or structurally altered shall provide a lot area of not less than four hundred (400) square feet per family, provided, however, that this regulation shall not apply to hotels or apartment hotels where no cooking is done in any room, suite or apartment (See Section 21, g).

Sec. 18. Height & Area Regulations. "H" Vieux Carre District: Be It Further Ordained, etc., That in the "H" Vieux Carre District the height of buildings and the minimum open space shall be as follows:

Height. No building shall exceed fifty (50) feet in height and such height shall contain not more than four (4) stories as herein defined. (See Section 21, c, g, m.)*

Open Space. Every building hereafter erected or structurally altered shall have an open and unoccupied space of not less than thirty (30) percent of the area of the lot for interior lots and not less than twenty (20) percent of the area of the lot for corner lots.

In computing the above area, all yards and courts may be included as open space. (See Section 21, f, g, l.)*

Lot Area Per Family: [As added by Ordinance 13,757 C.C.S.] Every building or portion thereof hereafter erected or structurally altered shall provide a lot area of not less than four hundred (400) square feet per family, provided, however, that this regulation shall not apply to hotels or apartment hotels where no cooking is done in any room, suite or apartment (See Section 21, g.)

Sec. 19. Height & Area Regulations. "J" Industrial and "L" Unrestricted Districts: Be It Further Ordained, etc., That in the "J" Industrial and "L" Unrestricted Districts the height of buildings, the minimum dimension of yards and the minimum lot area per family shall be as follows, provided, however, that buildings erected or structurally altered exclusively for dwelling purposes shall comply with the Side and Rear Yard and Lot Area per Family regulations of the "D" Apartment District. (See Section 21, g.)

Height. No building shall exceed one hundred (100) feet in height and such height shall contain not more than eight (8) stories as herein defined. (Section 21, c. g.)*

Rear Yard. No rear yard shall be required except where the Industrial or Unrestricted District abuts on a Residence or Apartment District, in which case there shall be a rear yard of not less than ten (10) feet. (See Section 21, f, g, j, l.)*

Side Yard. Not required except on that side of a lot abutting upon the side of a lot zoned for dwelling purposes, in which case there shall be a side yard of not less than three (3) feet. In all other cases a side yard if provided shall be not less than three (3) feet. (See Section 21, f, g, i, l, n.)*

Front Yard. Where all of the frontage on the same side of the street between two adjacent intersecting streets is located in an Industrial District, no front yard shall be required on that same side. Where the frontage on the same side of the street between two adjacent intersecting streets is located in an Industrial District and a Residence or Apartment District, the front yard requirement of the Residence or Apartment District shall apply to the entire frontage on that same side, except that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership and of record or as shown by existing contract of purchase at the time of the passage of this ordinance, to less than twenty-four (24) feet. (See Section 21, l, m.)*

Lot Area Per Family. [As added by Ordinance 13,757 C.C.S.] Every building or portion thereof hereafter erected or structurally altered shall provide a lot area of not less than four hundred (400) square feet per family, provided however, that this regulation shall not apply to hotels or apartment hotels where no cooking is done in any room, suite or apartment. (See Section 21, g.)

*[As amended by Ordinance 13,751 C.C.S.; Sections 4, 16; Sections 3, 8, 11, 14.]

SECTION 20 - 'K' HEIGHT AND AREA REGULATIONS.

HEIGHT: (1) WHERE BUILDINGS OCCUPY LOTS AT THE INTERSECTION OF TWO STREETS, NO BUILDING SHALL BE HEREAFTER ERRECTED OR STRUCTURALLY ALTERED TO EXCEED A HEIGHT ON ANY STREET LINE OF TWO AND ONE-HALF TIMES THE COMPLETED AVERAGE WIDTH OF BOTH STREETS UPON WHICH THE BUILDING FACES; THIS AVERAGE WIDTH SHALL BE COMPUTED AS PROPORTIONAL TO THE STREET FRONTAGE OF THE BUILDING ON EACH STREET BY DIVIDING THE SUM OF THE PRODUCTS OF EACH STREET FRONTAGE MULTIPLIED BY THE WIDTH OF THE STREET ON THAT FRONTAGE BY THE TOTAL FRONTAGE OF THE BUILDING ON BOTH STREETS. WHERE STREETS ARE LESS THAN FIFTY FEET WIDE, THE SAME HEIGHT REGULATION SHALL APPLY AS ON STREETS FIFTY FEET IN WIDTH AND ON STREETS MORE THAN ONE HUNDRED FEET WIDE, THE SAME HEIGHT REGULATION SHALL BE APPLIED AS ON STREETS ONE HUNDRED FEET IN WIDTH. FOR (2) THE HEIGHT AT THE STREET LINE WOULD BE $2\frac{1}{2} \times 300 \div 100 = 75$ FEET.

(2) WHERE A BUILDING HAS FRONTAGE ON ONLY ONE STREET NO BUILDING SHALL BE HEREAFTER ERRECTED OR STRUCTURALLY ALTERED TO EXCEED A HEIGHT ON THE STREET LINE OF MORE THAN TWO AND ONE-HALF TIMES THE WIDTH OF THE STREET ON WHICH IT FRONTS, WHERE STREETS ARE LESS THAN FIFTY FEET WIDE, THE SAME HEIGHT REGULATION SHALL APPLY AS ON STREETS FIFTY FEET IN WIDTH AND ON STREETS MORE THAN ONE HUNDRED FEET WIDE, THE SAME HEIGHT REGULATION SHALL BE APPLIED AS ON STREETS ONE HUNDRED FEET IN WIDTH. FOR (3) THE HEIGHT AT THE STREET LINE WOULD BE $2\frac{1}{2} \times 50 = 125$ FEET.

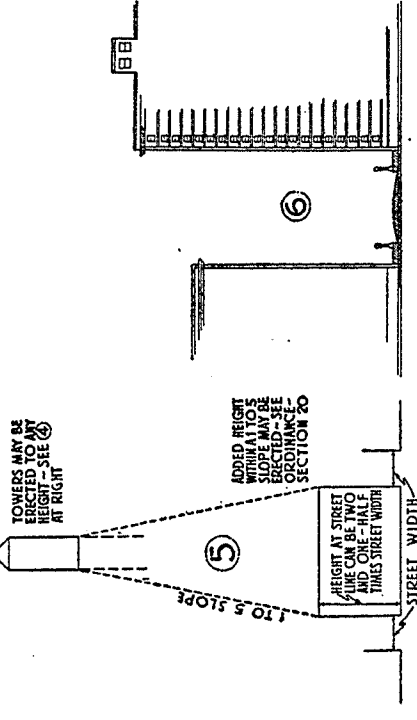
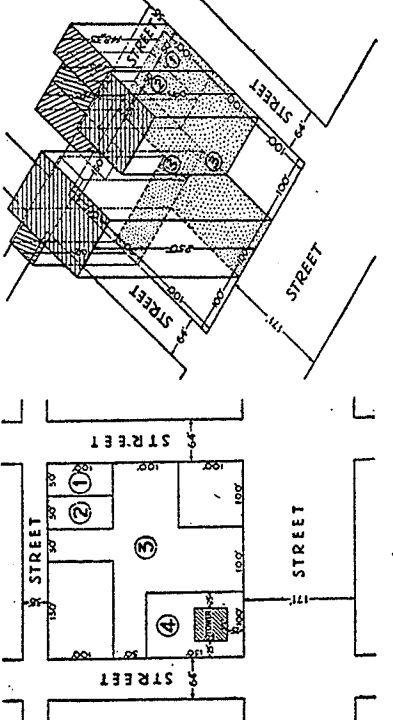
(3) A BUILDING FRONTING ON TWO OR MORE STREETS, OTHER THAN A BUILDING ON A CORNER LOT, SHALL COMPLY WITH HEIGHT REGULATIONS ON THE STREETS ON WHICH THE BUILDING FRONTS, WHERE STREETS ARE LESS THAN FIFTY FEET WIDE, THE SAME HEIGHT REGULATION SHALL APPLY AS ON STREETS FIFTY FEET IN WIDTH AND ON STREETS MORE THAN ONE HUNDRED FEET WIDE, THE SAME HEIGHT REGULATION SHALL BE APPLIED AS ON STREETS ONE HUNDRED FEET IN WIDTH.

(4) TOWERS FOR OCCUPANCY MAY BE ERRECTED ABOVE THE HEIGHT LIMIT HEREIN ESTABLISHED PROVIDED THE LARGEST HORIZONTAL DIMENSION OF ANY SIDE OF THE TOWER SHALL NOT EXCEED SIXTY FEET, PROVIDED THE TOTAL AREA SHALL NOT EXCEED TWENTY FIVE PER CENT OF THE AREA OF THE LOT, AND PROVIDED THAT EACH SUCH TOWER SHALL BE REMOVED AT LEAST TWENTY-FIVE FEET FROM ALL LOT LINES AND AT LEAST FIFTY FEET FROM ANY OTHER TOWER.

(5) IN ADDITION TO THE HEIGHT AT THE STREET LINE FIVE FEET MAY BE ADDED TO THE HEIGHT OF THE BUILDING FOR EACH FOOT THAT THE BUILDING OR SUCH PORTION THEREOF IS SET BACK FROM THE STREET LINE.

(6) NO CORNICE SHALL PROJECT OVER THE STREET LINE MORE THAN FIVE PER CENT OF THE WIDTH OF SUCH STREET, AND SHALL IN NO CASE PROJECT MORE THAN FOUR FEET.

(7) CHIMNEYS, TOWERS, PENTHOUSES, SCENERY LOFTS, SUGAR REFINERIES, MONUMENTS, CUPOLAS, DOMES, SPIRES, FALSE MANSARDS, PARAPET WALLS, SIMILAR STRUCTURES AND NECESSARY MECHANICAL APPLIANCE MAY BE ERRECTED AS TO THEIR HEIGHT IN ACCORDANCE WITH ORDINANCES OF THE CITY OF NEW ORLEANS.



THE CITY PLANNING & ZONING COMMISSION
 JUNE - 1929

OPERATION OF REGULATIONS CONTROLLING THE HEIGHT OF BUILDINGS IN THE CENTRAL BUSINESS DISTRICT

HARLAND BARTHOLOMEW AND ASSOCIATES CONSULTANTS

Sec. 20. Height & Area Regulation. "K" Industrial District: Be It Further Ordained, etc., That in the "K" Industrial District the height and size of buildings shall be as follows, provided, however, that buildings erected or structurally altered exclusively for dwelling purposes shall comply with the Side and Rear Yard and Lot Area Per Family regulations of the "D" Apartment District. (See Section 21, g.)

See Plate VIII.

Height. (a) Where buildings occupy lots at the intersection of two streets, no building shall be hereafter erected or structurally altered to exceed a height on any street line of two and one-half ($2\frac{1}{2}$) times the computed average width of all streets upon which the building faces; this average width shall be computed as proportional to the street frontage of the building on each street by dividing the sum of the products of each street frontage multiplied by the width of the street on that frontage by the total frontage of the building on all streets.

In so computing the maximum height of the building at any street line the width of any street wider than 100 feet or narrower than 50 feet shall be computed as set forth in Section 21, paragraph "d" of this ordinance.

In addition to the height at the street line, as thus computed, five feet may be added to the height of the building for each foot that the building or such portion thereof is set back from the street line. (See Section 21, c, d, e, g, m.)*

See Plates VIII.

(b) Where a building has frontage on only one street no building shall be hereafter erected or structurally altered to exceed a height on the street line of more than $2\frac{1}{2}$ times the width of the street on which it fronts.

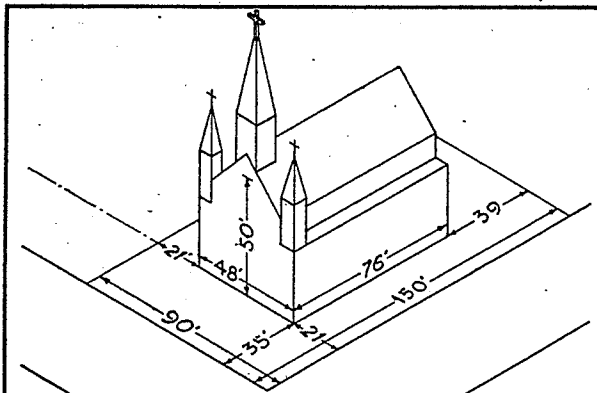
In so computing the maximum height of the building at any street line the width of any street wider than 100 feet or narrower than 50 feet shall be computed as set forth in Section 21, paragraph "d" of this ordinance.

In addition to the height at the street line, as thus computed, five feet may be added to the height of the building for each foot that the building or such portion thereof is set back from the street line. (See Section 21, c, d, e, g, m.)*

See Plates VIII.

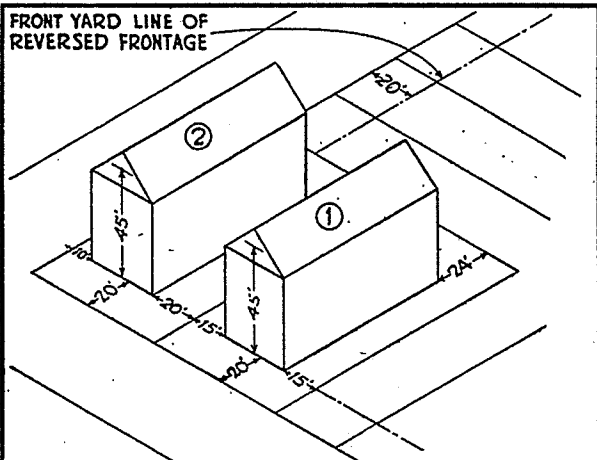
(c) A building fronting on two or more streets, other than a building on a corner lot, shall comply with height regulation on the street on which the building fronts. (See Section 21, c, d, e, g, m.)*

*[As amended by Ordinance 13,751 C.C.S.; See Section 17.]



"IN THE THIRTY-FIVE (35) AND FORTY-FIVE (45) FOOT HEIGHT DISTRICTS PUBLIC OR SEMI-PUBLIC BUILDINGS, HOSPITALS, SANITARIUMS OR SCHOOLS MAY BE ERRECTED TO A HEIGHT NOT EXCEEDING SEVENTY-FIVE (75) FEET WHEN THE FRONT, SIDE AND REAR YARDS ARE INCREASED AN ADDITIONAL FOOT FOR EACH FOOT SUCH BUILDINGS EXCEED THIRTY-FIVE (35) AND FORTY-FIVE (45) FEET RESPECTIVELY, IN HEIGHT."
 THIS DRAWING SHOWS SIZE OF LOT AND SIZE OF YARDS REQUIRED FOR A CHURCH BUILDING 48' WIDE, 76' LONG AND 50' IN HEIGHT IN AN 'A' RESIDENTIAL NEIGHBORHOOD.

PLATE IX



IN THE 'A' AND 'B' RESIDENCE DISTRICTS BUILDINGS MAY BE INCREASED IN HEIGHT BY NOT MORE THAN TEN (10) FEET WHEN TWO (2) SIDE YARDS OF NOT LESS THAN FIFTEEN (15) FEET EACH ARE PROVIDED. SEE (1). FOR CORNER LOTS THE SIDE YARD ON THE STREET SIDE NEED NOT BE MORE THAN FIFTY (50)% OF THE FRONT YARD REQUIRED ON THAT STREET PROVIDED THAT THE AMOUNT OF THE REDUCTION IS ADDED TO THE INTERIOR SIDE YARD. SEE (2)

PLATE X

Sec. 21. Height and Area Exceptions. Be It Further Ordained, etc., That the foregoing requirements in the height and area districts shall be subject to the following exceptions and regulations:

Height. (a) That in the thirty-five (35) and forty-five (45) foot height districts public or semi-public buildings, hospitals, sanitariums or schools may be erected to a height not exceeding seventy-five (75) feet when the front, side and rear yards are increased an additional foot for each foot such buildings exceed thirty-five (35) and forty-five (45) feet respectively in height. See Plate IX.

(b) In the "A" and "B" Residence Districts, buildings may be increased in height by not more than ten (10) feet when two (2) side yards of not less than fifteen (15) feet each are provided; provided, however, that on corner lots the side yard on the street side need not be more than fifty (50) percent of the front yard required on that street, and further provided, however, that the amount of this reduction is added to interior side yard so that the combined side yards shall not be less than thirty (30) feet. Such buildings, however, shall not exceed three (3) stories in height. See Plate X.

(c) Chimneys, towers, penthouses, scenery lofts, sugar refineries, monuments, cupolas, domes, spires, false mansards, parapet walls, similar structures and necessary mechanical appurtenances may be erected as to their height in accordance with existing or hereafter adopted ordinances of the City of New Orleans.

(d) In the "K" Industrial District where streets are less than fifty (50) feet wide, the same height regulations shall apply as on streets fifty (50) feet in width and on streets more than one hundred (100) feet wide, the same height regulations shall be applied as on streets one hundred (100) feet in width. See Plate VIII.

See Plate
VIII.

(e) In the "K" Industrial District towers for occupancy may be erected above the height limit herein established provided the largest horizontal dimension of any side of the tower shall not exceed sixty (60) feet; provided the total area shall not exceed twenty-five (25) percent of the area of the lot, and provided that each such tower shall be removed at least twenty-five (25) feet from all lot lines and at least fifty (50) feet from any other tower.

(f) [As amended by Ordinance 14,783 C.C.S.] No yard, or other open space required about any building for the purpose of complying with the provision of these regulations shall be considered as providing yard or open space for any other building, and no lot area shall be so reduced that the yards or other spaces shall be smaller than required by this ordinance, nor shall the lot area per family be reduced in any manner, except in conformity with the area regulations hereby established for the district in which such building is located, provided, that wherever there existed at the time of the adoption of this Ordinance built-up conditions on residential properties held under one common ownership, where the physical separation of the dwelling or other structures on such properties presently are at a distance of six feet or more, the City Engineer shall have authority to approve a sub-division of the property, thereby diminishing the requirements of the minimum side yard and lot area per family of one of the dwellings or other structures, provided that such sub-division does not permit or authorize the reduction of the physical distance between the buildings or other structures presently existing under one common ownership at the time of the passage of this Ordinance, which distance between the buildings or other structures must and shall thereafter remain as shown on such plan of sub-division. After any such plan of sub-division, aforesaid, has been approved by the City Engineer, if either or both of the adjacent dwellings, or other structures, shown on said plan of sub-division shall be destroyed or be torn down, no permit shall thereafter be granted to build an entirely new building or other structure, in the place of the one destroyed or torn down, or to reconstruct, rebuild, or repair either or both of the existing dwellings, or other structures, shown on the aforesaid plan of sub-division, unless the new building or other structure is so built or repaired, or unless either or both of such existing buildings, or other structures or so rebuilt, reconstructed, or repaired that there will be provided on both sides thereof a minimum distance of six feet of separation, at all points between the adjacent buildings or other structures and that it shall comply with all other requirements of the Comprehensive Zone Law (Ordinance 11,302, C.C.S., adopted June 6, 1929, and as amended.)

(g) Buildings existing at the time of the passage of this ordinance, about which existing yards or open spaces are less than required by the provisions of this ordinance, and/or which exceed the height limits as provided in this ordinance, may be structurally altered to the extent of no more than fifty (50) percent of their assessed value, subject to the following conditions:

1. No insufficient yard space shall be still further reduced.
2. No insufficient lot area per family shall be still further reduced.
3. No alteration or addition should be made that will exceed the height limit, provided, however, that this paragraph (g) shall not apply to buildings used entirely for non-conforming commercial or industrial uses or to such portions of buildings as are used for non-conforming commercial or industrial uses when located in the "A" and "B" Residential and "C" and "D" Apartment districts. [As amended by Ordinance 13,759 C.C.S.]

Area. (h) For the purpose of area regulations a semi-detached (two-family) dwelling or a double duplex (four-family) dwelling shall be considered as one building occupying one lot.

(i) The side yard requirements for dwellings shall be waived where dwellings are erected above stores, provided there are not other side yard regulations required for the stores.

See Plate I.

(j) In computing the depth of a rear yard, for any building where such yard opens onto an alley, one-half of such alley may be assumed to be a portion of the

yard, except where the entire width of alley has been provided from one lot, the entire width may be assumed to be a portion of the yard on the lot from which it was provided.

(k) Buildings on through lots extending through from street to street may reduce the required rear yard to not less than 10 feet in depth. (See Section 21, r.)

(l) Every part of a required yard shall be open from its lowest point to the sky unobstructed, except for the ordinary projections of sills, belt courses, cornices, ornamental features and eaves; provided, however, that none of the above projections shall project into a minimum side yard more than eighteen (18) inches at any point.

(m) No cornice shall project over the street line more than five (5) percent of See Plate VIII. the width of such street, and shall in no case project more than four (4) feet.

(n) A porte-cochere or canopy may project into a required side yard provided every part of such porte-cochere or canopy is removed at least two (2) feet from the nearest side lot line.

(o) [Original conflicting paragraph "(o)" stricken out by Ordinance 13,758 C.C.S.; this new subject paragraph was added by Ordinance 15,002 C.C.S.]

In a "C (1)" Housing Authority District, a strictly residential group-housing project, of the Housing Authority of New Orleans, when officially approved as to subdivision in accord with City and State laws, shall apply to the Zoning Board of Appeal and Adjustment for approval as to variations as to distribution of yard areas and lot area per family necessary to facilitate said grouping on tract of land without definite lot lines, but only when said project meets with the following conditions:

Any change to definitely zone or rezone the site of any subdivision shall follow the City's adopted procedure as outlined in Section 27 of this ordinance as amended and re-enacted by Ordinance 13,760 C.C.S., of July 28, 1932; and also

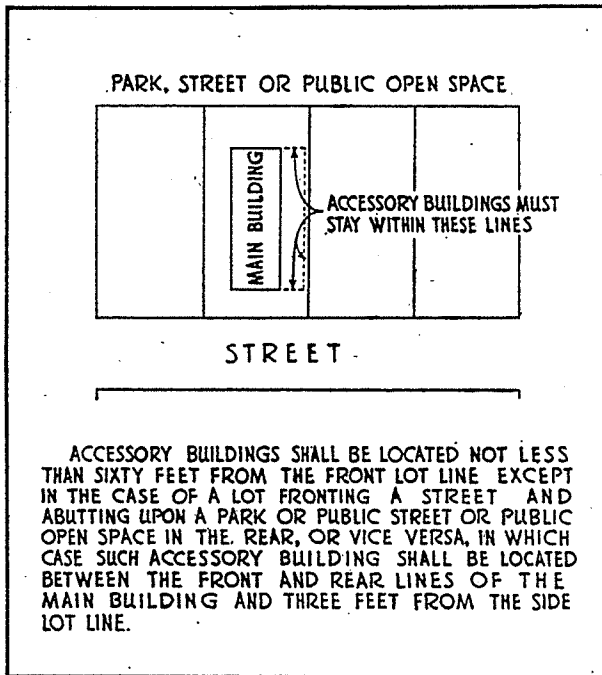
Any needed variation of yard areas or lot areas per family shall be approved by the Zoning Board of Appeal and Adjustment in accord with their adopted procedure, and

Be it further provided that such zoning, adjustment and/or variation shall be granted only under the following conditions:

(1) Open Space. The entire group of buildings and/or structures when totalled and averaged, shall have total open and unoccupied varied space around the entire group of separated buildings which shall be equal to or in excess of the fixed proportioned requirements for totalled open yard areas per building in the "C" Apartment District (as already presently defined in Section 13); provided, however, that the distribution of these open spaces may be so varied only when following a plan securing a balanced distribution of population and of open areas.

(2) Lot Area Per Family. The entire group of buildings and/or structures when totalled and averaged, against the totalled averaged number of family units, shall provide a lot area of not less than six hundred (600) square feet per family; provided however, that this lot area may be differently distributed only when the total lot area computed against the total family units shall be equal to that now required in the "C" Apartment District, Section 13, and when said lot area is distributed following a plan securing a balanced distribution of population and of open areas.

(3) Method of Computation. In making this average computation as to open spaces and lot area per family requirements, all buildings and structures within project boundaries shall be included, and provided further that the open spaces used for computing shall include all land owned by Housing Authority of New Orleans except that land which is to be covered by the buildings and/or that land which is to be dedicated for public use; and these required open spaces shall not hereafter be reduced in area by sale or by rental or by obstruction by buildings, and/or structures.



See Plate XI.

PLATE XI

ACCESSORY BUILDINGS:

(p) An Accessory Building or Buildings shall not be permitted in any required yard except the rear yard in which case accessory buildings not exceeding twelve (12) feet in height may occupy not more than thirty (30) percent of a required rear yard except as hereafter provided.

(q) Accessory buildings, excluding stables, may be erected as a part of the main building where all yard regulations are complied with.

(r) Accessory buildings shall be located as follows:

1. Not less than sixty (60) feet from the front lot line except in the case of a lot fronting a street and abutting upon a park and/or public street and/or public open space in the rear, or vice versa, in

which case such accessory building shall be located between the front and rear lines of the main building.

2. Where an accessory building is located between the front and rear lines of the main building there shall be a minimum distance of three (3) feet between the accessory building and the nearest interior side lot line.

See Plate IV.

3. On the street side of a corner lot an accessory building shall in no case be located less than ten (10) feet from the side street line and in the case of reversed frontage where the corner lot faces an intersecting street no accessory building shall project beyond the required front yard line of the buildings in the rear of such corner lot. Provided, further, that this regulation shall not be so interpreted as to reduce the depth of an accessory building to less than eighteen (18) feet.

Sec. 22. Certificate of Occupancy. Be It Further Ordained, etc., That no vacant land shall be occupied or used, except for agricultural use, and no buildings hereafter erected or structurally altered shall be occupied or used until a certificate of occupancy shall have been issued by the City Engineer.

Certificate of Occupancy for a Building: Certificate of occupancy for a new building or the alterations of an existing building shall be applied for coincident with the application for a building permit after the request for same shall have been made in writing to the City Engineer and said certificate shall be issued within three days after the erection or alteration of such building or part thereof shall have been completed in conformity with the provisions of these regulations. Pending the issuance of a regular certificate, a temporary certificate of occupancy may be issued for a period not exceeding six months during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owners or of the City relating to the use or occupancy of the premises or any other matter covered by this ordinance, and such temporary certificates shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

Certificate of Occupancy for Land. Certificate of occupancy for the use of vacant land or the change in the use of land as herein provided, shall be applied for before any such land shall be occupied or used and a certificate of occupancy shall be issued within three (3) days after the application has been made in writing to the City Engineer, provided such use is in conformity with the provisions of these regulations.

Certificates of occupancy shall state that the building or proposed use of a building or land, complies with all the building and health laws and ordinances and with the provisions of these regulations. A record of all certificates shall be kept on file in the office of the City Engineer and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected. No fee shall be charged for an original certificate applied for co-incident with the application for a building permit; for all other certificates or for copies of any original certificate there shall be a charge of One Dollar (\$1.00) each.

No permit for excavation for any building shall be issued before application has been made for certificate of occupancy.

Sec. 23. Plat of Building Site. Be It Further Ordained, etc., That all applications for building permits shall be accompanied by a plot of the building site in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected and such other information as may be necessary to provide for the enforcement of these regulations. A careful record of such applications and plats shall be kept in the office of the City Engineer.

Sec. 24. Use Permit. Be It Further Ordained, etc., That no change shall be made in the use of a building or land without permit having first been issued by the City Engineer, and no permit shall be issued to make such a change unless it is in conformity with the provisions of this ordinance or amendments thereto.

Sec. 25. Boundaries of Districts. Be It Further Ordained, etc., That where uncertainty exists with respect to the boundaries of the various districts as shown on the 40 maps accompanying and made a part of this ordinance, the following rules shall apply:

(a) The district boundaries are either streets or alleys unless otherwise shown and where the designation on the maps accompanying and made a part of this ordinance indicating the various districts are approximately bounded by street or alley lines, said street or alley shall be construed to be the boundary of such district.

(b) Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines and where the designation on the map accompanying and made a part of this ordinance indicating the various districts are approximately bounded by lot lines, said lot lines shall be construed to be the boundary of such district unless said boundaries are otherwise indicated on the map.

(c) In unsubdivided property, the district boundary lines on the map accompanying and made a part of this ordinance shall be determined by use of the scale contained on such map. (See Section 31.)

Sec. 26. Interpretation, Purpose & Conflict. Be It Further Ordained, etc., That wherever the regulations made under authority of this ordinance require a greater width or size of side yards, or other spaces, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in any other local ordinance or regulation, the provisions of this ordinance shall govern. Wherever the provision of any other ordinance or regulation require a greater width of size of yards, or other open spaces, or require a lower height of building or a less number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by the regulations of this ordinance, the provisions of such ordinance or regulation shall govern.

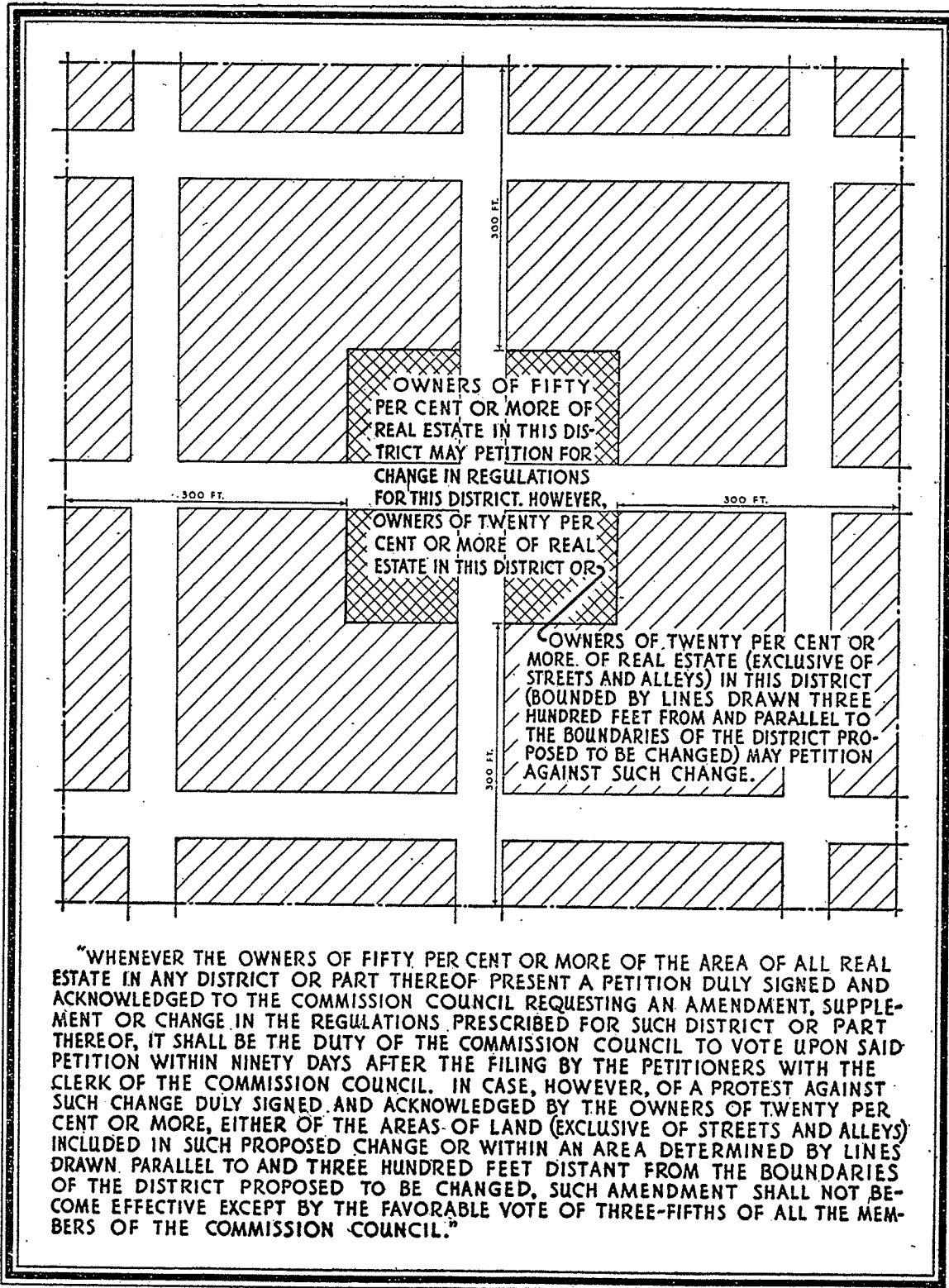
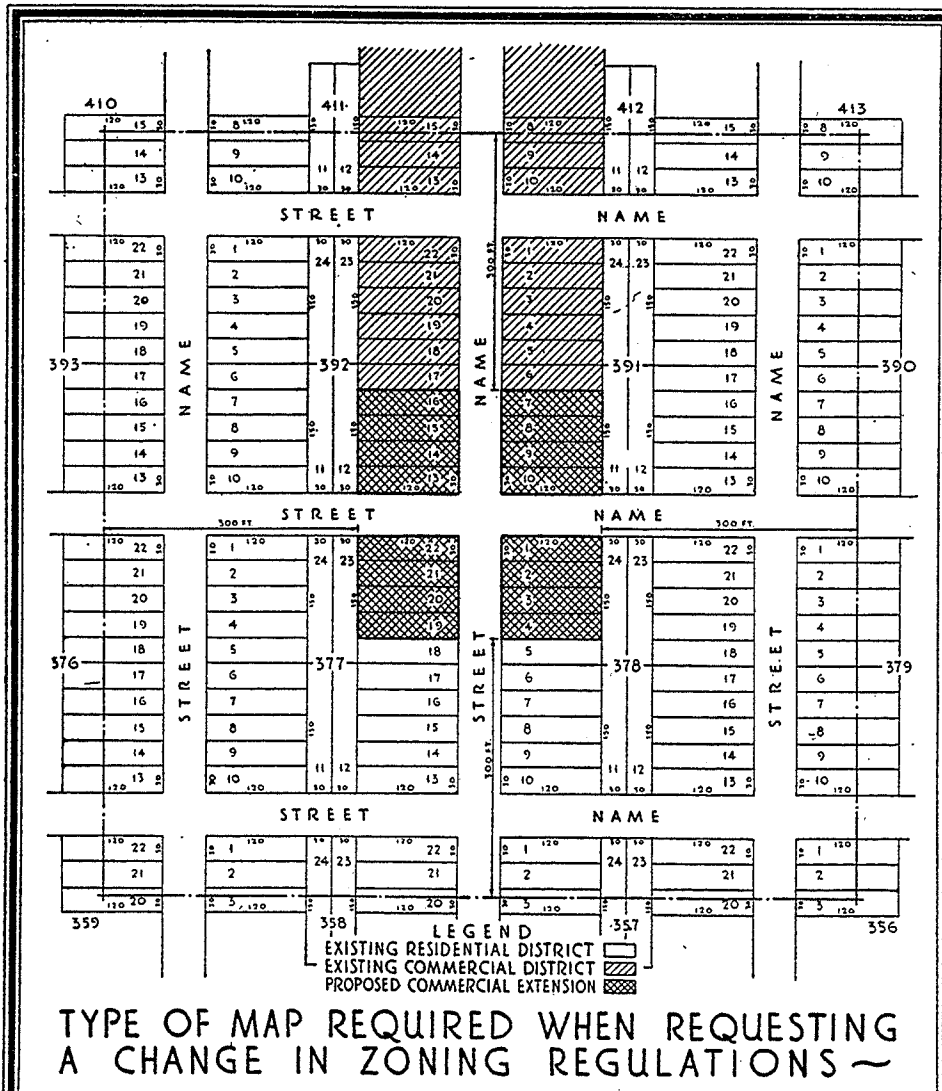


PLATE XII

Note: A proposed 4/5 requirement for the Commission Council's vote (when 20% or more of the property owners file counter-petition) was never incorporated in State Act, City Charter, or Zone Law, therefore any official counter-petition filed is considered but the Council's usual 3/5 vote effects a change.



Note. MAPS SHOWING SQUARE NUMBERS, LOT NUMBERS AND DIMENSIONS ARE ON FILE IN THE CITY ENGINEER'S OFFICE AND THE OFFICE OF THE CITY PLANNING & ZONING COMMISSION. ALL NAMES OF PROPERTY OWNERS, WITHIN 300 FT. LIMIT, MUST BE SHOWN ON MAP AND CAN BE OBTAINED FROM CITY HALL RECORDS.

FOUR (4) OF THESE MAPS MUST BE FILED BY THE PETITIONER, WITH A DUPLICATE PETITION TO THE COUNCIL. TWO (2) OF THESE MAPS ARE PROVIDED FOR THE RECORDING OF OBJECTIONS BY OWNERS, WITHIN 300 FT. LIMIT, WHEN THEY WISH TO FILE A DUPLICATE COUNTER-PETITION.

CORRECTED-1956-C.D. & Z.C.

Sec. 27. [As amended by Ordinance 13,760 C.C.S.] **Changes and Amendments.** Be It Further Ordained, etc., That the Commission Council may, from time to time, amend, supplement or change the regulations, or restrictions as described in the written part of this ordinance pertaining to general policies, or the boundaries of such districts herein or subsequently established, as described in the written part of the ordinance or as shown on the official zone maps, only upon the observance of the procedure in this section set forth. Such amendment, supplement or change may be initiated: (a) by action of the Commission Council itself by introduction of an ordinance or by adoption of a motion, or (b) by property owners, by filing with the Clerk of the Commission Council an attested petition in writing and in duplicate on official forms with four (4) maps showing the measurements, location and ownership of all property in the area within lines drawn parallel to and three hundred (300) feet distance from the property wherein a change in classification is requested, praying for the enactment of an ordinance making effective the amendment, change, or supplement therein requested.

No amendment, supplement, or change in, or to the status, height, area or use regulations or restrictions or boundaries of any zone district, or part thereof, whether the proposal be initiated by the Commission Council or on petition of property owner or owners, shall become effective unless and until:

(1) There shall have been held a public hearing in relation thereto before the City Planning and Zoning Commission, and such further public hearing as, on petition, the Commission Council may have granted, at which parties in interest and citizens shall have had an opportunity to be fully heard:

(2) At least thirty (30) days prior notice in heavy boxed form giving name or names of applicants and a full description of the proposed change and of the property proposed to be changed, and giving the time and place of such hearing to be held before the City Planning and Zoning Commission, shall have been published in the Official Journal of the City of New Orleans and repeated three times and the property posted as described below, and if a further hearing be granted before the Commission Council, no other printed official notices need be given and no further posting of the property shall be required for this hearing by the Commission Council.

(3) A printed notice in bold type shall have been posted for not less than twenty (20) consecutive days prior to the hearing before the City Planning and Zoning Commission on signs not less than one and one-half (1½) square feet in area, prepared, furnished and placed by the City Engineers office on each block on each street in the area in which the status, height, area or use regulations or restrictions is proposed to be changed. If the proposal relates to a particular lot or lots, block or blocks, tract or portions of land in any district or districts, the said signs shall be conspicuously posted on the street in front of the property proposed to be reclassified or the status thereof changed in any particular, and also in conspicuous public places within three hundred (300) feet of the lot or lots, block or blocks, tract or portions of land whose status, height, area or use regulations or restrictions is proposed to be changed. Said posted notices shall contain accurate statement of the proposed change, and also the time and place of the public hearing before the City Planning and Zoning Commission. Posting of property with signs shall not be again required in cases where a further hearing is granted by the Commission Council to any petitioner for change or objector to change. This further hearing is to be held before the Commission Council within the established ninety (90) day period. Further, the posting with signs shall not be required in cases where the proposed change or amendment relates to the general policy as defined in the body of the ordinance or any amendment thereto, and then in that event it shall be sufficient notice if there be given the published notice required by the preceding sub-paragraph (2), but with extra heavy box and captions. However, if any alterations to the pending proposed change or amendment to the general policies as defined in Comprehensive Zone Ordinance be considered necessary by the City Planning and Zoning Commission or by the Commission Council prior to the vote of either the

City Planning and Zoning Commission or of the Commission Council, then and in that event the proposed change as altered must be again published in the Official Journal of the City of New Orleans and all procedure complied with such as thirty (30) days prior notice of hearing before the City Planning and Zoning Commission, reports by the City Planning and Zoning Commission within the sixty (60) day limitation period as hereinafter set forth, and action by the Commission Council within ninety (90) day limitation period as hereinafter set forth. Applicant or applicants petitioning for any change in this ordinance must deposit with the Clerk of the Commission Council the required designated fee payable to the account of the City of New Orleans to cover the cost of the above referred to four newspaper advertisements and the cost of the signs and the posting thereof.

(4) Any proposal for any kind of change, to, or affecting this Comprehensive Zone Ordinance shall have been submitted to, and publicly heard by the City Planning and Zoning Commission, and its report thereon and documents pertaining thereto shall have been filed with the Clerk of the Council prior to the consideration or vote of the Commission Council on said proposal, provided, however, that the City Planning and Zoning Commission must file its report on said proposal and documents pertaining thereto with the Commission Council within sixty (60) days of the receipt by the City Planning and Zoning Commission of a petition in correct form or ordinance in correct form or a motion in correct form, provided further however, that in the event the City Planning and Zoning Commission fails to transmit its report on said proposal and documents pertaining thereto to the Commission Council within the sixty (60) day period as provided above, then and in that event the Commission Council shall proceed to act on said proposal without having received a report from the City Planning and Zoning Commission.

When owners of fifty percent (50%) or more of the area of any described parcel or parcels of real estate, wherein a change in classification is requested for all of said described parcel, shall present a petition in duplicate and duly signed and acknowledged on official forms with four (4) maps showing the measurements, location and ownership of all property in the area within lines drawn parallel to and three hundred (300) feet distant from the property wherein a change in classification is requested to the Commission Council, requesting an amendment, supplement or change in or to the status, height, area or use regulations or restrictions prescribed for said described parcel of real estate, then and in that event only shall this be considered an official petition and it shall be the duty of the Commission Council to vote upon said petition within ninety (90) days after the date of the filing of said petition by the petitioner or petitioners with the Clerk of the Council, in correct form. In the case, however, of a protest or objection to such proposed change when the owner or owners of twenty percent (20%) or more of any real estate object, whether this ownership percentage be located either actually within the described parcel or parcels of real estate wherein the change in classification is requested, or whether this ownership percentage be located within the nearby adjacent area as determined by lines drawn parallel to and three hundred (300) feet distant from the boundaries of the real estate, the classification of which is requested to be changed, then any such proposal to amend, change or supplement the provisions of this ordinance shall not become effective except by the favorable vote of three-fifths of all the members of the Commission Council. **See Plates XII, XIII.**

Public streets, public alleys, and public places shall be included in fixing the three hundred (300) foot limit, but shall not be included in making percentage computations of area.

In such petition or counter-petition which shall be on official forms, property owners or their duly authorized representatives shall give their residence address, and a correct description of the property owned by them in the district or area affected and briefly state the reasons for the requested change or the reasons for the objection or protest to such change, and any other required data, on the official printed forms supplied by the City for this purpose, and correct maps showing property owned by

petitioners or by counter-petitioners in the affected area should accompany said petition requesting said change or said counter-petition objecting to said change, and both petition with map and counter-petition with map must be filed in duplicate form and signatures must be duly attested.

Neither the Commission Council nor the City Planning and Zoning Commission shall act upon any petition or counter-petition not conforming to the requirements herein set forth, and such other requirements and procedure as the Commission Council may have heretofore, or may hereafter adopt in respect thereof, which shall be considered conditions of jurisdiction, but may consider letters or briefs relating to said petition or counter-petition or objection. All such other requirements and procedure shall be considered as supplementary to the provisions of this Section, and further before voting, both petition requesting change and counter-petition objecting to such change must be checked and notation made by the City Planning and Zoning Commission office so as to show how many of the owners signing have been identified as property owners in the City records, and also showing the percentage of the total affected by area owned by the signers for and against said change.

(5) A final ye and nay vote shall have been taken on the proposal by the Commission Council within ninety (90) days dated from the introduction of an ordinance in correct form or the adoption of a motion in correct form by the Commission Council as set forth in the first paragraph, or the final filing of the petition of property owners or owner in correct form. After the above referred to ninety (90) day period has elapsed, then each and any case, whether voted upon or not, shall be considered by the Commission Council as a closed case, and no rehearing will be granted except as further provided below.

TWO-YEAR LIMITATION

Whenever a petition is filed, or a Calendar Ordinance introduced or a motion adopted by the Commission Council requesting or proposing a change in or amendment to Ordinance No. 11,302 C.C.S., and said petition or calendar ordinance or motion has been finally acted upon by the Commission Council in accordance with the above procedure or when said petition or calendar ordinance or motion has received no action on the part of the Commission Council within the ninety (90) day limitation period as above set forth, or when said petition or calendar ordinance or motion has been officially advertised for public hearing but has subsequently been withdrawn either before or after said public hearing has been held, then the Commission Council shall not consider any further petition or introduce any further calendar ordinance or motion requesting or proposing such change or amendments for the same property within a period of two calendar years from the date of the Commission Council's final legal action on said petition or calendar ordinance or motion, or from the expiration of the aforesaid ninety (90) day period in case no action has been taken by the Commission Council, or from the date of withdrawal of said petition or calendar ordinance or motion, providing, however, that said petition or calendar ordinance or motion has been officially advertised; and further, these provisions shall also apply to any and all petitions or calendar ordinances or motions requesting or proposing a change, amendment or supplement to Ordinance No. 11,302 C.C.S., whether filed or introduced prior to or subsequent to the passage of this ordinance, provided, however, that this restriction shall not apply to any petition or calendar ordinance or motion upon which action is pending until final legal action has been taken by the Commission Council on such petition or calendar ordinance or motion, or unless said petition or calendar ordinance or motion has been withdrawn, or until the expiration of the aforesaid ninety (90) day limitation period in the event no action has been taken by the Commission Council.

[Sec. 28 was repealed by Sec. 2 to Ordinance 15,999 C.C.S.]

Sec. 29. Be It Further Ordained, etc., That whenever any special release heretofore granted, or which may hereafter be granted, for the use by the State or any of its political subdivisions, and/or the Federal Government, within a residential section, for purposes in connection with said State, Municipal or Federal Government operation or business, and said premises so specially released shall be vacated by, or abandoned by the said State, its political sub-divisions or the Federal Government, such property shall not thereafter be permitted to be used for any business or commercial purposes whatsoever, but shall be and remain zoned in accordance with the terms and provisions of this ordinance covering such districts within which said property is located. The purpose and intent of this section being to restrict the use of such property specially released to the purposes for which said special release was originally granted.

Sec. 30. Be It Further Ordained, etc., That all suits at law or in equity and/or all prosecutions resulting from the violation of any zoning ordinance heretofore in effect, which are now pending in any of the Courts of this State, or of the United States, shall not be abated or abandoned by reason of the adoption of this ordinance, but shall be prosecuted to their finality the same as if this ordinance had not been adopted; and any and all violations of existing zoning ordinances, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may have heretofore been instituted or prosecuted.

Sec. 31. Be It Further Ordained, etc., That the 40 maps be attached and numerically marked 1 to 40, both inclusive, which are colored and/or shaded in accordance with the legends shown thereon describing the kind and character of zoning applicable in said map, and duly signed by the Mayor for identification with this ordinance, be and the same are included as part and parcel of this ordinance and made a part hereof.

Sec. 32. Enforcement. Be It Further Ordained, etc., That it shall be the duty of the City Engineer to see that this ordinance is enforced.

Sec. 33. Be It Further Ordained, etc., That if any section, sub-section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason, be held to be unconstitutional by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance which shall continue in full force and effect.

Sec. 34. Violation and Penalty. Be It Further Ordained, etc., That in case any building or structure is erected, structurally altered, or maintained, or any building, structure or land is used in violation of this ordinance, the proper city official, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, structural alteration, maintenance, use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by the City Engineer who is hereby empowered to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations of this ordinance. The owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part in or who assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a mis-

demeanor punishable either by a fine of not less than ten dollars and not more than twenty-five dollars or more than thirty days' jail sentence for each and every day that such a violation continues, or both.

Adopted by the Commission Council of the City of New Orleans, June 1st, 1929.

W. P. BRAND,
Asst. Clerk of Commission Council.

Approved June 6th. 1929.

A. J. O'KEEFE,
Mayor.

A TRUE COPY:

JOHN P. COLEMAN,
Secretary to the Mayor.

ZONING ENFORCEMENT PROCEDURE

- (A) City Engineer's Office
- (B) Procedure for amending or changing the Zone Law, and for variations
- (C) Caution as to other laws

ZONING ENFORCEMENT PROCEDURE

(With references relative to the Building Code
and permits required)

—A—

CITY ENGINEER'S OFFICE

Act 240 of 1926 provides that the legislative body (Council) shall determine the manner in which its zoning ordinance is to be enforced. The Comprehensive Zoning Ordinance passed in accordance with this act provides that the City Engineer shall enforce the zoning regulations.

In the City Engineer's Office, there is a department known as the "Building Division." Applications for permits applied for under the zoning law and building code are submitted to this department.

The functions of this office are as follows, namely:

- (1) Accept applications for erection of buildings or other structures.
- (2) Accept applications for alterations, additions, remodeling, repairs, equipment and removal of buildings or other structures.
- (3) Issue temporary or final occupancy permits for buildings or structures.
- (4) Approve such plans as are in conformity with the above ordinance and amendments.
- (5) Disapprove such plans as are not in conformity with the above ordinance and amendments and notify applicant of the violations or non-conformities. If the non-conformities as to the zoning ordinance are slight and some unnecessary hardship exists due to peculiar conditions, the applicant may ask for a written refusal specifying reasons for refusal of permit. He may then appeal to the Zoning Board of Appeal and Adjustment from the disapproval of the City Engineer, and request a variation to the law. (See "Functions of Zoning Board of Appeal and Adjustment.")
- (6) Receive and have investigations made on complaints relative to violations of the zoning ordinance or of the building code.
- (7) Check and approve lot and square subdivisions for conformity with zoning and subdivision regulations, etc.
- (8) Approve affidavits for licenses for all businesses.
- (9) Fix municipal numbers for all buildings.

PERMITS FOR NEW BUILDINGS

The usual procedure for obtaining a building permit and occupancy permit for a new structure is as follows:

- (a) Three (3) copies of the plot plan (as per sample on page 50) are brought in for examination by applicant or his agent. Plot plan shows the square boundaries, square and district numbers, lot numbers and location in square, lot dimensions, location and dimensions of building and sizes of all yard and open spaces.
- (b) Two (2) copies of the detailed construction plans are necessary for all buildings except private residences costing \$5,000.00, or less.
- (c) These plans are examined tentatively to ascertain if they conform to all Building Code and Zoning regulations. If all regulations seem to be complied with, the applications for building and occupancy permits are filled out, but not yet issued.
- (d) The application is sent to the Sidewalk and Lot Grade Division of the City Engineer's Office in order that the lot may be inspected as to grade. If filled up to the established city grade, the application is returned approved. If lot is not filled to grade, the application is marked showing the depth of fill necessary to bring it to grade. The permit may not be issued until the lot is filled to grade. This inspection usually takes about two days. (For exceptions, see Article 202 of New Orleans Building Code.)

- (e) While the lot is being inspected for grade, the plans are further scrutinized by the Structural Engineer and Zoning Clerk, and if found to meet all the requirements of the building code and zoning ordinance and other special ordinances, they are stamped, approved and ready for the issuance of the permit.
- (f) If the lot is filled to grade, and the plans comply with the building code and zoning regulations and other special laws, then the applicant must have the affidavit at the bottom of the application form attested before a Notary Public and brought back for the issuance of the permit.
- (g) When the permit is issued, one (1) copy of the approved plans is returned to the owner. The permit must then be stamped by the Board of Health, and both the permit and the approved set of plans must be kept continuously on the site of construction.
- (h) Three (3) days after the completion of the building, the owner must notify the City Engineer. A final inspection of building is made and if all requirements have been met, the Building and Zone Clerk issues the occupancy permit.
- (i) "Occupancy" certificates are required by the zone law for every new building, residential, commercial or industrial, and also where certain types of additions, alterations, etc., are to be made, and for the occupancy of vacant lots and buildings.
- (j) "Use" permits are required by the zone law whenever the owner, agent or tenant intends to change the use of a building or of land.

PERMITS FOR ALTERATIONS, RE-MODELING AND ADDITIONS

The procedure for obtaining a permit to alter, remodel or to make additions to an old building is the same as above outlined, except that the plot plan must show present conditions as well as proposed alterations, remodeling additions.

OCCUPANCY CERTIFICATES AND USE PERMITS FOR NON-CONFORMING BUSINESS, BUILDINGS OR LAND

When application is made for the business occupancy of a legally established business in a non-conforming building or on land located in a residence or apartment district, the usual procedure is about as follows:

Application for occupancy permit is filled out by applicant who at the same time must file at least one affidavit by owner, former owner, or occupant or some one familiar with the prior use of the building, giving the nature of the business, the length of time occupied, information as to business vacancy periods (if any), name of occupants, license number, and all facts pertinent to the business or businesses formerly occupying the building, as well as all facts pertinent to the proposed business or businesses.

Affidavits from at least three disinterested persons who are well acquainted with the former use of the building must be filed with the affidavit by owner or applicant. The facts or statements made in these affidavits are investigated by the building inspector in whose territory the building is located, and his findings or verifications along with all data submitted by applicant are transmitted to the City Attorney for advice.

OCCUPANCY CERTIFICATES AND USE PERMITS FOR NON-CONFORMING RESIDENCE OR APARTMENT USES

Affidavits are sometimes also required in order to obtain facts about various types of buildings used as dwellings, relating to construction, alterations, number of dwelling units, existing and proposed, sizes of yards, etc., particularly when building alterations are proposed and when the occupancy and use types are proposed for change.

SUGGESTIONS TO RESIDENTIAL AND BUSINESS PROPERTY OWNERS, PROSPECTIVE PURCHASERS, BUILDERS, REMODELLERS, REPAIRERS, ETC.

An applicant seeking accurate information on the zoning law should first determine the exact location of the

property in which he is interested. He should know the municipal number. If possible (as the municipal and lot numbers given him may be old or incorrect), he should also know the correct lot number and measurements, square number and names of the streets forming boundaries of the square.

Specific zoning information, lot numbers and square numbers may be obtained at the City Engineer's Office in the City Hall, and general information on zoning, municipal numbers and existing lot numbers or letters, or existing square numbers or letters, size of yard, type of development, whether residence, store, factory, etc., can usually be found in the Sanborn Insurance Atlas and zoning records in the office of City Planning and Zoning Commission.

After determining the accurate description of the property, the applicant, or his authorized agent, should refer to the particular large scale Official District Zone Map for that location to determine the zone district classification for the property. Then the text of the zoning ordinance should be read in detail, paying strict attention to definitions and cross references to determine the use, height and area regulations affecting the property.

If applicant owns a freak lot or building or has a peculiar case, he should read about the functions, powers, policies and rules of the Zoning Board of Appeal and Adjustment in order to see if his case truly warrants special consideration.

The applicant should not jump to conclusions, as the zoning law is necessarily in detail and should be studied carefully.

The applicant will find the illustrations in this booklet of considerable assistance in interpreting the zone law.

No building or land should be sold, purchased or used, nor any building erected, altered, or added to, nor any lot or part of a lot purchased, sold, subdivided, added to or made smaller without making inquiries as to whether there are any laws or ordinances governing such action.

In those cases where the requirements of the building code or of other

"special" laws are stricter than those of the zone law, the stricter regulation or higher standard governs. (See Section 26 of the zone law).

According to the building code, it is unlawful to make repairs, remodel, rebuild, or do any new construction work costing Ten (\$10.00) Dollars or more without first obtaining a permit from the City Engineer's office.

Even when no building work is involved, business equipment, goods or materials should not be moved into a building or placed on a lot until the interested party is sure that this place can be used legally for the particular business which is proposed to be operated or served, under the zone law regulations and with required City and State business permits or licenses.

Under the zone law regulations, it is also necessary to obtain an Occupancy Certificate or Use Permit before using any building or land for a new use, whether this use is for residential or business purposes.

Certain businesses as trades may not be required to obtain "business" licenses, but must be located in accord with the zone law requirements for business uses, and with proper zone occupancy certificates or zone use permits.

It is disadvantageous to an owner to subdivide a lot or reduce its size in such a way as to permanently increase the fire hazard and the insurance rates or to violate any area or yard requirements. An owner should be particularly careful not to subdivide in such a manner as to create an unuseable portion of ground. The City Engineer's office and City Planning and Zoning Commission office will advise on any such matters.

Land titles should be examined by applicants or their agents or attorneys to check for private restrictions on buildings, land or use of same; for such titles, in some cases, may be stricter than the city laws. Care should be taken to check back to the original agreement registered in the Conveyance Office as clerical failure to copy same in later sales does not necessarily change the original recorded agreement.

Owners of stores or factories which are legally established as non-conforming uses in sections now zoned for residential or apartment use should particularly read Section 1, Definitions, of the zoning ordinance relating to "Non-Conforming Use," "vacancy," etc., and Section 10 on Non-Conforming Uses, and Section 21, paragraph (g).

When the legality of a non-conforming business establishment is in doubt, a proper investigation should be made before repairing, using, leasing or selling the place for business purposes.

A map showing old "piecemeal" zoning laws and lists and copies of these laws are on file in the City Planning and Zoning Commission office and in the City Engineer's office. This data may sometimes be useful to persons who desire to collect information and establish facts when renting, buying, selling and leasing, or if it becomes necessary to establish whether a store was, or was not, legally established prior to any old "piecemeal" zoning ordinance.

If applicant thinks that his business has special features apt to be dangerous or to create a nuisance, then he should check personally, or by competent agent, for special laws, with the assistance of the files of the City Engineer, the Clerk of Council, or of the State.

When applying to the City Engineer's office for permits, unnecessary delays may be avoided by observing the following:

1. A building permit is required for all work costing \$10.00 or more.
2. Certificate of occupancy and permits for use of land and of buildings are also required.
3. Lot grade requirements should be checked.
4. Application for permit should be accompanied by three (3) copies of the plot plan and two (2) sets of the detailed construction plans if the proposed structure is for any use except a private residence costing \$5,000.00 or less.
6. Plot plan should conform to sample on page 50.
7. Include in your application and also show on plot plan all out-buildings or garages proposed to be built. Any building illegally erected may be removed by the City.
8. Information concerning owner's name and address and nature of construction, proposed use and cost of proposed buildings should be given.
9. Building must be located on a lot as defined in the Comprehensive Zoning Ordinance (except for grouped dwellings on tracts by the Housing Authority of New Orleans). If it is to occupy one lot and a portion of another, or portions of several lots, or be located in a new, unapproved subdivision, then a subdivision must be made by a registered Civil Engineer or surveyor, and four (4) copies must be filed, one each with the City Engineer, the proper officials of the Sewerage & Water Board and the Inspector of Fire Department of the City of New Orleans, and the City Planning and Zoning Commission for approval.
10. In making application to have the required front yard line established for a particular site located on a block frontage where no average exists or where front yards are irregular, then a sketch showing all other buildings in that block facing the same block frontage and showing the depth of these front yard setbacks, should be submitted. (Sanborn Insurance map books usually show this information.)
11. No construction work or excavating should be started until building permit and zone law occupancy certificate and use permit have been applied for.

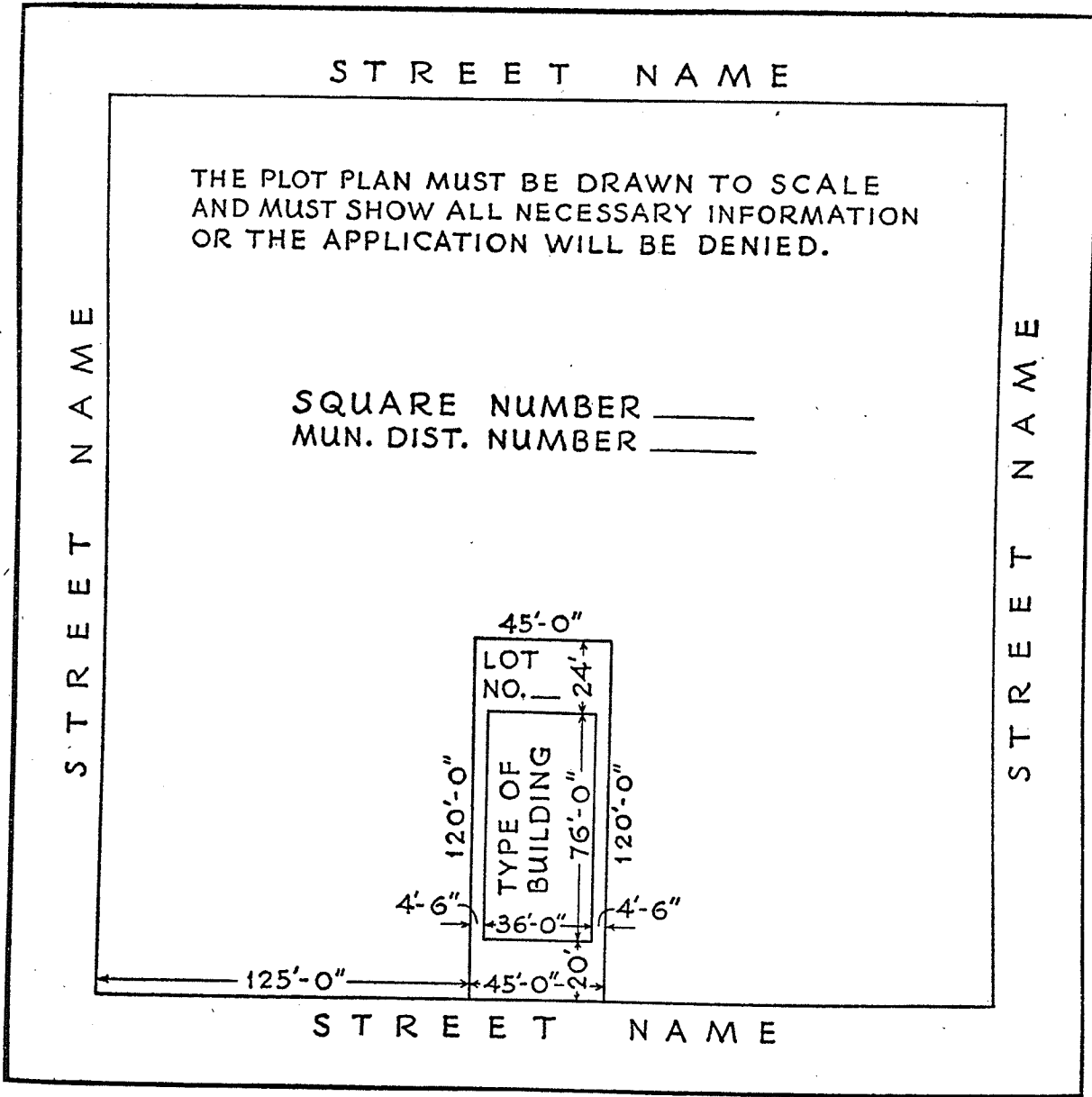
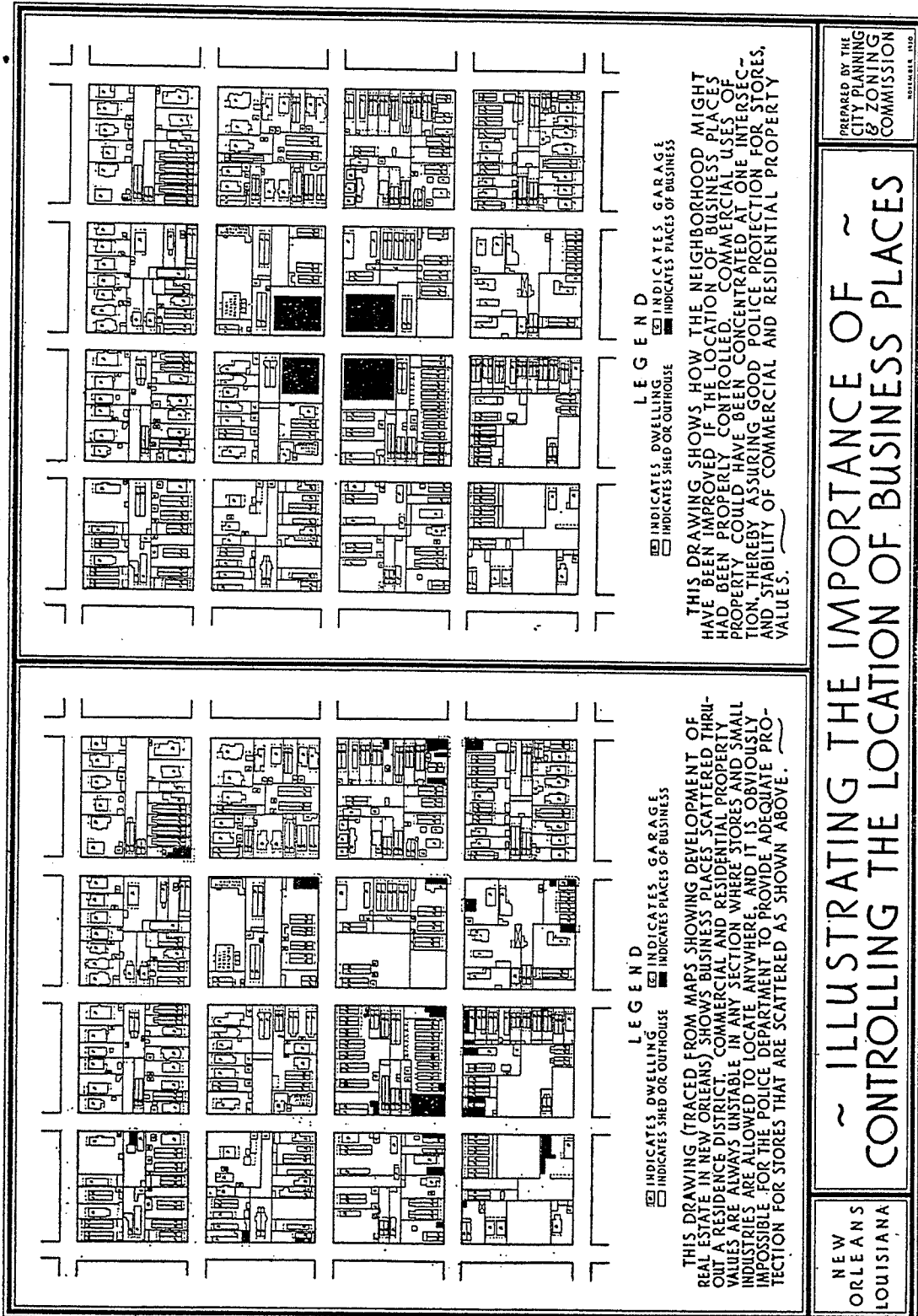


PLATE XIV

S A M P L E P L O T P L A N
(3 Copies Required)

The following is information to be put on plan:

1. Square numbers;
2. District numbers;
3. Lot numbers and measurements; house number, if available;
4. Square boundaries;
5. Distance from nearest square corner to nearest lot corner;
6. Location and size of proposed and existing buildings shown on lot with measurements to buildings from front property lines; side and rear lot lines (all to scale);
7. Applicant's name;
8. Application number;
9. Classification of building;
10. Zone District classification.



**PROCEDURE FOR AMENDING OR CHANGING THE ZONE LAW,
AND FOR VARIATIONS**

**Procedure for Amending or Changing the Zone Law and Functions of
City Planning and Zoning Commission and of the Commission
Council in Reference to This Procedure**

The Commission Council is the executive and legislative body which has the power to grant or refuse changes to the Zone Law.

However, the City Planning and Zoning Commission is an appointed board advisory to the Commission Council, and its fifteen members serve without compensation. Its duties on all City Planning and Zoning matters are fully outlined in States Acts 305 and 240 of 1926 and in Ordinance 9613 C.C.S. of February 25, 1927, as amended by Ordinance 14,093 C.C.S. of March 21, 1934.

As this advisory, technical body had worked on the preparation of the Comprehensive Zone Ordinance, and so is familiar with the details of the law and the main principles of its relation to the other phases of the general City Plan, it is natural that the Council, in providing for the manner in which this law may be amended, does avail itself of the technical advice of the City

Planning and Zoning Commission before making final decision on requests for changes to the Zone Law which is the fundamental basis on which the City Plan is to be built.

When a request or proposal for change in the Zone Law has been properly presented, advertised and posted, then the City Planning and Zoning Commission holds public hearings and forwards recommendations to the Council on such proposed changes to the Comprehensive Zone Ordinance maps or text.

This is all in accord with instructions from the Council by Ordinance 11,302 C.C.S., Section 27, and with the requirements of State Act 240 of 1926, Section 4, and also Sections 5 and 6.

The Commission Council then grants, denies or does not act on the case (see Ordinance 11,302 C.C.S., Section 27, for full Zone Law change procedure details).

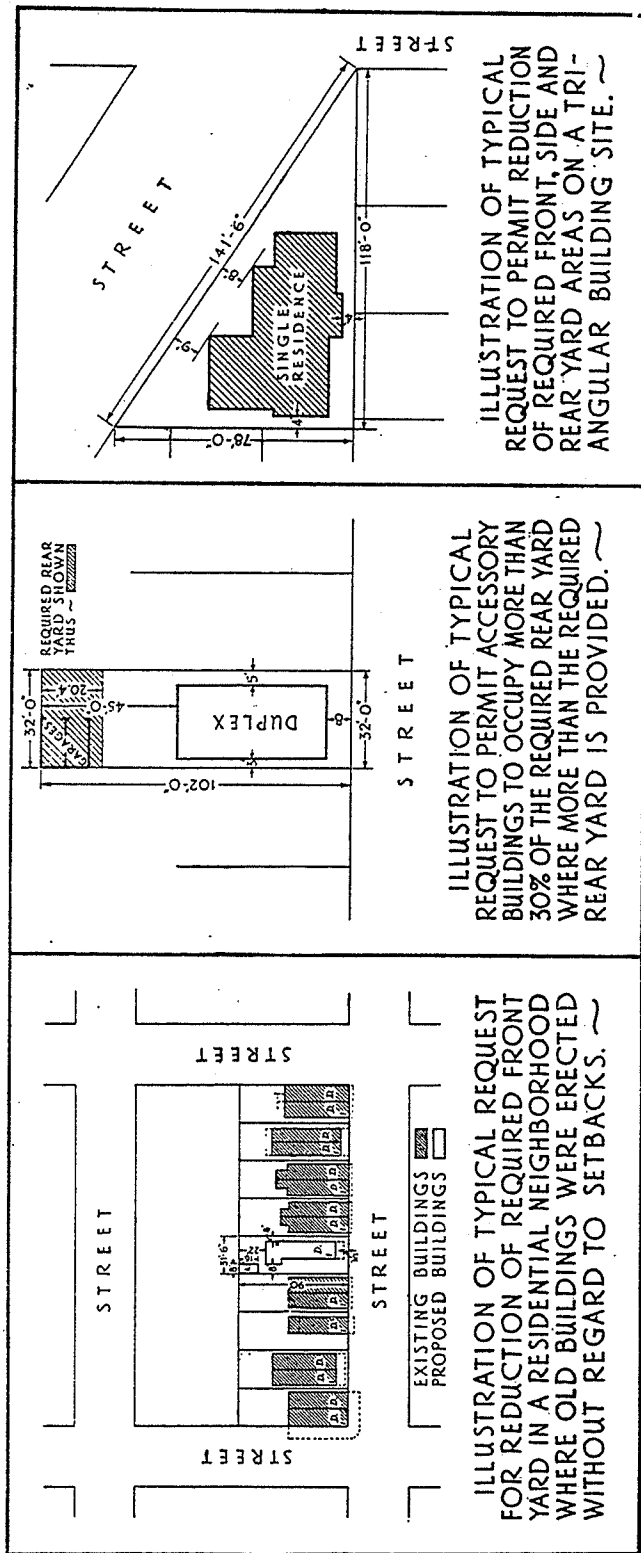


PLATE XVI
 THREE TYPICAL REQUESTS FOR APPLICATION TO THE
 ZONING BOARD OF APPEAL AND ADJUSTMENT

Procedure for Variations to the Zone Law
and
Functions of the Zoning Board of Appeal and Adjustment

(For details, see Act 240 of 1926, Section 7, and see Board's Secretary for their General Policy Rules and Ordinance 13,649 C.C.S. of March 23, 1932 creating said Board which consists of five members.)

The City Engineer enforces the zoning regulations, but he cannot legally adjust the law to give relief or grant any requested modification, even where peculiar conditions seem to merit special treatment.

Since one set law cannot always be equitably applied to all conditions in a large old city, a quasi-judicial board, the Zoning Board of Appeal and Adjustment, was created by the Commission Council. Although originally recommended as a part of the 1929 zone law, this board was created later by a separate ordinance. Requests for hearings and decisions on such special cases, and for rulings on the application of the zone law can be filed with this board. Special permits may be issued in order to prevent proven unnecessary hardships which may result from the strict enforcement of the law, when applied to freak or unusual cases.

For example, appeals can be taken to this Board by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer; or in all cases where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official or where there is any unnecessary hardship or practical difficulty in the way of carrying out of the strict letter of the ordinance.

The procedure to follow when a request for a variation has been decided upon is as follows:

After receiving a written refusal or denial of a permit from the City Engineer, the applicant then requests that the Zoning Board of Appeal and Ad-

justment consider that a variation or adjustment be made in the law as applied to his particular case.

The applicant's request and reasons must be clearly written on forms supplied for that purpose by the Board's secretary and his application must be accompanied by a plot plan and a map of the surrounding property, list of affected owners, etc., to accord with instructions given by the Board's Secretary.

The secretary of the Board notifies applicant and owners of the affected property in the vicinity as to the date of hearing, and the Board holds public hearings and investigates each case.

After consideration, the Board may make a variation or modification of the strict letter of the law, in cases where it deems that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance, and such decisions are authorized and the power conferred by Act 240 of 1926, when in harmony with the spirit or intent of the ordinance and when public safety and welfare are secured and substantial justice done.

However, State Act 240 provides procedure by which any person or persons aggrieved by the final decision of the Board of Adjustment, or any officer, department, board or bureau of the municipality, may, within thirty days, contest such decision through the district court of the parish or City. The court may allow a writ of certiorari and so require a review of the Board's decision before the court which may reverse or affirm, wholly or in part, or may modify the decision of the Board which was brought up for review.

Any objection to the ruling of the Civil District Court may be taken to the higher courts of the State and United States, when circumstances so warrant.

CAUTION AS TO OTHER LAWS

The Zoning Law, Ordinance 11,302 C.C.S., refers in Section 26 (relating to "Interpretation, Purpose and Conflict") to the fact that local regulations and laws other than the zoning law sometimes impose higher standards.

The Clerk of the Council, Second Floor, City Hall, has indexed records of special general welfare ordinances which have been adopted by City Authorities at various times to promote more healthy, orderly and peaceful living conditions, such as building and health laws and special laws applying to nuisances and hazards. These records can be consulted by any person interested in some particular matter.

The City Archives, Fourth Floor, City Hall, usually has copies of city ordinances available for distribution.

It would be impossible to list all such laws in this booklet, therefore only a brief review or reference is made in the following list to some of these laws which should be investigated as important to the general public, engineers, architects, contractors, builders and to attorneys who may be consulted for advice.

(1) **The revised Building Code, Ordinance 15,528 C.C.S. of March 11, 1942.**

Copies of this law may be obtained from the City Engineer's Office, Third Floor, City Hall.

This important ordinance governs the construction, removal, re-roofing, alterations, additions, repairs, cleaning, decorating, equipment of machinery, heating and air-conditioning of buildings and other structures. It also regulates the construction of balconies, show cases, signs, marquees and awnings, etc., over sidewalks and streets of the city, the use of or occupancy of streets and projections over public property. The regulation of fences, signs, billboards, elevators, dumb waiters, mechanical amusement devices, air-conditioning, mechanical refrigeration, light and ventilation and certain phases of sanitation are governed by this code.

Drive-in oil, gasoline and service station regulations are included in one chapter of the code together with certain requirements as to sizes for sites and as to the location of these sites in relation to the distance from schools and churches of certain types and attendance which various requirements were formerly regulated by several ordinances.

Rules and regulations for electrical and gas installation and smoke prevention are also contained in this code.

The building code contains special definitions for terms, preliminary requirements for permits, lot grading, drawings and specifications, sworn statements and fees, inspections, house numbering, and construction and demolition safety requirements, regulations for violations and penalties, and for a Board of Standards and Appeals.

The type of construction, height and area required or allowed by the Building Code law for buildings or structures differ according to the varying types of use or character and intensity of "occupancies", all as classified and listed by name and type within the law, graded from the heavy public or semi-public occupancy structures and hazardous business and industrial uses down to the lightest uses.

Engineering construction regulations are included in detail, together with rules for fire protection, including map of the City's special fire limit zones.

(2) **Another important law is usually called the "Fire Escape Law".**

This State Act 300 of 1926 provides that the designs or specifications of new buildings or others being altered, repaired or remodelled must be submitted for approval to the State Fire Marshal, in accord with certain detailed standards. The purpose of the Act is to provide fire-escapes by good and sufficient exits, stairways, suitable enclosures and other means, in order to afford safe and ample means of egress in case of fire or panic.

Information as to the State requirements on any fire hazard may be ob-

tained from the Fire Marshal's office in the New Court House Building on Royal Street between Conti and St. Louis Streets.

(3) Information on the Plumbing Rules can be obtained from the Sewerage and Water Board, 526 Carondelet Street, together with all regulations for sewerage, drainage, and water installation as adopted by that board in accordance with the provisions of Section 20 of Act 6 of 1899 as amended. (Also, see Board of Health laws, paragraph 11, of this list.)

(4) The Subdivision Law, Ordinance 8665 C.C.S., of September 2, 1925, regulates all subdivision of land in the city, together with Ordinance 9613 C.C.S. of February 25, 1927, amended by Ordinance 14,093 C.C.S. of March 21, 1934 (see Section 4), and State Planning Enabling Act 305 of 1926.

(5) The office of the Vieux Carre Commission is located at 534 Royal Street, and the Field Director can give details as to special regulations governing building operations, etc., in that section of the historic "Vieux Carre" section which is bounded by the River, the uptown side of Esplanade Avenue, the River side of Rampart Street and the lower side of Iberville Street.

For full details, see Section 22-A of Article XIV of the Constitution of Louisiana as added by Act 139 of the Regular Session of 1936. See Ordinance 15,085 C.C.S. of June 13, 1940, as amended by Ordinance 15,303 C.C.S. of May 20, 1941, which outlines the powers, duties and functions and procedure of the Vieux Carre Commission adopted to preserve the quaint and distinctive character of this district.

Within this area, plans and specifications shall be submitted to the Vieux Carre Commission (also to the City Engineer) for any work in the erection of new building or in the alteration or addition to, or painting or repainting or demolishing of any existing building, any portion of which is to front on any public street or alley in the Vieux Carre. The appearance, color, texture of materials and the architectural design of the exterior including the front, sides, rear, roof, party walls, court yard fence or

other dependency thereof and erection of signs are all regulated within that area by the above mentioned laws.

(6) Ordinance 11,298 C.C.S. of May 29, 1929 (as amended by Ordinance 14,207 C.C.S. of December 27, 1934) was adopted to remove and retire those show cases and show windows attached to and forming a part of any building or structure and which projects upon the public streets and sidewalks and affects the erection, construction or alteration of such show cases and show windows.

(7) A "traffic safety" law, Ordinance 12,955 C.C.S. of March 10, 1931, prohibits "drive in" places for the sale of food and drink on sites located within a 150 foot limit of traffic regulated intersections of certain paved, double roadway neutral ground streets.

(8) Persons seeking to construct, remodel or operate private markets for sale of fish, meat, game, shrimp, dressed fowl, etc., or for the sale of fruits and vegetables should consult with the City Engineer's Department, the City's Department of Public Markets and the City Board of Health as to the regulations fixing the distance their private markets should be located from public and from quasi-public market sites and also for regulations governing construction and sanitation.

(9) Dairy operators should check the "dairy limits" laws with the City Engineer's office against the use regulations of the Zone Law. This latter law is much stricter and often prohibits dairies where these would have been allowed by the dairy limit law.

The City Board of Health should be consulted as to sanitary and construction laws which are sometimes stricter than the zoning or other requirements.

(10) Those who wish to use open yards or lots or to erect structures such as stables, barns, sheds, cages, etc., thereon for the keeping of domestic animals or fowl such as cows, horses, goats, hogs, rabbits, chickens, pigeons, etc. (either as pets or for business purposes) should check with the City Engineer's Department as to regulations of the zone law and building code, and with the City Board of Health.

(11) The Board of Health for the Parish and City of New Orleans operates under power given to it by State Act and City Ordinances, and information on these regulations can be obtained from the main office of the City Board of Health, Second Floor, City Hall.

One of these laws is the Ratproofing Law (Ordinance 2512 C.C.S. of June 22, 1915) which was adopted as a precaution to protect public health, as rats are known to spread certain diseases. This law affects, to some extent, the construction of all buildings, out-houses, and other superstructures, stables, lots, open areas and other premises, sidewalks, streets and alleys in this city. Special sections relate to three classes of buildings, while other sections refer to kitchens in restaurants or hotels, to dairies and all places used for foodstuff storage; to warehouses, wholesale houses and to stables. In addition to the general regulation of the sanitary condition of open lot areas, streets, sidewalks and alleys, the stor-

age of lumber, boxes, loose iron, etc., and the construction of walks on and in yards, alleys, alleyways and streets are regulated.

In general, the various laws for health protection should be investigated not only for regulations affecting construction and plumbing, but for all other sanitary requirements, particularly by those who handle, manufacture, sell or store foodstuff and other merchandise.

The operators of slaughter houses, markets, stores, shops, stands, stalls, places in open lots and peddlers or hawkers on foot or in vehicles in transport on public streets and roadways, operators of hotels, restaurants, bakeries, markets, vegetable stands; by those who sell or prepare for sale such foodstuffs as fish, oysters and/or other shell fish, liquors, sirups, preserves and jams, etc., and who handle any milk products should investigate for any laws affecting their particular types of business.
