

DEPARTMENT OF SAFETY & PERMITS
CITY OF NEW ORLEANS


LATOYA CANTRELL
MAYOR

TAMMIE JACKSON
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HEALTHY HOMES ADMINISTRATION MEMORANDUM HH-24-02

DATE: 8 November 2024

FROM: Tammie Jackson, Director of Safety and Permits 

BY: Patrick Daurio, Healthy Homes Administrator
Mark Daniel Macnamara, Chief Zoning Official 

RE: Addressing and Zoning Compliance Reviews for Multi-family Buildings

The Department of Safety and Permits (DSP) has been asked by the Zoning Administration, Addressing Division, and Building Division to provide clarification regarding Healthy Homes Administration (HHA) procedures for issuing Certificates of Compliance for multi-family properties. In particular, there are cases when the Healthy Homes Ordinance and the Comprehensive Zoning Ordinance (CZO) may come into conflict with one another. We hope that this memorandum provides needed guidance and clarity to the administration, and to the public.

This memorandum rescinds HH-24-01, issued on 27 August 2024. The updated memorandum requires that requirements of Zoning are met *prior* to the issuance of a Healthy Homes Certificate of Compliance (HHCOC), and outlines those procedures. This memorandum also updates procedures for properties that do not meet Municipal Addressing Standards. This memorandum clarifies that applications for Certificates of Occupancy may be required in cases where DSP has reason to believe work was performed on the subject property without permits. This memorandum further clarifies that issuance of a HHCOC does not absolve an applicant from their responsibilities to comply with any applicable provisions of the CZO or the City Code.

Zoning Compliance: Article 1.4.C of the CZO states, “No portion or whole of any structure or land may be used or occupied, and no structure, in whole or in part, may be erected, constructed, reconstructed, moved, enlarged or structurally altered unless it conforms to the provisions of this Ordinance.”¹ As such, all rental dwelling units must comply with the CZO. By applying for a Certificate of Compliance with the Healthy Homes Administration, rental properties are subject to Zoning reviews to ensure that rental properties comply with the CZO.

As part of the Healthy Homes application process, the HHA requires that applicants for the HHCOC provide the number of dwelling units, rental units, and buildings on a particular lot of record, as well as a diagrammatic site plan.

¹ <http://czo.nola.gov/Article-1#1-4-C>

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In the course of reviewing applications, some subject properties may appear to conflict with the number of units on a property in the City's Land Management Database. For example, a property may list four units but only show a single Municipal Address in the Land Management Database.

In such a scenario, the HHA will review and research the established use of an applicant's stated number of dwelling units on a property by reviewing permit history and documentation or publicly accessible data such as Google Street View imagery. Evidence of established use shall be submitted to the Zoning Administration for review. If the evidence meets the requirements of an Established Multi-Family use per Article 20.3.W of the CZO², the Zoning Administration will issue an appropriate Zoning Determination memo.

Should a situation arise where the HHA research finds that a subject property does not meet the requirements for an Established Multi-family use, HHA staff shall request the Zoning Administration to provide instructions for the applicant to secure compliance with city ordinances. This may include, but is not limited to, instructing the applicant to apply for a Zoning Determination. In certain instances where it appears work was performed without permits, applicants will be instructed to apply for a building permit application in order to initiate a building inspection and obtain a Certificate of Occupancy.

Only when the applicant has obtained the required documentation, either in the form of a Zoning Determination Memo or a Certificate of Occupancy, shall the HHA issue a Healthy Homes Certificate of Compliance.

Should a property owner fail to obtain a Zoning Determination Memo or Certificate of Occupancy for the subject rental property once instructed, this would provide the Healthy Homes Administration cause not to issue or renew a Certificate of Compliance, per Sec. 26-661 (e) of the Healthy Homes Ordinance.³ Per Sec. 26-660, "It shall be unlawful for any person who does not possess a valid certificate of compliance to permit occupancy of a rental housing unit in Orleans Parish."⁴ Per Sec. 26-670, Continued occupation of a rental property without a Certificate of Compliance is a violation, subject to enforcement, penalty, and tax liens, as provided for in the applicable provisions of state law.⁵

² <http://czo.nola.gov/Article-1#1-4-C>

³ https://library.municode.com/la/new_orleans/codes/code_of_ordinances?nodeId=PTIICO_CH26BUBUREHOST_ARTXIIIHEHOPR_DIV2RERE_S26-661RESURE

⁴ https://library.municode.com/la/new_orleans/codes/code_of_ordinances?nodeId=PTIICO_CH26BUBUREHOST_ARTXIIIHEHOPR_DIV2RERE_S26-660OCREHOUNWICEOPR

⁵ https://library.municode.com/la/new_orleans/codes/code_of_ordinances?nodeId=PTIICO_CH26BUBUREHOST_ARTXIIIHEHOPR_DIV3EN_S26-670VIOTHE

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Addressing Compliance: Healthy Homes Certificates of Compliance are processed by lot of record; however, each individual *residential dwelling unit* address is listed both on documents provided by applicants and listed on the Certificate of Compliance itself. **Dwelling unit addresses are expected to comply with Admin Rule 16-02 “Municipal Addressing Standards for Existing and Proposed Development,” which governs Municipal Addressing.**⁶

Upon receipt of a complete application that meets all criteria for eligibility for the HHCoC pursuant to Sec. 26-661, and providing there are no outstanding Zoning compliance issues, the Healthy Homes Administration will issue Certificates of Compliance for properties as submitted by applicants that do not meet the Municipal Addressing Standards for the initial registration process. An example would be a multi-story, multi-family property that lists “Apts A, B, C, and D,” instead of “Apts 1A, 1B, 2A, 2B,” correctly indicating the level of entry.

Any property that is found to not meet the Municipal Addressing Standards shall be notified by the Healthy Homes Administration that the dwelling unit addresses must be verified and corrected in accordance with the Municipal Addressing Standards **prior to any renewal of the HHCoC**. Renewal of the HHCoC is contingent upon a successful completion of required addressing changes, or a written withdrawal of the address change request by the Addressing Division.

⁶ <https://nola.gov/nola/media/Safety-and-Permits/regulations/Municipal-Addressing-Standards-for-Existing-and-Proposed-Development.pdf>