

# City Of New Orleans Short Term Rental Regulations

The University of Kentucky

May 28, 2020

Ashley J. Becnel

Chief Zoning Official

Department of Safety and Permits



**City of New Orleans**  
Mayor LaToya Cantrell

# Chief Zoning Official

- Oversee all matters relative to the application, administration, and enforcement of the City's zoning laws, STR programs, administrative adjudications, and alcoholic beverage outlets
- Present appeals to the Board of Zoning Adjustments
- Work closely with City Planning and City Council to ensure that policies are crafted to ensure enforceability
- Work closely with Law Department to uphold enforcement actions against legal challenge
- Lately: STRs, Inclusionary Zoning, Expanding Outdoor Dining

# History of New Orleans STR Regulations

August 2015:  
Council directs  
CPC to study  
STRs



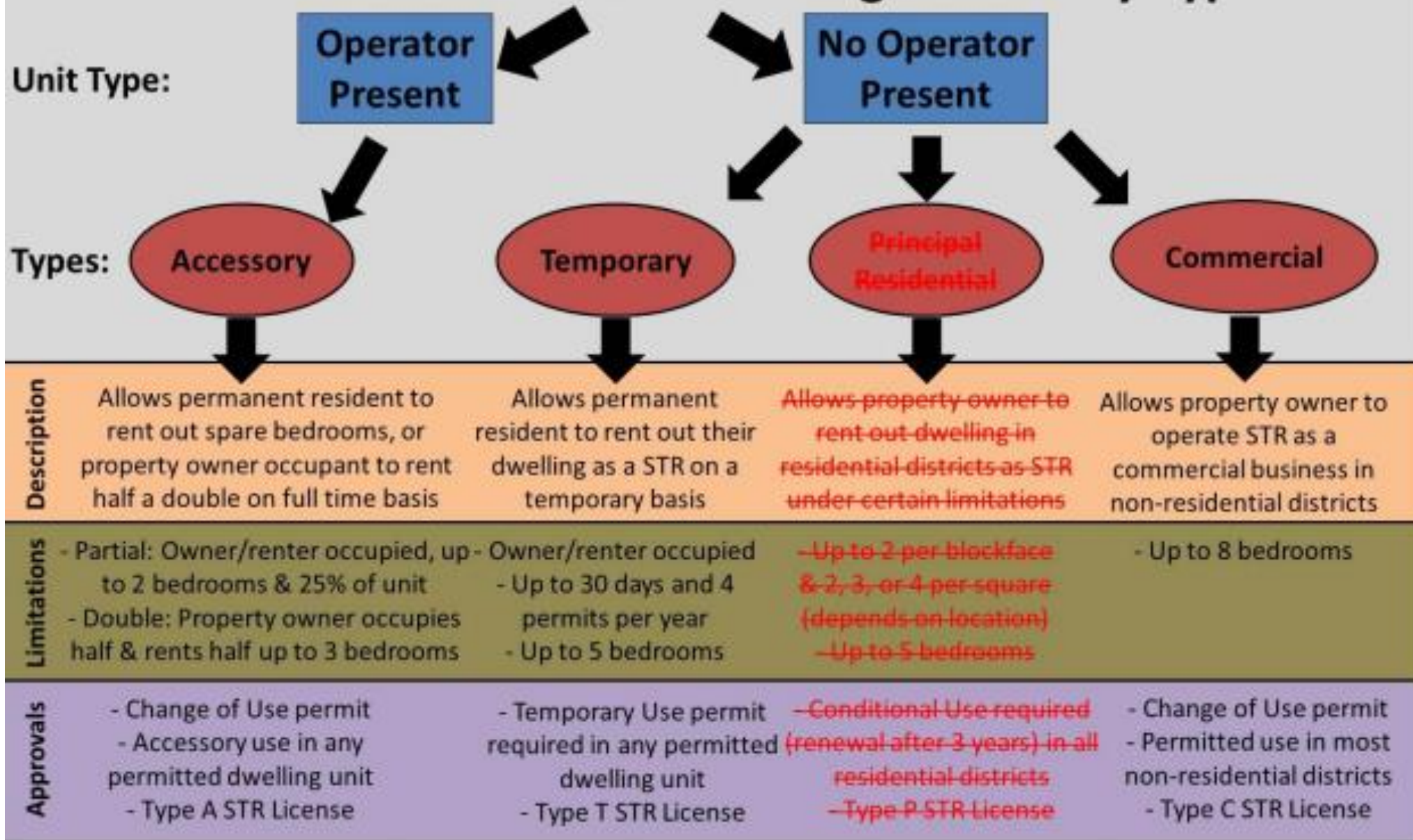
**BE IT FURTHER MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is hereby directed to include the following subject matter in the study, without narrowing its breadth as described above:

1. Whether a more appropriate definition of the use currently referred to as “Short Term Rentals” should be amended into the Comprehensive Zoning Ordinance of the City of New Orleans, such as a bifurcated definition similar to that of “Bed and Breakfast”;
2. Whether the definition of Short Term Rentals, or any amended definition, should include a limitation on the size of any permitted Short Term Rental, such as a limitation on the number of bedrooms or dwelling units that may be rented per lot of record;
3. Where the use currently referred to as “Short Term Rentals” should be prohibited, a conditional use, or a permitted use;
4. If any supplemental use standards are necessary to further regulate such use;
5. If it is appropriate to create a temporary use (as contemplated in Article 21.8) and any additional specific requirements for either the use currently referred to as “Short Term Rentals” or a subcategory of short term rentals if the recommended definition is bifurcated;
6. If there is a set of best practices that has developed based on short-term-rental regulations recently enacted by local governmental entities around the United States, or a set of recommendations to be made by the City Planning Commission based on its study of such recently enacted regulations; and
7. Whether and how the Council should amend the City’s bed-and-breakfast regulations in conjunction with any amendments to the City’s short-term-rental regulations.

# History of New Orleans STR Regulations



# Short Term Rental Land Use Regulations by Types



# History of New Orleans STR Regulations



**Short Term Rental.** Rental of all or any portion thereof of a residential dwelling unit for dwelling, lodging or sleeping purposes to one party with duration of occupancy of less than thirty (30) consecutive days. Hotels, motels, bed and breakfasts, and other land uses explicitly defined and regulated in this ordinance separately from short term rentals are not considered to be short term rentals. Common bathroom facilities may be provided rather than private baths for each room. A short term rental is further defined as follows:

**Short Term Rental, Accessory.** Either (i) an owner occupied dwelling with a principal use as a permanent dwelling unit and which rents no more than three (3) guest rooms and six (6) total guests for overnight paid occupancy as an accessory use, or (ii) an owner-occupied two-family dwelling in which one unit of the two-family dwelling is occupied by the owner with a principal use as the owner's permanent residential dwelling unit and which the other unit of the two-family dwelling is rented with no more than three (3) guest rooms and six (6) total guests as an accessory use. Only one accessory short term rental shall be permitted in any two-family dwelling. For either type of accessory short term rental, the owner shall occupy the unit and be present during the guest's stay.

**Short Term Rental, Temporary.** A residential dwelling which rents the entire unit with no more than five (5) guest rooms for overnight paid occupancy as a temporary use not to exceed ninety (90) days per year, except in the Vieux Carre, the area generally bounded by: Iberville St., N. Rampart St., Esplanade Ave., and the Mississippi River, where Temporary Short Term Rentals shall be prohibited. No owner or resident is required to be present during the guest's stay.

**Short Term Rental, Commercial.** An entire dwelling unit in a non-residential district that rents no more than five (5) guest rooms for overnight paid occupancy.



## **Sec. 26-613. - Permit and license—Created and required.**

(a) An annual short term rental license permit may be issued to eligible applicants by the department of safety and permits, upon consultation with the executive director of the city planning commission. A short term rental license permit is a privilege, not a right, and may be revoked or not renewed based on non-compliance with the requirements of the Comprehensive Zoning Ordinance, or the requirements provided herein. There shall be three license categories, as defined by the Comprehensive Zoning Ordinance:

- (1) Type A license for accessory short term rentals;
- (2) Type T license for temporary short term rentals; and
- (3) Type C license for commercial short term rentals.

(b) No property shall be utilized as a short term rental, as defined by the Comprehensive Zoning Ordinance, without an authorized short term rental license permit. No Type A or Type T license permit for accessory or temporary short term rentals is valid or shall be issued in the Vieux Carré, the area bounded by: Iberville St., N. Rampart St., Esplanade Ave., and the Mississippi River.

(c) Any holder of a short term rental license permit issued pursuant to this article shall maintain on file with the department of safety and permits a current address of a natural person in Orleans Parish on whom service may be made, including without limitation the service of legal notices and lawsuits related to the operation of short term rentals and/or compliance with this article and/or applicable provisions of the Comprehensive Zoning Ordinance. Service upon the person on file shall be deemed effective service upon the holder of the short term rental license permit. Any juridical person holding a short term rental license permit shall be qualified to do business in the State of Louisiana. Failure to comply with this provision or to keep current the agent for service shall be grounds for revocation of the short term rental license permit.

**Sec. 26-620. - Platform data sharing.**

(a) Short term rental hosting platforms that list short term rentals in the City of New Orleans must provide certain information about activity on the platform on a monthly basis. This information includes:

- (1) The total number of short term rentals listed on the platform during the applicable reported period;
- (2) The total number of nights that each listing on the platform was rented to guests during the applicable reporting period;
- (3) A cumulative tally to date of the number of nights that each listing on the platform is booked for rental during the remaining months of the applicable calendar year;
- (4) A notation indicating the permit type for each listing; and
- (5) The total amount of tax collected by the platform and remitted to the city.

In providing the information required by this subsection, the short term rental hosting platform is not required to provide personally identifiable information.

(b) The city shall have the authority to subpoena information from short term rental hosting platforms. Any such administrative subpoena shall:

- (1) Be submitted in writing by the city attesting that the city has a reasonable belief based on evidence that a short term rental may be in violation of this article or of applicable provisions of the Comprehensive Zoning Ordinance;
- (2) Be sent to the short term rental hosting platforms via regular and certified mail; and
- (3) Be related to a specific investigation by the city relating to a single short term rental that is specifically identified in the subpoena, and alleges the specific violations of this article or of the applicable provisions of the Comprehensive Zoning Ordinance.

The platform shall notify their user of the information requested in the subpoena within ten days of receipt of the subpoena and produce the responsive records within 21 days of providing notice to the user, except to the extent that the user has sought relief in a court of competent jurisdiction.

(c) For purposes of this article, short term rental hosting platforms are defined as any marketplace that facilitates short term rentals, as defined in the Comprehensive Zoning Ordinance, through advertising, matchmaking or other means, from which the platform derives revenues, including booking fees or advertising revenues, from or maintaining the marketplace.

**“Sec. 150-411. - Definitions.**

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*Dealer* includes every person who:

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- (7) Sells or furnishes any of the services subject to tax under this article or who is engaged in the collecting the amount required to be paid by a transient guest as a condition of occupancy at a residential location as provided herein. For purposes of this article, dealer shall not include persons leasing apartments of single-family dwellings on a month-to-month basis.

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*Hotel* means and includes any establishment or person engaged in the business of furnishing sleeping rooms, cottages, or cabins to transient guests, where such establishment consists of sleeping rooms, cottages, or cabins at any of the following: (1) a single business location; (2) a residential location, including but not limited to a house, apartment, condominium, camp, cabin, or other building structure used as a residence. For purposes of this article, hotel shall not mean or include any establishment or person leasing apartments or single-family dwellings on a month-to-month basis.

### **Sec. 70-415.1. - Created.**

There is hereby created a special fund designated as the City of New Orleans Neighborhood Housing Improvement Fund (hereinafter "NHIF"), into which shall be deposited all proceeds of the special tax authorized by Proposition D of R-91-100; and any other funds designated by lawful authority for deposit in the fund, including \$1.00 of revenues collected relative to the nightly occupancy of short term rentals, as defined in the Comprehensive Zoning Ordinance.

### **Sec. 70-415.2. - Appropriations.**

Appropriations from the proceeds of NHIF shall be used to achieve improved housing conditions and neighborhood stability in the following manner:

- (1) Provide financing and other assistance for home ownership opportunities for families and individuals in existing structures;
- (2) Promote neighborhood stability by eliminating blight via remediation and rehabilitation;
- (3) Provide financing and other assistance for safe, affordable rental housing, provided that rental properties assisted with the proceeds of this fund shall be rented to low- and moderate-income persons/families for a minimum of ten years after receipt of assistance from this fund, and that developments comply with the regulations of the Comprehensive Zoning Ordinance.

WHEREAS, the City and Airbnb desire to accomplish a valuable public purpose of facilitating the collection of Hotel Tax on Taxable Booking Transactions by allowing Airbnb to collect taxes from Hosts and remit said Hotel Tax to the City on the Hosts' behalf.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS, PROMISES AND AGREEMENTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

(A) Solely pursuant to the terms and conditions of this Agreement, including only for periods in which this Agreement is effective (defined below), and solely for Taxable Booking Transactions completed on the Platform, Airbnb agrees contractually to assume the duties and rights of a Hotel Tax "dealer" or "operator," as described in the applicable Code (hereinafter collectively referred to as a "**Dealer**"), for the exclusive purpose of reporting, collecting, and remitting Hotel Tax pursuant to the terms of this agreement

(B) Starting on January 1, 2017 (the "**Effective Date**"), Airbnb agrees to commence collecting and remitting Hotel Tax, pursuant to the terms of this Agreement, at the applicable rate, on Taxable Booking Transactions. Except as set forth in Paragraph (L) below, Airbnb shall not assume any obligation or liability to collect Hotel Tax for any period or for any transaction prior to the Effective Date or termination of this Agreement.

#### **REMITTANCE OF HOTEL TAX**

(C) Airbnb agrees reasonably to report aggregate information on the tax return form prescribed by the Taxing Jurisdiction, including all Hotel Tax that is subject to the provisions of this Agreement, and it shall remit all Hotel Tax collected from Guests in accordance with this Agreement and Airbnb's Terms of Service ([www.airbnb.com](http://www.airbnb.com)) (the "**TOS**") on a monthly basis.


# History of New Orleans STR Regulations



May  
07  
2018

## New City Council members hold first meeting after swearing-in (live coverage)

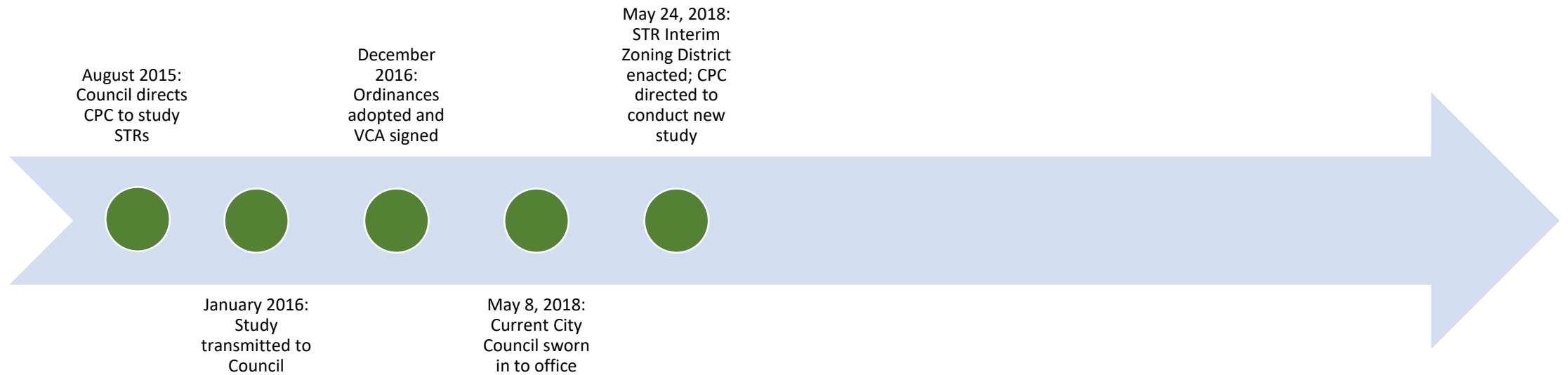
 Posted by Robert Morris at 11:45 am

 city government

The new council members also took the opportunity to acknowledge the massive challenges facing the city. As an at-large member, Moreno said she will focus on poverty and inequality in economic opportunity, lack of basic city services and pervasive violent crime.

“Our neighborhoods are also changing. Some neighborhoods feel like they are just completely forgotten, and of course we have some neighborhoods that feel like they are being completely overrun by tourists,” Moreno said. “Be aware that I will making sure that our neighborhoods that feel underserved finally get the attention that they do deserve, and also that our neighborhoods are desirable and affordable places for New Orleanians to live in, and not just for tourists to go and visit.”

# History of New Orleans STR Regulations





19.4.A.1.H SHORT TERM RENTAL INTERIM ZONING DISTRICT

Intent. The intent of the Short Term Rental Interim Zoning District is to temporarily prohibit the issuance or renewal of certain types of Short Term Rental permits or licenses while the City Planning Commission studies the impact and considers revisions to the existing Short Term Rental regulations.

Boundaries. The Short Term Rental Interim Zoning District applies to the Historic Core and Historic Urban zoning districts, both residential and non-residential, the Central Business District zoning districts, the MU-1 Medium Intensity Mixed-Use District, and the MU-2 High Intensity Mixed-Use District.

Limitation on Uses. The Short Term Rental Interim Zoning District prohibits:

- Any issuance or renewal of a Temporary Short Term Rental permit or license, effectively modifying Article 21, Section 21.8.C.
- Any issuance of a Commercial Short Term Rental permit or license for STR-use on the first floor of a multi-story, multi-family, non-residential, or mixed-use building, with the exception of single-family dwellings and two-family dwellings, effectively modifying Article 10, Section 10.2.A - Permitted and Conditional Uses, Article 12, Section 12.2.A - Permitted and Conditional Uses, Article 15, Section 15.2.A - Permitted and Conditional Uses, and Article 17, Section 17.3.A - Permitted and Conditional Uses.

Submittal Requirements. Every appeal shall be made on the forms provided by the City, and shall be accompanied by the payment of the appropriate filing fee, and the data required in such form. The completeness of appeal application shall be determined and the appellant or applicant shall be appropriately notified in accordance with Article 3, Section 3.2.B. of the Comprehensive Zoning Ordinance. The Executive Director of the City Planning Commission may request from the appellant or applicant such additional information and data as may be required to fully advise the Commission, whether such information and data is called for by the official forms or not.

Appeal Procedure. Appeals shall be submitted to the Executive Director of the City Planning Commission, whose staff shall review and make recommendations relative to the appeal within sixty (60) days of receipt, utilizing the following review standards:

- Is the required appeal compatible with the surrounding land uses and structures?
- Does the requested appeal provide for an efficient use of land?
- Will granting the requested appeal increase traffic and safety hazards?
- Does the requested appeal provide for an efficient parking layout?
- Will the requested appeal increase community environmental impacts?

The Council shall have sixty (60) days from receipt of recommendation to approve, deny, or modify the appeal recommendation by motion.

**WHEREAS**, the Council of the City of New Orleans has adopted a series of ordinances to define, categorize, and regulate Short Term Rentals (STR), which became effective April 1, 2017; and

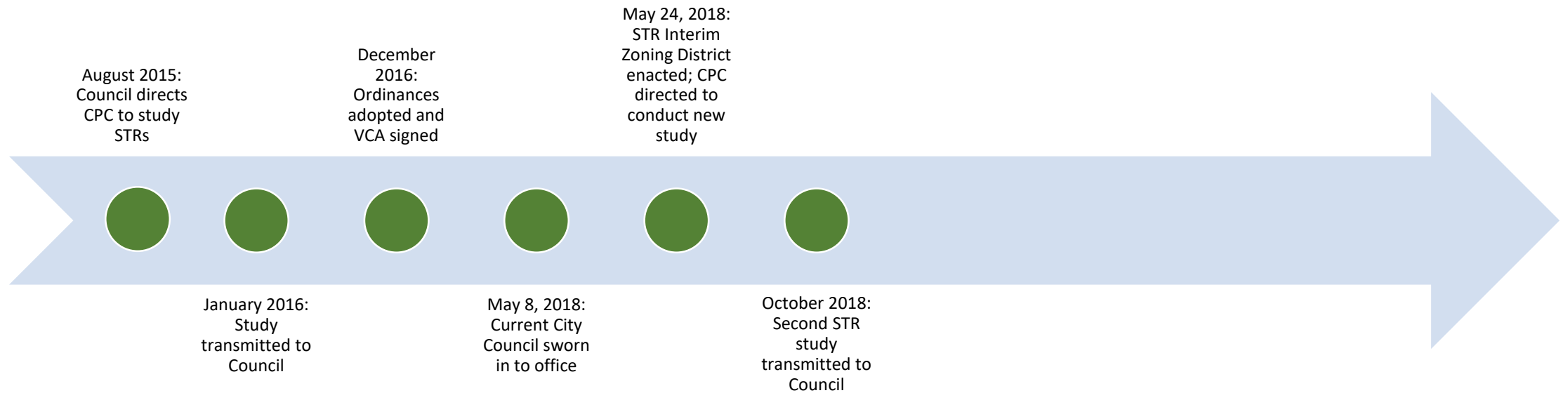
**WHEREAS**, over a year has passed since these initial regulations have become effective, providing sufficient data to analyze STR laws to determine community impact; and

**WHEREAS**, this Council desires to have the City Planning Commission (CPC) further study the impact of STRs, utilizing the City's existing regulations and STR data, to determine if amendments to existing laws are warranted or necessary, and if existing regulations should be modified to reduce any unintended secondary effects of STRs relative to the residential fabric of the City; and

**WHEREAS**, the prior City Council submitted a motion for a Short Term Rental Study, via M-18-86, which has led the CPC to undertake a thorough study, but the existing Council desires to provide additional guidance to the CPC and tailor the study scope prior to the finalization of a complete STR study; **NOW THEREFORE**

- Platform accountability
- Changes to STR categories
- Revisions to zoning categories
- Updates to the fee structure
- Remedies to illegal operation of STRs
- Additional or new prohibitions
  - Capping measures
  - Homestead exemptions

# History of New Orleans STR Regulations



# Short Term Rental Study – 2018 Ed.

City of New Orleans



## City Planning Commission

Robert D. Rivers, Executive Director

Leslie T. Alley, Deputy Director

Prepared on: **September 18, 2018**

Revised on: **October 5, 2018**

### Prepared By:

Brooke Perry

Kelly Butler

Rachael Berg

Paul Cramer

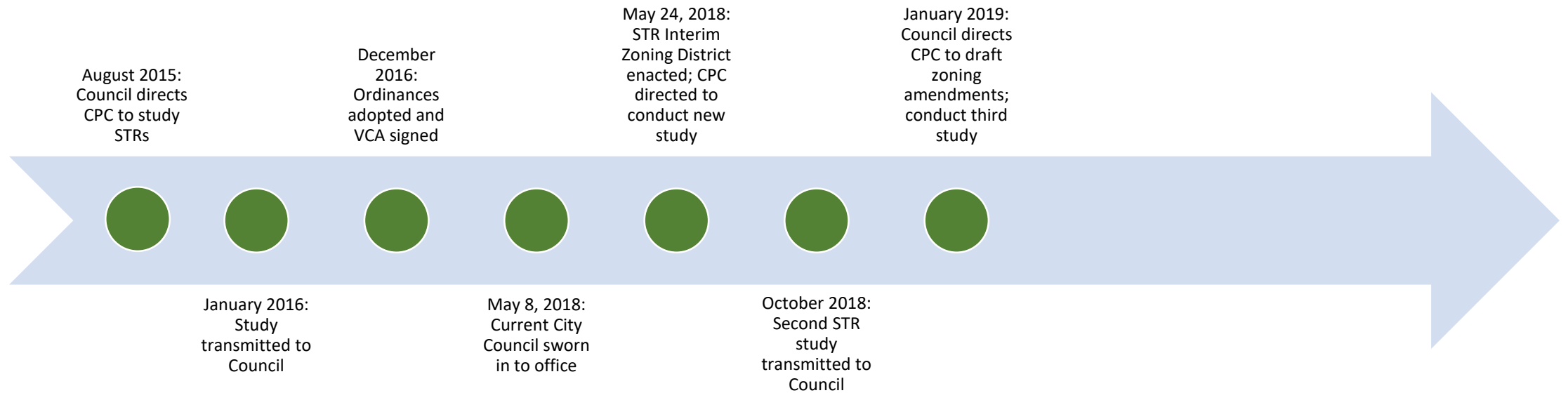
James Gillie

Nicholas Kindel

Larry W. Massey, Jr.

<https://www.nola.gov/getattachment/City-Planning/Major-Studies-and-Projects/2018-Short-Term-rental-Study/Reports-and-Presentations/Final-STR-Study-10-3-18.pdf/>

# History of New Orleans STR Regulations



**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is hereby directed to conduct a public hearing to consider amendments to Ordinance No. 4264 M.C.S., amended by Ordinance No. 26,413 M.C.S., as amended, the Comprehensive Zoning Ordinance of the City of New Orleans, to incorporate certain recommendations and initiatives contained in the 2018 “Short Term Rental Study”, to specifically provide desired CZO text amendments as follows:

- **Establish only two categories for short term rental permitting/licensure and land use – “Residential” and “Commercial”.**

- **Residential Short Term Rental License – one type – which is valid in residential zoning districts, subject to the following requirements:**

1. A valid, homestead exemption for the licensed property;
2. Up to three licenses per lot of record or parcel (appropriate terminology to be recommended by the City Planning Commission); and
3. Limit rentals to up to three rooms and six total guests per unit.

- **Commercial Short Term Rental Licenses – four types - which are valid in mixed-use and commercial zoning districts, subject to the following requirements:**

- a. Commercial License – Single Unit**

- 1. A valid, homestead exemption for the licensed unit; and
    2. Limit rentals to up to three rooms and six total guests per unit.

- b. Commercial License – Small Scale**

- 1. Less than five total licensed units; and
    2. Limit rentals for up to five rooms and ten guests per unit.

JAN 11 3

- c. Commercial License – Large Scale Commercial Type 1**

- 1. Five (5) to forty-nine (49) residential units on one lot of record or parcel; and
    2. Up to five rooms and ten guests per unit.

- d. Commercial License – Large Scale Commercial Type 2**

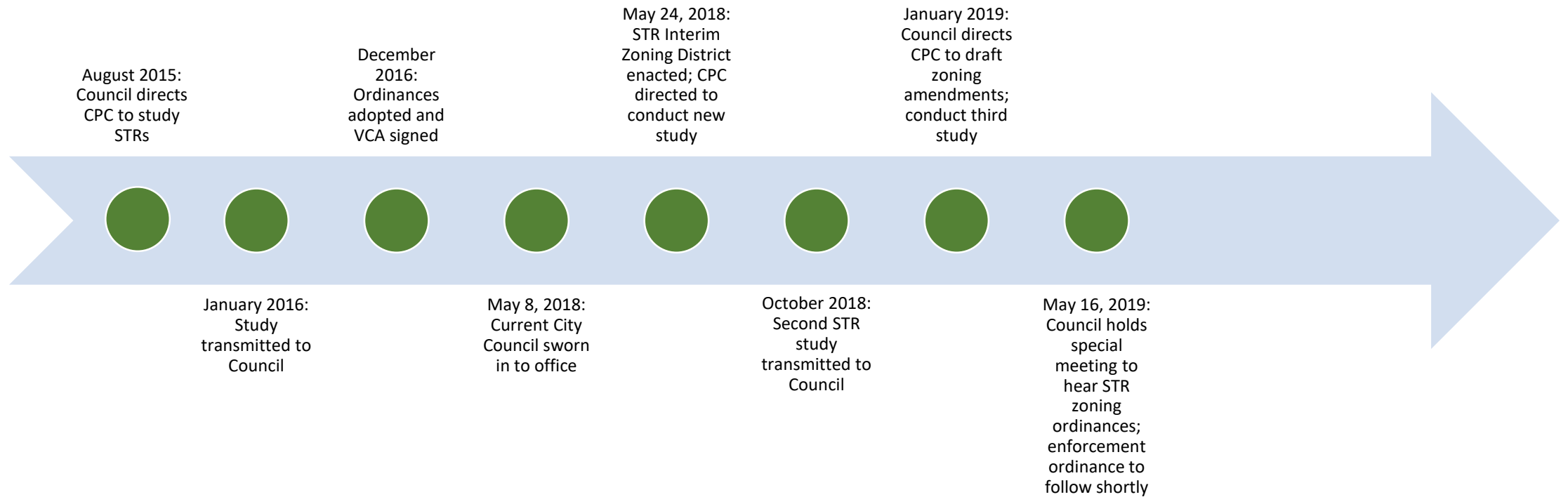
- 1. Fifty (50) or more residential units on one lot of record or parcel; and
    2. Up to five rooms and ten guests per unit.

**BE IT MOVED BY THE COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is hereby directed to conduct a study on the possibility of special programs or conditions that would allow for the issuance of two or more Residential STR licenses to a single license holder to incentivize economic development in certain areas of the City, without imposing secondary effects relative to its residential fabric. In the course of its study and review, the CPC should analyze data specific to New Orleans, as well as the cause and effect of similar programs in other cities. CPC should consider and recommend provisions including but not limited to:

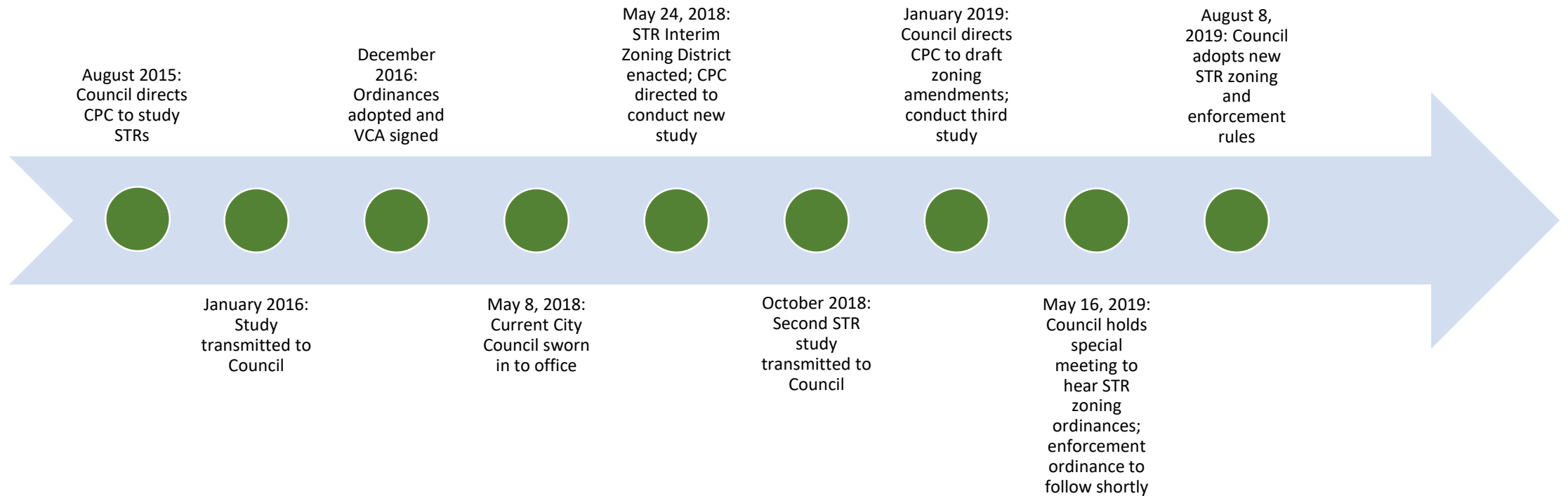
- The creation of an Economic Development Incentive STR Zone, possibly to be created as an overlay zoning district;
- The size of any such zone;
- The cap on the number of Residential STR licenses per owner within any such zone; and
- The possibility of a “grandfather” provision to allow any existing or prior Temporary or Commercial license holders whose license lapsed during the pendency of the Short Term Rental Interim Zoning District to regain one or more licenses for use in the Economic Development Incentive STR Zone.



# History of New Orleans STR Regulations



# History of New Orleans STR Regulations



- Residential Permits:
  - Partial-Unit Residential: one bedroom for full-time occupant
  - Small Residential: rental of one additional dwelling unit on lot; 4 dwelling units per lot maximum
  - Large Residential: rental of up to three additional dwelling units on lot; blockface restrictions apply

## ALL RESIDENTIAL PERMITS REQUIRE HOMESTEAD EXEMPTION

- Commercial Permits
  - Limited to 1 unit or 25% of dwelling units on lot, whichever is greater
  - Prohibited on ground floor of multi-story structures

# Enforcement and Administration Challenges

- Departmental Memorandum of February 15, 2019
- Issues:
  - Pass-through registration
  - Monthly data remission
  - Subpoena responses
  - Platform cooperation under IZD
  - 90 Day Limit

# Top Ten Violations

1. Advertising and/or renting over capacity
2. Disturbing the neighbors
3. Commercial and/or social events
4. Renting without a license (none issued, expired, revoked or within IZD)
5. No supervision (24/7 contact unavailable)
6. Not posting license or listing license number
7. "Running out" existing rentals
8. Misrepresenting the property/unpermitted conversions
9. Advertising non-bedrooms as bedrooms
10. Poor trash maintenance

# Top Ten Loopholes

1. Using applications or legal mechanisms as a delay tactic
2. “Property managers” as separate from owners/license-holders
3. Absorbing fines as an acceptable cost of business
4. Listing an un-identifiable property
5. Using a false license number or “stolen” photos in listings
6. Using a licensed property to rent an unlicensed property
7. Disguising a short term rental as a long term rental/tenants STR renting
8. Relying on platform non-cooperation to continue improper advertising
9. Platform-jumping and bespoke platforms
10. Neighbor disputes disguised as STR complaints

Honorable mention: Lack of public information/willful ignorance

**Sec. 26-615. - Short-term rental permits required.**

(a)

No dwelling unit in Orleans Parish shall be used as a short-term rental unless:

(1)

The owner of the dwelling unit possesses a valid and current short-term rental owner permit issued for the dwelling unit in accordance with Division 2 of this article, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and

(2)

The owner has designated an operator possessing a valid short-term rental operators permit, issued in accordance with Division 3 of this article, and such operator fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental.

(b)

No platform shall facilitate or conduct any booking transaction for a short-term rental in Orleans Parish without first obtaining and maintaining a short-term rental platform permit issued in accordance with Division 4 of this article.

# Legal Issues

[Airbnb, Inc. v. City and County of San Francisco, 217 F.Supp.3d 1066 \(2016\)](#)

[Homeaway.com, Inc. v. City of Santa Monica, 918 F.3d 676 \(2019\)](#)

[Airbnb, Inc. v. City of New York, 373 F.Supp.3d 467 \(2019\)](#)

- Federal law governing internet sites
  - Sharing user data with government entities
  - Regulating user content
- 4<sup>th</sup> Amendment issues with government data sharing requirements

[Wheelahan v. City of New Orleans, Case No. 19-11720; E.D.La. \(2020\)](#)

- Takings
- Freedom of association
- Freedom of speech
- Illegal search and seizure
- Commerce clause violations



# Enforcement

## Owner Duties:

- Ensure the STR is covered by a \$1,000,000 commercial general liability insurance policy;
- Maintain the STR guest registration records, including dates of occupancy, number of guests per party per stay, and rates charged;
- Ensure that any advertisement or listing of their STR contains:
  - The STR Owner Permit number
  - The STR Operator Permit number
  - Whether the STR unit is wheelchair accessible or otherwise ADA-compliant
  - The number of permitted Guest Bedrooms in the STR unit
  - The maximum permitted occupancy of the STR unit;
- Ensure dwelling and occupancy limits set forth in the CZO and CCNO and observed;
- Post a copy of the Owner Permit in a location visible to both guests and neighbors,
- Post, in a location visible and legible to guests, an evacuation diagram showing fire escapes and all means of egress from the STR Unit and from the building in which the STR Unit is located;
- Post, in the interior of the STR Unit, trash disposal and recycling collection days;
- Ensure that the STR Unit complies with the following standards:
  - Walls, ceilings, floors, windows, fixtures and furnishings clean and in good repair;
  - All rooms are well lit and ventilated, and have adequate heating and cooling;
  - Guests are furnished with clean towels, washcloths, and linens in good condition;
  - All dishes and cooking utensils are provided in a safe and sanitary condition;
  - All perishables left by guests are disposed of at the end of each STR stay;
  - The STR has a working fire extinguisher, smoke alarms, and carbon monoxide detectors and otherwise complies with all applicable fire codes;
  - The STR has working locks at all points of entry, operable by STR guests;
  - All provisions of [the CZO](#), [Minimum Property Maintenance](#) and [Building Codes](#);
- Ensure that the STR Unit is not used for any unpermitted commercial purpose;
- Timely report any known or suspected criminal activity by a guest to the NOPD;
- Submit to inspections authorized by [CCNO Sec. 26-624](#);
- Ensure that the permitted Operator, during all periods of guest occupancy, is available by telephone and able to be physically present at the STR within an hour of being contacted;
- Serve as the point of contact for guests;
- Receive and timely resolve complaints from neighbors regarding disruptive STR use;
- Timely remit all applicable local, state, and federal taxes and City fees;
- Comply with all other applicable laws, including but not limited to the [CZO](#) and [CCNO](#).

# Enforcement

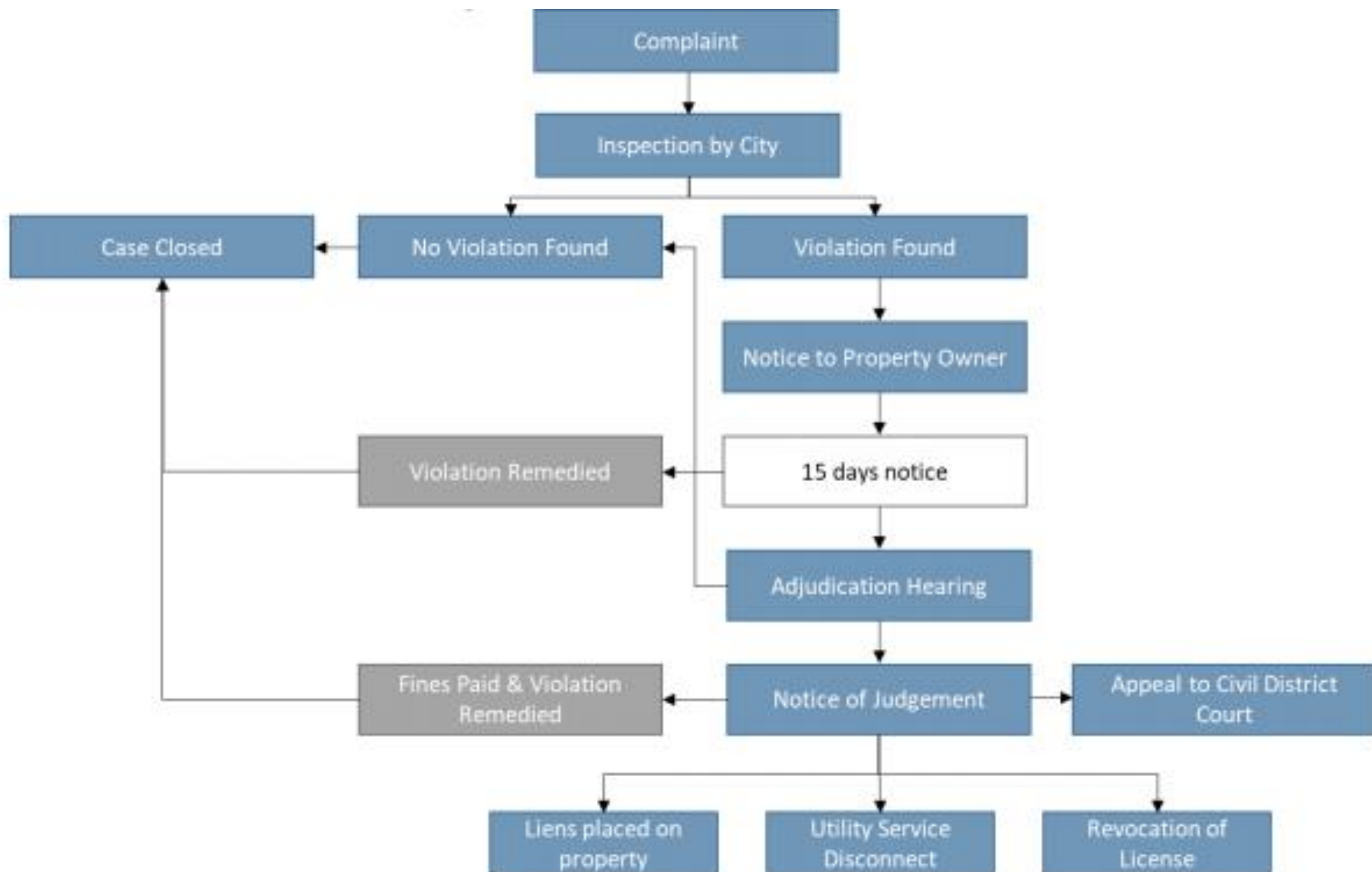
## Operator Duties

- Be accessible by telephone during all periods of STR occupancy and able to be physically present at the STR within one hour of being contacted, including nights and weekends;
- Serve as the point of contact for Guests;
- Receive and timely resolve complaints from neighbors regarding disruptive STR use;
- Ensure full compliance with recordkeeping requirements of [CCNO Sec. 26-618\(A\)\(2\)](#);
- Ensure full compliance with advertising requirements of [CCNO Sec. 26-618\(A\)\(3\)](#);
- Ensure full compliance with dwelling and occupancy limits of [CCNO Sec. 26-618\(A\)\(4\)](#);
- Ensure full compliance with posting requirements of [CCNO Sec. 26-618\(A\)\(5\)](#);
- Ensure full compliance with health and safety requirements of [CCNO Sec. 26-618\(A\)\(6\)](#);
- Ensure that the STR Unit is not used commercially, in accordance with the requirements of [CCNO Sec. 26-618\(A\)\(7\)](#);
- Report known or suspected criminal activity to the NOPD;
- Facilitate reasonable inspections as required by [CCNO Sec. 26-618\(A\)\(9\)](#);
- Ensure compliance with any and all other applicable federal, state, and local laws, including the [CZO](#) and [CCNO](#).

# Enforcement

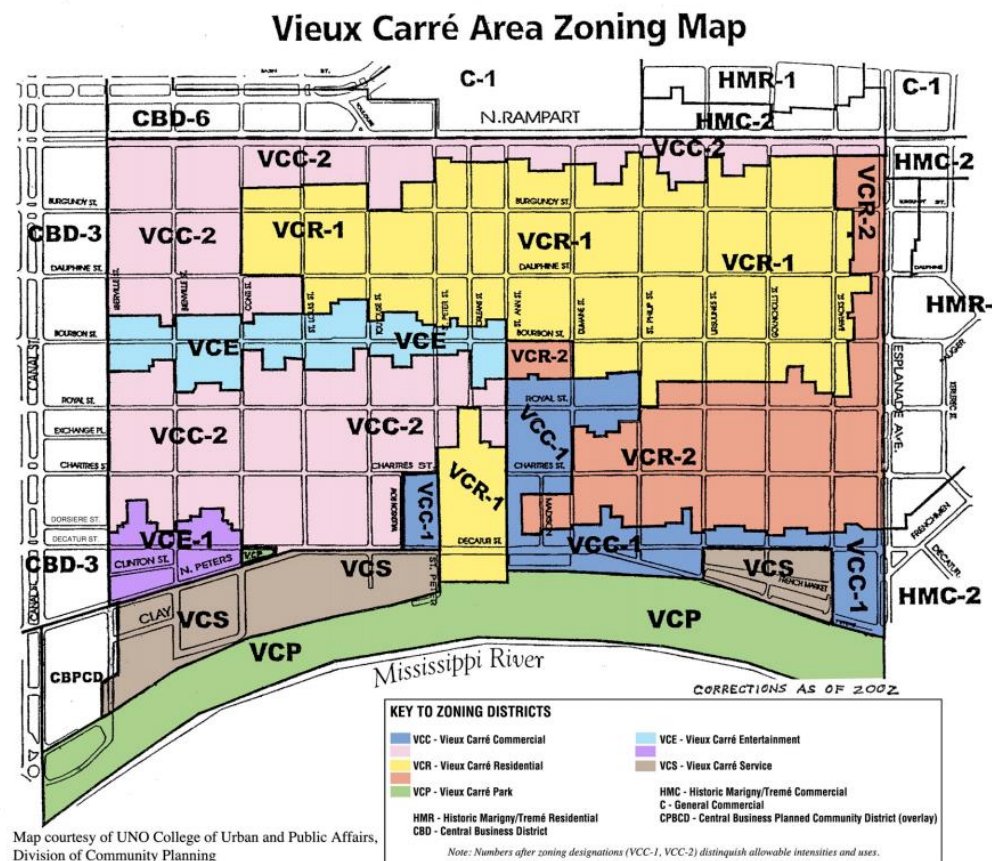
## Platform Duties

- Ensure the prevention of facilitating any illegal or unpermitted STR Booking Transaction;
- Maintain \$1,000,000 of commercial general liability insurance and naming the City of New Orleans as an additional insured on that policy;
- Comply with the CZO and CCNO;
- Collect and remit required fees and taxes on behalf of its users.





# The Vieux Carré and Historic Marigny



**Table 9-1: Permitted and Conditional Uses**

Table 9-1: Permitted and Conditional Uses

USE <sup>1</sup>	VCR-1	VCR-2	HMR-1	HMR-2	HMR-3	USE STANDARDS
RESIDENTIAL USES						
Short Term Rental, Large			C	C	C	Section 20.3.LLL
Short Term Rental, Small			P	P	P	Section 20.3.LLL

**Table 10-1: Permitted and Conditional Uses**

Table 10-1: Permitted and Conditional Uses

USE <sup>1</sup>	VCC-1	VCC-2	VCE	VCE-1	VCS	VCS-1	VCP	HMC-1	HMC-2	HM-MU	USE STANDARDS
RESIDENTIAL USE											
Short Term Rental, Large			P					P	P	P	Section 20.3.LLL
Short Term Rental, Small			P					P	P	P	Section 20.3.LLL

## 10.1.C PURPOSE OF THE VCE VIEUX CARRÉ ENTERTAINMENT DISTRICT

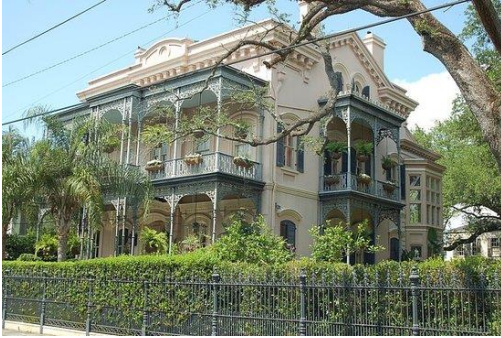
The purpose of this district is to provide for entertainment places and restricted retail stores that attract and serve visitors and local residents.

20.3.LLL.4.b. No Partial-Unit Residential Short-Term Rentals shall be permitted in the area bounded by the Mississippi River, Iberville Street, N. Rampart Street, and Esplanade Avenue, unless specifically authorized herein. This provision shall not be waived.





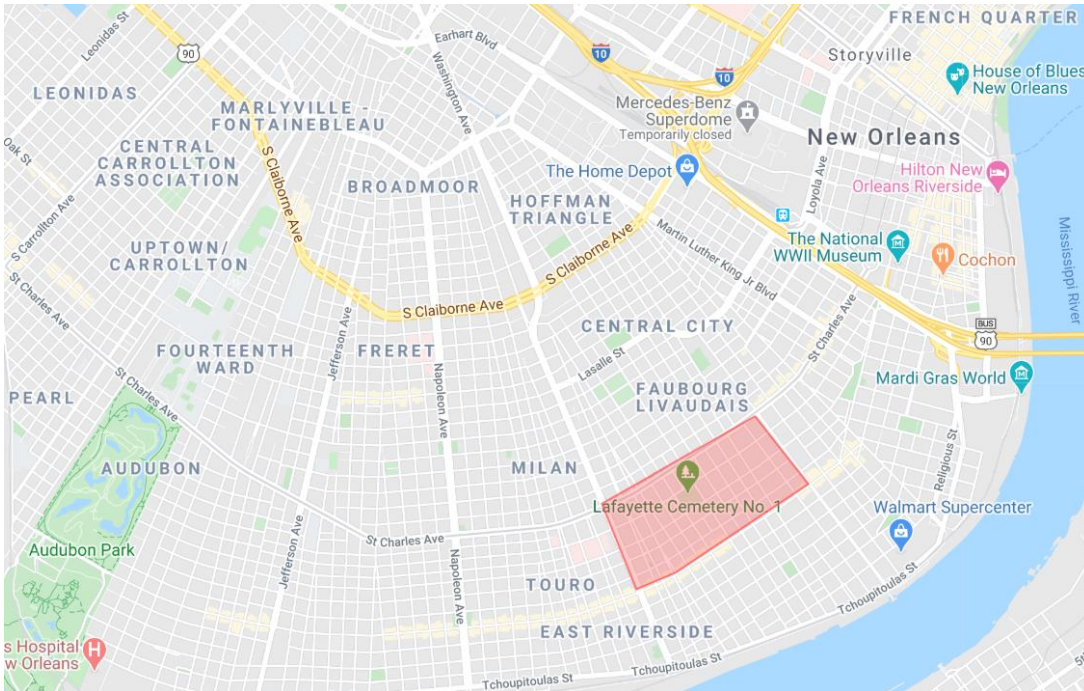
# The Garden District



## 20.3.LLL.1 SHORT TERM RENTALS GENERAL STANDARDS

\* \* \* \* \*

i. Notwithstanding anything else herein to the contrary, no Short Term Rental or Bed and Breakfast shall be permitted within the boundaries of the Garden District, which for purposes of this subsection shall be defined as follows: the center line of St. Charles Avenue, downriver side of Jackson Avenue, center line of Magazine Street, and downriver side of Louisiana Avenue. This provision shall not be waived.



# Other Historic Areas

## **PURPOSE OF THE HISTORIC URBAN NEIGHBORHOODS**

Historic Urban Neighborhoods are those areas of the city that were developed predominantly in the mid to late 19th century. The development pattern of Historic Urban Neighborhoods is characterized by a higher density and pedestrian scale environment with limited accommodation for the automobile. Within Historic Urban Neighborhoods, many of the residential neighborhoods contain traditional corner stores that serve the immediate residents and are in proximity to commercial clusters of local businesses.

The residential districts of the Historic Urban Neighborhoods contain regulations that create and maintain the established scale and character of these areas, with a higher residential density, acknowledges many of these areas were developed without accommodation for the auto, and respect the variety of setbacks seen in residential neighborhoods.

## **CHARACTER OF THE HISTORIC URBAN NEIGHBORHOODS**

The character of the residential districts of the Historic Urban Neighborhoods is defined by:

- » Dense development patterns with minimal setbacks between structures and between structures and the street, with some structures built at the property line
- » Neighborhoods typically made up of a particular dwelling type, such as single and double shotguns, American townhouses or the larger single-family homes
- » Single-family and two-family homes of one to two stories, with multi-family and townhouse dwellings rising three to four stories

# Other Historic Areas

**Table 11-1: Permitted and Conditional Uses**

Table 11-1: Permitted and Conditional Uses

USE <sup>1</sup>	DISTRICTS					USE STANDARDS
	HU-RS	HU-RD1	HU-RD2	HU-RM1	HU-RM2	
RESIDENTIAL USE						
Short Term Rental, Large				P	P	Section 20.3.LLL
Short Term Rental, Small	P	P	P	P	P	Section 20.3.LLL



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The non-residential districts of the Historic Urban Neighborhoods address the small-scale commercial areas have become integral parts of older neighborhoods. These range from pedestrian-oriented commercial clusters at the intersection of arterial streets, the traditional corner store, and mixed-use corridors. The regulations are intended to control the types of uses allowed and the scale of development to encourage their vitality while maintaining compatibility with nearby residential areas.

## **CHARACTER OF THE HISTORIC URBAN NEIGHBORHOODS**

The character of the non-residential districts of the Historic Urban Neighborhoods is defined by:

- » Commercial uses closely integrated into the residential neighborhoods, including the traditional corner store, small commercial clusters and small mixed-use corridors
- » Commercial structures compatible in scale and design with the majority of buildings in nearby residential areas
- » A pedestrian-oriented environment, with limited or no accommodation for on-site parking, where residents often walk to their destination
- » Commercial uses generally oriented to serve the needs of nearby residents and the neighborhood

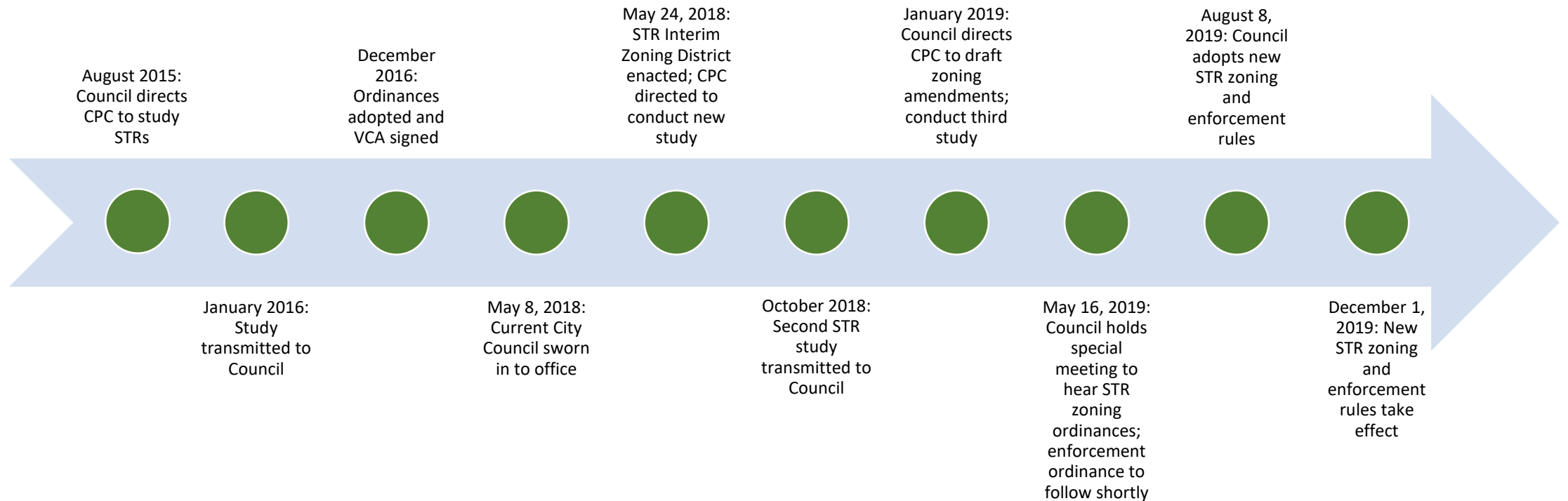
# Other Historic Areas

**Table 12-1: Permitted and Conditional Uses**

Table 12-1: Permitted and Conditional Uses

USE <sup>1</sup>	DISTRICTS			USE STANDARDS
	HU-B1A	HU-B1	HU-MU	
RESIDENTIAL USE				
Short Term Rental, Large	P	P	P	Section 20.3.LLL
Short Term Rental, Small	P	P	P	Section 20.3.LLL
COMMERCIAL USE				
Short Term Rental, Commercial			P	Section 20.3.LLL

# History of New Orleans STR Regulations



# So how has it gone? Well...

## New Orleans government targeted by cyberattack

New Orleans Communications Director Beau Tidwell said the intrusion was discovered around 11 a.m. Friday.



# So how has it gone? Well...

Meanwhile, city operations have been disrupted. Some police officers are using personal computers. Bodycam footage isn't being archived. Judges in municipal and traffic courts have canceled hearings for the rest of the year. And the City of New Orleans' webpage is still not functioning. Mayor Cantrell says thousands of government computers need to be inspected to ensure there's no malicious software.

CANTRELL: It will absolutely go into - to next week. But we're telling our people to act like - you know, we're going to be in this manual mode through the end of the year.

# So how has it gone? Well...

TOP STORY

## City of New Orleans says it will take months to recover from recent cyber attack



NOLA Cyber Recovery

<https://www.fox8live.com/2020/01/15/city-new-orleans-says-it-will-take-months-recover-recent-cyber-attack/>



# So how has it gone? Well...



**10:06 PM**

CORONAVIRUS

## Safety and Permits Works to Reduce Number of City Hall Visitors Due to COVID-19

In response to the COVID-19 outbreak, the One Stop Shop is taking steps to reduce the number of in-person visitors to City Hall. [Beginning Thursday](#), One Stop Shop (OSS) will suspend in-person visits from the public. This suspension will not impact the public's ability to apply for and receive permits and licenses. All functions of OSS will move to phone, email, and payments online through OneStopApp.

As of today (March 18), the OneStopApp website has been turned on with limited capacity. Customers can search for existing permits and will have the option to pay for any permits/licenses. However, please note that NO APPLICATIONS CAN BE SUBMITTED via this website. Applications can be downloaded and filled out by searching our website: <http://nola.gov/onestop/>.



CITY OF NEW ORLEANS

DEPARTMENT OF SAFETY AND PERMITS

# SHORT TERM RENTAL HANDBOOK

STR Handbook version 20191203

<https://nola.gov/short-term-rentals/handbook/>



# Questions?

[ajbecnel@nola.gov](mailto:ajbecnel@nola.gov)

Helpful links:

<https://nola.gov/str>

<https://nola.gov/hdlc/>

<https://nola.gov/vcc/>