



- 209 (b) No platform may facilitate or conduct any booking transaction for a short-term rental in  
210 Orleans Parish without first obtaining and maintaining a short-term rental platform  
211 permit issued in accordance with Division 4 of this article.
- 212 (c) The permits required by this article are regulated privileges, not rights, and can be  
213 revoked or suspended by the city in accordance with the provisions provided herein.
- 214 (d) Any permit issued pursuant to this article is strictly personal and may not be transferred  
215 or assigned.
- 216 (e) In the event the holder of a short-term rental owner's permit ceases to own the property  
217 or fails to renew the permit timely, the permit shall be immediately void, and short-term  
218 rental use shall be prohibited on the property.
- 219 (f) If any required contact information changes for any permit, the person possessing the  
220 permit shall immediately notify the department in writing, and the department shall issue  
221 a revised permit to reflect the updated contact information.

222 **Sec. 26-616. - Short-term rental permit fees.**

- 223 (a) The only short-term rental owner permit classification is a Short-term rental, commercial.
- 224 (b) A non-refundable application fee of \$50.00 shall be due upon submission of any new or  
225 renewal short-term rental application.
- 226 (c) The following annual permit fees, which shall be refunded in the event an application is  
227 denied, shall be due upon submission of any new or renewal short-term rental application:
- 228 (1) Short-term rental, commercial owner permit: \$1,000.00.
- 229 (2) Operator card replacement fee: \$25.00.
- 230 (3) Short-term rental operator permit: \$1,000.00.
- 231 (4) Short-term rental platform permit: \$10,000.00.

232 (d) The owner shall remit to the city a \$12.00 fee for each night of occupancy of a dwelling  
233 unit used as a short-term rental to offset the costs of enforcement and other costs borne  
234 by the city. Fees shall be due and remitted along with tax submissions.

235 **DIVISION 2. - SHORT-TERM RENTAL OWNER PERMIT**

236 **Sec. 26-617. - Permit and application—Eligibility.**

237 (a) No dwelling unit may be used as a short-term rental unit unless an owner possesses a  
238 short-term rental owner permit issued in accordance with this article. Issuance of a short-  
239 term rental owner permit shall be subject to the following rules and criteria:

240 (1) A short-term rental owner permit shall be valid for one year from the date of  
241 issuance and shall be reapplied for annually.

242 (2) A separate short-term rental owner permit shall be required for each dwelling unit  
243 used as a short-term rental.

244 (3) A short-term rental owner permit shall be consistent with the dwelling-unit-per-lot-  
245 of-record, guest bedroom, guest occupancy, and any other applicable density  
246 limitations set forth in the Comprehensive Zoning Ordinance.

247 (4) Any dwelling unit permitted for short-term rental use must meet all applicable  
248 building, zoning, and addressing regulations, as determined by the department.

249 (5) An owner of a property with outstanding taxes, fines, fees or penalties levied by the  
250 city, or that has been found to be liable of an unabated violation of the City Code  
251 by an administrative hearing officer or court shall not be eligible for a short-term  
252 rental owner permit with respect to said property.

253 (6) All juridical owners must be in good standing with the State of Louisiana to be  
254 eligible for a commercial short-term rental owner permit.

255 (7) An owner of a property with open permits for new construction, structural or non-  
256 structural renovation, or electrical or mechanical work, or open violation cases for  
257 electrical or mechanical code violations or work without permits, shall not be  
258 eligible for a short-term rental owner permit with respect to said property without  
259 the written approval of the Chief Building Official of the City of New Orleans or a  
260 designee.

261 (8) The owner or resident of a dwelling unit required to be affordable by the Mandatory  
262 Inclusionary Zoning, Voluntary Inclusionary Zoning, Affordable Housing Planned  
263 Development, or Small Multifamily Affordable Housing provisions of the  
264 Comprehensive Zoning Ordinance shall not be eligible for a short-term rental  
265 permit for that dwelling unit.

266 (b) The application for a short-term rental owner permit shall be on forms created by the  
267 department, which shall, at a minimum, require the following information from  
268 applicants:

269 (1) The name, age, address, phone number, and email contact information of all  
270 owners;

271 (2) The municipal address of the dwelling unit associated with the short-term rental  
272 owner permit;

273 (3) The total number of dwelling units located on the lot-of-record containing the  
274 dwelling unit associated with the short-term rental owner permit application; and

275 (4) The name, address, phone number, email contact information, and permit number  
276 of the operator designated by the owner to satisfy the requirements of this article  
277 with respect to the dwelling unit associated with the short-term rental owner permit.

278 If the designated operator has not yet received a permit number, the applicant shall  
279 provide evidence of a contemporaneous application for a short-term rental  
280 operator's permit by the designated operator.

281 (c) The following additional documentation shall be submitted to the department, along with  
282 the application, prior to processing:

283 (1) A list of platforms that will be used to solicit booking transactions for the dwelling  
284 unit associated with the short-term rental owner permit, and correlating print-outs  
285 or Universal Resource Locator (URL) links soliciting the short-term rental, if any.

286 (2) A floor plan depicting all:

287 i. Entrance and exit doors;

288 ii. Windows;

289 iii. Bedrooms, including an indication of which are used for guests;

290 iv. Bathrooms;

291 v. Kitchens; and

292 vi. Interior doors.

293 (3) An evacuation plan indicating:

294 i. The fire exits and escape routes;

295 ii. The location of smoke detectors;

296 iii. The location of fire extinguishers; and

297 iv. The location of carbon monoxide detectors.

298 (4) A site plan indicating the location of any required parking.

299 (5) A noise abatement plan that provides, at a minimum, a noise monitoring device.

- 300 (6) A sanitation plan that provides, at a minimum, for daily visual inspections on the  
301 property, as well as regular litter and trash collection and procurement of an  
302 adequate number of trash bins to securely hold all trash generated by the property  
303 in a lidded container.
- 304 (7) A security and operation plan.
- 305 (8) An attestation signed by the owner providing that:
- 306 i. The dwelling unit has no outstanding property taxes or city liens associated  
307 with the lot-of-record, nor do any of its owners owe any other outstanding  
308 taxes to the city, including taxes and fees owed in connection with short-  
309 term rentals;
- 310 ii. The dwelling unit complies, and will comply during any short-term rental  
311 of the dwelling unit, with all standards contained in the city's Minimum  
312 Property Maintenance Code and all health safety requirements contained in  
313 the Building Code;
- 314 iii. The dwelling unit has working smoke detectors inside and outside every  
315 bedroom, carbon monoxide alarms outside every bedroom, and a properly  
316 maintained and charged fire extinguisher on all habitable floors;
- 317 iv. The dwelling unit is not subject to any contractual restrictions precluding  
318 the dwelling unit from being used for short-term rentals, including, but not  
319 limited to, homeowner association agreements, condominium bylaws,  
320 restrictive covenants, or building restrictions;

- 321 v. The owner read, understands, and agrees to comply with all legal duties  
322 imposed by this article and the Comprehensive Zoning Ordinance;
- 323 vi. The owner possesses insurance that meets the requirements of section 26-  
324 618(a)(1); and
- 325 vii. The owner will not discriminate in guest use or rental of a short-term rental,  
326 and will comply with all applicable anti-discrimination laws, including, but  
327 not limited to, Title VII of the Civil Rights Act of 1968, the Fair Housing  
328 Act (FHA), and the Americans with Disabilities Act (ADA).
- 329 (9) Proof of completion of a short-term rental course, to be provided by the department  
330 and made available virtually.
- 331 (d) The department shall deny any short-term rental application that does not contain all of  
332 the information listed in section 26-617(b) and (c).
- 333 (e) Every short-term rental owner permit issued by the department shall contain the  
334 following information:
- 335 (1) Short-term rental owner permit number;
- 336 (2) Municipal address of the dwelling unit associated with the permit;
- 337 (3) Owner's name and contact information;
- 338 (4) Operator's name and contact information;
- 339 (5) The permit's effective and expiration dates;
- 340 (6) The guest bedroom and occupancy limit of the dwelling unit associated with the  
341 permit; and

- 342 (7) Contact information for the city's short term rental administration to facilitate  
343 reporting complaints.
- 344 (f) Renewals shall be obtained in the same or substantially similar form and manner as the  
345 initial permit, and shall also require:
- 346 (1) Completion and submission of a form created by the department of finance  
347 providing the associated short-term rental taxes and fees paid to the city for the  
348 previous permit year. The form, which shall be deemed confidential tax records for  
349 purposes of La. R.S. 47:1508, shall include at a minimum:
- 350 a. A statement indicating if the required taxes and fees were paid by the owner,  
351 a platform, or both, for the preceding tax year and in what total amounts;
- 352 b. The total number of nights the dwelling unit used as a short-term rental was  
353 rented in the previous calendar year;
- 354 c. The rates charged for each nightly rental; and
- 355 d. Any IRS Forms 1099 or other financial reports or documents provided to  
356 owners or operators by any platform related to rental activity on each  
357 platform used.
- 358 (2) Updated owner and operator contact information, if applicable;
- 359 (3) An attestation signed by the owner providing, in addition to the continued  
360 compliance with the items specified in subsection (c), above, that the short-term  
361 rental owner permit has not been revoked in the previous year;
- 362 (4) An updated list of platforms that are used to solicit books transactions for the  
363 dwelling unit associated with the short-term rental owner permit, and correlating

364 print-outs of the Universal Resource Locator (URL) soliciting the short-term  
365 rental (for example: <http://www.vrbo.com/XXXXXX> or  
366 <https://www.airbnb.com/rooms/XXXXXX>);

367 (5) Proof of a favorable, annual city fire inspection; and

368 (6) Proof of completion of a short-term rental course, to be provided by the  
369 department and made available virtually, within the previous permit year.

370 (g) For co-owned property, only one owner's permit shall be required, provided that the  
371 applicant certifies to the department that all owners independently meet the requirements  
372 for an owner's permit and that the applicant has secured all necessary approvals from the  
373 other owners to obtain a short-term rental permit.

374 **Sec. 26-618. - Legal duties of a short-term rental owner permit holders.**

375 (a) *Legal duties.* An owner possessing a short-term rental owner permit shall comply at all  
376 times with the following requirements:

377 (1) Insurance. The owner shall maintain in full force and effect at all times, a minimum  
378 of \$1,000,000.00 in "commercial general liability" insurance per occurrence,  
379 combined single limit, for bodily injury, personal injury, and property damage  
380 arising in any way from the issuance of the permit or activities conducted pursuant  
381 to the permit, for each dwelling unit used as a short-term rental.

382 (2) Guest records. The owner shall maintain guest registration records, which shall  
383 contain the actual dates of occupancy, total number of guests per party per stay, and  
384 the rate(s) charged. Such records shall be maintained for three years and shall be  
385 provided to the city upon request, in accordance with applicable law. Personally  
386 identifiable guest information may be redacted.

- 387 (3) Short-term rental advertisements. The owner shall ensure that the following  
388 information be provided in connection with any short-term rental advertisement and  
389 shall ensure, in any event, that each short-term rental listing advertises only one  
390 dwelling unit permitted as a short-term rental:
- 391 a. The short-term rental owner permit number;
  - 392 b. The short-term rental operator permit number of the designated operator;
  - 393 c. Whether the dwelling unit is wheelchair accessible or otherwise compliant  
394 with the Americans with Disabilities Act;
  - 395 d. The number of available guest bedrooms as indicated on the owner permit;  
396 and
  - 397 e. The maximum available occupancy of the dwelling unit as indicated on the  
398 owner permit.
- 399 (4) Adherence to dwelling and occupancy limits. Short-term rentals shall be subject to,  
400 and may not exceed, the dwelling-unit-per-lot-of-record, guest bedroom, guest  
401 occupancy, and density limitations set forth in the Comprehensive Zoning  
402 Ordinance.
- 403 (5) Required postings at the short-term rental.
- 404 a. The owner shall ensure that a copy of the owner permit is displayed in a  
405 location clearly visible from the street and legible to both guests and  
406 neighbors.
  - 407 b. The owner shall ensure that the following are displayed in a location clearly  
408 visible and legible to guests:

- 409 i. An evacuation diagram identifying fire escapes and all means of  
410 egress from the dwelling unit and the building in which the dwelling  
411 unit is located;
- 412 ii. Trash disposal and recycling collection days; and
- 413 iii. Contact information for the city's short-term rental administration to  
414 facilitate reporting complaints.
- 415 (6) Health and safety. The owner shall ensure that each dwelling unit governed by this  
416 article complies with the following standards:
- 417 a. Walls, ceilings, floors, windows, fixtures and furnishings throughout the  
418 dwelling unit shall be maintained in a clean condition at all times and shall  
419 be in good repair.
- 420 b. All rooms shall be adequately lighted and properly ventilated by natural or  
421 artificial means or both, and shall be provided with adequate heating and  
422 air-conditioning facilities. All natural gas fired heaters shall be vented to the  
423 outside atmosphere.
- 424 c. Each guest shall be furnished with clean towels, washcloths, and bed linens.  
425 Sheets must be of sufficient width and length to completely cover the  
426 mattress and be turned under the mattress so as to properly secure the sheet.  
427 All towels, washcloths and bed linens shall be kept in good repair and  
428 changed between rentals.
- 429 d. All dishes, utensils, pots, pans and other cooking utensils shall be provided  
430 to guests in a safe and sanitary condition. The permittee shall ensure that all

431 perishables left by the guests are disposed of at the conclusion of a short-  
432 term rental.

433 e. Each dwelling unit shall have a working fire extinguisher, smoke alarms,  
434 and carbon monoxide detectors and shall comply with all applicable fire  
435 codes;

436 f. The dwelling unit shall have working locks, operable by guests, at all points  
437 of ingress and egress.

438 g. Every dwelling unit shall comply with applicable provisions of the  
439 Comprehensive Zoning Ordinance, the Minimum Property Maintenance  
440 Code as provided in Chapter 26, Article IV, and the New Orleans Building  
441 Code, as provided in section 26-14, et seq.

442 (7) Short-term rental guest use limitations. The owner shall ensure that no dwelling  
443 unit used as a short-term rental is used as a reception facility, or any other  
444 commercial use defined by the Comprehensive Zoning Ordinance, during guest use  
445 of the short-term rental.

446 (8) Criminal activity. The owner shall timely report any known or suspected criminal  
447 activity by a guest to the New Orleans Police Department.

448 (9) Reasonable inspections. The owner shall submit to inspections authorized by  
449 section 26-624(c).

450 (10) Owner/operator availability. The owner shall:

- 451 a. Ensure the permitted operator is available during all periods of guest  
452 occupancy, including nights and weekends, to facilitate compliance with  
453 this article. Availability requires, at a minimum, that the operator be:
- 454 i. Accessible by telephone.
  - 455 ii. Able to resolve complaints within one hour of being contacted by  
456 neighbors regarding disruptive short-term rentals.
  - 457 iii. Able to resolve complaints within one hour of being contacted by  
458 guests.
  - 459 iv. Able to resolve complaints within one hour of being contacted by  
460 the City of New Orleans and any of its departments.
- 461 b. Serve as the point of contact for guests, in addition to the operator, and be  
462 able to resolve complaints within one hour of being contacted by guests.
- 463 c. Receive and resolve complaints from neighbors regarding disruptive short-  
464 term rentals within one hour.
- 465 d. Receive and resolve complaints from the City of New Orleans and any of  
466 its departments regarding disruptive short-term rentals within one hour.
- 467 (11) Taxes and fees. Except for those instances in which a platform bears the  
468 responsibility for collecting and remitting taxes and fees applicable to short-term  
469 rentals, as provided in section 26-622.1, the owner shall timely remit all applicable  
470 local, state, and federal taxes and city fees owed in connection with any short-term  
471 rental. The failure of a platform to collect and remit taxes and fees pursuant to

472 section 26-622.1 shall not relieve an owner of the obligation to pay taxes and fees  
473 owed pursuant to this article.

474 (12) Compliance with other laws. The owner shall ensure that any short-term rental fully  
475 complies with this article, the Comprehensive Zoning Ordinance, and all other  
476 applicable laws.

477 (b) *Prohibited acts.* The following acts shall be prohibited and may be grounds for suspension  
478 or revocation of a short-term rental owner permit, or any other remedy authorized by the  
479 article. Each instance of a prohibited act may be cited separately in any enforcement  
480 action.

481 (1) Advertising an illegal short-term rental.

482 (2) Exceeding in any advertisement, the legally available dwelling-unit-per-lot-of-  
483 record limitation set forth in the Comprehensive Zoning Ordinance.

484 (3) Exceeding in any advertisement, the legally available guest bedroom limitation set  
485 forth in the Comprehensive Zoning Ordinance.

486 (4) Exceeding in any advertisement, the legally available guest occupancy limitations  
487 set forth in the Comprehensive Zoning Ordinance.

488 (5) Exceeding the dwelling-unit-per-lot-of-record limitation set forth in the  
489 Comprehensive Zoning Ordinance.

490 (6) Exceeding the guest bedroom limitation set forth in the Comprehensive Zoning  
491 Ordinance.

492 (7) Exceeding the guest occupancy limitations set forth in the Comprehensive Zoning  
493 Ordinance.

- 494 (8) Using a dwelling unit as a reception facility, or for any other commercial use  
495 defined by the Comprehensive Zoning Ordinance, during a short-term rental. No  
496 special event permit shall be obtained for an event occurring at a dwelling unit  
497 during any period of guest occupancy.
- 498 (9) Rental of the dwelling unit by the hour or for any period less than one night.
- 499 (10) Rental of a single dwelling unit to more than one party of guests at one time.
- 500 (11) Short-term rental use that generates (i) excessive loud sound, (ii) offensive odors,  
501 (iii) public drunkenness, (iv) unlawful loitering, (v) litter, (vi) lewd conduct by  
502 guests or (vii) any effect that otherwise unreasonably interferes with neighbors'  
503 quiet enjoyment of their properties. For purposes of this paragraph, excessive loud  
504 sound means any noise generated from within the dwelling unit or having a nexus  
505 to the dwelling unit that is louder than a conversational level, or any music that is  
506 plainly audible from the property line of the lot containing the dwelling unit,  
507 between the hours of 10:00 p.m. and 8:00 a.m. Each instance and type of  
508 unreasonable interference defined in this paragraph shall constitute a separate  
509 violation of this section and may be cited separately in any enforcement action.
- 510 (12) Short-term rental use that places loads on structural elements or components of  
511 buildings, including, but not limited to, porches, balconies, and roof decks, in  
512 excess of the minimum design loads required by the Building Code.
- 513 (13) Violations of the submitted noise abatement plan, security and operation plan, or  
514 sanitation plan.

- 515 (14) Discriminating against any guest, or potential guest, because of race, color, sex,  
516 gender identity, age, religion, disability, national origin, ancestry, sexual  
517 orientation, marital status, parental status, military discharge status or source of  
518 income.
- 519 (15) Failure to comply with any other legal duty imposed by this article or correlating  
520 provisions in the Comprehensive Zoning Ordinance, and all other applicable laws.
- 521 (16) Failure to ensure that the licensed operator is available as required by section 26-  
522 618(a)(10).
- 523 (17) Advertising more than one dwelling unit for short-term rental in a single  
524 advertisement or listing.
- 525 (c) *Ongoing duty.* An owner possessing a short-term rental owner permit may delegate the  
526 performance of any duties set forth in this section to the permitted short-term rental  
527 operator identified in the owner's application to the department. Notwithstanding that  
528 delegation, the owner remains principally responsible for the performance of all duties  
529 created hereunder and may not assert the non-performance of a short-term rental operator  
530 as a defense to any action arising from a breach of the owner's duties under this article.

531 **DIVISION 3. - SHORT-TERM RENTAL OPERATOR PERMIT**

532 **Sec. 26-619. - Short-term rental operator permit and application—Eligibility.**

- 533 (a) Every dwelling unit used as a short-term rental in Orleans Parish shall be operated by a  
534 natural person age 18 or over holding a short-term rental operator permit.
- 535 (1) A natural person who holds a short-term rental owner permit may act as the  
536 operator, but must separately apply for and obtain a short-term rental operator  
537 permit.

- 538 (2) The short-term rental operator permit is valid for one year from the date of issuance,  
539 and shall be reapplied for annually.
- 540 (3) A separate short-term rental operator permit shall be required for each dwelling  
541 unit used as a short-term rental.
- 542 (b) The application for a short-term rental operator permit shall be on forms created by the  
543 department, which shall require, at a minimum, the following information:
- 544 (1) The name, address, phone number and email contact information of the operator.
- 545 (2) An attestation that the operator has read, understands, and agrees to comply with  
546 all legal duties imposed by this article, and in the Comprehensive Zoning  
547 Ordinance.
- 548 (3) Proof that the operator is at least 18 years of age.
- 549 (4) A nuisance prevention and neighborhood complaint response plan for each  
550 dwelling unit used as a short-term rental.
- 551 (5) Proof of completion of a short-term rental course, to be provided by the department  
552 and made available virtually.
- 553 (c) The department shall deny any short-term rental operator application that does not contain  
554 all of the information listed in section 26-619(a) and (b).
- 555 (d) Renewals shall be obtained in the same or substantially similar form and manner as the  
556 initial permit, and shall require:
- 557 (1) An attestation signed by the operator providing that, in addition to the items  
558 specified in subsection (b), above, that a short-term rental operator permit has not  
559 been revoked in the previous year;
- 560 (2) Updated contact information, if applicable; and

561 (3) Proof of completion of a short-term rental course, to be provided by the department  
562 and made available virtually, within the previous permit year.

563 (e) The operator permit shall be issued in two forms:

564 (1) A PDF or other document that lists the operator's contact information, as well as  
565 any other information deemed pertinent by the department; and

566 (2) A card bearing the photograph of the licensed operator and listing the address of  
567 the property being used as a short-term rental, owner license number, and operator  
568 license number.

569 **Sec. 26-620. - Legal duties to short-term rental operator permit holders.**

570 (a) *Legal duties.* Any person possessing a short-term rental operator permit shall comply at  
571 all times with the following requirements:

572 (1) Operator availability. The operator shall:

573 a. Be available during all periods of guest occupancy, including nights and  
574 weekends, to facilitate compliance with this article. Availability requires, at  
575 a minimum, that the operator:

576 i. Be accessible by telephone;

577 ii. Serve as the point of contact for neighbors, including receiving and  
578 resolving complaints within one hour of being contacted by  
579 neighbors regarding disruptive short-term rentals.

580 iii. Be able to resolve complaints within one hour of being contacted by  
581 guests.

582 iv. Be able to resolve complaints within one hour of being contacted by  
583 the City of New Orleans and any of its departments.

- 584           b.     Serve as the point of contact for guests, including receiving and resolving  
585                     inquiries and complaints within one hour of being contacted.
- 586           c.     Receive and resolve complaints from neighbors regarding disruptive short-  
587                     term rentals within one hour.
- 588           d.     Receive and resolve complaints within one hour of being contacted by the  
589                     City of New Orleans and any of its departments.
- 590       (2)    Guest records. The operator shall be solidarily responsible with the owner for  
591                     ensuring full compliance with the guest record-keeping requirements set forth in  
592                     section 26-618(a)(2).
- 593       (3)    Short-term rental advertisements. The operator shall be solidarily responsible with  
594                     the owner for ensuring full compliance with the advertising requirements set forth  
595                     in section 26-618(a)(3).
- 596       (4)    Adherence to dwelling and occupancy limits. The operator shall be solidarily  
597                     responsible with the owner for ensuring full compliance with the dwelling-unit-per-  
598                     lot-of-record, guest bedroom, guest occupancy, and density limitations set forth in  
599                     section 26-618(a)(4).
- 600       (5)    Required postings at the short-term rental. The operator shall be solidarily  
601                     responsible with the owner for ensuring full compliance with the posting  
602                     requirements set forth in section 26-618(a)(5).
- 603       (6)    Health and safety. The operator shall be solidarily responsible with the owner for  
604                     ensuring full compliance with each of the health and safety requirements set forth  
605                     in section 26-618(a)(6).

606 (7) Short-term rental guest use limitations. The operator shall be solidarily responsible  
607 with the owner for ensuring that no dwelling unit associated with a short-term rental  
608 owner permit be used as a reception facility, or any other commercial use as set  
609 forth in section 26-618(a)(7).

610 (8) Criminal activity. The operator shall be solidarily responsible with the owner for  
611 reporting any known or suspected criminal activity by a short-term rental guest to  
612 the New Orleans Police Department as set forth in section 26-618(a)(8).

613 (9) Reasonable inspections. The operator shall be solidarily responsible with the owner  
614 for facilitating inspections required by section 26-618(a)(9).

615 (10) Compliance with other laws. The operator shall ensure that any short-term rental  
616 fully complies with this article, the Comprehensive Zoning Ordinance, and all other  
617 applicable laws.

618 (b) *Prohibited acts.* The following acts shall be prohibited and may be grounds for suspension  
619 or revocation of a short-term rental operator permit, or any other remedy authorized by  
620 the article. Each instance of a prohibited act may be cited separately in any enforcement  
621 action.

622 (1) Advertising an illegal short-term rental.

623 (2) Exceeding in any advertisement, the legally available dwelling-unit-per-lot-of-  
624 record limitation set forth in the Comprehensive Zoning Ordinance.

625 (3) Exceeding in any advertisement, the legally available guest bedroom limitation set  
626 forth in the Comprehensive Zoning Ordinance.

627 (4) Exceeding in any advertisement, the legally available guest occupancy limitations  
628 set forth in the Comprehensive Zoning Ordinance.

- 629 (5) Exceeding the dwelling-unit-per-lot-of-record limitation set forth in the  
630 Comprehensive Zoning Ordinance.
- 631 (6) Exceeding the guest bedroom limitation set forth in the Comprehensive Zoning  
632 Ordinance.
- 633 (7) Exceeding the guest occupancy limitations set forth in the Comprehensive Zoning  
634 Ordinance.
- 635 (8) No dwelling unit associated with a short-term rental owner permit may be used as  
636 a reception facility, or any other commercial use defined by the Comprehensive  
637 Zoning Ordinance. No special event permit shall be obtained for an event occurring  
638 at a dwelling unit during any period of guest occupancy.
- 639 (9) Rental of the dwelling unit by the hour or for a period less than one night.
- 640 (10) Rental of a single dwelling unit to more than one party of guests at one time.
- 641 (11) Short-term rental use that generates (i) excessive loud noise, (ii) offensive odors,  
642 (iii) public drunkenness, (iv), unlawful loitering, (v) litter, (vi) lewd conduct by  
643 guests or (vii) any effect that otherwise unreasonably interferes with neighbors'  
644 quiet enjoyment of their properties. For purposes of this paragraph, excessive loud  
645 noise means any noise, generated from within the dwelling unit or having a nexus  
646 to the dwelling unit that is louder than a conversational level, or any music that is  
647 plainly audible from the property line of the lot containing the dwelling unit,  
648 between the hours of 10:00 p.m. and 8:00 a.m. Each instance and type of  
649 unreasonable interference shall constitute a separate violation of this section and  
650 may be cited separately in any enforcement action.

- 651 (12) Short-term rental use that places loads on structural elements or components of  
652 buildings, including, but not limited to, porches, balconies, and roof decks, in  
653 excess of the minimum design loads required by the Building Code.
- 654 (13) Violations of the submitted noise abatement plan, security and operation plan, or  
655 the sanitation plan.
- 656 (14) Discriminating against any guest, or potential guest, because of race, color, sex,  
657 gender identity, age, religion, disability, national origin, ancestry, sexual  
658 orientation, marital status, parental status, military discharge status or source of  
659 income.
- 660 (15) Failure of the operator to be available as required by law.
- 661 (16) Failure to show the operator's license card on request.
- 662 (17) Advertising more than one dwelling unit for short-term rental in a single  
663 advertisement or listing.
- 664 (18) Failure to comply with any other legal duty imposed by this article, correlating  
665 provisions in the Comprehensive Zoning Ordinance, or any other applicable law.
- 666 (c) The licensed operator is personally responsible for fulfilling these duties and may not  
667 delegate them to any other person or entity.

668 \* \* \*

669 **DIVISION 5. - DEPARTMENT OF SAFETY AND PERMIT'S SHORT-TERM RENTAL**  
670 **RESPONSIBILITIES AND POWERS**

671 **Sec. 26-624. - Departmental authority.**

- 672 (a) *Receive short-term rental applications.* The department shall receive and process all short-  
673 term rental permit applications and determine applicant eligibility.

674 (b) *Issue eligible short-term rental permits.* The department shall issue permits only to  
675 eligible applicants, as determined by the department.

676 (c) *Inspections.*

677 (1) The director of the department or a duly authorized representative shall have the  
678 power to inspect any short-term rental to determine compliance with this article.

679 (2) Inspection may occur at any reasonable time, upon the production of proper  
680 identification by a representative of the department, whenever the director of the  
681 department has a reasonable belief that a dwelling unit or a short-term rental is in  
682 violation of any of the provisions of this article, the Comprehensive Zoning  
683 Ordinance, or the Building Code as provided in City Code section 26-14 et seq.

684 (3) Prior to any inspection of an occupied dwelling unit, the department shall present  
685 credentials to the owner, operator, or guest and request entry. If the short-term  
686 rental is unoccupied, the department shall attempt to locate the owner or operator  
687 and request entry. If the department does not obtain timely consent to enter a  
688 dwelling unit, it may attempt to secure entry as provided in subsection (4), below.

689 (4) Warrant for inspection. If the owner or operator of the short-term rental refuses  
690 within 72 hours of department's request, admittance to the director of the  
691 department or his/her duly authorized representative for the purpose of making an  
692 inspection or examination of the premises, the director or his representative may  
693 present an affidavit to any judge of the municipal court stating that he has cause to  
694 believe that an inspection of the designated premises will reveal designated  
695 violations of this article.

696 a. The affidavit alleging probable cause shall identify the factual basis for the  
697 belief that the short-term rental is not in compliance with this article, or  
698 correlating provisions in the Comprehensive Zoning Ordinance.

699 b. Upon receiving the affidavit, the judge may issue a warrant authorizing the  
700 director or his representative to search the premises. The scope of the search  
701 authorized by the warrant shall be limited to a search for those designated,  
702 alleged violations.

703 (5) An owner may avoid an inspection authorized by this section by voluntarily  
704 forfeiting his or her short-term rental owner's permit, in which case the permit shall  
705 be deemed revoked. Nothing herein shall limit the authority of a law enforcement  
706 body to secure a search warrant in connection with criminal activity at a dwelling  
707 unit unrelated to compliance with this article or the authority of the department to  
708 conduct lawful inspections of a dwelling unit unrelated to compliance with this  
709 article.

710 (d) *Rescission of permits.* The department is authorized to cancel and rescind a permit issued  
711 under this article whenever a permit so issued is in error, was issued on the basis of  
712 inaccurate or misleading information, or contravenes this article or the Comprehensive  
713 Zoning Ordinance.

714 (e) *Suspension of permits where life safety issues are present.* The department may suspend  
715 a short-term rental owner permit issued under this article whenever the property it  
716 corresponds to is the subject of a violation of building code that may endanger the life or  
717 safety of persons on the property. This suspension shall end automatically when the  
718 Director or their designee determines that the violation has been abated.

719 (f) *Identification of non-short-term rental transient lodging offered on Platforms.* The  
720 department shall issue, at no charge to businesses, an identification number to any  
721 transient lodging business in good standing that uses a platform to facilitate booking  
722 transactions. To obtain this identification number, the transient lodging business must  
723 provide the department with the following information:

- 724 (1) The name of the business;
- 725 (2) The business address; and
- 726 (3) The business's occupational license.

727 (g) *Enforcement.*

728 (1) The department shall prioritize the enforcement and adjudication of violations of  
729 section 26-618(b)(1) through (b)(7) and section 26-620(b)(1) through (b)(7) and  
730 section 26-618(b)(16) and take all available steps to adjudicate said violations  
731 immediately upon receiving evidence of the violation from a platform or otherwise.

732 (2) The department shall not be responsible for the enforcement of correlating taxation  
733 provisions dictated by Chapter 150 of the Code of the City of New Orleans.

734 (h) *Records.* The department shall maintain a registry of all permit types and correlating  
735 permit numbers issued to owners, operators, and platforms pursuant to this article.

736 (i) *Rules and regulations.* The department may issue rules and regulations related to the  
737 issuance of short-term rental licenses and enforcement of short-term rental laws.

738 (j) *Dashboard.* The department shall establish a public facing dashboard listing all short-term  
739 rental applications; owner and operator permits with photo ID cards; the addresses of  
740 properties the department has delisted from any platform, if available; and all addresses

741 with open, pending, and adjudicated violations. The dashboard shall further indicate the  
742 number of adjudications per week and the dispensation of any adjudicated violation. In  
743 addition, the dashboard shall list all lots subject to the five-year permit revocation  
744 contained in section 26-628(f). The public facing dashboard shall be updated on weekly  
745 basis.

746 \* \* \*

747 **DIVISION 6. – ENFORCEMENT**

748 \* \* \*

749 **Sec. 26-628. - General suspension and revocation procedures.**

750 (a) A permit issued pursuant to this article may be suspended for a term or revoked in its  
751 entirety for violations of this article or any other law incorporated herein.

752 (b) If a permit is revoked, the permittee may not reapply for a permit for a period of five years  
753 from the date of revocation.

754 (c) The decision to suspend or revoke a permit shall be at the discretion of the hearing officer  
755 based on the severity of the violation and any other mitigating or aggravating  
756 circumstances surrounding the violation.

757 (d) Without limiting the situations in which the hearing officer might deem revocation  
758 appropriate, revocation shall be mandatory in the following circumstances:

759 (1) A short-term rental owner permit shall be revoked if the hearing officer determines  
760 by a preponderance of the evidence that:

761 i. The owner violated section 26-618(a)(3).

762 ii. The owner violated section 26-618(a)(4).

- 763           iii.    The owner violated section 26-618(a)(7).
- 764           iv.    The owner violated section 26-618(a)(8).
- 765           v.     The owner violated section 26-618(b)(1).
- 766           vi.    The owner violated section 26-618(b)(2).
- 767           vii.   The owner violated section 26-618(b)(3).
- 768           viii.   The owner violated section 26-618(b)(4).
- 769           ix.    The owner violated section 26-618(b)(5)
- 770           x.     The owner violated section 26-618(b)(6)
- 771           xi.    The owner violated section 26-618(b)(7)
- 772           xii.   The owner violated section 26-618(b)(8)
- 773           xiii   The owner violated section 26-618(b)(14)
- 774           xiv.   The owner made false, misleading or fraudulent statement(s) in the permit  
775                    application, subterfuge for the purpose of evading any requirement of this  
776                    article.
- 777           xv.   Any three separate violations of any of the following sections have occurred  
778                    during a 12-month period:
- 779                    a.     Section 26-618(a)(1)
- 780                    b.     Section 26-618(a)(2)
- 781                    c.     Section 26-618(a)(5)
- 782                    d.     Section 26-618(a)(6)
- 783                    e.     Section 26-618(a)(9)
- 784                    f.     Section 26-618(a)(10)

- 785 g. Section 26-618(a)(11)
- 786 h. Section 26-618(a)(12)
- 787 i. Section 26-618(b)(9)
- 788 j. Section 26-618(b)(10)
- 789 k. Section 26-618(b)(11)
- 790 l. Section 26-618(b)(12)
- 791 m. Section 26-618(b)(13)
- 792 n. Section 26-618(b)(15)
- 793 o. Section 26-618(b)(16)

794 (2) A short-term rental operator permit shall be revoked if the hearing officer  
795 determines by a preponderance of the evidence that:

- 796 i. The operator violated section 26-620(a)(3).
- 797 ii. The operator violated section 26-620(a)(4).
- 798 iii. The operator violated section 26-620(a)(7).
- 799 iv. The operator violated section 26-620(a)(8).
- 800 v. The operator violated section 26-618(b)(1).
- 801 vi. The operator violated section 26-618(b)(2).
- 802 vii. The operator violated section 26-618(b)(3).
- 803 viii. The operator violated section 26-618(b)(4).
- 804 ix. The operator violated section 26-618(b)(5).
- 805 x. The operator violated section 26-618(b)(6).

- 806 xi. The operator violated section 26-618(b)(7).
- 807 xii. The operator violated section 26-620(b)(8).
- 808 xiii. The operator violated section 26-620(b)(14).
- 809 xiv. The operator violated section 26-620(b)(17).
- 810 xv. The operator made false, misleading or fraudulent statement(s) in the permit  
811 application, or misrepresented material facts in the permit application, or  
812 used any scheme or subterfuge for the purpose of evading any requirement  
813 of this article
- 814 xvi. Any three separate violations of any of the following sections have occurred  
815 during a 12-month period:
- 816 a. Section 26-620(a)(1)
- 817 b. Section 26-620(a)(2)
- 818 c. Section 26-620(a)(5)
- 819 d. Section 26-620(a)(6)
- 820 e. Section 26-620(a)(9)
- 821 f. Section 26-620(a)(10)
- 822 g. Section 26-620(b)(9)
- 823 h. Section 26-620(b)(10)
- 824 i. Section 26-620(b)(11)
- 825 j. Section 26-620(b)(12)
- 826 k. Section 26-620(b)(13)
- 827 l. Section 26-620(b)(15)

828 m. Section 26-620(b)(16)

829 n. Section 26-620(b)(18)

830 (e) An appeal with respect to the revocation of any short-term rental permit must be executed  
831 within 30 days of the issuance of the order of revocation.

832 (f) When an owner or operator permit is revoked under section 26-628(d)(1) or section  
833 26-628(d)(2), a hearing officer shall order that a property be prohibited from operating as  
834 a short-term rental for a period of five years. This order, once recorded, shall constitute a  
835 charge on the immovable property that shall be effective against third parties and shall  
836 prohibit all current and future owners from obtaining a short-term rental owner's permit  
837 on the property for the period of five years from the date of the order.”

**ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS** \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT OF THE COUNCIL**

**DELIVERED TO THE MAYOR ON** \_\_\_\_\_

**APPROVED:**  
**DISAPPROVED:** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

**RETURNED BY THE MAYOR ON** \_\_\_\_\_ **AT** \_\_\_\_\_

\_\_\_\_\_  
**CLERK OF COUNCIL**

**ROLL CALL VOTE:**  
**YEAS:**  
**NAYS:**  
**ABSENT:**  
**RECUSED:**