

**NOTICE OF
INTRODUCTION OF ORDINANCE AND PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the following ordinance has been introduced before the Police Jury of the Parish of Pointe Coupee, Louisiana, and that a public hearing will be held relative thereto at 5:00 p.m., Tuesday, March 12, 2013, at the Police Jury Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana, after which said ordinance may be considered for adoption. All interested persons are urged to attend.

AN ORDINANCE

Amending regulations of Off-Premise Outdoor Advertising Signs by prohibiting certain signs situated on property contiguous to False River, and otherwise providing with respect thereto.

BE IT ORDAINED by the Police Jury of the Parish of Pointe Coupee, Louisiana:

Section 1. Paragraph C of Section 15-12 of Chapter 15 of the Code of Ordinances of the Parish of Pointe Coupee, Louisiana, is hereby amended and re-ordained so as to add thereto an additional sub-paragraph to be designated as 3 to read as follows, viz:

Section 15-12. Regulation of Off-Premise Outdoor Advertising Signs

A. STATEMENT OF PURPOSE

This ordinance establishes regulations for the use of outdoor advertising in order to ensure public safety along streets and highways, to protect and enhance the physical appearance of the community and to provide a format for outdoor advertising for safe structures, to be properly located so as to meet uniform standards for construction and maintenance.

The Pointe Coupee Parish finds and determines that a location of signs within and adjacent to public streets, roads and alleys, and at the intersection thereof constitutes an obstruction to the vision of drivers of motor vehicles and a menace to both vehicular and pedestrian traffic upon the public streets, require the adoption of reasonable regulations in the interest of public health, safety and welfare of the community.

The Pointe Coupee Parish finds and determines that temporary signs of lightweight nondurable materials are subject to rapid deterioration, and, if not removed within a reasonable period of time following placement constitute a source of letter and debris hazard to vehicular traffic upon the public streets and creating visual blight offensive to community standards.

The Pointe Coupee Parish finds and determines that the continued display of special event signs following the conclusion of the event thereby advertised services no useful purpose and constitutes visual blight offensive to community standards.

The following regulations shall be known as the outdoor advertising ordinance of Pointe Coupee Parish.

B. DEFINITIONS

1. *Back-to-Back Sign*: an off-premises sign consisting of two sign facings oriented in opposite directions with not more than two faces per sign facing.

2. *Directional Sign*: a sign erected for the convenience of the public, such as for directing traffic movement, parking, or identifying restrooms, public telephones, walkways and other similar features or facilities, and bearing no advertising message.

3. *Double Faced Sign*: an off-premises sign with two adjacent faces oriented in the same direction and not more than 10 feet apart at the nearest point between the two faces.

4. *Facing*: that portion of an off-premises sign upon which advertising is affixed or painted and visible in one direction at one time.

5. *Freestanding Sign*: and off-premises erected on a freestanding framework supported and affixed by one or more uprights or braces in or upon the ground.

6. *Multiple-faced sign*: an off-premises sign, tri-vision or digital which rotates to display a series of advertisements, each advertisement being displayed for at least eight (8) seconds continuously without movement.

7. *Official Sign*: a sign erected by a government agency or its designee, setting forth information pursuant to law.

8. *Off-Premises Outdoor Advertising Sign*: a sign, including the supporting sign structure, which is visible from a street or highway and advertises goods or services not usually located on the premises and/or property upon which the sign is located; also called a "billboard". The following shall not be considered an off-premises sign for the purpose of this ordinance.....

- a. Directional or Official Signs authorized by law
- b. Real Estate Signs
- c. On-premise Signs

9. *On Premise Sign*: a sign, which advertises the primary goods or services sold or taking place upon the premises on which the sign is located.

10. *Real Estate Sign*: a sign, which advertises the sale or lease of the property upon which, the sign is located.

11. *Roof Mounted Sign*: an off-premises sign attached to the roof of a building.

12. *V Type Sign*: an off-premises sign structure which consists of multiple sign facings placed at angles to each other, oriented in different directions and not exceeding 10 feet apart at the nearest point to each other.

13. *Wall Sign*: an off-premises sign attached to the wall of a building or structure.

14. *Right-of-way*: means the area lying within the dedicated or prescriptive public easement of any street, road or alley, whether improved or not, included the sidewalk, ditches, drains, median and esplanade.

15. *Sign*: means any structure or display, billboard, poster, placard handbill, flyer, painting or other similar object in any form whatsoever which contains printed or written matter in words, symbols, pictures or any combination thereof including, but not

limited to, signs displaying political or commercial advertising.

16. *Abandoned sign*: means an abandoned sign which has fallen into disrepair or otherwise deteriorated as a results of lack of maintenance, repair or upkeep.

17. *Temporary sign*: means a sign for which the intended length of use will not exceed nine months.

C. THE FOLLOWING SIGNS SHALL NOT BE PERMITTED

1. Signs which are obsolete; signs which are illegal under State Laws or regulations; signs that are not clean and in good repair; signs that are not securely affixed to an approved/substantial structure; signs which appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate or resemble and official traffic sign, signal, or device; signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features and/or signs which are not consistent with the provisions.

2. Any sign determined by the Pointe Coupee Parish Police Jury to be objectionable, obscene or causing a hindrance to public health, safety or welfare of the community.

3. Any sign situated on property contiguous to False River (between the lake and a public highway) which is larger than 4'x 8', 32 square feet, excluding the base or apron, trim supports, and other structural elements.

D. LAND USE CRITERIA

The zoning and actual land use of an area at any given time will determine applicability of the standards for control of outdoor advertising signs. The industrial or commercial activity at the time permit applications are submitted will determine the classification of unzoned commercial or industrial area.

E. GENERAL PROVISIONS

1. No off-premises sign shall be constructed which resembles any official marker erected by a governmental entity, or which be reason of position, shape, or color would conflict with the proper functioning of any official traffic control device.

2. Off-premises signs shall be constructed in accordance with local and state building and electrical codes.

3. Off-premises signs shall be regularly maintained in good and safe structural condition.

4. No off-premises sign shall be located on a property without the consent of the property's owner or legal representative.

5. The general area in the vicinity of any freestanding sign, on the undeveloped property, shall be kept free and clear of sign materials, debris, trash and refuse.

6. Temporary signs shall be removed within thirty days after the event has occurred.

7. Off-premises signs must maintain a fall radius of 200ft from any inhabited structure.

F. SIZE OF SIGNS

1. The maximum sign area for any one face of an off-premise sign shall not exceed 672 square feet, excluding the base or apron, trim supports, and other structural elements. Temporary embellishments shall not exceed 20% of the maximum sign area allowed.

2. The smallest square, circle, rectangle, or combination shall measure the sign area thereof, which will encompass the entire sign fact not to exceed 672 sq. ft.

3. Signs may be back to back, or V-type with not more than one face to each facing and structure shall be considered as one off-premise sign. Stacking or side by side signs are allowed with design statement from certified engineer presented to Police Jury to ensure strength of sign.

G. HEIGHT OF AN OFF-PREMISE SIGN

1. An off-premises sign shall maintain clearance of ten feet measured from the ground level at the base of the sign to the bottom of the sign face.

2. An off-premises sign shall have a maximum height not to exceed sixty (60) feet above grade level of the adjacent roadway to the bottom of the sign face, as measured from the centerline of the roadway to which the sign is oriented.

H. SPACING FOR OFF-PREMISE SIGNS

1. No off-premises sign may be established within 500 feet of any other off-premise sign, measured along the same side of the street or highway to which the sign is oriented.

2. The spacing between sign does not apply to structures separated by buildings or other obstructions in such a manner that only one sign located within the spacing distances is visible from the street at any one time.

3. The minimum distance between off-premises signs shall be measured along the nearest edge of the pavement between points directly opposite the center of the signs along each side of the highway and shall apply to structures located on the same side of the same street or highway.

I. SETBACK REQUIREMENTS

1. Front: A minimum setback of 10' is required from front lot line for any off-premises sign, regardless of zone.

2. Side: A minimum setback of 1' is required from side lot line for any off premises sign, regardless of zone.

3. Rear: A minimum setback of 10' is required from rear lot line for any off-premises sign, regardless of zone.

4. In no case shall any portion of an off-premises sign overhang into or be placed in the public right of way, unless allowed by the public entity. An off-premises sign may overhang into the property on which it exists within 5 ft. from the public right-of-way or adjacent private property.

J. LIGHTING

Off-premises signs may be illuminated subject to the following restrictions:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving lights are prohibited if such signs interfere with traffic safety. Reflective surfaces or devices on sign faces, and multiple-faced signs, with illumination, are permitted, provided such signs do not interfere with traffic safety and comply with Subsections C and D of this Section.

2. Electronic variable message signs giving public information such as, but not limited to, time, date, temperature, weather, or other similar information, and commercial electric variable-message signs which function in the same manner as multiple-faced signs are permitted, provided such signs do not interfere with traffic safety and do not resemble or simulate traffic control or safety devices or signs.

3. Signs must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle otherwise interfere with any driver's operation of a motor vehicle.

4. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

5. The illumination of a sign within 80 ft. of and facing or residential zone lot line shall be diffused or indirect and designed to prevent light shining into residential windows and no flashing or intermittent illumination be permitted where the sign faces directly into and nearer than 300 ft. to dwellings in a residential district.

K. CONSTRUCTION STANDARDS AND SIGN REQUIREMENTS

1. Before any permit is issued by the Pointe Coupee Parish Police Jury the applicant shall submit to the parish, a design, wind stress calculations, and elevations. When necessary the applicant may be required to have data signed by a certified engineer.

2. Supports and braces, sign anchoring must designed to have sufficient strength to support any sign.

L. SIGN PERMIT

1. No off-premises sign shall be erected without securing a permit from Pointe Coupee Parish Police Jury and payment of the permit fee. Before such permit is issued, an inspection shall determine that the off-premises sign complies with the provisions of this ordinance.

2. Permits issued for signs and outdoor display structures shall relieve Parish of all liabilities and damages incurred by signs.

3. Failure to maintain the sign shall constitute a violation of this ordinance. Certified written notice will be sent to the owner whereby the owner will have 60 days to remove or repair sign. Such removal shall be at the expense of owner. If the owner so notified fails to remove or repair the sign, such sign may be removed by the parish at the expense of the owner.

4. Signs that become obsolete shall be removed by owners within 30 days after the event.

5. In order to obtain a permit to erect, substantially modify or relocate sign, an applicant shall submit to the Pointe Coupee

Official Building Inspector a sign permit application that sets forth in writing a complete description of the proposed sign and shall include:

- a. Owner's signature required releasing Pointe Coupee Parish from all liabilities and damages.
- b. The name, address and telephone number of the property owner and the sign contractor.
- c. The location by street address of the proposed sign structure.
- d. If the sign is electric, details are required for an electrical permit.
- e. Cost of Permit:

A one time permitting fee of 50¢ per sq. ft. with a maximum of \$75.00.

Section 2. If any section, part, paragraph, sentence or clause of this ordinance should be declared invalid or unenforceable, such invalidity or defect shall not affect the remaining sections, paragraphs, parts, sentences, or clauses hereof and, to this end, the several provisions hereof are declared to be severable.

Section 3. All ordinances or parts thereof in conflict herewith are hereby repealed.

Publish: March 7, 2013