

VILLAGE OF MAURICE

ORDINANCE NO. 18-2B

AN ORDINANCE REGULATING EXISTING AND  
PROPOSED OUTDOOR ADVERTISING

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**BE IT ORDAINED** by the Mayor and Board of Aldermen of the Village of Maurice, Louisiana, acting as the governing authority of said Village that it is the desire of the Board of Alderman of the Village of Maurice to enact the following ordinance to be read as follows:

The Village of Maurice, Louisiana does hereby enact ordinance number 18-2B as follows:

PURPOSE:

The purpose of this article is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising through use of billboards, while assuring the orderly and effective display of outdoor advertising. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of designated areas and provide a more enjoyable and pleasing community.

DEFINITIONS:

As used in this article, the following terms shall have the meanings indicated:

*Arterial highway* means any street or highway for which operation or maintenance falls under parish, state or federal jurisdiction.

*Billboard (off-site commercial speech)* means any outdoor advertising board, junior board advertising medium, structure or device which advertises, directs or calls attention to any business, article, substance, service or anything which is painted, printed, pasted or affixed to any building, structure, wall, fence, pole, railing, natural object or structure of any kind on real property or upon the ground itself and which advertises services, products or commodities not available on the premises on which the "billboard" is located.

*Double stack billboard* means any billboard structure on which more than two (2) double faced, back-to-back, or V-type billboards are affixed.

*Double-faced, back-to-back or V-type billboards* means those configurations of multiple billboards structures as those terms are commonly understood and as further defined in state law, except that in no instance shall these terms include two (2) or more billboards which are not physically contiguous.

*Erect* means to construct, build, raise, assemble, place, affix, attach, create, paint, or in any other way bring into being or establish.

*Front or face of a billboard* means the outer surface of a billboard which is visible from any private or public street or highway.

*Illuminated billboard* means any billboard illuminated by electricity, or other artificial light.

*Lighting device* means any light, string of lights or group of lights located or arranged so as to illuminate a billboard.

*Person* means any person, firm, partnership, association, corporation, company, institution or organization of any kind.

*Physically contiguous* means of the same structure and, in the case of V-type billboards, shall be in contact with one and another at the apex of the "V." Each face shall be considered a separate billboard.

*Rotating message billboard* means a poster panel billboard of approximately three hundred (300) square feet in sign area which has rotating panels with a maximum of three (3) message faces.

#### EXCEPTIONS.

For the purposes of this article, the term "billboard" does not include billboards erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulation.

#### GENERAL REGULATIONS.

- (a) There shall be no illuminated billboard signs within the corporate limits of the Village of Maurice.
- (b) No billboard shall be erected on or attached to any building.
- (c) No billboard or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or other similar moving, fluttering or revolving devices.
- (d) No standard billboard shall exceed four hundred eighty (480) square feet.
- (e) No junior billboard shall exceed two hundred (200) square feet.
- (f) No standard billboard shall be in excess of forty-five (45) feet in height above the average existing grade level at the billboard.
- (g) No junior billboard shall be in excess of twenty (20) feet in height above the average existing grade level at the billboard.
- (h) Every billboard shall bear the permit number and name of the permit holder and/or owner of the land upon which the billboard is erected prominently and permanently affixed on the face thereof. A proper space shall be reserved in the lower left-hand corner of the permit plaque where the annual permit inspection tag shall be affixed. This annual permit tag shall be issued by the director or his designee. This annual permit tag shall be affixed to the billboard by the owner and/or applicant.
- (i) A billboard and its structure shall be maintained, including the change of the advertising message, the repairing and replacing of components parts and the performance of other acts as incident to the upkeep of the billboard.
- (j) No billboards shall display advertising matter of an indecent or obscene nature.
- (k) No billboard shall confuse, mislead or resemble any government billboard.
- (l) No rotating message billboard shall be permitted.
- (m) No double stack billboard shall be permitted.

#### LOCATION.

- (a) Billboards shall be permitted only along the highways belonging to the state or federal highway systems within the Village of Maurice.

- (1) No billboard shall be permitted historic districts as created from time to time by the city council;
- (2) No standard billboard shall be permitted except along U.S. Highway 167; State Highway 92 East and West.
- (b) Side line setbacks shall not be less than twenty-five (25) feet front line setbacks shall not be less than twenty-five (25) feet: and rear line setbacks shall not be less than twenty-five (25) feet. Setbacks shall be from property lines. than
- (c) Billboards shall be separated from each other by a distance of at least two thousand six hundred forty (2,640) feet; except that two (2) such billboards may be arranged on an angle or back-to-back.
- (d) Billboards shall not be permitted within two thousand six hundred forty (2,640) feet of any public park; playground; or cemetery.
- (e) No billboard shall be erected within twenty-five (25) feet of any building.

#### CONSTRUCTION SPECIFICATIONS.

- (a) Billboards shall be constructed to withstand a wind load as required by the I.C.C. Code.
- (b) Each application for the erection of a billboard shall be accompanied with a detailed set of structural plans bearing the seal of a licensed engineer registered to practice in the State of Louisiana.
- (c) All electrical work shall be in accordance with Underwriters; Laboratories; Inc. (UL);

#### BUILDING PERMIT REQUIRED; RESTORATION.

- (a) After the effective date of this article and except as otherwise herein provided; no person shall erect any billboards as defined herein without first obtaining a building permit from the director.
- (b) Nothing in this article shall prevent the replacement or restoration of an existing billboard or its supporting structure that has been destroyed or which has been deemed by the applicant to be in need of replacement. Such replacement or restoration shall be permitted in compliance with the standards and procedures, set forth in this article.

#### APPLICATION FOR BUILDING PERMIT.

- (a) Application for the building permit must be made in writing, in duplicate, upon forms prescribed and provided by the Permit Clerk and shall contain the following information:
  - (1) Name, address and telephone number of the applicant.
  - (2) Name, address and telephone number of the property owner.
  - (3) Zoning Official approval.
  - (4) A detailed drawing showing a description of the construction details of the billboard position of lighting or other extraneous devices; a location plan showing the position of the billboard on the site and its position in relation to nearby buildings or structures and to any private or public street or highway and its height.

- (5) Written consent of the owner of the land on which the billboard is to be erected in the event that the applicant is not the owner thereof.
- (b) A copy of the electrical permit from the Louisiana Board of Fire Underwriters issued for said billboard shall be filed with the application therefor.
- (c) Prior to the issuing of a building permit to erect a new billboard, the applicant shall pay the current fee established for the same by resolution of the city council. This fee and approval constitutes the first-year annual fee and renewal permit.
- (d) Application for a building permit must be made for all existing billboards and shall constitute the first year annual fee and renewal permit.

#### ISSUANCE OF BUILDING PERMIT.

It shall be the duty of the Building Code Official upon the filing of an application for a permit to erect a billboard to examine such plans, specifications and other data submitted for the proposed billboard. It shall be the duty of the Permit Clerk to issue a permit for the erection of a proposed billboard, provided that:

- (1) The proposed billboard has received Zoning approval.
- (2) The proposed billboard is in compliance with all the requirements of this article, as well as all other laws of the city and state.

#### ISSUANCE OF ANNUAL RENEWAL PERMIT.

Each billboard permit shall be renewed with the director in accordance with the following regulations:

- (1) Application for an annual permit shall be made within 14 calendar days after the first day of January.
- (2) The applicant shall submit any changes in ownership of billboard or property and an affidavit stating that the same has been changed on the billboard itself.
- (3) Fees. The fee for an annual permit shall be in an amount as may be fixed by the city council from time to time for all size billboards.

#### REVOCAION OF PERMITS.

The Mayor shall revoke such billboard permit fourteen (14) days after written notice has been given to the owner on record of said billboard for anyone (1) of the following conditions, provided that said condition has not been corrected within the fourteen-day period:

- (1) Failure to obtain the annual permit within the first fourteen (14) calendar days of the new year.
- (2) Failure to submit proper information in regard to changes in ownership of billboards.
- (3) Failure to complete construction within one hundred eighty (180) days of date of issuance of the building permit.
- (4) Failure to affix the permit number and necessary names.
- (5) Failure to obtain permission from the Mayor or Building Official.
- (6) Failure to maintain any billboard in accordance with the judgment of the mayor or Building Official. This would include but not be limited to the following:

- a. That the structure be free from all hazards, such as faulty wiring, loose fastening or supports, etc.
  - b. That the structure remain safe, secure and in no way a menace to the public.
  - c. That the structure be maintained in a clean, neat condition.
- (7) The Mayor or Building Official may cause any billboard that is a source of immediate peril to persons or property to be removed summarily and without notice.

#### NONCONFORMING BILLBOARDS.

- (a) Any billboard in existence at the effective date of this article that does not comply with this article shall be deemed nonconforming and shall be allowed to remain as such, provided that a building and annual renewal permit is filed for.
- (b) No nonconforming billboard shall be reconstructed or structurally altered except as provided for in application for permit and subsection (c) of this section.
- (c) Once a nonconforming billboard has been removed, an applicant has a period of up to six (6) months to apply for a permit (b) restoration building permit and re-establish the billboard. If such a permit is not applied for six (6) months after the billboard was removed then abandonment or relinquishment of such nonconforming billboard shall be presumed, and such nonconforming billboard shall be deemed abandoned and shall not thereafter be reestablished. A party seeking to rebut the presumption of abandonment herein and assert non-abandonment of such nonconforming billboard has the burden of proving that such abandonment or relinquishment of such nonconforming billboard was not intentional and that such nonuse was involuntary, as well as the burden of going forward.

#### REVIEW AND APPEAL.

Any person aggravated by any decision of the Mayor or Building Official relative to the provisions of this article may appeal such decision to the Council.

#### PENALTIES FOR OFFENSES.

Failure to comply with any of the provisions of this article shall be deemed a violation, and the violator shall be liable to a fine of not more than five hundred dollars (\$500.00), and each day that such violation continues shall constitute a separate violation.

WHEREUPON, the above ordinance was read section by section and was submitted to a vote, the vote thereon being as follows:

YEAS: Alderman Phyllis Johnson, Alderman Kenneth Picard and Alderman Sherry Howell

NAYS: None

ABSENT OR PRESENT AND NOT VOTING: None

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The above Ordinance was declared adopted on this 21st day of February, 2018, at Maurice, Vermilion Parish, Louisiana, to become effective upon publication.

**THE VILLAGE OF MAURICE**

BY: s/Wayne Theriot  
WAYNE THERIOT, Mayor

BY: s/Melanie Denais  
MELANIE DENAIS, Clerk

**CERTIFICATE**

I, Melanie Denais, Village Clerk of the Village of Maurice, do hereby certify that the above is a true and exact copy of an Ordinance adopted by the Board of Aldermen of the Village of Maurice duly assembled in Maurice, Louisiana, on the 21st day of February, 2018, at which time a quorum was present and voting.

Signed on this 22<sup>nd</sup> day of February, 2018, at Maurice, Vermilion Parish, Louisiana.

**VILLAGE OF MAURICE**

BY: s/Melanie Denais  
MELANIE DENAIS, Village Clerk