

SIGN ORDINANCE # 07-08-14A

Amended on July 13, 2010

This sign ordinance was introduced by Alderwoman Ruby Gauley on July 10, 2007.

The term sign shall mean and include every sign. Billboard, ground sign, wall sign, roof sign, illuminating sign, projecting sign, temporary sign, marquee, awning, canopy and street clock, and shall include any announcement, declaration, demonstration, display illustration or insignia used to advertise or promote the interests of any person when the sign is placed out of doors, in view of the general Public.

APPLICATION FOR ERECTING A SIGN: An application for permission to erect a sign will be drawn up by the Board of Adjustment, and contain or have attached the following information:

1. Name and address and telephone number of the applicant.
2. Location of building or structure shall be given by street address or/and lot number.
3. A sketch showing position of the sign in relation to nearby buildings or structures.
4. Any electrical permit required and issued for said sign.
5. Application for a free standing sign shall include plat or survey of the property showing where the sign is to be located.

SIGNS NOT TO CONSTITUTE TRAFFIC HAZARDS:

No signs to be erected at the intersection of any streets as to obstruct free and clear vision.

BILLBOARD SIGNS:

Can only be placed off the Interstate

OTHERS:

LED signs permitted upon approval by the Board of Adjustment.

Outdoor, off-premise advertising signs in town, cannot exceed 35 feet.

SIGNS NOT ALLOWED:

1. Signs that are obsolete, including outdoor signs that have been blank for 12 months, out of date political advertising signs and advertising of defunct business.
2. Signs that are illegal under state law.
3. Signs that are not clean and in good repair.
4. Signs that are not securely fixed on a substantial structure.
5. Signs located on public property, unless placed thereon under lease arrangement or otherwise permitted by legal authority.
6. Signs are not allowed to be nailed to trees and telephone poles.
7. No hand made business signs.
8. Damaged signs must be removed.
9. No sign shall be permitted within five feet from any property line except public warning and directional signs.

10. No portable signs at strip malls.

SIGN FOR NEW BUSINESSES.

The new type monument signs can be located at driveway entrance or middle of property in the front. Can be lighted or not lighted.

Signs are approx. 4 feet by eight feet (4 X 8), leg height is three and one half feet. A sample sign can be seen at the First Baptist Church on Hwy 3081, or at most business locations on East Gause Blvd., Slidell.... When electrical service is provided to free standing signs or ground signs (sample pictures are available). All such electrical service shall be underground where available.

All such electrical service shall be underground where available.

Town must approve design of sign.

Garage sale, yard sale, political signs and one time event signs must be removed by the next day that the event is over.

A form must be filled out and given to the Board of Adjustment for approval of signs.

All rules about signs must be abided by or fines up to \$500 (five hundred dollars) can be imposed.

Pre-existing use in zoning applies to this ordinance explicit usage.

Now, therefore on August 14, 2007, this ordinance was adopted by a motion from Alderman Virgil Phillips and seconded by Alderman David McQueen and will go into effect immediately upon its passage.

VOTING:

James Lavigne, Mayor

Elizabeth Allen, Town Clerk

At the regular scheduled Council Meeting held on July 13, 2010 at 7:00p.m. **BUILDING PERMIT #207-A** was amended and shall become effective immediately upon adoption. The Council agreed to adopt the additional regulations made by the Planning Commission. These additional regulations are as follows:

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1. PURPOSE

The purpose and objectives of this ordinance are to establish standards for the erection, display, safety and maintenance of signs in the Town of Pearl River, and furthermore:

- To regulate and control the location, erection, and number and maintenance of signs in order to enhance the aesthetic environment of the Town of Pearl River while promoting the public safety, health and general welfare of the community:
- To afford the business community equal and fair opportunity to advertise and promote its products and services, and encourage economic development:
- To minimize the possible adverse effect of signs on nearby public and private property:
- To enable the fair and consistent enforcement of these sign regulations.

2. JURISDICTION

The provisions of this ordinance shall apply to all signs erected within the Town of Pearl River, except those signs specifically exempted from compliance with this ordinance.

3. ENFORCEMENT

This ordinance shall be administered and enforced by the Mayor and Board of Aldermen of the Town of Pearl River or their designee. Upon written 10-day notification to the owner of the sign and/or owner of the real property, they may issue a citation for violation of the Town ordinance thereby requiring the presence of the violator in magistrate court, institute the filing of a petition for an injunction, or other appropriate action or proceeding to prevent the unlawful erection, construction, alteration, or conversion of signage in violation of the ordinance. Additionally, the Mayor and Board of Aldermen may have the sign removed at the expense of the sign owner and/or the owner of the real property, and may issue a citation for violation of the Town ordinance

to the agent that placed the sign, as well as those parties responsible for directing the agent, including the person or business owner whose name, message and/or address, and/or telephone number appears on the sign. The Town without warning or notice to the sign owner may remove any sign located within a public street right-of-way immediately.

4. PENALTY FOR VIOLATIONS

Any person violating any provisions of this ordinance, permitting condition or stop-work order shall be subject to a fine up to \$500.00 per violation.

5. EXEMPTIONS

The following types of signs are specifically exempted from compliance with this ordinance, and do not require a sign permit:

- Flags, except when displayed in connection with a commercial promotion, not to exceed 40 square feet, emblems or insignia of government agencies, religious, charitable, public, or non-profit organizations, not to exceed 35 square feet; flag poles must not exceed 40 feet in height,
- Traffic safety and traffic directional signs installed within the right-of-way of a public street, and traffic safety and traffic directional signs along private streets driveways, and in off-street parking lots that are installed per the requirements of Parish of St. Tammany, State of Louisiana, or Federal regulations
- Name and Address attached to buildings, up to two signs indicating address, number, and/or name of occupants of the premises, that do not exceed two square feet in are per side, and do not include any commercial advertising
- Signs erected by or on the order of a public officer in the performance of his duty, such as public notices, safety signs and the like
- Any sign not visible from a public street
- Decals affixed to windows or glass doors pertaining to the time a business, activity, or establishment is open, and conditions under which patrons may receive service, including credit card identification
- Town owned kiosk signs
- Handicap parking space signs
- Private drive signs
- Security and warning signs
- Beware of dog signs
- Temporary non-illuminated real estate signs
- Seasonal farm-produce and licensed road-side vendor signs not to exceed 16 square feet
- Garage or yard sale signs and One-time Event signs; not to be erected more than five days prior to the event, and must be removed within 2 days after the event, and shall include the date of the event
- Political signs; not to be erected more than 90 days prior to the election, and must be removed within 10 days after the last election pertaining to the relevant office.

6. PROHIBITED SIGNS APPLICABLE TO ALL USES

The following types of signs are prohibited:

- Abandoned signs
- Audible signs
- Beacons
- Billboard signs other than located on Interstate
- Flashing signs
- Hand-made business signs
- Inflatable signs except when used in conjunction with a special event
- Lasers
- Obsolete signs with the exception of pole signs and monument signs
- Portable signs without a permit
- Signs affixed to trees, shrubs, or telephone poles
- Signs exceeding 35 square feet except with permit
- Signs illegal under state law
- Signs on public property unless with permit
- Signs on right-of-way other than public service signs, official public notice signs, or public directional signs
- Signs that obstruct, impair, or restrict visibility at an intersection of the right-of-way of two streets, or the right-of-way of a street and a railway, or a street and pedestrian or bicycle right-of-way, or a driveway and street right-of-way
- Signs that resemble official traffic or emergency control signs or devices.

7. SIGN PERMIT REQUIRED

Except as specifically excluded from the provisions of this ordinance, it shall be unlawful for any person to post, display, substantially change, or erect a sign in the Town without first having obtained a sign permit. For purposes of this ordinance, application for a sign permit and a building permit may be made simultaneously.

8. SIGN PERMIT APPROVAL

Sign permits are approved by the Town of Pearl River Board of Aldermen, and should be included with the original permit application for construction of the business or development whenever possible.

9. SIGN PERMIT APPLICATION

The sign owner or his agent shall file applications for sign permits with the Town Clerk upon forms furnished by said office. The application shall describe and set forth the following:

1. The type of sign as defined in this ordinance
2. A design of the sign which shows the height of the sign, the area of the face of the sign, and the structural supports of the sign
3. The street address of the real property upon which subject sign is to be located

4. A drawing of the property, on which the sign will be located, which shall include the proposed sign, the location and the distance from the proposed sign to property lines, structures, paved street surface, existing signs, and right-of-way
5. The square foot area of each sign
6. The name (s) and address (s) of the owner (s) of the real property upon which the subject sign is to be located
7. Written consent of the owner of the real property, or his legal agent, granting permission for the placement or maintenance of subject sign
8. A copy of the lease or other document from the owner of the sign, in not the same as the owner of the real property
9. Name, address, phone number and business license number of the sign contractor

The Board of Aldermen of the Town of Pearl River, or the Mayor of the Town of Pearl River may require additional information of such print or sketch to insure compliance with this ordinance.

Sign permits expire 12 months after date of issuance if the erection of the sign has not been completed. No refunds will be issued for expired sign permits.

10. SIGN PERMIT FEES

The Town of Pearl River Board of Aldermen establishes permit fees.

11. CRITERIA FOR WAIVERS AND VARIANCES

The Board of Aldermen of the Town of Pearl River may grant variances or waivers from the provisions of this ordinance provided it is in the best interest of the public, and not based solely on cost or economic consideration, on the basis of the following criteria:

- Unusual elevations or shape of the lot
- Unusual landscaping or tree preservation
- Unusual architectural design of the building
- Historical preservation issues
- Hardship

12. NON-CONFORMING SIGNS

Any sign that lawfully existed on the effective date of this ordinance but which does not conform to the provisions of this ordinance is considered a non-conforming sign. Non-conforming signs are not illegal signs. The Town reserves the right to enact an ordinance to require owners of non-conforming signs to modify said signs to conform with the current sign ordinance within a specified time frame.

A non-conforming sign that is destroyed or damaged to the extent of 50% or more cannot be altered, repaired, enlarged, reinstalled, or replaced without being in compliance with the provisions of this ordinance. If the damage is less than 50%, all repairs must be completed within 90 days. A new sign permit is not required to change the sign face or a change in the copy on the sign face. Non-conforming signs that are deemed abandoned, wherein the sign shows gross neglect, becomes dilapidated, or in the opinion of the

Mayor and the Board of Aldermen poses a threat to public safety, shall be removed under the enforcement provisions of this ordinance.

13. INDIVIDUAL SIGN REQUIREMENTS

Monument signs are allowed for commercial, industrial, institutional, multifamily and residential condominium, and subdivision entrance uses. Monument signs cannot exceed 16 feet in height and 35 square feet total sign area. They may be interior or exterior illuminated or not illuminated. Monument signs may have multiple panels to reflect multiple-occupancy of tenets in structure, or for multiple businesses in a “strip mall” or connected row of businesses on one property. One monument sign shall be allowed for each 1,000-foot increment of street frontage per property.

Pole signs are allowed for commercial, industrial, and institutional uses. Pole signs cannot exceed 16 feet in height and 35 square feet total sign area, and the base of the sign shall be at least seven feet above the ground.

Portable signs are allowed with permit for a one-time event for commercial uses, or when erecting a freestanding sign will create a traffic hazard.

All signs requiring an electrical source must conform to all State, Parish, and Town of Pearl River regulations on installation and usage of electrical wiring and components.

14. DEFINITIONS

For the purposes of this ordinance, certain terms and words are hereby defined. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. The word “shall” is mandatory, while the word “may” is permissive. As used in this ordinance, unless the context otherwise indicates, the following words and terms shall have the following meaning ascribed to them:

Abandoned sign: Any sign which shows gross neglect, becomes dilapidated, or in the opinion of the Mayor and the Board of Aldermen poses a threat to public safety

Animated sign: A sign with action, motion, sound, or changing colors. This includes signs that blink, flash or fluctuate lights or other illuminating devices which have a changing light intensity, brightness or color. This definition does not include automated changeable copy signs as defined by this ordinance.

Area of sign: The area within a continuous perimeter enclosing the limits of writing, presentation, emblem, or any figure of similar character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such writing, representation, emblem or any figure of similar character from the background against which it is placed. For double-faced signs, only the largest display face shall be measured in computing the sign area.

Audible sign: any sign which is designed to or does generate sounds

Automated changeable copy sign: A sign, usually freestanding, containing copy that changes at intervals.

Banner: A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, or fabric of any kind with only such material for a backing. For purposes of this ordinance, a banner is a sign.

Blade sign: A double-sided sign oriented perpendicular to the building wall.

Board of Aldermen: Board of Aldermen of the Town of Pearl River, Louisiana

Canopy: A fixed overhead shelter used as a roof which is attached to a building.

Canopy sign: A sign with a single or double face copy hung from a canopy.

Double-faced sign: A sign which has two (2) display areas against each other or where the interior angle formed by the display areas is sixty (60) degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Discontinued Sign: A sign intended to identify, announce, direct, inform, or bring to the attention of others a subject that has been discontinued.

Electronic Message Board (LED): A sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. The LED display shall not be animated, flashing, or scrolling. The frequency of message change on an LED shall be more than once every 10 seconds.

Expression sign: A type of sign, not otherwise specifically defined and permitted in this ordinance, which involves the expression of any idea that could be characterized as free speech, and which is not related to a particular use of land.

Flashing sign: Any sign, except those defined by this ordinance as a “changeable copy” sign, which is not kept constant in intensity of illumination at all times when in use, and which exhibits marked changes in lighting effects.

Frontage, building: The width in linear feet of the front exterior wall of a particular establishment.

Frontage, road: The width in linear feet of each lot where it abuts the right-of-way of any public street.

Ground sign: A permanently affixed sign which is wholly independent of a building for support (i.e., freestanding).

Height of sign: The distance in vertical feet from the ground to the highest point of the sign face.

Illuminated sign, direct: A sign illuminated by an internal light source which is viewed through a translucent panel.

Illuminated sign, indirect: A sign illuminated by an external light source directed primarily toward such sign.

Kiosk sign: A freestanding and multiple sided structure owned by the Town and located in public rights-of-way that displays directional informational to residential and commercial developments.

Lot: A designed parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

Marquee: A roofed structure and attached to and supported by a building and projecting over private sidewalks or private pedestrian travel ways.

Marquee sign: A sign painted on, attached to or hung from a marquee. For purposes of this ordinance marquee signs shall be considered wall signs.

Mayor: Mayor of the Town of Pearl River, Louisiana

Monument sign: A freestanding sign where the base of the sign structure is on the ground. The width of the sign structure can be no more than 120 percent of the width of the base.

Non-conforming sign: Any sign that lawfully existed on the effective date of this ordinance but which does not conform to the provisions of this ordinance. A non-conforming sign is not an illegal sign. The Town reserves the right to enact an ordinance to require owners of non-conforming signs to modify said signs to conform with the current sign ordinance within a specified time frame.

Obsolete sign: Any sign other than a pole sign or monument sign advertising a business that has permanently vacated the premises, or any sign advertising an event, product, or activity that has exceeded the time limits specified elsewhere in this ordinance.

Planning Commission: The Planning Commission of the Town of Pearl River, Louisiana

Portable sign: A sign which is not permanently affixed, including but not limited to signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.

Projecting wall sign: A wall sign projecting more than thirteen (13) inches from the outside wall or walls of any building upon which it is located

Pylon sign/Pole sign: A freestanding sign that rests upon a pylon or pole (s).

Roof sign: A sign projecting above the coping of a flat roof, above the ridge of a gable, hip or gambrel roof, or otherwise located more than twelve inches above the front building wall and supported by or attached to said roof.

Sidewalk sign: A moveable sign not secured or attached to the ground or surface upon which it is located.

Sign: A lettered, numbered, symbolic, pictorial, or illuminated visual display, device, or communication designed or used for the purpose of identifying, announcing, directing, informing, or bring to the attention of others the subject thereon, that is visible from the public right-of-way of a county, city, or state road.

Sign face: That part of a sign that is or can be used for communicating a message.

Temporary sign: A sign of a nonpermanent nature.

Town: The Town of Pearl River, Louisiana

Trailer sign: Any sign mounted on wheels and that may be moved from one location to another.

Wall sign: A sign applied to or mounted to the wall or surface of a building or structure, the display surface of which does not project more than twelve (12) inches from the outside wall of such building or structure. The total lettering on one (1) side of a building or structure shall constitute one (1) wall sign.

Window sign: A sign installed inside a window and is intended to be viewed from the outside. For purposes of this ordinance, the area of any window sign shall be measured on the basis of the proportion of area within each individual window frame, not the total window area of a building window visible from a public street.

Zoning Districts: For the purposes of this ordinance, the zoning districts are defined as follows:

- R-1, R-1a, R-2, R-3: Residential
- B-1: Neighborhood business
- B-2: Highway business
- B-3: Shopping Centers
- M-1: Light Industrial
- M-2: Heavy Industrial

15. TOWN OF PEARL RIVER STREETS AND ZONING

Copy enclosed in original Ordinance in Book

Effective Date: 03-18-2005

STREET NAME	ZONING	STREET NAME	ZONING
Ann Street	R-1-A	Mattie Road	R-1
Ash Street	R-1-A	Michael Drive	R-1-A
Ashwood Lane		McQueen Road	R-1-A
Bancks Street	R-3	Mitchell Road	R-3 (nds)
Barrington Court	R-1-A	Molander Court	R-1-A
Beech Street	R-1	Nelson Road	R-1-A
Birch Court	R-1-A	Oak Street	R-1-A
Boyet Street	R-3	Old Military	M-1
Byrd Street	R-1-A	Orange Street	R-1-A
Calhoun Street	R-3	Patricia Street	R-1-A
Church Street	R-3	Pearl Street	R-1-A
Contessa Lane	R-1-A	Pearl River Trace	R-1-A
Copper Lane	R-1 (nds)	Peach Street	R-3
Craddock Lane	R-1	Penton Street	R-3
Creekside Place	R-1-A	Pine Street	R-1-A
Elm Street	R-1-A	Planer Mill Court	R-1-A
Frierson Road	R-3	Plump Slough Road	M-1
Glen Court	M-1	Richland Drive	R-1-A
Gum Street	R-3	Sawmill Creek Road	R-1-A
Hayes Street	R-3	Shinglemill Road	R-1
Hickory Street	R-1	Spruce Street	R-1
Holmes Street	R-1-A	Susan Street	R-1-A
Honeysuckle Lane	R-1	Sullivan Drive	R-1
Hudson Road	(800 feet)	Sullivan Place	R-1-A
Hwy Dept Road	B-2(500 feet)	Taylor Street/Rebel Lane	R-1-A
Hwy 11	B-2(1.3 miles)	Taylor Quarter Road	R-1
Hwy 1090	B-2(7 miles)	Tupelo Street	R-1-A
Hwy 3081	B-2(1.6miles)	Venture Drive	R-1-A
Hwy 41	B-2(2.7miles)	Williams Street	R-3(nds)
Hwy 41Spur	B-2(2.5miles)	Willis Alley	R-1
I-59 North	M-2(3.4miles)	Windsong Place	R-1-A
Jennifer Lane	R-1-A		

**TOWN OF PEARL RIVER, LOUISIANA
APPLICATION FOR SIGN PERMIT**

APPLICANT INFORMATION

Name of Applicant: _____
Address of Applicant: _____
Phone Number of Applicant: _____

PROPERTY OWNER INFORMATION

Name of Owner of Property where sign will be located: _____
Address of Owner of Property: _____
Phone Number of Property Owner: _____

Applicant must attach written consent of the property owner or his/her legal agent granting permission for the placement or maintenance of subject sign.

Applicant must attach copy of the lease of the applicant, if different than the owner of the property.

SIGN CONTRACTOR INFORMATION

Name of Contractor: _____
Address of Contractor: _____
Phone Number of Contractor: _____
Contractor Business License Number: _____

SIGN TYPE AND DESIGN INFORMATION

Type of Sign (as defined by Sign Ordinance) _____
Type of Materials to be used: _____

Please provide in this space or as an attachment, a drawing of the design of the sign that shows the height of the sign, the area of the face of the sign, and the structural supports of the sign.

SIGN LOCATION INFORMATION

Name of Business: _____
Street address where sign will be located: _____

Zoning: _____

Please provide in this space or as an attachment, a drawing of the property on which the sign will be located, and include the proposed sign, the location on the property, and the distance from the proposed sign to property lines, structures, paved street surface, existing signs, and right-of-ways.

No sign can be erected until the Town of Pearl River Board of Aldermen approves the permit request and a permit is issued.

Signature of Applicant

Date Signed

Office Use

Application # _____ Fee: \$ _____

Check # _____ Cash Paid: \$ _____

Received By: _____ Date: _____

Date Permit Approved: _____ Date Permit Issued: _____

Now, therefore on July 13, 2010, this ordinance was adopted by a motion from Alderwoman Gauley and seconded by Alderwoman Crowe and will go into effect immediately upon its passage.

VOTING: 5 YEAS, 0 NAYS, 0 ABSENT – MOTION CARRIED

James Lavigne, Mayor

Diane Hollie, Town Clerk