

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO AMEND AND RE-ENACT  
ARTICLE IX OF THE THIBODAUX ZONING  
ORDINANCE - SIGNS**

**BE IT ORDAINED** by the City Council of the City of Thibodaux in regular session assembled, that Article IX of the Thibodaux Zoning Ordinance is hereby amended and re-enacted so as to read as follows:

**ARTICLE IX. – SIGNS**

**Sec. 901. - Purpose.**

The purpose of this Section is to reinforce and enhance the character of Thibodaux as an attractive and unique community, and to reflect the architectural resources and natural features of the community. To accomplish this, the standards shall govern the location, size, setback and height of signs for each of the use districts established in this Ordinance, and for specific uses. These regulations are intended to ensure safe construction, unity in scale and design, to reduce hazards at intersections, and to protect the property values of the entire community.

**Sec. 902 Permit Required.**

Unless specifically identified as an exempt sign in Section 906 of this ordinance, all signs shall require a sign permit in accordance with this ordinance.

**Sec. 903. - Removal, alteration or maintenance of signs.**

- A. All signs which are non-functional and structurally impaired shall be removed at the owner's expense, or within compliance within 90 days of notice.
- B. All outdoor advertising signs and sign structures shall be kept in repair and in proper state of preservation.
- C. Weeds and grass shall be kept cut in front of, behind, underneath, and around the base of the ground signs for a perimeter distance of ten (10) feet, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near such signs.

**Sec. 904. - Prohibited signs.**

Prohibited signs are subject to immediate removal, unless noted otherwise (see Section 907).

- A. Any sign erected or painted upon a sloping roof, fence, tree, stand pipe, fire escape, utility pole, or traffic sign standard.
- B. Any sign which uses the word "stop" or "danger" prominently displayed and/or which is a copy or imitation of official traffic control signs.

- C. Signs which are electronic, display video, animation, or flashing, except time and temperature, unless otherwise permitted in Section 907.
- D. Signs which emit visible smoke, vapor, particles, or odor.
- E. Signs with any lighting or control mechanism which causes radio or television or other communication interference.
- F. Any sign or sign structure placed upon any street or highway right-of-way, except directional signs and traffic control.
- G. Any sign affixed to any fence, tree, utility pole or traffic sign standard.
- H. Any sign attached to or painted onto a vehicle or any movable object parked adjacent to or on a public thoroughfare for the sole purpose of advertising.
- I. Snipe signs.
- J. Window signs which identify or advertise activities, services, or products available within the building which collectively cover more than thirty (30) percent of the window glass surface area.
- K. Bench signs with messages.
- L. Portable signs.
- M. Streamers.
- N. Revolving signs.
- O. Permanent Banners.
- P. Any sign which by reason of its location, position, size, shape or color that may obstruct, impair, obscure or interfere with the view of or confuse traffic shall be prohibited.
- Q. Signs that contain statements, words or pictures of an obscene, indecent or immoral character that will offend public morals or decency are prohibited.
- R. Erection of all on-site pylon type signs shall be prohibited.

Sec. 905. - Nonconforming signs.

Any nonconforming sign in existence on the date of enactment of this ordinance shall be considered nonconforming sign and shall be subject to the following conditions:

- A. The following to be removed or made to conform to this ordinance within ninety (90) days:
  - 1. Nonconforming signs made of paper, cloth, plastic, or other nondurable material.

2. All temporary signs other than those permitted herein.
- B. If any nonconforming sign is removed or destroyed, the replacement sign shall be in conformity with the requirements of this ordinance.
- C. Only existing businesses with no change of both use and occupancy may resurface a nonconforming sign within original footprint. Multi-tenant buildings may resurface existing nonconforming signs within footprint when a change in use or occupancy occurs.
- D. Upon failure to comply, the Zoning Administrator is hereby required to cause removal as provided by law of such sign and any expenses incident thereto shall be paid by the owner, agent, or lessee of said sign or of the property owner upon which the sign is located. The time period for this is six (6) months.
- E. Existence of any nonconforming sign on the premises will prohibit issuance of further sign permits while nonconforming use exists.

Sec. 906. - Exempt on-site signs.

Except as otherwise provided, the following on-site signs are exempt from the provisions of this ordinance and may be erected without securing a permit, subject, however, to meeting all other applicable codes and regulations.

- A. One professional nameplate for each occupant. Each professional nameplate shall not exceed six (6) square feet in area.
- B. One identification sign for each premise, denoting only the name, street number and business of an occupant in a commercial building or public institutional building. An identification sign shall not exceed six (6) square feet in area.
- C. One bulletin board or identification sign per site for public, charitable, educational or religious institution located on the premises of said institution and not exceeding thirty-two (32) square feet in area.
- D. Legal notices and official instruments.
- E. Flags or insignias of a governmental, religious, charitable, or fraternal organization mounted on a single pole. Flags or insignias shall be limited to fifty (50) total square feet in area.
- F. Decorative flags, banners or bunting authorized by the city building permit official for a citywide celebration, conventions, commemorations, fairs and parades.
- G. Holiday lights and decoration only during customary duration of holiday period.
- H. Memorial signs, tablets or cornerstones, names of buildings and date of erection when put into any masonry surface or when constructed of bronze or other noncombustible materials.

- I. Non-advertising (not to exceed four (4) square feet in area) directional signs or symbols (e.g. entrance, exit, caution, slow, no trespassing) located on and pertaining to a parcel of private property.
- J. Identification signs at the entrance drive of residences, estates, farms, ranches, and plantations which do not exceed four (4) square feet in area.
- K. Political signs are only allowed on private property. Signs shall not exceed thirty-two (32) square feet in aggregate per lot of record. Such signs shall not be erected more than ninety (90) days before an election and must be removed within (14) fourteen days after the election.
- L. Window signs which identify or advertise activities, services, goods or products available within the building and which collectively cover thirty (30) percent or less of the window glass surface area.
- M. Directional and regulatory signs erected by an agency of government or any lawfully constituted utility.
- N. One under-canopy sign per business not to exceed three (3) square feet, in area.
- O. Sandwich signs should be no larger than 2 feet wide by 4 feet tall and only displayed during business hours.
- P. Special event "temporary" sign. Any one business, individual, or organization may display a banner sign or product promotional "special event temporary sign" on private property, but not on any city or state servitude or right-of-way.
  - 1. Any such sign shall be temporary in nature and no more than thirty (30) days per year and two events per year. All such signs and any components shall be kept in good repair and be maintained in a safe condition. These signs shall be maintained in a neat, clean and attractive condition and shall be kept free of peeling and/or fading or other deterioration. Signs in violation of this section shall be removed in accordance with the enforcement section of this ordinance.
  - 2. Any such sign shall be non-electric.
  - 3. Such signs shall be professionally designed, printed and produced (hand grafted/written signs will be prohibited) and shall include franchise advertising and product promotional items.
  - 4. No more than one (1) temporary sign, not exceeding thirty-two (32) square feet (back to back) shall be allowed per premise. A business with a premise containing greater than one hundred (100) feet of street or thoroughfare frontage shall be granted one (1) additional sign.

5. Temporary signs not affixed or attached to a building shall comply with the provisions of section 904 (prohibited signs), and shall be firmly affixed to the ground to which it is attached.
6. Special event signs promoting the grand opening of a business shall be allowed an additional two (2) temporary signs, not to exceed thirty-two (32) square feet, and one (1) inflatable sign/advertising will be permitted under this section in addition to temporary signs.
7. Real Estate property sale and special event temporary signs shall be permitted on private property at the property owner's discretion under the provisions of this ordinance. However, such signs shall conform to the provisions of this section until such sale has occurred.
8. Athletic field signs at schools are exempt.

Sec. 907. - Sign standards—on premises.

- A. R-1 and R-2: None, except for temporary signs (refer to temporary signs in section 906 (P) (7)).
- B. R-3, R-4, and RB: Two on-site signs per non-residential establishment, not internally illuminated.
  1. One (1) on-site wall sign not exceeding fifteen (15) square feet in surface area attached to face of building that can be illuminated.
  2. One (1) canopy or not to exceed 15 square feet or monument type sign not to exceed thirty-two (32) square feet including structure, sign shall be set on a block type base not less than one (1) foot in height, nor more than three (3) feet in height. The width of the block must be at least  $\frac{2}{3}$  the width of the sign. The overall height of the monument sign and base shall not exceed six (6) feet from the grade at the signs location and comply with visual requirements
- C. B-1: Two on-site signs per non-residential establishment, may be internally illuminated
  1. One (1) on-site wall sign not exceeding fifteen (15) square feet in surface area attached to face of building that can be illuminated.
  2. One (1) canopy or not to exceed 15 square feet or monument type sign not to exceed thirty-two (32) square feet including structure, sign shall be set on a block type base not less than one (1) foot in height, nor more than three (3) feet in height. The width of the block must be at least  $\frac{2}{3}$  the width of the sign. The overall height of the monument sign and base shall not exceed six (6) feet from the grade at the signs location and comply with visual requirements.

D. CBD: Two on-site signs per non-residential establishment:

1. One (1) on-site wall sign not exceeding fifteen (15) square feet in surface area attached to face of building.
2. One (1) monument type sign not to exceed thirty-two (32) square feet including structure, sign shall be set on a block type base not less than one (1) foot in height, nor more than three (3) feet in height, the overall height of the monument sign and base shall not exceed six (6) feet and comply with visual requirements.
3. Marquee and Canopy Signs- Signs or sign structures located on a marquee or canopy shall be affixed flat to the surface and shall not exceed five (5) square feet.

E. C1, C2, I1, and I2:

1. Single businesses shall be allowed one (1) monument type sign not to exceed thirty-two (32) square feet including structure, sign shall be set on a block type base not less than one (1) foot in height, nor more than three (3) feet in height, The width of the block must be at least  $\frac{2}{3}$  the width of the sign. The overall height of the monument sign and base shall not exceed six (6) feet from the grade at the signs location and comply with visual requirements. Only one (1) ground sign and two (2) wall, mansard, marquis or canopy signs shall be allowed for each premises except that on corner lots and double frontage lots; two (2) ground signs and three (3) wall signs are allowed. Any premise may utilize up to the maximum sign surface allowed for each frontage, but no transfers of allowable area may be made from one frontage to another.
2. Multiple businesses in a single building shall be allowed one (1) monument type sign not to exceed sixteen (16) square feet per business. Where a single building or complex of buildings contains two (2) or more separate activities or establishments, the individual establishment located therein shall be permitted a wall sign and wall sign area based on portion of building frontage used by establishment as though there were individual buildings with individual street frontage. Such multiple occupancy buildings will be permitted one directory on a common single multi-listing sign with each individual occupant a surface area not to exceed thirty-two (32) square feet and with a minimum height of seven (7) feet.
3. The above mentioned signs shall be set on a block type base not less than one (1) foot in height, nor more than three (3) feet in height, the overall height of the monument sign shall not exceed six (6) feet. In a single building over one hundred (100) feet from right-of-way, with multiple businesses in excess of eight (8) occupants, the overall height of the monument sign shall not exceed nine (9) feet in height.
4. Existing on-site pylon signs shall be "grandfathered" and allowed to stand. All signs which are no longer functional or abandoned shall be removed or relocated at the owner's expense in compliance with the provisions of this Article within one (1) year following

dysfunction; otherwise the erection of all on-site pylon type signs shall be prohibited.

5. One changeable letter sign per premise shall be allowed with permanent on premise signs and shall be an integral part of the structure. The first sixteen (16) square feet of a changeable letter sign face shall not be calculated in the total sign area and such changeable letter sign area shall not exceed a total of thirty-two (32) square feet. The amount of square footage in excess of sixteen (16) will be included in the maximum square footage allowed in aggregate on that sign structure and such signs shall meet all other regulations as set forth herein. (Changeable letter signs that are an integral part of a permanent on premise sign are not considered temporary signs.)
  6. One electronic message display board per premise shall be allowed with permanent on premise sign. The electronic message board shall be an integral part of the on premise sign not to exceed sixteen (16) square feet and the total area of the sign shall not exceed thirty-two (32) square feet. Such signs shall meet all other regulations as set forth herein. The electronic message display board must consist of only alphabetic or numeric characters on a plain background and may not include any graphic, pictorial or photographic images. Lightness, brightness and color must remain constant within a message and between messages. The electronic sign must not exceed a maximum illumination of eight thousand five hundred (8,500) nits (candelas per square meters) during daylight hours and a maximum illumination of seven hundred fifty (750) nits (candelas per square meters) between dusk to dawn as measured from the sign's face at maximum brightness. All electronic message display signs shall be required to have an ambient light monitor or similar device that will automatically adjust the brightness level based on ambient light conditions.
  7. Wall sign projection. Base of wall signs may not project more than twelve (12) inches from the building to which they are attached.
  8. Mansard signs. Unless otherwise specified, the mansard type roof portion of a structure may be used for the mounting of a sign, provided such sign shall not extend above the break point of the mansard type roof line upon which the sign is mounted.
- F. Ground Signs, Wall Signs, Mansard Signs, Marquee and Canopy Signs shall be subject to the following conditions:
1. Businesses within zero (0) to one hundred (100) feet set back from the roadway may have one sign, not to exceed thirty-two (32) square feet. Businesses one hundred one (101) to three hundred (300) feet set back from the roadway may have one sign, not to exceed sixty-four (64) square feet. Business greater than three hundred (300) feet set back from the roadway must be approved by the Board of Adjustments.
    - a. In professional business area developments, fifty (50) square feet.

b. Two (2) wall signs are not to exceed thirty-two (32) square feet

G. Visual obstruction: Signs in a sight triangle shall not obscure vision between heights between three (3) and seven (7) feet above grade

## Sec. 908. - Off-premise outdoor advertising.

### A. Definitions.

1. Off-premises sign means any outdoor sign, display, figure, painting, drawing, billboard, or any other thing which is designed, intended, or used to advertise or inform, any part of which advertising or information content is visible from any place on the main traveled way of any thoroughfare in the city; but does not include on-premises signs advertising or identifying activities conducted on or products sold on the property upon which they are located.
2. Thoroughfare means any street, road, expressway, freeway, or highway located within this city.
3. Sign means all portions of an outdoor advertising structure, including structural elements, bases, sign faces, trim and borders.
4. Sign face or panels means that portion of a sign, including the display area, border and trim, but excluding the base, supports, and other structural members, facing traffic moving in one direction.
5. Back-to-back sign means a structure with two (2) parallel sign faces oriented in opposite directions, or two (2) structures, each with one sign face and located not more than ten (10) feet from an obstruction preventing both structures from being seen at the same time from any point along the thoroughfare.
6. V-Type sign means a structure or structures with two (2) or three (3) sign faces, forming the shape of the letter "V" or a triangle when viewed from above, with an angle between any two (2) faces of not more than sixty (60) degrees.

### B. Location of off-premises signs.

1. Off-premise signs which conform to the provisions of this section shall be permitted in C-1, C-2, I-1 and I-2 zoning districts except where prohibited.
2. Property facing thoroughfares and all other property which is zoned so as to permit the construction and maintenance of off-premises signs shall be subject to the following:
  - a. V-type or back-to-back off-premises signs shall be considered one sign.
  - b. No two (2) off-premises signs shall be spaced less than four hundred (400) feet apart in all directions on any thoroughfare.



c. No off-premises sign shall be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of, an official traffic sign, signal or device, or obstruct or physically interfere with a driver's view of approaching or intersecting traffic.

3. Signs are prohibited on the batture (area between highway and bayou) on LA Highway 1 from Canal Blvd. to Ridgefield Road and LA Highway 308 from St. Patrick Highway west to the City limits. Signs are also prohibited on North Canal Blvd. from Bayou Lafourche North to the corporate city limits. The prohibited area on North Canal Blvd. shall be that area measuring 500 feet out from the center line of the thoroughfare extended both in an easterly and westerly direction.

4. No new Off-Premise Sign permits will be granted other than for relocation of existing signs with proper permit.

#### C. Size of off-premises signs.

The maximum area of an off-premise sign face shall be four hundred square feet with maximum length of forty-five (45) feet, plus temporary embellishments not exceeding twenty (20) percent of the permanent sign area, but not to exceed one display panel on the same face.

#### D. Height of off-premises signs.

There shall be a minimum clearance of seven (7) feet to the bottom of an off-premises sign face and a maximum height of forty-five (45) feet to the top of an off-premise sign face, from grade of the thoroughfare to which the sign is oriented.

#### E. Digital off-premise signs.

One (1) digital sign is allowed in exchange for four (4) existing or permitted sign faces.

#### F. Lighting of off-premises signs.

1. Off-premise signs may be illuminated, subject to the following restrictions:

- a. External lighting, such as floodlights, thin line and gooseneck reflectors, are permitted, provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the thoroughfare.
- b. The illumination of any sign within one hundred feet of a residential zone lot line shall be diffused or indirect in design to prevent direct rays of light from shining into adjoining residential districts.
- c. Brightness: Message center signs and digital displays are subject to the following brightness limits:

- i. During daylight hours between sunrise and sunset, luminance shall be no greater than eight thousand five hundred (8,500) nits.
- ii. At all other times, luminance shall be no greater than seven hundred fifty (750) nits.

d. Message Display:

- i. Any Digital Display containing animation, streaming video, or text of images with flash, pulsate, move or scroll is prohibited.
- ii. The content of a digital display must transition by changing instantly, with no transition graphics (e.g., no fade-out or fade-in).

G. Prohibited off-premises signs.

1. The following off-premises signs shall not be permitted to remain or to be erected:
  - a. Signs which are obsolete structures.
  - b. Signs which are not clean and in good repair.
  - c. Signs which are illegal under state law or regulations.
  - d. Signs that are not securely fixed on a substantial structure.
  - e. Signs which attempt or appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate, or resemble any official traffic sign, signal or device.
  - f. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
  - g. Signs that prevent free ingress or egress from any doors, window, or fire escape; or that are attached to a standpipe, fire escape.
  - h. Sign panels cannot be side by side or stacked; single sign panels only.

H. Construction standards.

All off-premises signs shall be constructed in accordance with the Building Code of the city. The structural elements of all off-premises signs shall be of metal construction.

I. Grandfathering provisions.

1. All existing signs and permitted sign locations prior to the adoption of this ordinance are conforming.

2. Existing signs can be replaced at the same location regardless of zoning, at the same dimensions.

Sec. 909. - Enforcement and Penalties.

- A. Any sign or promotional product not included in this ordinance will be considered prohibited.
- B. Enforcement: The Zoning Administrator of the City of Thibodaux and his designees shall be authorized to enforce this ordinance
  1. The zoning administrator shall order the removal of any sign erected or maintained in violation of this ordinance.
  2. The zoning administrator shall remove a sign at cost to the owner, immediately and without notice, if in his opinion the sign presents an immediate threat of danger to the safety of the public.
  3. If the owner of the sign and/or premises fails or refuses to comply or remove the sign or is unable to be located, the zoning administrator may remove or authorize others to remove such sign at the expense of the owner. The zoning administrator shall not be responsible for any sign that has been removed and may dispose of it in any manner he deems appropriate.

C. Penalties.

1. Each sign placed in violation of this ordinance shall be deemed to be a separate violation.
2. Refer to Article III, Section 313 Violations, B., (1) for penalties for violation of the Thibodaux Zoning Ordinance.

The above ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSTAINED:

ABSENT:

And the above ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_ 2014.

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Jennifer Morvant, Council Adm.

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Chad J. Mire, President