

**ARTICLE VI. - FRANKLIN HISTORICAL DISTRICT COMMISSION**

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**Sec. 14-172. - Established.**

There is hereby created a commission to be known as the historic district commission of the city.

*(Code 1985, § 5-140; Ord. No. 921, § 1, 8-17-1983)*

**Sec. 14-173. - Recommendation and appointment of members.**

The historic district commission shall consist of seven members. They shall be appointed by the mayor as follows: one qualified architect, one representative of the downtown business community and five other citizens of the city and one ex officio member from the planning commission of the city.

*(Code 1985, § 5-141; Ord. No. 921, § 2, 8-17-1983)*

**Sec. 14-174. - Term; vacancies.**

Each of the members of the historic district commission shall be appointed as follows: Two members shall be appointed for a term of two years; three members for a term of three years; and two members for a term of five years. Whenever the term of a member of the commission expires, the mayor shall appoint a successor. The members may serve consecutive terms.

*(Code 1985, § 5-142; Ord. No. 921, § 3, 8-17-1983)*

**Sec. 14-175. - Employees; attorney; committees.**

The historic district commission, with the approval of the city council, may select such employees as may be necessary to carry out the purpose for which it is created. The city attorney shall be ex officio the attorney for the commission. The commission may designate and appoint, from among its members, various committees with such powers and duties as the commission may have and prescribe.

*(Code 1985, § 5-143; Ord. No. 921, § 4, 8-17-1983)*

**Sec. 14-176. - Rules and regulations; meetings; reports; recommendations.**

The historic district commission shall make such rules and regulations as it may deem advisable and necessary for the

conduct of its affairs consistent with laws of the city and state. The commission shall meet quarterly, but meetings may be held at any time by the commission on the written request of any of the seven members or the mayor. The commission shall make quarterly reports to the city council containing a statement of its activities. It shall make its recommendations for the future, but recommendations may be made by the city council to the commission at any time.

(Code 1985, § 5-144; Ord. No. 921, § 5, 8-17-1983)

#### **Sec. 14-177. - Purpose.**

The Franklin Historical District Commission shall have for its purpose the preservation of all such buildings in the historical district section of the city as, in the opinion of the commission, shall have architectural and historical value and which should be preserved for the benefit of the people of the city and state.

(Code 1985, § 5-145; Ord. No. 921, § 6, 8-17-1983)

#### **Sec. 14-178. - Description of area of historical district.**

The following area of the city is hereby designated as Franklin Historical District: Beginning at the start of the dividing median of Main Street, located in the 100 block of East Main Street in the city and thence running westerly along Main Street to its intersection with Willow Street and thence running northerly along Willow Street to its intersection with Teche Drive; thence westerly along Teche Drive to its intersection with Adams Street; thence southerly along Adams Street to its intersection with Main Street; thence westerly along Main Street to its intersection with Iberia Street; thence southerly along Iberia Street to its intersection with Second Street; thence easterly along Second Street to its intersection with Adams Street; thence southerly along Adams Street to its intersection with Anderson Street; thence easterly along Anderson Street to its intersection with St. John Street; thence northerly along St. John Street to its intersection with Trowbridge Street to its intersection with Willow Street; thence northerly along Willow Street to its intersection with Second Street; thence easterly along Second Street to its intersection with Clark Street; thence northerly along Clark Street to its intersection with Main Street; thence easterly along Main Street to the start of the dividing median of Main Street, the point of beginning. The historical district designated in this section shall include all building sites or lots and all structures, houses or other buildings facing any of the streets on the perimeter of the area, except that the courthouse square shall be excluded from the Franklin Historical District.

(Code 1985, § 5-146; Ord. No. 921, § 7, 8-17-1983)

#### **Sec. 14-179. - Submission of plans for exterior changes; permit application; location of mobile homes or manufactured housing.**

(a)

*Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Building* means any edifice, structure, or building, or any part thereof, including particularly, but without limitation, houses, sheds, garages, business offices, mobile homes, manufactured homes, manufactured housing, car ports, schools, porches, gymnasiums, outbuildings, and the like.

*Mobile home, manufactured home, and manufactured housing* mean a structure or trailer, or semitrailer, transportable in one or more sections, which is designed, constructed and equipped as a dwelling place, living abode, office, or sleeping place, either permanently or temporarily, and is either equipped for use as a conveyance on highways or which is built on a permanent chassis and designed to be used as a dwelling, office or other structure, with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating and air conditioning and electrical systems contained therein.

(b)

*Permit application required; exceptions.* Before the commencement of any work on the erection of any new building or in the alteration or addition to, or painting, or repainting or demolishing of any existing building, any portion of which is to front on any public street or alley in the Franklin Historical District, an application shall be made to the commission, by the owner, for a permit therefor so far as it relates to the proposed appearance, color, texture or materials and architectural design or the exterior, including the front, sides, rear and roof of such buildings, alterations or additions or of any outbuilding, party wall, courtyard, fence or other dependency thereof, except that the repainting of the building the same color as before, or repainting manmade or natural damage to preexisting condition, shall not require an application or permit of the commission.

(c)

*Permanent mobile, manufactured homes prohibited.* No mobile home, manufactured home, or manufactured housing shall be located or placed within the Franklin Historical District, except for use on a temporary basis during the erection of any new building or in the alteration or addition to, or painting or repainting or demolishing of any existing building located within the Franklin Historical District. An application shall be made to the commission, by the owner, for a permit for temporary location of a mobile home, manufactured home, or manufactured housing within the Franklin Historical District, and upon expiration of the temporary permit, the owner shall cause the same to be immediately removed from the Franklin Historical District.

(Code 1985, § 5-147; Ord. No. 921, § 8, 8-17-1983; Ord. No. 961, § 1(B), 8-21-1985; Ord. No. 1038, § 1(B), 4-15-1992)

**Sec. 14-180. - Commission recommendation; issuance of permit.**

The historic district commission shall, upon due consideration, report thereon promptly its recommendations, including such changes if any, as in its judgment are reasonably necessary to comply with the requirements of this article, by sending them, in writing, to the building inspector with the application and documents referred to in this article and if they are found by the building inspector to comply reasonably with requirements of this article and if such application and intended work shall conform also to all other regulations, ordinances and laws of the city, the building inspector shall issue promptly a permit for such work and indicate on such permit the extent and nature of the work to be performed thereunder.

(Code 1985, § 5-148; Ord. No. 921, § 9, 8-17-1983)

**Sec. 14-181. - Submitting question to city council; action thereon.**

If the applicant for a permit shall refuse to accede to reasonable changes recommended by the commission, if the commission shall disapprove any application or if the building inspector finds that the recommendations of the commission do not comply reasonably with the requirements of this article, the building inspector shall, within not more than five days, forward such matters and such inspector's comments to the city council for such action as in its judgment, after notice and affording an opportunity to the applicant and to the commission and other protesting parties to be heard, shall effect reasonable compliance with such recommendations and this article.

(Code 1985, § 5-149; Ord. No. 921, § 10, 8-17-1983)

**Sec. 14-182. - Removal of sheds and marquees.**

There shall be no restrictions against the removal of sheds supported by wooden columns, and such sheds, as well as any marquees, may not be repaired when in a dangerous condition, but must be removed. But any changes may be made only after first securing a written order or permit required by this article and may be executed only in accordance therewith.

(Code 1985, § 5-150; Ord. No. 921, § 11, 8-17-1983)

**Sec. 14-183. - Signs.**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Display* means to erect, paint, repaint, place, replace, hang, rehang, repair, maintain, paint directly upon a building or other structure, inlay, imbed in or otherwise exhibit in public view.

*Signs* means any symbol, device, image, poster, flag, banner, billboard, design or directional sign used for advertising, whether painted on, attached to, erected on, or otherwise maintained on any premises containing any words, letters or parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which is visible from any public highway and is used to attract attention.

(b) *General prohibition of miscellaneous character.* The display of signs of a miscellaneous character visible from the public streets, highways, and alleys within the historical district, except as otherwise provided in this section, and according to the rules and regulations herein provided for, is prohibited.

(c) *Displaying prohibited in certain places.* No sign shall be displayed from the parapet or roofs of any building in the historical district.

(d)

*Conformance to character of section required.* In addition to the prohibitions contained in this section, approval of the display of a sign in the historical district shall be granted by the commission only when such signs and plans relating to the appearance, color, size, position, method of attachment, texture of materials and design, conform to the quaint and distinctive character of the historical district or do not injuriously affect it or impair the value of the community or those buildings having architectural or historical worth.

(e)

*Permitted advertising.* No sign of any character shall be displayed in the historical district unless such sign advertises a bona fide business conducted in or on the premises and, if it does do so, the area of such sign used to advertise products or commodities actually sold on the premises may not exceed 50 percent.

(f)

*Noncomplying advertisement to be taken down.* Any sign displayed which no longer advertises a bona fide business conducted upon the premises shall, upon notification by the historical district commission or its agent (who is hereby specifically authorized to so proceed), be taken down, removed or obliterated within 60 days after such notification. Failure to so comply on the part of the owner, occupant, agent or person having the beneficial use of any building or premises upon which such sign may be found shall subject such person to the penalty and remedial action provided in this article.

- (g) *One sign per shop, etc.* One sign only shall be allowed per street entrance, shop or bona fide place of business, and this sign shall be no larger than the maximum stipulated in this article, regardless of the amount of footage.
- (h) *Concealing features prohibited.* No sign shall be displayed from any building, balcony, gallery, canopy, shed, roof, door, window or placed in any manner whatsoever so as to disfigure or conceal any architectural feature or detail of any building.

(i) *Surface area limits.* The surface area of any sign shall be in direct proportion to the amount of front footage of each ownership and shall be as follows:

(1) For single-faced signs, attached flat against the wall and including painted wall signs, there shall be allowed a maximum of 60 square inches of sign surface per linear foot of lot frontage.

(2) For double-faced signs, suspended by brackets or arms perpendicularly from the wall of a building there shall be allowed a maximum of 120 square inches of sign surface per linear foot of lot frontage. The area of such double-faced sign shall be taken to mean the sum of the area of each face.

(3) In the case where two or more businesses are conducted on the premises of single ownership having a front footage of 25 feet or less, the allowed sign area shall be increased by one-half time.

(l) *Illuminated signs.* In the case of illuminated signs, where space must be provided between two parallel faces for the installation of lighting fixtures, these faces shall not be farther apart than 18 inches and such lighting fixtures and all light sources shall be a steady light concealed:

(1) Behind standard opaque glass or other substance of equal or small light transmission factor;

(2) By hoods; or

(3) By any acceptable method of indirect lighting approved by the historical district commission.

(k) *Building code applicable.* All signs under this section shall be further governed by the existing regulations of the building code of the city which are not in conflict with this section.

(l) *Application for signs to be submitted to commission.* All applications for permits to display signs within the historical district shall be submitted to the building inspector for approval before a permit may be issued in conformity with section 14-180.

(m) *Application requirements.* Application for a permit to display signs in the historical district shall be made to the commission upon forms furnished by the commission. Such an application shall also be accompanied by sketches and drawings in triplicate showing details of construction and foundation when required by the building code of the city and shall delineate the size, shape, design, coloring, lighting and position in relation to the building from or upon which it shall be displayed.

(n) *Violating signs, etc., to be removed.* Any sign or exterior illumination of walls, exteriors, roofs, or appurtenances of buildings erected after the effective date of the ordinance from which this article is derived and contrary to the provisions of this section are prohibited.  
(Code 1985, § 5-151; Ord. No. 921, § 15, 8-17-1983; Ord. No. 927, 2-15-1984)

#### Sec. 14-184. - Provisions of article prevail in case of conflict.

The provisions of this article shall govern and take precedence over any other provisions of any building or zoning codes of the city.

(Code 1985, § 5-152; Ord. No. 921, § 13, 8-17-1983)

#### Sec. 14-185. - Stopping work commenced without permit.

The building inspector shall promptly stop any work attempted to be done without or contrary to a permit issued under this article and shall promptly prosecute any person responsible for such a violation or engaged in such violation. Any officer or authorized agent of the commission shall exercise concurrent or independent powers with the building inspector in prosecuting violations of this article and stopping work attempted to be done without or contrary to the permits required by this article.

(Code 1985, § 5-153; Ord. No. 921, § 12, 8-17-1983)

#### Sec. 14-186. - Penalty; continuing violations.

Whenever in this article any act is prohibited or is made or declared to be unlawful or an offense the violator of any such provision of this article shall be punished as provided in section 1-8. A provision for revocation or refusal of a permit or other

provision not imposing a fine or imprisonment shall not be deemed a provision for a specific penalty within the meaning of the forgoing sentence. Each day that any violation of any safety regulation contained in this article shall continue constitutes a separate offense.

(Code 1985, § 5-154; Ord. No. 921, § 14, 8-17-1983)

**Sec. 14-187. - Injunctions.**

Whenever any person has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of this article, the commission may make application to the appropriate court for an order enjoining such act or practice, or requiring such person to refrain from such prospective violation or to remedy such violation by restoring the affected property to its previous condition. Upon showing by the commission, the building inspector, or the city that such person has engaged or is about to engage in such act or practice, a permanent or temporary injunction, temporary restraining order, or other appropriate order shall be granted without bond.

(Code 1985, § 5-155; Ord. No. 921, § 16, 8-17-1983)

**Secs. 14-188—14-212. - Reserved.**