

OFFERED BY: Ms. C. Duplantis.
SECONDED BY: Ms. K. Elfert.

ORDINANCE NO. 7093

AN ORDINANCE TO AMEND THE PARISH CODE OF TERREBONNE PARISH, STATE OF LOUISIANA, CHAPTER 20, PLANNING, ARTICLE V, HISTORIC DISTRICT (CITY), DIVISIONS 1 AND 2 TO ALLOW FOR THE INCLUSION OF HISTORIC SITES, AND TO PROVIDE FOR RELATED MATTERS HERETO.

SECTION I

WHEREAS, Sec. 1-06 of the Home Rule Charter for the Parish of Terrebonne provides that parish government shall have the right, power and authority to pass all ordinances requisite or necessary to promote, protect and preserve the general welfare, safety, health, peace and good order of the parish, including, but not by way of limitation, the right, power and authority to pass ordinances on all subject matters necessary, requisite or proper for the management of parish affairs, and all other subject matter without exception, subject only to the limitation that the same shall not be inconsistent with the constitution or expressly denied by general law applicable to the parish; and

WHEREAS, pursuant to LSA-R.S. 25:731, *et seq*, the Terrebonne Parish Council established within its borders an historic preservation district commission to promote the educational, cultural, economic and general welfare of the public; and

WHEREAS, the ordinance which provided for the creation of the Houma Historic District Commission and the regulations of that Commission did not provide for the designation of certain sites that may be deemed historical sites or buildings that may be outside of the confines of the historic district; and

WHEREAS, the Houma Historic District Commission desires to amend Chapter 20, Article V, Divisions 1 and 2 of the Terrebonne Parish Code to allow for the inclusion of those historical sites; and

WHEREAS, the Houma Historic District Commission desires to amend the boundaries of the current historic district; and

NOW, THEREFORE BE IT ORDAINED by the Terrebonne Parish Council, on behalf of the Terrebonne Parish Consolidated Government, that:

SECTION II

Chapter 20, Article V, Divisions 1 and 2, Sections 20-96 to 20-136, of the Terrebonne Parish Code be amended as follows:

DIVISION 1. GENERALLY

Sec. 20-96. Definitions.

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

Accessory structure means a detached subordinate building located on the same building site with the main building, the use of which is incidental to that of the main building.

Bona fide business shall mean that business holding a current occupational license, other current required permits and the necessary utilities to operate upon the specific premises in question.

Building means any covered structure intended for shelter, housing, enclosure, or economic activities related to persons, animals, or chattels. The term "building" shall be construed to include the term "structure."

Commission means the Houma Historic District Commission.

Economic return means the capacity of a building to generate revenue in the form of fair market rents. When the fair market rents less expenses for a building equal zero, the building shall be considered incapable of generating any net economic return on its value.

Exterior architectural features shall include but need not be limited to the color, architectural style, general design and general arrangement of the exterior of a structure, including the kind and texture of the building material, the type and style of all roofs, window, doors, light fixtures, signs and other appurtenant fixtures.

Historic refers to a building or site at least fifty (50) years old which is of significant local, regional, or national historic, architectural and/or cultural value.

Sign shall mean any letter, word, model, banner, pennant, insignia, trade flag, structure, device or other representation, whether or not attached to a building, whether or not permanent or temporary, which is used to advertise and communicate, announce or direct. For the purposes of this chapter, the definition shall exclude public traffic or directional signs, information required by law or ordinance to be placed on structures, political signs and temporary signs informing the public of money-raising campaigns for charitable purposes, and seasonal signs.

Site means any open or undeveloped property, lot or other area which may or may not contain structure(s) or monument(s).

(Ord. No. 6730, § I, 2-26-03)

State law references: "Historic district" defined for purposes of tax exemption, R.S. 47:4312(4).

Sec. 20-97. District described.

(a) The Local Houma Historic District is that portion of the City of Houma encompassed within the boundaries as follows: Beginning at the intersection of the eastern boundary of Barataria Street and the northern boundary of Bond Street, thence northerly along the eastern side of Barataria Street to its intersection with the eastern boundary of Central Avenue, thence northerly along the eastern boundary of Central Avenue to its intersection with the northernmost boundary of Lot 3 of Block 2 of Daigle Place Subdivision, thence easterly along the northern boundary of said Lot 3 and the adjacent northern boundary of Lot 12 of Block 2 of Daigle Place Subdivision to its intersection with the western boundary of Maple Avenue, thence north along the western boundary of Maple Avenue to its intersection with the southern boundary of Lot 10 of Block 2 of Daigle Place Subdivision, thence easterly across Maple Avenue following a straight line extension of the southern boundary of Lot 10 of Block 2 to its intersection with the eastern boundary of Lot 1 of Block 3 of Daigle Place Subdivision, thence northerly along the boundary of said Lot 1 to its intersection with its northwest corner, thence easterly along the northern boundary line of Lot 1 of Block 3 to its intersection with the western boundary line of Lot 3 of Tract A of the Jastremski Addition, thence southerly a short distance along the western boundary of Lot 3 to its intersection with the northern boundary of Lot 4 of the Jastremski Addition, thence easterly along the northern boundary of said Lot 4 to its intersection with the western boundary of Wilson Avenue, thence northerly a short distance along the western boundary of Wilson Avenue to its

intersection with the northeast corner of Parcel 1 (a distance of 81.31 feet) thence easterly across Wilson Avenue following a straight line extension of Parcel 1 to the northern boundary of an unnumbered lot situated at the corner of East Park Avenue and Wilson Avenue, thence easterly along the northern boundary of said lot to its intersection with the western boundary of Tract A, thence northerly along the western boundary of Tract A to its intersection with its north west corner, thence easterly along the northern boundary of Tract A to its intersection with the western boundary of Lot 1, thence northerly along Lot 1 the intersection with its northernmost boundary, thence easterly along the northern boundary of Lot 1 and the adjacent Lot 2 to its intersection with Gouaux Avenue, thence southerly a short distance along the western boundary of Gouaux Avenue to its intersection with the straight line extension of the northern boundary of an unnumbered lot situated at the corner of East Park Avenue and Gouaux Avenue, thence easterly along the northern boundary of said lot to its intersection with the western boundary of Lot 3 of Block 3 of the Gouaux Addition, thence northerly along the western boundary of said Lot 3 to its northwest corner, thence easterly along the northern boundary of said Lot 3 to its intersection with the western boundary of Suthon Avenue, thence northerly along the western boundary of Suthon Avenue to its intersection with the northern boundary of Lucius Street, thence easterly along the northern boundary of Lucius Street to its intersection with the western boundary of Block 1 of the Viguerie Addition, thence northerly along the boundary of said Block 1 to its intersection with the southwestern corner of Lot 5 of Block 1, thence easterly along the southern boundary of Lot 5 and the adjacent Lot 4 to its intersection with the northwest corner of Lot 1 of Block 1 of the Viguerie Addition, thence southerly along the western boundary of said Lot 1 to its intersection with its southwest corner, thence easterly along the southern boundary of said Lot 1 to its intersection with the western boundary of Williams Avenue, thence easterly along the straight line extension of said Lot 1 across Williams Avenue to its intersection with the southern boundary of Lot 1, thence easterly along Lot 1 to its southeast corner, thence north along the eastern boundary of said Lot 1 to its intersection with Lot 3, thence easterly along the southern boundaries of Lot 3 and the adjacent Lot 4, to the southeast corner of Lot 4, thence northerly along Lot 4 to its intersection with the southern boundary of Baker Street, thence easterly along the southern boundary of Baker Street to its intersection with the northwest corner of Lot 6 of Smithland Subdivision, thence southerly along the western boundary of Lot 6 and the adjacent Lots 5, 4 and 3 of Smithland Subdivision to the southwest corner of said Lot 3, thence easterly along the southern boundary of said Lot 3 to its intersection with the western boundary of Ruth Street, thence southerly along Ruth Street to its intersection with the northern boundary of West Park Avenue, thence easterly along West Park Avenue to its intersection with New Orleans Boulevard, thence southerly to the southern boundary of Main Street, thence westerly to its intersection with the eastern boundary of Gabasse Street, thence southerly to the northern boundary of Point Street, thence easterly along the northern boundary of Point Street to the eastern boundary of Barrow Street, thence southerly along the eastern boundary of Barrow Street to its intersection with the northern boundary of Bond Street, thence westerly along the northern boundary of Bond Street to its intersection with the eastern boundary of Barataria Avenue, the point of beginning.

(b) The area of the city designated as the "Houma Historic District", which is the National Register Historic District, is as follows: That portion of the city of Houma starting from the center line of East Main Street where it intersects the center line of Canal Street; thence easterly along the center line of East Main Street to a point where it intersects the center line of Grinage Street; thence northerly along the center line of Grinage Street to the southern bank of Bayou Terrebonne; thence easterly along the southern bank of Bayou Terrebonne to the center line of Roussell Street; thence northerly along the center line of Roussell Street to a point where it intersects with the center line of Louisiana Highway 659 (East Park Avenue); thence easterly along the center line of East park Avenue to a point where it intersects a straight line extension of the center line of Barrow Street; thence southerly along the center line of Barrow Street to a point where it intersects the center line of East Main Street; thence westerly along the center line of

East Main Street to a point where it intersects the center line of Roussell Street; thence southerly along the center line of Roussell Street to a point where it intersects the center line of Belanger Street; thence easterly along the Center line of Belanger Street to a point where it intersects the center line of Barrow Street; thence southerly along the center line of Barrow Street to a point where it intersects the center line of School Street; thence westerly along the center line of School Street to a point where it intersects the center line of Roussell Street; thence southerly along the center line of Roussell Street to a point where it intersects the center line of High Street; thence westerly along the center line of High Street to a point where it intersects the center line of Goode Street; thence northerly along the center line of Goode Street to a point where it intersects the center line of School Street; thence westerly along the center line of School Street to a point where it intersects the center line of Church Street; thence southerly along the center line of Church Street to a point where it intersects the center line of Verret Street; thence westerly along the center line of Verret Street to a point where it intersects the center line of Lafayette Street; thence southerly along the center line of Lafayette Street to a point where it intersects a straight line extension of the north property line of Lot 7, Block 53, New Town Addition; thence westerly along the north property line of Lot 7, Block 53, New Town Addition, to the rear property line of said lot; 1 thence northerly along the rear property line of Lot 6, Block 53; Lots 6 and 7, Block 7; Lots 6 and 7, Block 6; Lots 6 and 7, Block 5; Lots 6 and 7, Block 4; all lots of New Town Addition to a point where it intersects the center line of Verret Street; thence, westerly along the center line of Verret Street to a point where it intersects the center line of Canal Street; thence, northerly along the center line of Canal Street to a point where it intersects the center line of East Main Street, the point of beginning.

(Ord. No. 6730, § I, 2-26-03)

State law references: Creation of historic preservation district, R.S. 25:736.

Secs. 20-98--20-115. Reserved.

DIVISION 2. COMMISSION*

*Cross references: Administration, Ch. 2.

Sec. 20-116. Established.

There is hereby created a commission to be known as the Houma Historic District Commission.

(Ord. No. 6730, § I, 2-26-03)

State law references: Authority for historic preservation district commission, R.S. 25:736.

Sec. 20-117. Purpose; powers; certificate of appropriateness.

(a) *Purpose:* The purpose of the commission shall be to promote the educational, cultural, economic, and general welfare of the public through the preservation and protection of all such buildings, sites, monuments, and structures of historic interest or importance through their protection, maintenance, and to review and issue certificates of appropriateness for all proposed alterations, relocations, and new construction within the boundaries of the historic district or on designated sites outside of the boundaries of the Historic District, and any other actions necessary to implement the intent of this article. The commission shall make itself available to assist owners of buildings or sites on which alteration, relocation, or new construction is contemplated in complying with

recommendations. The commission shall also assist property owners interested in pursuing investment tax credits for historic rehabilitation to meet the requirements for that program.

(b) *Certificate of appropriateness*: No building, structure, or edifice, including fences, boundary walls, signs, light fixtures, steps and paving or other appurtenant fixtures shall be erected, altered, restored, moved or demolished within the Local Houma Historic District, or on any site, location, structure or monument designated pursuant to Sec. 20-136, until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to and approved by the commission, except as otherwise provided by the parish governing body in the ordinance establishing such commission or as provided by rules, regulations, policies, procedures and standards adopted by the commission. The style, scale, material, size and location of outdoor advertising signs and bill posters within the Local Houma Historic District shall also be under the control of the commission.

(c) *Sites*: No improvements including paving, street furniture, new constructions or any alterations shall be made to sites, as defined herein, within the Local Houma Historic District or outside the District designated pursuant to Sec. 20-136 without the review and approval of the Houma Historic District Commission.

(Ord. No. 6730, § I, 2-26-03)

State law references: Powers of historic preservation district commission, R.S. 25:737.

Sec. 20-118. Appointment of members.

Commission membership shall be composed of two (2) members of the Houma Downtown Development Corporation, one (1) member of the downtown business association, one (1) Louisiana licensed architect or engineer, and one (1) member-at-large who shall be from a racial minority group preferably living within the boundaries of the local historic district. The parish president shall nominate members to the parish council. Appointment shall be subject to approval by a majority of the council.

(Ord. No. 6730, § I, 2-26-03; Ord. No. 6748, § I, 2-26-03)

State law references: Composition of historic preservation district commission, R.S. 25:736(1).

Sec. 20-119. Term; vacancies.

Members shall be appointed to serve for four-year staggered terms of four (4) years each. The members may serve consecutive terms. Any vacancy shall be filled within sixty (60) days.

(Ord. No. 6730, § I, 2-26-03)

State law references: Similar provisions, R.S. 25:736(1), (4).

Sec. 20-120. Bylaws of commission; quorum; meetings; reports.

The commission shall make such bylaws as it may deem necessary for the conduct of its affairs not inconsistent with the laws of the parish and the state. The presence of three (3) members of the commission at a meeting shall constitute a quorum. The commission shall meet quarterly unless there are no permit applications for alteration, relocation, or new construction in the historic district or at designated sites pending. Special meetings may also be held at any time on the written request of any one (1) of the five (5) members or on the call of the chairman of the commission or the parish president. The commission shall make a report on its recommendation and activities to the parish president and the parish council after every meeting.

(Ord. No. 6730, § I, 2-26-03)

State law references: Historic preservation district commission rules and regulations, R.S. 25:736(2).

Sec. 20-121. Staffing.

The Houma Main Street manager shall serve as staff for the commission as well as such members of the parish president's staff as he shall recommend.

(Ord. No. 6730, § I, 2-26-03)

State law references: Clerical and technical assistants for historic preservation district commission, R.S. 25:736(3).

Sec. 20-122. Procedures.

(a) When application for a building permit for any alteration, relocation, or new construction in the Local Houma Historic District or on any site, location, structure or monument designated pursuant to Sec. 20-136 is made, the building permits clerk shall notify the applicant of the necessity of obtaining a certificate of appropriateness from the historic commission. The applicant shall file with the commission staff an application for a certificate of appropriateness on a form as specified by the commission. The permit department will distribute the completed application to the commission.

(b) The commission shall hold a public hearing upon each application for all new certificates of appropriateness affecting property under its control except in those instances where the commission has determined that the application for a certificate of appropriateness is not a substantive change and further that the commission has determined the certificate complies with standards adopted by the commission. Notice of the time and place of said hearing shall be given by publication in the form of a legal advertisement appearing in the official journal of the parish at least seven days before such hearing, and by the posting of such notice on or near the main entrance of any hall or room where the commission usually meets.

(c) Within not more than forty-five calendar days after the filing of an application the commission shall pass upon it, giving consideration to the factors set forth in this Article and shall give written notice of its decision to the applicant setting forth the reasons therefore. Evidence of approval shall be by certificate of appropriateness issued by the commission, and whatever its decision, notice in writing shall be given to the applicant. The commission shall keep a record of all applications for certificates of appropriateness and of all its doings under this Article.

(d) No building permit shall be authorized by the governing body that affects a site or a building in the Local Houma Historic District or on any site, location, structure or monument designated pursuant to Sec. 20-136 without a certificate of appropriateness except as otherwise permitted by the parish.

(e) The commission shall have the right to make such recommendations for changes and modifications it may deem to be necessary in order to enable the applicant to meet with its requirements.

(Ord. No. 6730, § I, 2-26-03)

State law references: Procedures on application for certificate of appropriateness, R.S. 25:737, 25:738, 25:739.

Sec. 20-123. Criteria to be used in making decisions.

The criteria to be used by the commission in making recommendations are as follows:

- (1) The commission shall not consider interior arrangement or use but shall consider the relationship of the exterior of the building concerned with all others in the historic preservation district or site as to avoid incongruity and promote harmony therewith.
- (2) The commission shall adhere to and seek compatibility of structures in the historic district or site in terms of size, color, texture, scale and site plan and said commission shall set forth and define guidelines.
- (3) Nothing herein shall be construed to prevent ordinary maintenance or repairs which do not involve a change of design, material or of the outward appearance, thereof; not to prevent the construction, reconstruction, alteration or demolition of any such feature which is required by the public safety of an unsafe or dangerous condition.
- (4) To the extent feasible with economic realities, efforts should be encouraged to provide compatible uses for buildings requiring minimal building, building site, and environmental alteration.
- (5) Removal, destruction, or alteration of original characteristics or unique architectural features of buildings is prohibited.
- (6) Surface cleaning of structures by the gentlest means possible is required. Sandblasting and abrasive chemical cleaning methods that will damage historic building materials must be avoided where other alternatives are available.
- (7) In a rehabilitation project, use of materials matching or compatible with those already used in the building as to composition, design, color, texture, and other visual qualities is required.
- (8) Contemporary design and alterations and additions to existing buildings are not forbidden when such alterations and additions do not destroy significant historical, architectural, or cultural material and such design is compatible in size, scale, material, and character to the property, neighborhood, and environment.
- (9) In the case of new construction, compatibility with surrounding buildings in scale, size, and materials must be adhered to and sought.
- (10) Federal Guidelines that apply to the Local Houma Historic District.

(Ord. No. 6730, § I, 2-26-03)

State law references: General powers of historic preservation district commissions, R.S. 25:737.

Sec. 20-124. Demolition of historic buildings.

No permit to demolish any building classified as historic and located in the Local Houma Historic District delineated in section 20-97, or on any site, location, structure or monument designated pursuant to Sec. 20-136, shall be issued until the building official receives a certificate of appropriateness from the commission. In reviewing such an application for demolition the commission shall consider evidence as provided by the owner that the building is

incapable of earning any economic return on its value, as appraised by a qualified real estate appraiser, or that new construction is demonstrated by the property owner to be the highest and best use of the building site.

(1) The owner shall apply to the Local Houma Historic District Commission for a certificate of appropriateness to demolish said building.

(2) Upon receipt of a completed application for demolition the commission shall cause notice of the proposed demolition to be published in accordance with section 20-122 to afford the parish, interested persons, historic societies, or organizations the opportunity to acquire or to arrange for the preservation of such buildings. The notice shall provide the location at and the times during which the application can be reviewed. The applicant shall pay for publication of the notice in the official parish journal and provide the commission an affidavit of publication from the official journal.

(3) Within forty-five (45) days of receipt of the notice, the commission shall hold a public hearing and make a written determination to approve, deny or modify said application. A copy of the report shall be forwarded to the parish building official and the applicant. Reasons for denial or modification shall be provided in the written report.

(4) In determining whether or not to issue the certificate of appropriateness, the commission shall find that issuance of a permit to demolish the building is necessary in the public interest, or that failure to issue a permit will result in unreasonable economic hardship to the owner.

(5) Information to be submitted to the commission in order to consider a claim of unreasonable economic hardship by the owner shall at a minimum include the following.

- a. Amount paid for the property, date of purchase and the seller;
- b. Assessed value of the land and improvements thereon for the three most recent assessments;
- c. Real estate taxes paid for the previous 3 years;
- d. Any appraisal obtained within the previous two years by the owner;
- e. Any listing of the property for sale, or rent, price asked and offers received, if any;
- f. Any consideration by the owner as to profitable adaptive uses for the property;
- g. Annual debt service, if any;
- h. Past two years of annual gross income from the property if applicable;
- i. Itemized operating and maintenance expenses;
- j. Annual cash flow of property only if any for the previous two years;

k. Other information deemed necessary on a case by case depending upon the nature of the structure.

(Ord. No. 6730, § I, 2-26-03)

State law references: Demolition of building within historic preservation district, R.S. 25:737 et seq.

Sec. 20-125. Alterations.

(a) No permit to alter a site or the exterior of an historic building located in the Local Houma Historic District, as defined herein, or on any site, location, structure or monument designated pursuant to Sec. 20-136, shall be issued until the building official receives a certificate of appropriateness from the Local Houma Historic District Commission.

(1) Upon receipt of a completed application to alter the building exterior or site, the commission shall give notice in accordance with section 20-122.

(2) The commission shall review the full plans and specifications of the application so far as they relate to the proposed appearance, color, texture or materials and architectural design of the exterior, including the front, side, rear and roof of such building, alteration, addition and any outbuilding, party wall, courtyard, fence or other dependency thereof.

(3) Within forty-five (45) days of receipt of application, the commission shall determine whether a public hearing is necessary and if so shall hold a public hearing and make a recommendation as to approval, denial or alteration of the application.

(b) In reviewing the application the commission shall utilize the following standards to determine whether the proposal meets the requirements of the this Article.

(1) Repavement of sidewalks shall include the introduction of various paving materials, handicap access ramps, and increased width to accommodate planting and outdoor street furnishings.

(2) Signage shall conform to that specified herein for the Local Houma Historic District.

(3) The commission shall review and approve any planting programs.

(4) Alterations or additions to building fronts should be designed to fit within the opening originally intended for it and not extend beyond it.

(5) Dumpsters shall be screened from view. Materials used for screening should be a color that blends in with those of the rear of the building. Vegetation may be used as an alternative.

(6) Material used in the addition or alteration to a facade should match the original material and detail.

(7) When work is to be performed on a portion of a building that has previously been altered, the commission encourages the owner to do work that will return the building to its original appearance.

(8) Where no illustrations exist to show the appearance of the building prior to its remodeling the commission encourages use of buildings of similar age, type, style and material as references to examples for possible appearance.

(9) The commission requires the use of colors typical to the period and style of the building.

(Ord. No. 6730, § 1, 2-26-03)

Sec. 20-126. New construction.

(a) No permit for new construction within the Local Houma Historic District, as defined herein, or on any site, location, structure or monument designated pursuant to Sec. 20-136 shall be issued until the building official receives a certificate of appropriateness from the Local Houma Historic District Commission.

(1) Upon receipt of a completed application for new construction within the district, the commission shall give notice in accordance with section 20-122.

(2) Within forty-five (45) days of receipt of application, the commission shall determine if a public hearing is necessary and if so shall hold a public hearing and make a recommendation as to approval, denial or alteration of the application.

(b) While new construction need not duplicate or copy historic styles and periods of the Local Houma Historic District or site, proposals must be compatible with the existing structures through the appropriate use of scale, siting, materials, decorative details and architectural elements. Architectural context is of primary concern.

(1) Scale: The relationship of the building and its elements (including doors and windows) to other structures in the district or site. It is important in considering scale, that a careful study be made of the height, width, and mass of buildings in the immediate neighborhood and district as a whole. This study should serve to confirm or deny the appropriateness of the height, width, and mass of the proposed building. Maximum height of any new structure shall conform to U. S. Department of Interior guidelines for historic districts.

(2) Siting: The positioning of a building on a lot. This process includes determining the setback of a building, the spacing of this building from adjacent buildings and the location of the walls, fences, walks, drives, and landscaping, if any of these are used in the overall design.

(3) Materials: The surface building fabric which contributes to the exterior character and appearance of a building.

(4) Decorative details: Ornamentation or embellishment. These include cornices, lintels, arches, balustrades, chimneys, shutters, columns, and other common details. When used, details should create a unifying effect on a building and should be compatible with the context of the neighborhood.

(5) Architectural elements: Parts of building that are integral to its composition. These include balconies, roofs, porches, chimney, doors,

parapets, and other parts of a building that contribute to its overall shape and silhouette. The choice and arrangement of elements of a proposed building should reflect those of other buildings in the neighborhood. The building should not draw unnecessary attention to itself by failing to relate to neighboring styles. But neither should it necessarily copy these styles. The object is to complement the context of the Local Houma Historic District or historic site.

(Ord. No. 6730, § I, 2-26-03)

Sec. 20-127 Signs.

- (a) Display of signs includes erect, paint, repaint, place, replace, hand, rehand, repair, maintain, paint directly upon a building or other structure, inlay, embed in or otherwise exhibiting in public view.
- (b) The display of any unauthorized signs visible from the public streets, highways and alleys within the Local Houma Historic District or within historic sites unless provided otherwise in this Article is prohibited.
- (c) Approval of the display of a sign in the Local Houma Historic District or historic site shall be granted by the commission only when such signs and the plans therefore so far as they relate to the appearance, color, size, position, method of attachment, texture of materials and design, conform to the quaint and distinctive character of the Local Houma Historic District or historic site and do not injuriously affect it or impair the value to the community of those buildings having architectural or historical worth.
- (d) All signs must conform at a minimum to the requirements of the parish building code and the zoning district in which they are to be located and in addition shall meet the following standards.
 - (1) No sign of any character shall be displayed in the Local Houma Historic District or in a historic site unless it advertises a bona fide business conducted in or on the premises and if it does do so not exceeding fifty (50) percent of the area of such sign may be used to advertise products or commodities actually sold on the premises.
 - (2) No sign shall be displayed from any building, exterior wall, balcony, gallery, canopy, shed, roof, parapet, door or window or placed in any manner whatsoever so as to disfigure or conceal any architectural feature or detail of any building.
 - (3) Signs shall not be located or extended beyond four (4) feet from the building facades. Hooded lamps for such signs may extend six (6) inches beyond the four (4) feet maximum. However, in no circumstance shall a sign be allowed to extend over a parish or state right-of-way without the express written permission of the parish department of public works, the Louisiana Department of Transportation and Development or other appropriate authority.
 - (4) No sign with interior illumination can be constructed or erected within the district without the express approval of the commission.
 - (5) Flashing signs are not permitted.
 - (6) In general, one primary sign is allowed to each store, shop, or bona fide place of business, and this sign shall be no larger than the maximum stipulated in the parish zoning ordinance.

(7) Banners permitted for special events shall be removed within seven (7) days of the end of the event.

(8) Grand opening signs shall be permitted for a maximum of fourteen (14) days from the opening date of a bona fide business without the requirement of obtaining a permit.

(9) There shall be no more than one real estate for lease or sale sign for each street face of a property.

(10) Sale signs shall comply with all requirements herein.

(11) No portable or changeable letter signs may be erected or allowed to remain with[in] the Local Houma Historic District or within a historic site.

(e) No permit may be issued for a sign until the owner has received a letter from the commission approving it as to form, location and attachment. Any application for a permit to display signs in the district shall be submitted to the commission for its concurrence. Should the commission deny approval, the reasons shall be provided in its report.

(f) Any sign which no longer advertises a bona fide business conducted on the premises or which is otherwise not in compliance herewith shall, upon written notification from the commission or its agent (who is hereby specifically authorized to so proceed), be taken down removed or obliterated within five days after such notification. Service of such notice shall be by certified mail.

(g) Application to display signs shall be a duplicate of that information submitted to the building official and/or zoning administrator along with such additional information as may be necessary for the commission to review such application in accordance with the standards specified herein.

(h) Any sign or exterior illumination of walls, exteriors, roofs, or appurtenances of buildings displayed after the effective date of this section and contrary to the provision of this section are prohibited.

(Ord. No. 6730, § I, 2-26-03)

Sec. 20-128 Lighting.

The commission reserves the right to review for approval lighting schemes. Plans for lighting should illustrate the relationship of the lighting to the existing building and include a drawing or manufacturer's description of the proposed fixtures. In reviewing such plans the following standards will apply.

(1) Private floodlights. The public sidewalks, places and alleys, exteriors roofs, outer walls and fences of buildings and other constructions and signs visible from any public street, place or position in the Local Houma Historic District or in the historic site shall not be illuminated by privately controlled floodlights or other illumination except by express approval of the commission. Compliance shall be effective within six (6) months after enactment of this ordinance.

(2) Exterior lighting fixtures. The type and placement of lighting fixtures should be that original to a building and adapted for contemporary use. If the original fixtures are no longer available or if the building never had any, fixtures for replacement or addition should be compatible in age and style to the building or should be unobtrusive and not

suggestive of a particular style or age. Innovative lighting schemes which enhance the architectural character of the building and the general character of the Local Houma Historic District or site will be considered.

(3) Security lighting systems are to be designed and installed in such a way as to minimize visibility of the fixture during daylight hours and to provide a uniform lighting pattern on those portions of the building visible from the street.

(4) Placement of lighting fixtures. The lighting fixtures should be mounted and centered on the space between column bays or symmetrically around a door. Lights should be located so that they do not interfere with the operation of a window or door.

(5) Flush or recess mounted fixtures for use in porch soffits or ceilings are generally preferred over hanging fixtures.

(Ord. No. 6730, § I, 2-26-03)

Sec. 20-129 Overhanging balconies.

New or additional balconies may be erected if they conform to the architecture of the Local Houma Historic District or site and are at least nine (9) feet above the level of the sidewalk. Balconies that overhang a parish or municipal right-of-way shall have obtained a letter of no objection from the Terrebonne Parish Department of Public Works and those overhanging a state or federal right-of-way must document approval by the appropriate authority prior to the issuance of a certificate of appropriateness from the commission.

(Ord. No. 6730, § I, 2-26-03)

Sec. 20-130 Prohibition of aerials and antennas.

The construction of aerials, antennas or satellite dishes within the Local Houma Historic District or within a historic site is prohibited without the approval of the commission.

(Ord. No. 6730, § I, 2-26-03)

Sec. 20-131 Building interiors

The commission encourages property owners to identify, retain and preserve those interior individual structural or decorative features that are important in defining the overall historic character of the building. Such features might include post and beam systems, trusses, columns, above grade stone foundation walls, light fixtures, hardware, flooring, fireplaces and mantles, cornices, molding, or other decorative features.

(Ord. No. 6730, § I, 2-26-03)

Sec. 20-132. Hardship variances.

Where by reason of topographic conditions, irregularly shaped lots, or because of unusual circumstances applicable solely to the particular applicant, strict enforcement of the provisions of this Article would result in serious undue hardship particularly affecting said applicant, then the commission, in passing upon his application shall have the power to vary or modify adherence to this Article; provided always that its requirements insure harmony with the general purposes hereof, and will not adversely affect the Local Houma Historic District as a whole or any designated landmark or site.

(Ord. No. 6730, § I, 2-26-03)

State law references: Hardship variances, R.S. 25:739.

Sec. 20-133. Enforcement.

The commission shall have the power to institute suit in any court of competent jurisdiction to prevent any unlawful action in violation of the provisions of this Article or of any of the rules and regulations adopted by the commission in conformity with it.

Any owner, agent, lessee or other person acting for or in conjunction with him, who shall violate this Article or rules, regulations or decision of the commission shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each violation, except as hereinafter provided. Any owner, agent, lessee or other person acting for or in conjunction with him who shall demolish a structure or edifice without having received an appropriate certificate of appropriateness may be fined a single fine of not less than one thousand dollars (\$1,000.00) nor more than ten thousand dollars (\$10,000.00). For violations other than demolition without an appropriate certificate of appropriateness each day that a violation continues shall constitute a separate offense.

(Ord. No. 6730, § I, 2-26-03)

State law references: Enforcement powers of commission, R.S. 25:740.

Sec. 20-134. Appeals.

(a) Any person or persons aggrieved by any decision, act, or proceeding of the commission shall have a right to apply in writing to the parish council for reversal or modification thereof and the parish president shall have the right to stay all further action until the council may affirm a decision of the commission by majority vote of all its members. Any such appeal shall be taken in ten (10) days from the date of decision and the council may consider said appeal at its next general or special meeting, but in any event, not more than forty-five (45) days thereafter. The council shall have the right to reverse, change, or modify any decision of the commission only by a majority vote of all its members.

(b) Any person or persons aggrieved by any decision of the council affecting said the Houma Local Historic District or designated site shall have the right to file a civil suit within thirty (30) days from date of decision in a court of competent jurisdiction under the usual rules of procedure governing same, with the right to stay orders and injunctive relief provided the situation warrants it.

(Ord. No. 6730, § I, 2-26-03)

State law references: Appeal rights from commission action, R.S. 25:741.

Sec. 20-135. Applicability.

The regulatory powers conferred by this Article on the commission shall apply to all private property, in the area controlled by it, including all buildings, structures, areas, sites, and their adjuncts and appurtenances, insofar as they constitute part of the entirety or tout ensemble of the Houma Local Historic District or designated historic preservation sites. Any governmental agency of the state or local government, other than the governing body, having a responsibility for any building, structure, area, site, public way and their adjuncts and appurtenances within the historic preservation site shall seek the advice of the commission prior to the initiation of any substantive change, modification, renovation, restoration or construction.

Ord. No. _____, § II, _____-05)

State law references: Applicability of commission powers, R.S. 25:742.

Sec. 20-136. Additional authority of commission.

The commission is empowered to name or designate, upon adoption of an appropriate ordinance by the Terrebonne Parish Council, any site, location, structure or monument within the area served by the Terrebonne Parish Consolidated Government as worthy of preservation whether within or outside the confines of an historic district and to exercise all other powers and functions of a historic district and landmarks commission, except as otherwise precluded by state law.

Ord. No. _____, § II, _____-05)

State law references: Authority of historic district commissions, R.S. 25:744.

Secs. 20-137--20-140. Reserved

SECTION III

If any word, clause, phrase, section or other portion of this ordinance shall be declared null, void, invalid, illegal, or unconstitutional, the remaining words, clauses, phrases, sections and other portions of this ordinance shall remain in full force and effect, the provisions of this ordinance hereby being declared to be severable.

SECTION IV

This ordinance shall become effective upon approval by the Parish President.

This ordinance, having been introduced and laid on the table for at least two weeks, was voted upon as follows:

THERE WAS RECORDED:

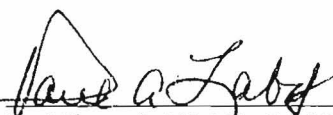
YEAS: C. Voisin, P. Rhodes, P. Lambert, A. Tillman, W. Thibodeaux, K. Elfert, T. Cavalier and C. Duplantis.

NAYS: None.


ABSTAINING: None.

ABSENT: H. Lapeyre.

The Chairman declared the ordinance adopted on this, the 22nd day of February, 2006.



PAUL A. LABAT, COUNCIL CLERK
TERREBONNE PARISH COUNCIL



PETER RHODES, CHAIRMAN
TERREBONNE PARISH COUNCIL

* * * * *

Date and Time Delivered to Parish President:

2-23-06 9:30 am PM

Approved Don Schwab Vetoed
Don Schwab, Parish President
Terrebonne Parish Consolidated Government

Date and Time Returned to Council Clerk:

3-01-06 9:00 am PM

I, PAUL A. LABAT, Council Clerk for the Terrebonne Parish Council, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Assembled Council in Regular Session on February 22, 2006, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 1st
DAY OF March, 2006.

Paul A. Labat
PAUL A. LABAT, COUNCIL CLERK
TERREBONNE PARISH COUNCIL