



# CITY OF MANDEVILLE, LA

PLANNING AND DEVELOPMENT

## City Council

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### CLURO Text Study

#### Sign Code Amendment

**Study Intent:** To conduct a text amendment to CLURO Articles 2, 5, 6, 7, and 10 to amend regulations relative to the installation of signs City-wide including, but not limited to provisions to ensure that regulations are content-neutral, clear, and concise and to address issues such as abandoned signs, hazardous signs, temporary signs, free-standing signs, murals, and materials used in sign construction..

**Docket No. P23-04-02**

**Study Effect:** Citywide

**Public Notice Dates:**

**Public Hearing Date:**

### Findings.

1. **Background of CLURO and Sign Code in Mandeville.** The Comprehensive Land Use Regulations Ordinance (CLURO) was adopted in 2015 and the sign regulations have not been amended since its adoption. The Planning Commission and Council acted in 2022 to initiate a study of the code with the intent to:

- Create regulations that provide a means of implementing the policies & goals of the City of Mandeville Comprehensive Plan and other related long-range planning policy documents
- Create regulations that address market trends, incorporate best practices and address contextual issues throughout the City
- Remove or amend outdated or inappropriate standards
- Remove redundancies and conflicts
- Create clear definitions and terminology
- Ensure all regulations and prohibitions are compliant with the Louisiana and United States Constitutions, including but not limited to content neutrality and other 1st Amendment considerations
- Provide graphics and illustrations to supplement, replace and/or clarify written regulations; and
- Craft regulations that provide for effective administrative enforcement

A singular issue that attracted input during the period of the CLURO's implementation from 2015 to present was the issue of electronic signs. The 2015 CLURO adoption featured a ban on new electronic signs (electronic variable message or EMC and electronic message centers or EMC signs) and enabled the amortization of existing electronic signs. Despite a Council agenda featuring reconsideration of this prohibition and amortization, the prohibition has remained and the amortization period for these signs is now over.

2. **Justification for Sign Regulations Generally.** Without appropriate regulations, signs can pose a clear danger to vehicle traffic and pedestrians. Signs are a proper use of private property, a means of personal free expression and a necessary component of a commercial environment, however, an improperly regulated sign environment imposes health and safety dangers to the public.
3. **Signs and Traffic Safety.** It has been long recognized that sign controls are needed to promote traffic safety and avoid traffic accidents. Signs can distract motorists by impairing visibility. Traffic safety is improved by restricting the size, height, and locations of signs. Signs, if unregulated, can confuse motorists by mimicking traffic safety signals and signs and thereby cause serious injury or traffic fatalities. Effective sign regulation lessens hazardous conditions, confusion and visual clutter caused by the proliferation, improper placement, illumination and excessive height and size of signs which compete for the attention of pedestrians and vehicular traffic.

4. **Signs and Community Character.** Insufficiently-regulated signs may negatively affect the character of communities and the value of buildings. For example, blighted and antiquated signs and sign structures (i.e., the pole with a blank structure for a sign face) can contribute to an overall image of blight and a reduction of property values in declining areas if not addressed and removed via sign controls. Sign clutter and light pollution can reduce the effectiveness of signs because each sign is in competition for attention, thereby reducing their visibility.
5. **Sign Clutter.** While sign regulation serves the interests of the business community, unregulated competition among businesses where individual business signs are not adequately visible results in too many signs and a point of diminishing returns. Sign regulations help to maintain the scenic heritage and unique character of the community by implementing uniformity of standards and quality in signs. Signs substantially influence the appearance of the community, and sign regulation is essential to the community's long-term economic viability. Sign controls improve visual character.
6. **Reed v. Gilbert and Content Neutrality.** In 2015, the U.S. Supreme Court decided the case of *Reed v. Town of Gilbert*<sup>1</sup> (576 U.S. 155) that established strict scrutiny of content-based sign regulations. This and subsequent cases severely limited the circumstances in which content can be used to regulate signs. Best practices in sign regulation following this and subsequent court decisions focuses on regulating signs in a manner that is “content-neutral” meaning regulation of the time, place, and manner of signs regardless of the speaker or message conveyed in a sign.
7. **Temporary Sign Allowances and Enforcement.** In order to maintain content-neutrality in sign regulation the recommended amendments include the removal of regulations that are based on a number of temporary sign categories such as “real-estate signs,” “non-commercial signs,” “seasonal banners,” “garage sale signs,” and “election signs.” All of these sign types regulate signage based on the content or speaker (purpose or message) of the sign. In order to effectively regulate all of these categories of signs, the recommendations herein focus on clear regulation of temporary signs, including cumulative limits on the number and size of temporary signs (of any purpose), the reduction of permit requirements where possible (to preserve staff time and reduce the possibility for content-based permitting) and a precise focus on enforcement (to ensure that if a site exceeds these requirements for temporary signage it can be removed immediately). Although temporary signs can be adequately managed through a complaint-based field enforcement approach, these recommendations include the provision to prohibit snipe signs and feather signs, as many jurisdictions find that these sign types can become debris and can quickly contribute to sign clutter and nuisance.
8. **Current Sign Code.** The currently effective City of Mandeville sign code is intended to be content-neutral (and therefore compliant with first amendment protections as interpreted in the *Reed v. Gilbert* case), however the sign code can be enhanced by adding clarity and regulatory content regarding:
  - Eliminating regulatory categories of signs that are not content-neutral and could be interpreted as regulating speech based on the content or speaker;
  - Eliminating regulations that are outdated, such as those regulations for the amortization of electronic signs
  - Creating clear tables and definitions of sign types so that administration of the sign code is user-friendly and easy to understand
  - Clarifying the prohibition on EVM and ECM signs and billboards
  - Adding best practices regulations for murals
  - Clarifying and simplifying how temporary signs are regulated and how such signs can be removed if found to be noncompliant
  - Clarifications to the removal of abandoned signs or signs in disrepair
9. **Mandeville’s Community Character and Needs for Sign Regulation.** The City of Mandeville also has a specific aesthetic and historic character that is especially important given the proximity of residential and commercial uses. The Code of Ordinances specifically states that, “Since its incorporation in 1840, Mandeville has been a place to live and work in retreat from the stress, congestion and pollution of the metropolitan city<sup>2</sup>.” To this end, Mandeville sign regulations should ensure that

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<sup>1</sup> <https://www.signs.org/local-sign-code-guidance/reed-v-town-of-gilbert>

<sup>2</sup> CLURO Article 1, Section 1.2.4.

new signage placed in the City does not include intrusive lighting and is built to a human and pedestrian scale rather than a scale for heavy highway or interstate signage. The recommendations within this study aim to generally reduce the visual clutter of outdoor signage by:

- Expanding allowances for a-frame or sandwich board signs which have a traditional development aesthetic;
- Requiring all new detached signs to be designed as monument signs or use wooden sign posts; and
- Reducing the overall sign area allowances for commercial and residential districts, including the B-3 district.

10. **Reduction in Light Pollution.** Article 8 of the CLURO, regarding outdoor lighting states, “These regulations are intended to implement “dark skies” principles in the City of Mandeville Good outdoor lighting at night benefits everyone. It increases safety, enhances the City’s nighttime character, and helps provide security. New lighting technologies have produced lights that are extremely powerful, and these types of lights may be improperly installed so that they create problems of excessive glare, light trespass, and higher energy use. Excessive glare can be annoying and may cause safety problems<sup>3</sup>.” Similarly, brightly lit and insufficiently shielded and directed sign lighting (either internal illumination or external lighting that creates up light), can cause light pollution in the suburban environment. The recommendations within this study aim to reduce potentially harmful light pollution from signage.

11. **Clear Prohibition of LED Strip Lighting.** LED strip lighting is an emerging trend in commercial lighting, however it can be extremely disruptive to residents and motorists due to its extreme brightness and use of this type of lighting for flashing or moving displays. This type of lighting is not appropriate in Mandeville so the recommendations herein include a clear prohibition on this type of lighting and signage including this type of lighting.

Example of LED Strip Lighting:



Image source: <https://borderline-lighting.com/shop/package-specials/window-light-led/>

12. **Flexibility for Signage Internal to a Site.** The recommendations in this study feature specific standards for drive-through signs and signs oriented to rear doors and internal circulation, as well as incidental signs and window signs. The intent of these amendments are to balance property owners’ need to guide vehicular and pedestrian traffic within a site while maintaining a landscape free of visual clutter along public streets.

13. **Allowances for Hanging Signs, Canopy Signs, Certain Neon Signs, and Blade Signs.** The recommendations in this study allow for creative use of various sign types such as signs that hang from a balcony above a walkway, signs that are printed on a canopy or awning, use of neon signs in limited circumstances that are innovative and have a distinctive appearance, and blade signs (signs that are affixed to a building wall but project outward from the building face). These types of signs can create a more historic or “small-town” feel through their aesthetic appearance, while allowing for sign visibility.

14. **General Intent.** Sign regulations established in this section balance concerns related to maintenance and safety with freedom of expression or speech. When signage content is considered, such consideration is to ensure public health and safety, and include signs necessary for emergency response, law enforcement, and the prevention of traffic or health fatalities.

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<sup>3</sup> CLURO Article 8, Section 8.1.10.1.

## Summary of Recommended Amendments.

1. Reorganize sign ordinance headings to serve as a user-friendly guide and follow a general outline that includes: general intent → administration → definitions → prohibited and exempt signs → procedures → construction and design standards → nonconforming signs → additional sign procedures → enforcement.

2. Clearly prohibit billboards, unsafe placement of signs or signs placed in a right-of-way, and feather signs, among other sign types.

Example of a feather sign:



3. Exempt temporary signs from sign permit requirements, limit all sites to two temporary signs per site with a cumulative maximum of 8 square feet in residential and B-3 districts and one temporary sign per street frontage with a maximum of 16 square feet per sign in commercial districts and limit all temporary signs to be installed for a maximum duration of 90 days. Clarify that these signs may not be installed in any rights of way and that the City is authorized to remove illegally installed temporary signs.
4. Clarify the treatment of etched signage or text above a door, in a window, or within the architectural elements of a building.
5. Clarify how signs are to be measured when reviewed by the City.
6. Clarified roles of the Planning Director and Building Inspector in the processes of reviewing, permitting, and inspecting signs in the City.
7. Allow the use of neon and similar signage techniques only in limited circumstances and when innovative design is employed in keeping with best practice for the use of neon signage.
8. Added a set of consolidated tables to describe which types of signs are allowed in each zoning district.
9. Restricted free-standing signage to only monument-type signs or signs with wooden posts in residential and institutional districts.
10. Restricted the ability for signs in residential district to be illuminated (requiring shielding, prohibiting uplight, restricting lighting to certain sign types).
11. Reduced sign area allowances for all commercial and mixed use districts, including for complex developments.
12. Clarify the treatment of signs internal to a site that are oriented to drive-through uses, used for internal circulation and direction, or are incidental to a use and not visible from a right-of-way.
13. Reduce allowable window signage area and add clearly enforceable standards for window sign placement and methods.
14. Enabled legally nonconforming signs to replace sign face without losing their legally nonconforming status.
15. Removed outdated language relevant to the amortization of electronic signs.
16. Added flexibility for neon, roof, marquee, and etched signs in the Historic Preservation District, subject to Historic Preservation District Commission review and certificate of appropriateness.

EXHIBIT A: PROPOSED SIGN CODE TEXT

Key for reviewers:

\* \* \*

The asterisks above indicate where existing code text should remain as is currently published.

- 1. That the City of Mandeville amend the Code of Ordinances, Appendix A – Comprehensive Land Use Regulation Ordinance, Division I. - General and Administrative Provisions, Article 2. – General Administrative Provisions, Section 2.5 – Responsibilities of City Departments and Staff, and Article 5. - Building Codes and Permitting Requirements, Section 5.8 – Required Licensing and Bonding of Contractors to remove references to billboards to read as follows:

ARTICLE 2 - GENERAL ADMINISTRATIVE PROVISIONS

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2.5. RESPONSIBILITIES OF CITY DEPARTMENTS AND STAFF.

\* \* \*

2.5.3. Qualifications and Duties of the Building Inspector.

- 1. Qualifications of the Building Inspector. The qualifications of the Building Inspector shall be defined by the civil service codes of the City of Mandeville. In addition, the Building Inspector shall be minimally required to have an IBC Certified Building Inspector, Plan Review and Coastal Construction Inspection certifications. The Building Inspector, or his designee(s), being the party responsible for plumbing, electrical and mechanical inspections, shall be required to have Plumbing, Electrical and Mechanical Inspection certifications by International Code Council (ICC), respectively.
2. Duties of the Building Inspector. The Building Inspector or his duly authorized representative shall perform the following duties:
a. Interpret the provisions of the adopted codes of the International Building Code (IBC), International Residential Code (IRC), International Mechanical Code (IMC) and the National Electrical Code (NEC) as identified in Article 5 and receive applications required by these regulations, issue permits and furnish the prescribed certificates. He shall examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall assure that all permits issued are in conformance with all adopted codes of the City by enlisting the approval of the Planning Director and the Director of Public Works (or by the City Engineer when the services of the City Engineer are determined necessary by the Public Works Director) for all permits involving work falling within the code provisions administered by these individuals.
b. The Building Inspector shall enforce all laws relating to the construction, alteration, removal, demolition, raising or lowering equipment, use and occupancy, location and maintenance of buildings and structures, including electrical, plumbing, air-conditioning, heat and appurtenances thereto, together with elevators, signs, marquees and awnings and any and all other separate ordinances wherein he is charged with the enforcement authority and responsibility. He shall, when requested by proper authority or when the interests of the municipality so require, make investigations in connection with matters referred to in these codes and render written reports on same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures, he shall issue notices or orders as may be necessary; and

\* \* \*

ARTICLE 5 - BUILDING CODES AND PERMITTING REQUIREMENTS

\* \* \*

5.8. REQUIRED LICENSING AND BONDING OF CONTRACTORS.

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**5.8.1.2. Sign Contractor Registration Requirement.**

1. No person shall engage in any business or activity described in Article 10 without complying with the terms of the following requirements.
2. Every person commercially engaged in constructing, erecting, installing, maintaining or operating outdoor advertising, advertising structures, advertising signs, painted signs on structures, signboards or similar devices, whether as a primary or incidental activity, and whether or not such person is otherwise registered by the City, shall obtain a sign contractor’s registration and pay a fee as the Mayor and City Council shall deem appropriate.
3. In addition to the general sign contractor’s registration requirement, electrical signs may only be installed by an electrician registered with the City.

\* \* \*

**2. That the City of Mandeville amend the Code of Ordinances, Appendix A – Comprehensive Land Use Regulation Ordinance, Division II. – Buildings and Zoning Regulations, Article 6. – Land Use Classifications, Section 6.8 – Accessory Use Classifications, and Article 7 - Zoning District Regulations to remove references to speaker oriented on- and off- premise signs, clarify the sign standards applicable to the G-O district, and clarify that signs in the Historic Preservation Overlay District must undergo Commission review to read as follows:**

**ARTICLE 6 - LAND USE CLASSIFICATIONS**

**6.8. ACCESSORY USE CLASSIFICATIONS.**

\* \* \*  
\* \* \*

**6.8.3. Accessory Uses - Residential**

The following activities are specifically regarded as accessory to residential principal uses and may only occur subsequent to the occupancy of the principal structure:

1. Incidental storage of household items or yard maintenance equipment owned by the occupant of the principal structure.
2. Offices or studios for personal use within an enclosed building and used by an occupant of a residence located on the same lot as such building to carry on personal business or artistic activities of a non-commercial nature, so long as such activities do not fall within the definition of a home occupation.
3. Hobbies or recreational activities of a noncommercial nature.
4. The renting out, on a monthly or longer basis, of one (1) room within a dwelling unit to not more than two persons who are not part of the family that resides in the dwelling unit, provided the room is not equipped with cooking facilities.
5. Yard sales or garage sales, so long as such sales are not conducted on the same lot for more than three (3) days (whether consecutive or not) during any 90 day period.

**6.8.4. Accessory Use – Outdoor Dining**

Outdoor seating and tables for a restaurant that is otherwise allowed within the applicable zoning district and complies with applicable district regulations.

**ARTICLE 7 - ZONING DISTRICT REGULATIONS**

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**7.6. OVERLAY ZONING DISTRICT REGULATIONS.**

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**7.6.2. G-O Gateway Overlay District.**

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**7.6.2.8. Building Elements.**

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6. *Signage.* Signage in the Gateway Overlay District shall be provided in accordance with Article 10. - Sign Code.

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**7.6.4.4. Applicability**

The regulations of the District shall apply to:

1. Exterior architectural features related to those buildings or structures that are classified as Contributing, Significant, or Landmark on the Historic Preservation District Survey; and
2. Demolition and relocation of buildings and structures that are 50 years old or older or buildings and structures that are classified as Contributing, Significant, or Landmark on the Mandeville Historic Preservation Survey; and
3. Exterior architectural features related to new construction; and
4. Elevation of any existing structure located within the District; and
5. Exterior architectural features related to additions and renovations to those buildings or structures that are classified as Contributing, Significant, or Landmark on the Historic Preservation District Survey; and
6. The installation of signage proposed to be affixed to any contributing or significant building or designated landmark within the District.

Landmarks and satellites located wheresoever in the City shall be subject to the jurisdiction of the Commission. Nothing in this ordinance shall be construed to prevent ordinary maintenance, repairs or other such activities that would involve the modification of, but not limited to, paint color, exterior hardware and light fixtures. Detached accessory buildings, as defined by the CLURO, shall be excluded from the regulations of the District unless specifically identified as Significant, Contributing or Landmark on the Historic Preservation District Survey.

\* \* \*

**7.7. TABLE OF PERMITTED USES BY ZONING DISTRICT.**

\* \* \*

**7.7.2. Use of Symbols in Table of Permitted Uses**

The following is a list of the symbols used in the Table of Permitted Uses to represent the procedure required for the placement of the use within the designated zoning district:

*P – Permitted.* A use as defined in Article 6 permitted by-right in the designated zoning district.

*S- Special Use Permit.* A use permitted-conditionally in the designated zoning district with issuance of a Special Use Permit by the Zoning Commission in accordance with procedures as provided in Article 4, based on standards applicable to the use and other conditions that the Zoning Commission finds are necessary to ensure compatibility between the proposed development and adjacent uses.

*C - Conditional Use.* A use permitted in the designated zoning district with the approval of the City Council by ordinance in accordance with the procedure for Conditional Use Permits and Planned Districts as provided in Article 4.

*\* - Special Development Criteria.* Uses shown with an asterisk are uses that are permitted in accordance with the guidelines of the Special Use Criteria provided in Article 8 of this Land Use Regulations Ordinance and/or the applicable zoning district regulations for the regulation of the specific use.

**\*\*\*** - Bed and Breakfast Residences are only permitted within the R-1, Single Family Residential and R-1X, Single Family Residential districts where they are located within the Mandeville Historic Preservation District with approval of a Special Use Permit.

\* \* \*

Use Classification	R.1	R.1X	R.2	R.3	MH	I	O	B.1	B.2	B.3	B.4	O/R	PM.1	PM.2	M.1	M.2	TC	H-P
6.8.3 Accessory Uses (Residential)	P	P	P	P	P					P		P	P	P	C			P
6.8.4 Accessory Outdoor Dining On-Site								S	S	S	S		S	S	C	S	S	
6.8.4 Accessory Outdoor Dining In Right-of Way									C	C	C		C	C	C	C	C	

**3. That the City of Mandeville conduct a full-scale code amendment the Code of Ordinances, Appendix A – Comprehensive Land Use Regulation Ordinance, Division II. – Building and Zoning Regulations, Article 10. – Sign Code to read as follows:**

**ARTICLE 10 - SIGN CODE**

**10.1- INTRODUCTION AND GENERAL STATEMENTS**

**10.1.1. Findings.**

The City Council, after due and careful study and deliberation, and in full consideration of comments received from interested members of the general public, hereby find and declare:

1. That the people of the City have a primary interest in controlling the erection, location and maintenance of signs in a manner designed to protect the public health, safety, and welfare.
2. That the rapid economic development of the City has resulted in a great increase in the number of businesses located in the City, with a marked increase in the number and size of signs advertising such business activities, creating conflicts between advertising signs themselves and between traffic regulating devices and advertising signs, which by their primary purpose draw attention to them potentially to the detriment of sound driving practices.
3. That it is necessary to the public safety that official traffic regulating devices be easily visible and free from such nearby visual obstructions such as blinking signs, distracting signs, excessive number of signs, or signs in any way resembling public signs.
4. That it is necessary to provide opportunities for both commercial and non-commercial speech in the form of signs.
5. That the construction, erection, and maintenance of large outdoor signs, suspended from or placed on top of buildings, walls or other structures constitutes a direct danger to pedestrian traffic below such signs, especially during periods when winds of high velocity are prevalent.
6. That the uncontrolled erection and maintenance of large or distracting signs seriously detracts from the enjoyment and pleasure of the natural scenic beauty of the Mandeville area.
7. That brightly lit signs are inconsistent with the City’s status as a dark skies community and the overall character of the City.
8. That this Sign Code shall apply to the design, quality of materials, construction, location, electrification, illumination and maintenance of all signs and sign structures to be located within the City.
9. That effective sign regulation should not restrict speech on the basis of its content, viewpoint, speaker, or message.

**10.1.2. Statement of Purpose and Intent.**

The purposes of the Sign Code are hereby declared to be:

1. The protection of the health, safety and welfare of the citizens of Mandeville;
2. The exercise of free speech;
3. The protection and preservation of property values and the promotion of economic well-being throughout the community; and
4. The preservation and maintenance of the visual and aesthetic quality of the community in accord with the character of the City of Mandeville and the surrounding area through the establishment and enforcement of standards for the construction, location, and maintenance of all signs within the City.

**10.1.3. Content Neutrality.**

Any sign erected pursuant to the provisions of this Article or Sign Code may, at the option of the owner, contain a noncommercial message unrelated to the business located on the premises where the sign is erected. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one noncommercial message to another, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign and otherwise conforms to the provisions of this Sign Code.



## 10.2. - SIGN CODE ADMINISTRATION.

### 10.2.1. Interpretation.

1. *Intent.* The provisions of this Article are intended to supplement and to be read and applied in pari material with all existing laws, ordinances and regulations of this City. The provisions of this Article shall not be deemed to have repealed or suspended any such existing law, ordinance or regulation of this City unless such result shall have been expressly stated or be clearly intended by the context and language of the provision in question.
2. *Conflicts.* In the event of a conflict in any particular circumstances between the provisions or requirements of this Article and the provisions or requirements of any other law, ordinance or regulation of this City the more restrictive provision or requirement shall apply unless a contrary application thereof is expressly directed or clearly intended by the context and language of the laws, ordinances and regulations in question.
3. *No standard.* Where the Sign Code is silent or where the rules of this Sign Code do not provide a basis for concluding that a sign is allowed, the sign in question will be prohibited.
4. *Building code.* Unless otherwise provided, all signs must be constructed and erected in accordance with the building codes of the City.
5. *Message.* This Article is not intended to and does not restrict speech based on content, viewpoint, speaker, or message. Any classification of signs in this Article that permits speech by reason of the type of sign, identity of the sign user, or otherwise, will be interpreted to allow noncommercial speech on the sign. To the extent that any provision of this Article is ambiguous, the term will be interpreted not to regulate based on the content or speaker of the message.

### 10.2.2. Applicability.

1. *In general.* Except as provided in this Section, the requirements of this Article apply to all signs, sign structures, awnings, and other types of sign devices located in the City.
2. *Permit required.* Except as provided for in Section 10.5 Exemptions, it is unlawful for any person to erect, relocate, or structurally alter any sign without first obtaining a sign permit in accordance with this Article.

### 10.2.3. Severability.

1. If any provision of the CLURO regulating signs is declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of the CLURO regulating signs and all such provisions shall remain in full force and effect.
2. If any article, section, subsection, sentence, clause, or phrase of these regulations is, for any reason, held unconstitutional or invalid, such decision or holding will not affect the validity of the remaining portions hereof. It being the intent of the City Council to enact each section and portion thereof, individually and each such section will stand alone, if necessary, and be in force not with the validity of any other article, section, subsection, sentence, clause, or phrase of these regulations.

## 10.3. - DEFINITIONS.

For the purposes of this Sign Code, and unless the context indicates clearly contradictory intent, words used in the present tense include the future, the singular number includes the plural, the word "shall" is mandatory and not discretionary, the word "building" includes "structures" except "sign structures."

Any word, term or phrase used in this Sign Code and not otherwise defined herein but defined elsewhere in any other ordinance or regulation of the City of Mandeville shall be defined in accordance with the definition set forth in such other ordinance or regulation unless the context in which such word, term or phrase is used in this Article indicates that the application of that definition would lead to a result which is inconsistent, unintended, or out of character with the purpose of this Sign Code and the plan of regulation set forth herein. All remaining terms of this Sign Code shall carry their usual and customary meanings. Terms indigenous to the industry shall be defined in accordance with their usual and customary understanding in the trade industry or profession to which they apply, unless such terms are otherwise defined herein.

1. *Abandoned Sign.* A sign that has fallen into a state of disrepair or is otherwise deteriorated as a result of a lack of maintenance, repair or upkeep. Evidence of abandonment may include, but is not limited to, peeling paint or finish material; warped, bent or otherwise disfigured sign components; or a punctured or otherwise damaged sign face.

2. *A-frame sign.* A sign, ordinarily in the shape of an "A" or some variation such as a "T" shape, made of metal, wood, chalkboard, or white board, located on the ground and generally oriented to pedestrians, not permanently attached, and easily movable.

**Figure 10.3.1: A-Frame Sign Example.**



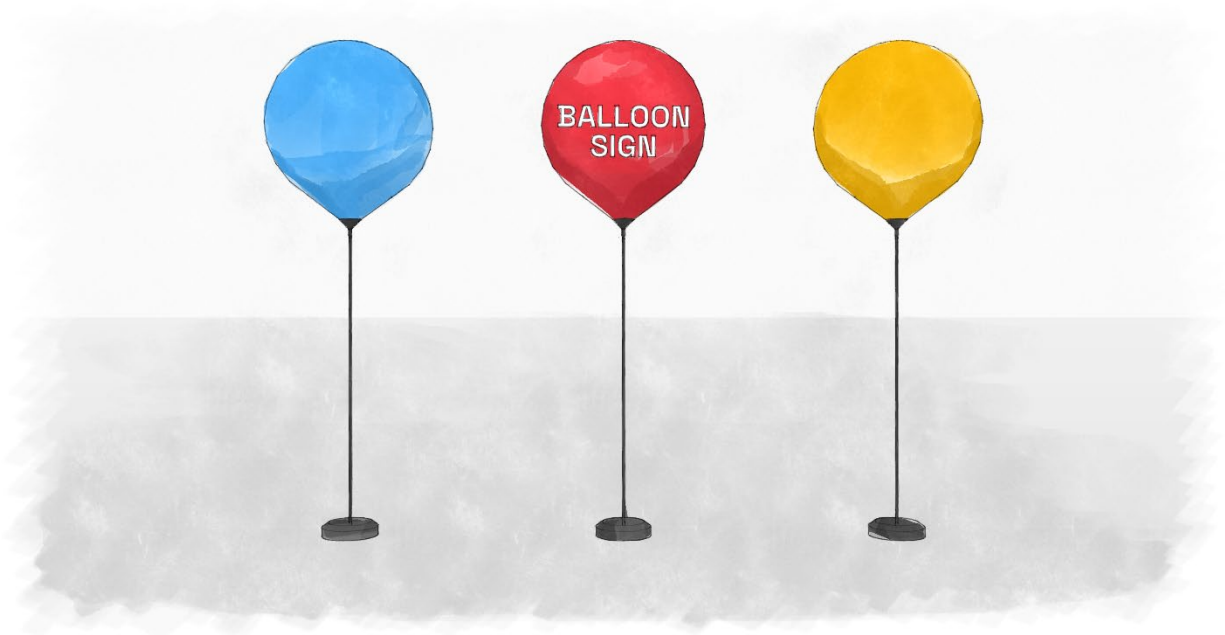
3. *Address Sign.* A sign that conveys the numeric address or identification of the premises on which it is located.
4. *Alteration.* A change in a sign's size, shape, electrical display, position, location, construction or supporting structure.
5. *Animated sign.* A sign that contains visible moving parts, flashing or osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance.
6. *Attached Sign.* An attached sign is any sign that is physically connected to and derives structural support from a building or building appurtenance, such as wall signs, blade signs, awning signs, canopy signs, and hanging signs.
7. *Audible Sign.* An audible sign is any sign that is designed to, or which does produce sound discernable to, a person of normal hearing situated off the premises on which the sign is located.
8. *Awning.* A shelter supported entirely from the exterior wall of a building.
9. *Awning sign.* A sign that is attached to or painted onto an awning, canopy, or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. For the purposes of this code, awning signs are considered equivalent to canopy signs.

**Figure 10.3.2: Awning Sign Example.**



10. *Balloon sign.* An inflatable circular or round object tethered in a fixed location that displays signage either on its surface or as an attachment.

**Figure 10.3.3: Balloon Sign Example.**



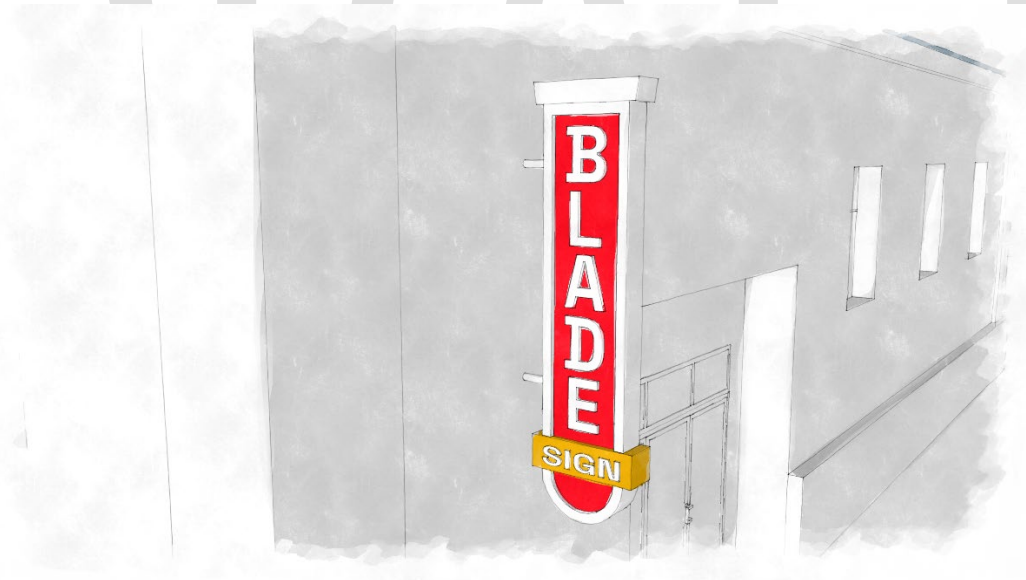
11. *Bench Sign.* A bench sign is a sign on any portion of a bench or other non-mobile structure or device intended for public seating or convenience.
12. *Billboard.* A billboard is a detached pole sign specifically oriented toward vehicular traffic on expressways, interstates, or highways.

Figure 10.3.4: Billboard Example.



13. *Blade sign.* A sign affixed to a building or wall in such a manner that its leading edge extends beyond the surface of such building or wall.

Figure 10.3.5: Blade Sign Examples.



- 14. *Canopy*. An overhead structure that provides weather protection for pedestrians. Awnings and marquees (defined herein) are different types of canopies.
- 15. *Canopy sign*. A sign that is part of, or attached to, a canopy cover or canopy structure.

**Figure 10.3.6: Canopy Sign Examples.**



16. *Circulation Sign.* A detached sign that is located within 50 feet of an access way that connects private property to a public street or a driveway or pedestrian walkway providing internal circulation within a development site.
17. *Conforming sign.* A sign that is legally installed in conformance to all prevailing jurisdictional laws and ordinances.
18. *Copy.* The graphic content or message of a sign.
19. *Detached sign.* A sign that is not affixed or attached to a building. Detached sign may describe a pole, pylon, billboard, or monument sign.
20. *Drive-through sign.* A sign that is specifically oriented toward vehicles within a drive-through queue and is not oriented toward traffic on a public right-of-way, regardless of sign content.
21. *Electrical Sign.* An electrical sign is any sign containing a motor or wiring that is connected or attached, or intended to be connected or attached, to an electrical energy source.
22. *Electronic Message Centers (EMC), Electronic Variable Message (EVM) Signs, or Digital Signs.* An electrically activated, changeable copy or message sign with a variable message and/or graphic presentation capability that can be electronically programmed by computer from a remote location or at the sign. Also known as an EMC or digital sign, these signs typically use arrays of LED lights to create an illuminated message.
23. *Externally illuminated sign.* A sign that uses a light source external to the text or copy elements to improve visibility of the sign in low-light conditions.

**Figure 10.3.7: Externally Illuminated Sign Example.**



24. *Feather sign.* A vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.

**Figure 10.3.8: Feather Sign Example.**



- 25. *Flag.* Fabric or bunting containing colors, patterns, symbols, or copy that can be raised and lowered on a flag pole. A photo, drawing or similar depiction of a flag on non-fabric material is not included in this definition. Feather signs, banners, or other signs elsewhere defined in this section are not flags.
- 26. *Flashing Sign.* Any sign that conveys a message through one or more light sources turning off and on, which includes signs with animations, video, blinking lights or message changes on an electronic message center that exceed authorized frequencies.
- 27. *Freestanding Sign.* A freestanding sign is a sign supported by a sign structure secured in the ground and which is wholly independent of any guy wire, support wire, building, fence, vehicle or object other than the sign structure, for support. A freestanding sign is synonymous to a detached sign.
- 28. *Grade or ground.* The elevation or level of the street closest to a sign to which reference is made, as measured at the street's centerline, or the relative ground level in the immediate vicinity of the sign.
- 29. *Haloed letter signs.* A sign using illumination set behind text to enhance visibility.

**Figure 10.3.9: Haloed Letter Sign Example.**



- 30. *Hanging sign.* A sign that is hung perpendicular to a building façade beneath the underside of an awning, canopy, or other structural protective cover over a door, entrance, window, or outdoor service area.

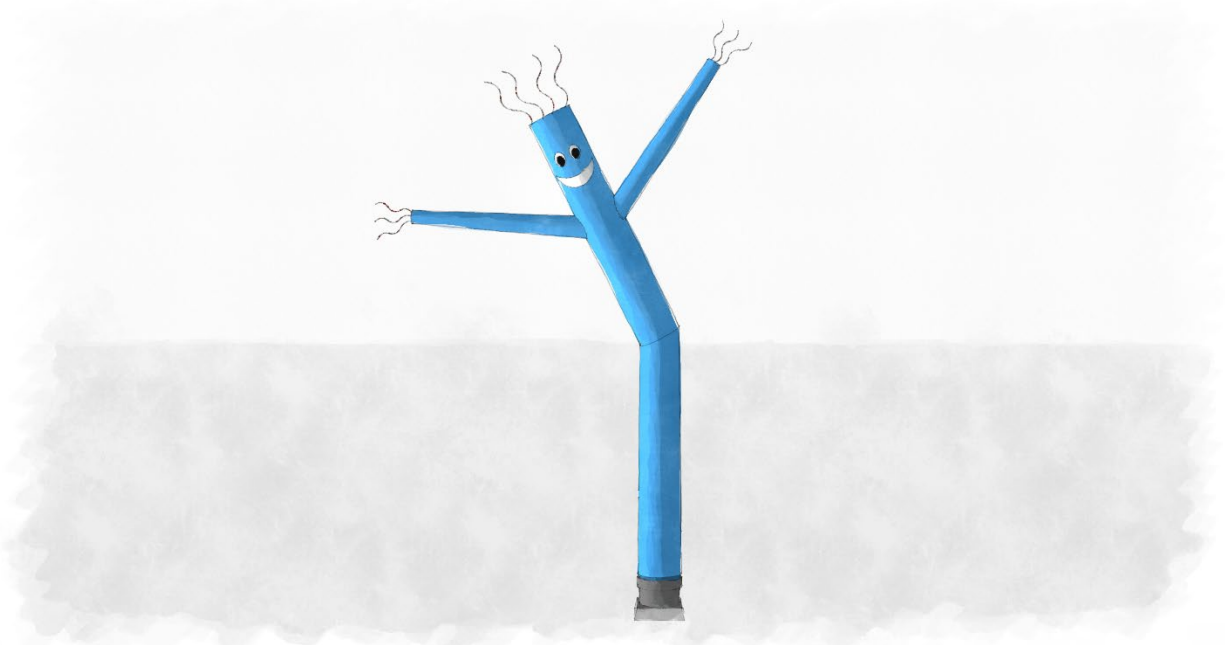
**Figure 10.3.10: Hanging Sign Examples.**





31. *Illuminated Sign.* An illuminated sign is any sign which has characters, letters, figures, designs or outlines illuminated by a light source which is designed to illuminate such signs.
32. *Incidental Sign.* A sign that cannot be read from a public right-of-way. For purposes of this definition, incidental signs include sign faces that cannot be seen from a public right-of-way or private street, and signs consisting solely of lettering less than two and one half (2 ½) inches in height.
33. *Indoor Sign.* Any sign, located within a building and directed towards people within the building, not including window signs.
34. *Inflatable Sign.* An inflatable sign is any sign dependent in whole or in part for its structural integrity on the infusion into said sign of compressed air or other fluids, and specifically including balloons larger than two (2) feet in diameter or two (2) foot square in area or other gas or liquid filled figures.

**Figure 10.3.11: Inflatable Sign Example.**



35. *Internally illuminated sign.* A sign that is illuminated by internal elements.
36. *Lights.* Lights serving as signs include the following:
  - a. *Searchlight:* A strong or bright light with a reflector in a swivel so that its beam may be sent or directed in various directions.
  - b. *Beacon:* A strong or bright light focused or directed in one or more directions.
  - c. *Flashing Lights:* Any light or light source or reflection of light source that is intermittent in duration, color, or intensity or which creates or is designed to create an illusion of intermittency in duration, color, or intensity.



- d. *String of Lights*: A string of electrical conductors containing two (2) or more lights or light sockets.
  - e. *Laser*: A device emitting a narrow, intense beam of light waves that have been amplified and concentrated by stimulated atoms, or the light produced by such device.
  - f. *Neon or Tubular Signs*: Signs with neon, argon or similar gas in a tube which is charged with electricity and used to create an illuminated tubular sign or an illuminated decorative element. The tubing may contain an alternative illumination technology, such as, but not limited to, light-emitting diodes (LEDs). Any nongaseous illumination technology, such as LEDs, must produce illumination that appears to be a continuous, uninterrupted line, similar to illumination produced by gaseous illumination technology. See Sign Standards for further requirements for the use of neon or tubular signage elements.
  - g. *LED Signs*: See Electronic Message Centers
  - h. *Projected Sign*. A projected sign is a sign or visual image created by the projection of light onto a surface.
37. *Marquee Sign*. A marquee sign is any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather. Marquee signs are a type of attached sign.

**Figure 10.3.12: Marquee Sign Example.**



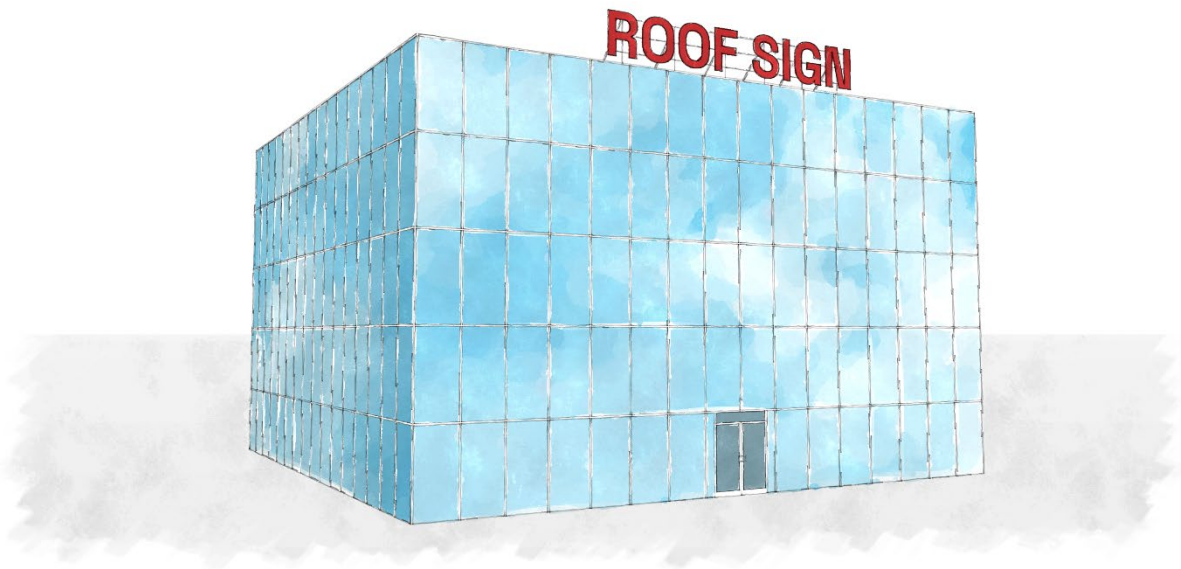
38. *Monument Sign*. A monument sign is a detached, low, freestanding sign with the entire length of the sign in contact with the ground or a pedestal that rests upon the ground including the following construction types:
- a. The sign is constructed or connected directly on or to a sign support consisting of a concrete slab base or foundation or a base or foundation of similar type of construction; or
  - b. Monolithic construction in which the sign's base or support is of uniform composition with the material comprising the sign area of said sign and the base or support of said sign is directly affixed in or to the ground.
- A sign base, foundation or support consisting in whole or in part of above ground poles, piers, piling or similar types of supports that are not concealed by a continuous base that extends the full length and width of the sign shall not be considered a monument sign.

**Figure 10.3.13: Monument Sign Example.**



39. *Multi-Occupant Premises (Shopping Center / Campus), Complex Sites, and Large Site Development.* Buildings with multiple separately leased units or large site developments having more than four hundred (400) feet of street frontage.
40. *Mural.* An image that is painted directly on an exterior wall surface or uses a mosaic method of application. The definition of mural does not include applied vinyl cling wrap or similar techniques.
41. *Non-Conforming Sign.* A non-conforming sign is any sign structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this code or any amendments thereto and which fails to conform to all applicable regulations and restrictions of this code.
42. *Pavement Sign.* A sign painted on the pavement in an area with on-site traffic movement.
43. *Pole sign or pylon sign.* A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports and not attached to or dependent for support from any building.
44. *Portable Sign.* A portable sign is any sign other than a trailer or vehicle sign that is not permanently affixed to a building, structure or the ground or a sign designed to be moved from place to place. These signs primarily include but are not limited to: signs mounted upon a trailer, wheeled carrier or other non-motorized mobile structure, with or without wheels.
45. *Public Information Sign.* A sign owned and operated by the City, Parish, State or other agency of the state that is located in the public right-of-way and provides public safety or public service messages.
46. *Rear Door Sign.* A sign on or at a rear door of a unit within a non-residential building.
47. *Repurposed Sign.* A sign which features a portion of signage or architectural material that has been repurposed to be installed as an attached wall sign, hanging sign, or detached sign.
48. *Revolving or Rotating Sign.* A revolving or rotating sign is any sign whose sign face is designed to move or turn on any axis.
49. *Roof Sign.* A roof sign is any sign erected or painted upon, against or directly above a roof or on top of or above the parapet of a building. Any sign that extends above the lowest point of the highest roof plane is considered a roof sign.

**Figure 10.3.14: Roof Sign Example.**



50. *Sign.* "Sign" is defined as a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location, including paint on the surface of a building.
51. *Sign Area.* The entire area of a sign on which copy is to be placed calculated in accordance with this Article or Sign Code.
52. *Sign Face.* Sign face is the part of the sign that is or can be used to identify, advertise, communicate, inform, or convey a visual representation or message.
53. *Sign Height.* Sign height shall be defined as the vertical distance from the natural grade of the lot to the highest point of either the sign or sign structure, whichever is greater.
54. *Sign Premises.* The contiguous land in the same ownership that is not divided by any highway, street, alley or right-of-way. For purposes of this Article a single premises:
- May include more than one lot of record when such lots are devoted to a single unity of use; or
  - May consist of a separate structure on the same lot of record when, in the opinion of the Planning Director, such separate structure appears to be a separate premises.
55. *Sign Structure.* A sign structure is the supporting structure upon which a sign or sign face is fastened, attached, or displayed or is intended to be fastened, attached, or displayed; provided however, this definition shall not include a building or fence. The base of a monument sign is part of the sign structure.
56. *Snipe Sign.* A snipe sign is a sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to poles, stakes, fences, or to other like objects.
57. *Subdivision Entrance Sign.* A subdivision entrance sign is a sign located in close proximity to the entrance or exit of a residential subdivision.
58. *Temporary.* A use, structure or activity characterized by an intentional limited duration, transitory nature, or is by design able to occur or exist for short periods of time.
59. *Temporary Sign.* A nonpermanent sign that may include wooden stakes as a support structure, cloth, fabric (such as banners), plastic wallboard, or other like materials intended to be displayed for a limited time period.
60. *Trailer Sign.* A trailer sign is any sign or sign structure attached to or composed in whole or in part of a trailer frame or chassis or skid or skid frame or body or of any materials which have ever previously constituted in whole or in part such a trailer, skid, frame, chassis, or body.
61. *Unsafe sign.* Any sign which, because of its location, coloring, illumination, or animation, interferes with a motorist's perception of vehicular or pedestrian traffic, intersectional traffic, or traffic control devices, or traffic direction signs. Any sign which, because of its construction or state of repair, is likely to fall or blow down or cause possible injuries to passersby.

62. **Vehicle Sign.** A vehicle sign is any sign displayed on or from any mode of transportation, including but not limited to cars, buses, trucks/trailers, trains, boats, or airplanes.
63. **Wall Sign.** A wall sign is an attached sign which is painted on or which projects less than twelve (12) inches from the wall of a building, and is painted on, attached to, or erected against any exterior wall or window of a building or structure with the exposed face of the sign being in a plane parallel to the plane of said wall or window and not extending above the building.
64. **Window Sign.** A window sign is any sign which is painted on, applied to, attached to or projected upon the exterior or interior of a building glass area, including doors, or located within one (1) foot of the interior of a building glass area, including doors, that can be perceived from any off-premises contiguous property or public right-of-way.

**Figure 10.3.15: Window sign examples.**



#### **10.4. - PROHIBITED SIGNS.**

##### **10.4.1. Prohibited Sign Locations.**

Except where specifically authorized by this Article, the following signs are prohibited in the locations set forth below.

1. Any sign that prevents free ingress or egress from any door, window, or fire escape;
2. Any sign attached to a standpipe or fire escape;
3. Any sign that obstructs free and clear vision at any location where, by reason of position, it may interfere with or obstruct the view of traffic sign lines or traffic control devices; and
4. Any sign attached to any public utility pole, structure or streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, statue, memorial, or other location on public property, except those signs constructed, approved, or permitted by the City. Nothing in this section will be construed to prohibit a person from holding a sign while located on public property, provided the person holding the sign is located on public property determined to be a traditional public forum and does not block ingress and egress from buildings or create a safety hazard by impeding travel on sidewalks, bike and vehicle lanes, and trails.

##### **10.4.2. Prohibited Sign Types.**

Prohibited signs are subject to removal (except legal nonconforming signs as defined by this Article) by the City at the sign owner's or user's expense. The following types of signs are prohibited within the City of Mandeville:

1. Abandoned or unsafe signs.


2. Audible signs.
3. Beacons.
4. Bench signs.
5. Billboards.
6. Electronic Message Centers (EMC) and electronic variable message (EVM) signs. No new or existing signs may be converted to EMC or EVM signs.
7. Feather signs.
8. Flashing signs.
9. Inflatable signs.
10. Lasers.
11. Portable signs, trailer signs, or signs mounted on vehicles, shipping containers, or similar items.
12. Projected signs.
13. Revolving or rotating signs.
14. Roof signs or signs above the wall or parapet of a building except where specifically allowed in the Historic Preservation Overlay District.
15. Signs attached to an un-reinforced masonry parapet.
16. Search lights.
17. Signs attached to trees, shrubs, or any living vegetative matter.
18. Signs that encroach into a public right-of-way, other than public directional signs, public service signs, public information signs, subdivision entrance signs or official notices.
19. Signs resembling traffic control devices or emergency devices.
20. Freestanding signs that restrict or impair visibility at the intersection of the right-of-way lines of two streets, or of a street and a railroad right-of-way, or of a street and a pedestrian or bicycle right-of-way.
21. Snipe signs.
22. Strings of lights including LED strip or string lights incorporated into window or façade displays.  
*Exception for holiday lights:* Strings of lights are allowed when used as holiday decorations during the period beginning the Sunday prior to Thanksgiving to the second Sunday in January of the succeeding year.
23. Any sign not specifically defined and allowed by the provisions of this Article.
24. Any sign that violates LA RS 14:106 or laws prohibiting obscene or offensive material.

**10.5. - EXEMPTIONS.**

1. *Exempt activities.* When normal maintenance and repair of an existing conforming or legally nonconforming sign does not involve structural changes to the existing size, height, area, location; these activities do not require a permit and include but are not limited to activities such as painting, repainting, cleaning, or changing a sign face.
2. *Exempt signs.* The following sign types do not require a permit:

**Table 10.5.1: Signs Allowed Without a Permit.**

Sign Type	Maximum Number and / or Other Design Standards	Maximum Size	Permitted Zoning Districts
Incidental signs	Unlimited provided sign(s) not visible from the public right-of-way	4 square feet	1 Institutional B-1 Neighborhood Business District
A-frame signs	a) No more than four feet in height; b) Displayed outdoors only during the hours of 7:00 a.m. to 10:00 p.m. and stored indoors at all other times; c) Limited to one sign per use; d) Separated by a minimum distance of 20 linear feet from the nearest A-frame sign; e) Located to avoid interference with pedestrian traffic and comply with standards of accessibility required by the ADA or other accessibility codes.	6 square feet per sign face	B-2 Highway Business District B-3 Old Mandeville Business District B-4 Major Crossroads Business District O/R Office / Residential District
Indoor signs	Lighted indoor signs shall be located at least five (5) feet inside of any window visible from any street right-of-way or residential zoning district	No maximum	PD Planned District M-1 Light Manufacturing M-2 General

			Manufacturing TC Town Center
Address signs	One address sign may be provided for each premises in addition to all other permitted signs. This sign may be illuminated.	Two (2) feet by three (3) feet.	All districts
Etched signs in windows, above a door, or integral to an architectural component of a building.	Limited to one per building.	No maximum.	All districts
Directional or informational signs erected by a public agency, including official notices	Unlimited.	No maximum	All districts
Integral decorative or architectural features of buildings	Excludes painted images, text or copy, or any feature containing moving parts or moving or flashing lights subject to Planning Director administrative determination. Examples of an architectural feature of a building may be: a recessed portion of a façade that includes decorative elements, or a logo embossed into building materials. 	No maximum	All districts
Temporary signs	<ul style="list-style-type: none"> <li>a) No illumination;</li> <li>b) The sign may be located on a development site for a one-time period (per sign) of no more than ninety (90) days;</li> <li>c) Any temporary sign that exceeds any criteria listed herein must be proposed as a permanent sign and permitted in accordance with the detached sign regulations in of this Sign Code.</li> </ul>	<p>Two signs allowed per site with a maximum cumulative area of 8 square feet in residential and B-3 districts</p> <p>One sign permitted per street</p>	All districts

		frontage with a maximum area of 16 square feet per sign in all other districts	
Flags, pennants, or other similar signage	Limited to three (3) per site.	Cumulative total of 60 square feet	All districts

**10.6. - SIGN PERMIT APPLICATION PROCEDURES.**

**10.6.1. Requirement to Obtain a Sign Permit.**

1. It shall be unlawful to construct, erect, repair, alter, relocate, or display with the City of Mandeville any sign without first obtaining a sign permit from the Planning Director and paying the fee set forth in Division 19 of Appendix C of the City of Mandeville Code of Ordinances, unless specifically excluded from the requirement of a permit by this Code.
2. If a sign permit is required for any establishment that also will require a development permit for renovation, remodeling or new construction, the developer must apply for the sign permit at the same time as the development permit.

**10.6.2. Application Requirements for Sign Permits.**

1. In applying to the Planning Director for the issuance of a sign permit the following shall be required:
  - a. A completed sign permit application providing all applicable information required by the Building Inspector;
  - b. Written consent of the owner of the property or his agent granting permission for the construction, maintenance and display of the sign or sign structure;
  - c. Name, address and telephone number of the premises owner, the sign owner, the sign contractor and any designated contact person;
  - d. A description of the size and location of all existing signs on the premises; and
  - e. Such additional information as may be required by the Planning Director in furtherance of a determination that the provisions of this Ordinance and all other applicable laws and ordinances of the City of Mandeville are being complied with. Such additional information may include, but shall not be limited to:
    - (1) *Survey.* A current survey by registered land surveyor of the premises in question that shall provide sufficient information to determine the allowable total sign area, based on linear footage of street frontage as required by this Code;
    - (2) *Dimensioned Site Plan of Premises.* A required site plan of the premises shall:
      - (a) Be drawn to scale and fully dimensioned indicating the location of all structures, including sign structures, both existing and proposed to be constructed, altered, or moved on the premises; and
      - (b) Note in writing the existing and intended use of all buildings or structures; and
      - (c) Depict the location and identity of all existing or proposed utility poles, lines, structures, servitudes, and rights-of-way; and
      - (d) Depict and identify any applicable greenbelts or vegetation protection zones and the location, size, and type of all existing trees within said greenbelts or protection zones or located elsewhere on said premises if such tree is proposed to be cut, trimmed or removed in the construction or use of the proposed sign structure or any displays exhibited thereon. Tree size shall be shown both in overall height above the ground and trunk diameter at breast height (dbh).
    - (3) *Elevations and Details.*
      - (a) *Sign elevations and details.* Required elevations and details shall be drawn to scale and fully describe the dimensions, structural supports and all pertinent structural details, foundations, materials, method of attachment, conformance with wind pressure requirements and electrical wiring and components of all signs to be constructed, altered or moved sufficient to determine compliance with the provisions of this Sign Code.

- (b) *Building elevations.* In the case of an application for a permit for an attached sign, an elevation of the building shall provide the linear footage of the facade upon which the sign or signs are proposed to be placed as well as an accurate depiction of the location and size of the proposed sign(s) and all existing signs on the facade occupied by the applicant.
2. The Planning Director shall have full discretion to determine the completeness of a sign permit application. Incomplete sign permit applications shall be deferred for action until all information required has been provided to enable informed action in conformance with this Code.

#### **10.6.3. Sign Permit Review and Issuance.**

1. All applications for sign permits shall be reviewed by the Planning Director prior to the issuance of any permit.
2. If the applicant's proposed sign is found by the Planning Director to comply with the provisions of the Sign Code and of all other laws, ordinances, and regulations of this City; the Planning Director shall approve the application and issue the permit.
3. If the proposed sign is found by the Planning Director to violate any provisions of this Sign Code or of any other laws, ordinances or regulations of the City, the Planning Director shall advise the applicant in writing and the application shall be denied unless the applicant submits an amended application that complies with all applicable requirements within thirty (30) days of written notice of the denial.
4. *Sign measurement and review.*

##### **a. Sign area.**

- (1) *Signs on a background.* Measurement shall include the entire area of the background, including any material or color forming the sign face and the background used to differentiate the sign from the structure against which it is mounted. The area of a sign shall be defined as the square foot area enclosed within the perimeter of a single sign face with each face contributing to the aggregate area of any sign. In cases where there is no definable simple geometric shape, the simplest geometric shape or rectangle enclosing the outer edges of the advertising message shall determine the sign area. In cases of backlighted canopies or awnings with copy, the entire area of the awning shall be considered as the sign area.
- (2) *Freestanding letters or logos.* For signs consisting of freestanding letters or logos, sign area is calculated as the sum of the area of the squares or rectangles that encompass the text and/or logo(s) or, if available, the calculated total sum of the area of each freestanding letter or logo component.
- (3) *Sculptural signs.* The sign area of a three-dimensional, free-form, or sculptural (non-planar) sign is calculated as fifty (50) percent of the sum of the area of the four vertical sides of the smallest cube that will encompass the sign.
- (4) *Monument signs.* If the sign features a sign face mounted on an unadorned base, the base shall not be included in the total area of a monument sign. If the sign face covers the base of the sign, the whole sign face shall be included in the total area calculation.
- (5) *Double faced signs.* Signs may have copy or images on both sides, however the measurement of sign area for the purpose of administering this code is limited to the area of a single sign face.
- (6) *Supports or bracing.* Sign area does not include any supports or bracing.

##### **b. Sign height.**

- (1) *Generally.* Sign height includes the entire structure, including decorative elements and base. For detached signs, height is calculated as the total vertical distance from the natural grade of the lot to the highest point of either the sign or sign structure, whichever is greater.
- (2) *Monument signs.* Measurement of monument sign height includes the sign structure and base, and does not include the height of an earthen berm located below the sign.

##### **c. Sign clearance.** Sign clearance is calculated as the vertical distance measured from grade, or the base of the building, to the lowest point of the sign.

5. *Specific Review and Issuance Procedures for Signs for a special use or conditional use.* The Zoning Commission may grant exceptions to the standards in this section for properties subject to the Special Use Permit process.

#### **10.6.4. Required Fees for Sign Permits.**

1. At the time of submission of an application for a sign permit, a non-refundable plan review application fee shall be paid in accordance with the fee schedule established in Division 19 of Appendix C of the City of Mandeville Code of Ordinances.



2. When application for a permit is approved and prior to the issuance of a permit, a permit fee shall be paid based on the schedule set forth in Division 19 of Appendix C of the City of Mandeville Code of Ordinances.

#### **10.6.5. Inspection of Signs and Issuance of Certificate of Completion.**

1. Applicants are responsible for requesting inspections, including a preliminary sign inspection, wherein the Building Inspector will verify that sign location and area meet the requirements of the Code, as approved, before the start of construction.
2. Upon twenty-four hour (24) advance notice by the permit holder, the following required inspections shall be made by the Planning Director or their designated agent:
  - a. A foundation inspection prior to pouring concrete for any approved freestanding sign.
  - b. Final electrical inspection for all electrical signs.
  - c. Final inspection for completion of sign in accordance with approved plans.
3. No permanent utilities may be permanently connected and no structure or sign, the construction of which necessitates the issuance of a permit under the provisions of this Sign Code, shall be used or displayed until the Planning Director shall have issued a certificate of completion stating that the construction and proposed display or other activity has been found to be in compliance with the permit issued therefor and with the provisions of this Article. If a requested certificate of completion is refused, the Planning Director shall state in writing the reasons for that refusal and deliver those written reasons to the applicant.

#### **10.7. DESIGN AND CONSTRUCTION STANDARDS FOR ALL SIGNS.**

##### **10.7.1. Compliance with Building Code and Licensing of Sign Contractors.**

1. No sign shall be constructed, erected, installed, structurally altered, changed or relocated before first securing a permit, except those signs specifically excluded from the requirement of a permit by this Sign Code.
2. All new signs shall comply with the structural requirements of the International Building Code (IBC) and with the provisions of this Sign Code and any other codes of the City of Mandeville, whichever is more restrictive.
3. No person shall engage in any business or activity described in this Sign Code without complying with the terms of this Sign Code.
4. Every person commercially engaged in constructing, erecting, installing, maintaining or operating outdoor advertising, advertising structures, billboards, advertising signs, painted signs on structures, signboards or similar devices, whether as a primary or incidental activity, and whether or not such person is otherwise licensed by the City, shall obtain a sign contractor's license and pay a fee of one hundred fifty dollars (\$150.00) for the first year and fifty dollars (\$50.00) annually thereafter.
5. *Application and Issuance.* Applications for licenses shall be made to the City clerk, on forms to be provided by the clerk. If the application is accompanied by the fee provided in this Sign Code and if there is no violation of any state law or City Ordinance in the application, the license shall be issued.
6. *Public Liability Insurance Required.* It shall be unlawful for any person to engage in the business of constructing, erecting, installing, maintaining or operating signs within the City, unless and until such person shall have filed with the City a certificate evidencing the existence of public liability and property damage insurance issued to such person by an insurance or bonding company authorized to do business in this state in a sum of not less than three hundred thousand dollars (\$300,000.00) for bodily injury and not less than fifty thousand dollars (\$50,000.00) for damage to property in any one occurrence.

##### **10.7.2. Wind Pressure; Design Requirements and Working Stresses.**

1. *Wind Pressure.* In the design and erection of all signs, the effect of wind shall be carefully considered. All signs shall be constructed to withstand a wind pressure of thirty (30) pounds per square foot.
2. *Design Requirements.* Before any permit required by this Sign Code shall be granted the applicant shall submit to the Building Inspector a design and stress diagram or plans and elevations containing the necessary information to enable the Building Inspector to determine that such sign complies with all the regulations of this code. When necessary to make such a determination, the Building Inspector may require engineering data certified and signed by a Louisiana registered structural engineer.
3. *Strength of Parapet or Wall.* A parapet wall must be designed to have sufficient strength to support any sign which is attached thereto.

4. *Supports and Braces.* Supports or braces shall be of metal and shall be adequate for wind loadings specified in subsection 1. "Wind Pressure" within this section. All metal, wire cable supports and braces and all bolts used to attach signs to brackets, or brackets and signs to the supporting building or structure, shall be of galvanized steel or of an equivalent material. All sign supports shall be an integral part of the sign design.
5. *Sign Anchoring.* Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.
6. *Marquee Signs.* Marquee signs shall be constructed entirely of metal or non-combustible material and may be attached to, or hung from a marquee. Any such signs when hung from a marquee shall be at least nine (9) feet at its lowest level above the sidewalk or ground level, and further, such signs shall not extend outside the line of such marquee. Signs painted or sewn onto awnings or canopies, when considered as marquee signs, shall be exempt from the material provisions of this section.
7. *Working Stresses.* In all signs, the allowable working stresses shall conform with the requirements of the International Building Code (IBC).
  - a. The allowable working stresses for steel and wood shall be in accordance with the provisions of the International Building Code (IBC).
  - b. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth (1/5) of the ultimate strength of such chains, cables, guys or steel rods.

#### **10.7.3. Material Specifications.**

Permitted signs shall be constructed only of the following materials:

1. *Incombustible Materials.* Corrosion resistant metal or other incombustible materials;
2. *Fiberboard.* Highly compressed fiberboard which weighs not less than sixty (60) pounds per cubic foot and is not less than one-eighth (1/8) inch in thickness;
3. *Plywood.* Exterior grade plywood not less than three-eighths (3/8) inch in thickness and bearing the stamp of an approved testing agency;
4. *Approved Plastics.* Of a thickness and shape necessary to withstand the loadings specified in section 10.7.2 of this Sign Code. Proper allowance or provision shall be made in connections to provide for thermal contraction and expansion. Notwithstanding any other provisions of this code, plastic materials which burn at a rate no faster than two and one-half (2.5) inches per minute when tested in accordance with American Standard of Testing Material D 635 shall be deemed approved plastics and may be used as the display surface material and for the letters, decorations and facings on signs.
5. *Glass.* When glass is used for sign letters or transparent or translucent panes, it shall be at least double strength thickness for sign areas up to and including three hundred (300) square inches. When glass is used for sign letters or transparent or translucent panels for sign areas in excess of three hundred (300) square inches at least one-quarter (0.25) inch wire glass shall be used and maximum span between supports shall be four (4) feet.
6. *Wood Structure.* The framework or standards upon which the sign rests may be of wood. Any wooden portion of such structure in contact with the ground shall be either of redwood or any other wood which is a commercially available wood treated with an approved preservative. Sign supports may be no more than two (2) in number and shall be of sufficient strength and foundation to preclude the need for visible cross-bracing.
7. *Metal Structure.* All signs of one hundred fifty (150) square feet or over shall be of metal construction and shall have no more than two (2) structural supports.
8. *Repurposed Sign.* Any sign that uses repurposed sign materials as defined in this code shall be reviewed as the type of sign it is proposed to be repurposed within. An example of this would be: If a developer proposes to use an old pole sign as an attached wall sign, the proposal shall be reviewed as an attached wall sign.

#### **10.7.4. Auxiliary Specifications.**

1. *Obstruction to Exits.* No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress.
2. *Obstruction to Ventilation.* No sign shall be erected which interferes with any opening required for ventilation.
3. *Clearance from Electrical Power Lines and Communication Lines.* Signs shall maintain all clearances from electrical conductors in accordance with the National Electric Code and all communications equipment or lines located within the City.

4. *Clearance from Surface and Underground Facilities.* Signs and their supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewage, gas, electricity, or communications equipment or lines. Furthermore, placement shall not interfere with natural or artificial drainage of surface or underground water.
5. *Clearance of Projecting Signs.* Signs projecting from a building or extending over public property shall maintain a clear height of nine (9) feet above the sidewalk and all such signs shall be at least eighteen (18) inches inside of the curblines as measured toward the building.
6. *Signs at Intersections.* Freestanding signs shall not restrict or impair visibility at the intersection of the right-of-way lines of two (2) streets, or of a Street and a railroad.

#### **10.7.5. Electrical Sign Regulations.**

##### **10.7.5.1. Building Code.**

All electrical signs shall be built and installed in compliance with the National Electric Code and the Southern Building Code. All electrical wiring for signs shall be permanently installed and placed underground in metal conduits in accordance with the National Electrical Code.

##### **10.7.5.2. Licensing.**

Electrical signs may only be installed by an electrician licensed by the City of Mandeville.

##### **10.7.5.3. Electrical Sign Permit.**

The following shall be required prior to the issuance of an electrical permit in conjunction with the erection of an electrical sign:

1. Wiring schematic or plan fully describing the electrical work to be done.
2. Compliance with U.L. Standards for electrical work to be done.

##### **10.7.5.4. Electrical Inspection Fees.**

An electrical inspection shall be required in conjunction with the erection of an electrical sign. This fee is in addition to the permit fee required under section 10.6.4 "Required fees for sign permits." Such fees are hereby set as:

1. Forty (\$40.00) Dollars - To cover the cost of one (1) electrical inspection.
2. Forty (\$40.00) - Shall be charged for each reinspection required.

#### **10.8. SIGN STANDARDS.**

##### **10.8.1. General Requirements for all Districts.**

###### **10.8.1.1. Landscaping Requirements for Free-Standing Signs.**

1. *Signs Requiring Tree Removal.* If the application involves a freestanding sign, monument sign in the greenbelt or freestanding sign outside of the greenbelt or calls for the cutting or removal of any tree of a height in excess of twenty (20) feet or trunk diameter in excess of six (6) inches (dbh), the Planning Director shall not approve the application or issue the requested permit until a landscaping plan for the proposed activity is submitted to and approved by the Landscape Inspector.
2. *Application Requirements.* Such landscaping plan shall consist of a design to transition from the monument sign structure to a decorative ground cover and low planting.
3. *Review Criteria.* In reviewing such a plan, the Landscape Inspector shall consider such factors as the location, type, number and size of the trees to be removed or cut, any other vegetation which would be damaged or destroyed by the proposed activity, the size and nature of the proposed activity, the character of the premises on which the activity is proposed and of the area surrounding said premises, the obtrusiveness or non-obtrusiveness of the proposed activity on the surrounding area, and the avoidance of the creation or continuation of more or less denuded areas within view of adjacent properties or public ways.
4. *Live Oaks Protected.* No permit shall be granted on any application or for any activity which would call for the cutting or removal of any live oak tree or which might damage or injure any live oak tree.

###### **10.8.1.2. Encroachment on Utilities.**

1. *Signs Encroaching on Utilities.* If the applicant's proposed activity as set forth in his permit application is, upon review, found to involve work or construction on, over or under any existing or proposed utility poles, lines, structures, servitudes

or rights-of-way, the applicant shall notify the affected utility or utilities in writing of proposed activities and advise each affected utility that any objections to the proposed activity must be submitted in writing to the Planning Director within thirty (30) days of the receipt of such notice.

2. *Permit Approval Withheld Pending Objections or Non-Response.* The Planning Director shall not issue any permit until the applicant provides written permission from each affected utility for the sign placement. If an objection is submitted by an affected utility, the Planning Director shall not issue a permit until such time as the objection shall be withdrawn. If the Utility Company is non-responsive to the request, the Planning Director shall interpret such nonresponse as a “no” answer and shall not proceed with permitting.

**10.8.1.3. Limited Use of Neon in Signage Design.**

Neon elements may be permitted in signage design only if elements are an integral part of the sign’s imagery or aesthetic design and integrated within the body of the sign. The use of neon or tubular elements in a sign exclusively for sign borders or lettering is prohibited.

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**10.8.2. Permitted Signs Allowed by District and Use.**

**10.8.2.1 Residential Zoning Districts and Uses.**

Permitted Signs Allowed in Residential Zoning Districts R-1, R-1X, R-2 Residential Planned, and for Residential Uses.					
Attached (wall or blade) Signs, Canopy (or awning) Signs, and Hanging Signs	Monument Signs	Drive-Through Signs	Murals	Window Signs	Detached Circulation Signs
<p>One (1) attached wall sign or hanging sign is allowed per lot, subject to the following additional requirements:</p> <ul style="list-style-type: none"> <li>• Wall or hanging sign maximum area is six (6) square feet.</li> <li>• No illumination allowed.</li> </ul>	<p>Limited to only Subdivision entrance sign, subject to the following additional requirements:</p> <ul style="list-style-type: none"> <li>• Maximum sign area is forty-eight (48) square feet per sign.</li> <li>• Maximum number is two (2) per subdivision or neighborhood placed either across a street from one another or at the entrance point and exit point of a neighborhood.</li> <li>• Maximum height is five (5) feet from grade. Maximum height of two (2) feet for the base of the sign.</li> <li>• May be externally illuminated provided the light source is not visible from any adjacent residence and does not cause any uplight or glare.</li> </ul>				NOT PERMITTED

**10.8.2.2 Nonresidential Uses in Residential Zoning Districts.**

<b>Permitted Signs Allowed for Nonresidential Uses in Residential Zoning Districts.</b>					
<b>Attached (wall or blade) Signs, Canopy (or awning) Signs, and Hanging Signs</b>	<b>Monument Signs</b>	<b>Drive-Through Signs</b>	<b>Murals</b>	<b>Window Signs</b>	<b>Detached Circulation Signs</b>
<p>One (1) attached wall sign or hanging sign is allowed per lot, subject to the following additional requirements:</p> <ul style="list-style-type: none"> <li>• Wall sign maximum sign area is twenty-four (24) square feet.</li> <li>• Hanging sign maximum sign area is six (6) square feet.</li> <li>• Hanging sign must have a minimum clearance height of eight (8) feet from grade.</li> <li>• No illumination allowed.</li> </ul>	<p>One (1) monument sign is allowed per lot, subject to the following additional requirements:</p> <ul style="list-style-type: none"> <li>• Maximum sign area is twenty-four (24) square feet per sign.</li> <li>• No illumination allowed.</li> <li>• Maximum height is seven (7) feet from grade. Maximum height of two (2) feet for the base of the sign.</li> <li>• Minimum set back of fifteen (15) feet from the nearest property line.</li> </ul>	<p>NOT PERMITTED</p>			<p>Six (6) signs permitted per lot, subject to the following additional requirements:</p> <ul style="list-style-type: none"> <li>• Maximum size is five (5) square feet per sign.</li> <li>• Maximum height is six (6) feet from grade.</li> <li>• Signs may be externally or internally illuminated but may not cause any uplift or glare.</li> <li>• Signs must be located within fifty (50) feet of an internal circulation lane or a pedestrian walkway.</li> </ul>

10.8.2.3 All Land Uses in R-3 and MH Districts.

Permitted Signs Allowed by District: All Land Uses in R-3 and MH Districts.					
Attached (wall or blade) Signs, Canopy (or awning) Signs, and Hanging Signs	Monument Signs	Drive-Through Signs	Murals	Window Signs	Detached Circulation Signs
<p>Up to two (2) attached wall or hanging signs per lot is permitted, subject to the following:</p> <ul style="list-style-type: none"> <li>• Wall sign maximum area is forty-eight (48) square feet per sign.</li> <li>• Hanging sign maximum area is six (6) square feet per sign.</li> <li>• Hanging signs require a minimum clearance height of eight (8) feet above the ground.</li> <li>• Wall and hanging signs may be externally illuminated provided the light source is not visible from any adjacent residence.</li> </ul>	<p>One (1) monument sign per lot is permitted, subject to the following:</p> <ul style="list-style-type: none"> <li>• Maximum sign area is thirty-two (32) square feet.</li> <li>• May be externally illuminated provided the light source is not visible from any adjacent residence and does not cause any uplight or glare.</li> <li>• Maximum height is seven (7) feet from grade. Maximum height of two (2) feet for the base of the sign.</li> <li>• Minimum setback is fifteen (15) feet from the nearest property line.</li> <li>• Not permitted to locate in any area between the right-of-way and any required greenbelt.</li> </ul>				NOT PERMITTED

**10.8.2.4 All Land Uses located in B-3 and TC Districts.**

<b>Permitted Signs Allowed by District: All Land Uses located in B-3 and TC districts.</b>	
<b>Attached (wall) Signs, Canopy (or awning) Signs, and Hanging Signs</b>	<b>Monument Signs or Free-Standing Signs with Wooden Posts</b>
<p>One (1) wall, canopy, or hanging sign per street façade is permitted, subject to the following:</p> <ul style="list-style-type: none"> <li>• Wall sign maximum sign area is twenty-five (25) square feet or twenty-five (25) percent of the area of the wall it is located on, whichever is smaller.</li> <li>• Wall signs may not project more than six (6) inches from the wall on which they are attached.</li> <li>• Wall signs must be located on flat unadorned wall sections and must not obscure windows, entries, or other architectural features.</li> <li>• Wall sign attachments shall be made through the joints in masonry rather than into brick or architectural features.</li> <li>• Canopy sign maximum sign area is twelve (12) square feet.</li> <li>• Canopy signs must be made of a durable canvas material and designed to complement the building architecture. Text may be located on the canopy but may not cover more than twenty (20) percent of the canopy area.</li> <li>• Hanging sign maximum sign area is six (6) square feet.</li> <li>• Hanging sign minimum height clearance from grade is eight (8) feet.</li> <li>• If illuminated, signs may only use fully-shielded external illumination or haloed letters.</li> </ul>	<p>One (1) monument or free-standing sign per lot is permitted, subject to the following:</p> <ul style="list-style-type: none"> <li>• The maximum sign area allowed is thirty-two(32) square feet.</li> <li>• The maximum height is seven (7) feet from grade.</li> <li>• For monument signs, the maximum height for the base of the sign is two (2) feet.</li> <li>• The Zoning Commission may approve an exception allowing height to be increased if natural grade is four (4) or more feet below the crown of the abutting street.</li> <li>• The minimum setback is five (5) feet from the closest abutting right-of-way.</li> <li>• If illuminated, may only use fully-shielded external illumination or haloed letters and may not cause any uplight or glare.</li> <li>• If a free-standing sign is used, two-posts measuring four inches by four inches or larger must be used. Posts must be composed of wood and must be incorporated as a visual design element of the sign.</li> </ul>
<p>The Zoning Commission may grant exceptions to the standards in this section for properties located in the B-3 district through the Special Use Permit process.</p>	
<p>Residential uses in the B-3 and TC districts must follow the regulations in 10.8.2.1. Permitted Signs Allowed in Residential Zoning Districts R-1, R-1X, R-2 Residential Planned, and for Residential Uses.</p>	



**10.8.2.5 All Land Uses located in B-1, B-2, B-3, B-4, O/R, PM-1, PM-2, M-1, M-2, I, and TC Districts.**

<b>Permitted Signs Allowed by District: All Uses in B-1, B-2, B-3, B-4, O/R, PM-1, PM-2, M-1, M-2, I, and TC Districts.</b>			
<b>Drive-Through Signs</b>	<b>Murals</b>	<b>Window Signs</b>	<b>Detached Circulation Signs</b>
<p>Two (2) signs are allowed per lot, subject to all the following:</p> <ul style="list-style-type: none"> <li>• The maximum size is forty-eight (48) square feet per sign.</li> <li>• May be externally or internally illuminated provided the light source is not visible from any public street and the lighting does not cause any uplight or glare.</li> </ul>	<p>One (1) per lot is permitted, subject to all the following:</p> <ul style="list-style-type: none"> <li>• May not exceed the size of the subject wall on which it is applied.</li> <li>• May use paint, mosaic, tile, or other applied material provided materials are durable and weather-resistant.</li> <li>• May not include integrated illumination, electrical, or moving components but may be illuminated by non-integrated light source provided the light source is not visible from any public street and does not cause any uplight or glare.</li> </ul>	<p>No maximum number, subject to all the following:</p> <ul style="list-style-type: none"> <li>• Signs are temporary; and</li> <li>• Signs are located inside the building; and</li> <li>• Signs shall not, in the aggregate, cover more than twenty-five (25) percent of the area of any window or ten (10) percent of all window area for the building; and</li> <li>• Signs cannot be illuminated.</li> </ul>	<p>Six (6) signs are allowed per lot, subject to all the following:</p> <ul style="list-style-type: none"> <li>• Maximum sign area is five (5) square feet per sign.</li> <li>• Maximum sign height is six (6) feet from grade.</li> <li>• Signs may be externally or internally illuminated but may not cause any uplight or glare.</li> <li>• All signs must be located within fifty (50) feet of an internal circulation lane or a pedestrian walkway.</li> </ul>
<p>The Zoning Commission may grant exceptions to the standards in this section for properties located in the B-3 district through the Special Use Permit process in Section 4.3.2. Procedures and Fees for Special Use Permit Approvals.</p>			

**10.8.2.6 Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts.**

<b>Permitted Signs Allowed by District and Use: Land Uses located in B-1, B-2, B-4, O/R, PM-1, PM-2, M-1, and M-2 Districts.</b>		
<b>Land Use</b>	<b>Attached (wall or blade) Signs, Canopy (or awning) Signs, and Hanging Signs</b>	<b>Monument Signs or Free-Standing Signs with Wooden Posts</b>
All land uses not occupying complex sites	<p>One (1) wall, canopy, hanging, or blade sign is permitted per street façade, subject to all the following:</p> <ul style="list-style-type: none"> <li>• Maximum area for a wall or blade sign is one (1) square foot per linear foot of building façade.</li> <li>• If a building façade has a linear footage of thirty-five (35) feet or less, the wall or blade sign may have a maximum area of 35 feet.</li> <li>• The blade sign must have a minimum clearance height of eight (8) feet above the ground.</li> <li>• If a building façade has a linear footage exceeding one-hundred-twenty (120) feet, the maximum area of the wall or blade sign is one-hundred-twenty (120) square feet.</li> <li>• Maximum sign area for a canopy sign is twelve (12) square feet.</li> <li>• Maximum sign area for a hanging sign is six (6) square feet. The hanging sign must have a minimum clearance height of eight (8) feet above the ground.</li> <li>• Sign may be externally or internally illuminated but may not cause any uplight or glare</li> </ul>	<p>One (1) monument or free-standing sign is allowed per lot, subject to all the following:</p> <ul style="list-style-type: none"> <li>• The maximum sign area allowed is one hundred (100) square feet.</li> <li>• The maximum height is seven (7) feet from grade with a maximum height of two (2) feet for the base of the sign.</li> <li>• The Zoning Commission may approve an exception allowing a height increase if natural grade is four (4) or more feet below the crown of the abutting street.</li> <li>• The minimum setback is fifteen (15) feet from the closest abutting right-of-way and 100 feet from the nearest residential property line.</li> <li>• Sign may be externally or internally illuminated but may not cause any uplight or glare</li> <li>• If a free-standing sign is used, two-posts measuring four inches by four inches or larger must be used. Posts must be composed of wood and must be incorporated as a visual design element of the sign.</li> </ul>
All land uses occupying complex sites	<p>One (1) wall, canopy, hanging, or blade sign is permitted per unit, subject to all the following:</p> <ul style="list-style-type: none"> <li>• Wall and blade maximum sign area is calculated at one and one-fourth (1.25) square feet per linear foot of the unit facade. The linear footage shall be measured along the wall of the facade on which the sign will be located. For units with less than twenty-five (25) linear feet the maximum size is thirty-two (32) square feet.</li> <li>• Canopy sign maximum sign area is twelve (12) square feet per unit.</li> <li>• Hanging sign maximum sign area is six (6) square feet per unit. Hanging signs must have a minimum clearance height of eight (8) feet above grade.</li> <li>• Sign may be externally or internally illuminated but may not cause any uplight or glare</li> </ul>	<p>One (1) monument or free-standing sign is permitted per street frontage provided the maximum sign area is calculated at one half (0.5) square feet per linear foot of street frontage up to a maximum of 120 square feet per sign.</p> <p>Sign may be externally or internally illuminated but may not cause any uplight or glare.</p> <p>If a free-standing sign is used, two-posts measuring four inches by four inches or larger must be used. Posts must be composed of wood and must be incorporated as a visual design element of the sign.</p>

### **10.8.3. Specific Sign Design Standards for the B-3 District.**

1. *Purpose.* The purpose of this section is to promote the establishment of signage within the B-3 district that is consistent with the area's historic character and pedestrian-oriented streetscapes. The Zoning Commission may grant exceptions to the standards in this section through the Special Use Permit process.
2. *Design Principles.* The Planning Director and Zoning Commission shall consider the following design principles when reviewing signage requests in the B-3 District.
  - a. Signs should reflect the historic character of Old Mandeville and should be compatible with the existing development in Old Mandeville regardless of sign content or message;
  - b. Signs should appear aesthetically simple, easy to read and proportional to building design elements and in scale with the pedestrian environment;
  - c. Signs should use material and colors that complement the primary building color and overall streetscape;
  - d. Wall signs should be at a level that is easy to see for pedestrians passing along the sidewalk and in locations that do not obscure windows, doors, or significant architectural features; and
  - e. Signs should use external downward directed lighting that produces an even glow on the sign and does not reflect or spill over onto the sidewalk or adjacent properties; and
  - f. New signs should be compatible with historic signs.
3. *Design Requirements.* The following design requirements shall apply in addition to standards in this Article and the B-3 zoning district standards.
  - a. *Materials.* Wall and free-standing signs shall be constructed of metal, glass, stone, concrete brick, wood or other material that the Planning Director finds have a substantially similar appearance of one of these materials and equal or greater durability. Awning and canopy signs may be printed on the valance of the awning or canopy.
  - b. *Illumination.* Signs shall be externally illuminated with the following exceptions:
    - (1) Neon signs in building windows or on walls that are no larger than eight (8) square feet in area; or
    - (2) Backlit or haloed letters or logos attached to building walls, where the lighting source is shielded so that the light source is not visible from above the sign.

### **10.8.4. Specific Sign Design Standards for the Historic Preservation Overlay District.**

1. *Purpose.* The purpose of this section is to promote signage in the Historic Preservation Overlay District that is compatible with historic structures and streetscapes. The allowances and procedures outlined below are intended to ensure that signage installed in this district has the flexibility to use designs that are historically authentic and compatible with historically significant signage in Mandeville.
2. *Design Allowances.* Attached and monument signs are permitted in accordance with Section 10.8.2. Permitted Signs Allowed by District, however the following allowances shall be permitted in the Historic Preservation Overlay District, subject to review of the Historic Preservation District Commission. Signs installed in the Historic Preservation District Overlay shall be subject to the certificate of appropriateness review process if they fall into the categories listed in Appendix A, Division II, Article 7, Section 7.6.4.4. Applicability. Sign types allowed in this district include:
  - a. Etched signs in windows, above a door, or integral to an architectural component of a building.
  - b. Marquee signs.
  - c. Roof signs, provided the sign design employs historically authentic methods or appearance and the sign is equal to or smaller than existing or historically documented roof signs in the immediate vicinity.
  - d. Neon signs, provided the sign complies with 10.8.1.3. Limited Use of Neon in Signage Design.
  - e. Murals, provided no more than five (5) percent of the mural's area is lettering.

## 10.9. NONCONFORMING SIGNS.

### 10.9.1. Regulation of Legally Non-conforming Signs.

1. *Expansion prohibited.* No legally non-conforming sign may be enlarged or altered in a way which would increase its nonconformity with the provisions of this Sign Code.
2. *Compliance required to increase on site signage.* No conforming sign shall be permitted to be erected on the same lot with an existing non-conforming sign until the non-conforming sign has been removed or brought into conformance with the provisions of this Article.
3. *Signs Eligible for Characterization as "Legally Non-conforming."* All signs that existed legally before the adoption of this Article or existed legally when constructed but were found to be noncompliant with a provision of this Article that was passed subsequent to their construction, and do not conform to its provisions will be permitted to remain in accordance with this section and be termed a legally nonconforming sign.
4. *Loss of Legally Non-conforming Status.* A legally non-conforming sign shall immediately lose its legal non-conforming designation if:
  - a. The sign is altered in any way, which tends to make the sign less in compliance with the requirements of this code than it was before the alternation;
  - b. The sign structure is relocated;
  - c. The site contains a use or development that has lost its legally non-conforming status (and is illegally nonconforming); or
  - d. The site becomes vacant (building is demolished) or contains an unoccupied commercial or institutional building as evidenced by the expiration of an occupational license for the building.On the happening of any (a) or (b), the sign shall be immediately brought into compliance with this code and a new permit secured thereof, or shall be removed.
5. *Damage or destruction.* Legally nonconforming signs that are in whole or in part destroyed by force majeure or acts of public enemy may be restored in accordance with the conditions below:
  - a. Should any legally non-conforming sign be damaged by any means to an extent of more than fifty (50) percent of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provisions of this Article.
  - b. Should any legally non-conforming sign be damaged by any means to an extent of less than fifty (50) percent of its replacement cost at time of damage, it may be reconstructed provided the restoration is accomplished with no increase in height or area and in compliance with (c), (d), and (e) of this subsection.
  - c. Such restoration of a legally nonconforming sign must commence within six (6) months after the nonconforming sign was damaged or destroyed. Said six-month period shall begin on the date that a state of emergency is lifted from the property in question or from the earliest date that the property can reasonably be accessed by the property owner following a disaster that prevents access. After this six month period has passed, if the sign has not been repaired the sign shall lose its legally nonconforming status.
  - d. Commencement of restoration shall be evidenced by submittal of a complete application for a sign permit with the Planning Director.
  - e. Restoration of legally nonconforming sign must be completed within the time frame prescribed by the building permit. Any extension to the requirements of this section must be approved by the Planning Director and evidenced by an extended building permit.
6. *Maintenance and Repair of Legally Non-conforming Signs.*
  - a. Nothing in this section shall relieve the owners or users of legally non-conforming signs or the owners of the property on which legally non-conforming signs are located from any provisions of this Sign Code regarding safety, maintenance and repair of signs provided, however, that any repainting, cleaning or other normal maintenance or repair of the sign or sign structure does not materially alter or modify the sign.
  - b. The replacement of a sign face shall be permitted as a maintenance or repair action for a legally nonconforming sign, provided no changes are made to the sign structure and that the sign area and height does not increase.

## **10.10. OTHER COMMON SIGN PROCEDURES.**

### **10.10.1. Appeals.**

A sign permit applicant shall have thirty (30) days from permit denial to submit to the Zoning Commission an appeal of the decision or a petition for other applicable relief from the provisions of the otherwise offended law, ordinance, or regulation. Timely application to the Zoning Commission shall stay the denial of the sign permit application for ninety (90) days. The application shall be denied after said ninety (90) days and the requested permit refused if the applicant cannot show that all necessary relief has been granted by the Zoning Commission.

### **10.10.2. Commencement of Work Under Sign Permit; Automatic Expiration.**

1. All permits issued under the terms of this Article 10 Sign Code shall expire automatically if the permitted activity or other work described in the application has not commenced within ninety (90) days from the date of the issuance of the permit and any construction or other work required under the terms of the application shall not be substantially completed within one hundred twenty (120) days of the date of issuance of the permit.
2. The Planning Director may, for good cause shown, grant an applicant two (2) extensions, not to exceed a total of ninety (90) days of such periods.
3. Any period in which progress on the completion of any work authorized by the permit is stayed by operation of law shall not be considered in the accrual of the periods of time for commencement and completion of permitted work.

### **10.10.3. Suspension or Revocation of Sign Permit**

The Planning Director may, in writing, suspend or revoke a sign permit issued based on a misstatement of material fact or fraud.

### **10.10.4. Maintenance of Signs and Premises.**

1. **Sign Maintenance.** Each sign that has been erected in accordance with the provisions of this Sign Code shall be maintained in substantially the same condition as when the final inspection was made and the sign inspection sticker was issued. Failure to maintain the sign, including exterior painting, shall constitute a violation of this Article. The Planning Director may after notice to the owner and hearing before the Zoning Commission order the removal of any sign that is not maintained in accordance with the provisions of this section. Such removal shall be at the expense of the owner or lessee.
2. **Premises Maintenance.** All signs and the premises surrounding them shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

## **10.11. ENFORCEMENT OF THE PROVISIONS OF THE SIGN CODE AND PENALTY FOR VIOLATION.**

### **10.11.1. Enforcement and Sign Removal.**

1. *Authority.* The provisions of this Article shall be enforced by the police. The provisions of this Article shall be administered by the Planning Director. All such officers shall have the power and authority to make inspections of signs, sign structures or premises necessary to carry out their duties in the coordination and the enforcement of the provisions of this Article.
2. *Misrepresentation.* The Planning Director may revoke any sign permit where there has been a violation of the provisions of this Article or misrepresentation of fact on the sign permit application.
3. *Authority to remove signs.* The Planning Director or their designee is authorized to remove prohibited signs, unsafe signs, abandoned signs, signs constructed without a permit, and signs that have lost their legal nonconforming status as per this Code.
4. *Removal of unlawful signs.*
  - a. If the Planning Director shall find that any sign or other advertising structure regulated herein is unsafe or insecure, is a menace to the public, is abandoned or is maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of the provisions of this Article, they shall give written notice to the permittee or owner thereof or, if he is unable to identify such persons, to the owner of the property on which the sign is located. If the person so notified fails to remove or alter the structure within one (1) month after conviction of violation or imposition of penalty so as to comply with the provisions of this Sign Code, such sign may be removed or altered immediately by the Planning Director at the expense of the permittee, sign owner, or owner of the property upon which it is located. The Planning Director shall refuse to issue a permit to

any permittee or owner who refuses to pay costs so assessed. The Planning Director may cause any sign which is an immediate peril to persons or property to be removed summarily without notice.

- b. Signs upon public streets, sidewalks, right-of-way, or other public property may be immediately removed without prior notice.
- c. Any unlawful temporary or portable type sign located on private property that has not been removed after twenty-four (24) hours from notification may be removed by the City at the private property owner's expense. The City may dispose of the subject sign(s) immediately.
- d. Neither the City, nor any of its agents are liable for any damage to the sign when removed in accordance with this section.
- e. In addition to the penalties provided by these regulations, the provisions of this section may be enforced and violations thereof may be abated in accordance with the provisions and procedures set forth in sections 9-44 through 9-48 of Chapter 9 of the Code of Ordinances of the City of Mandeville.

**10.11.2. Violation.**

1. In case any sign structure or sign is erected or structurally altered or maintained or used in violation of the provisions of this Article, any proper City official or his or her duly authorized deputies or representatives may institute any appropriate action or proceedings to prevent such unlawful act or to prevent any illegal act, conduct or use in or about or concerning any such sign, sign structure or premises. Each day any such violation continues shall constitute a separate violation of this Article. The Planning Director may call upon the Chief of Police to furnish necessary personnel to carry out his orders.
2. Any resident of the community who believes that a violation of any of the provisions of this Article is occurring may file a written complaint with the Planning Director. Such complaint shall fully set forth the acts or omissions constituting the alleged violation and the site or sites at which such violation or violations are alleged to be occurring. The Planning Director shall record properly such complaint, investigate the allegations underlying said complaint, and take action on such complaint and investigation as provided by this Article.

**10.11.3. Penalty.**

Any person violating any provision of this Article shall be guilty of a misdemeanor, and upon conviction shall be punished as provided in section 1.9 of these Land Use Regulations of the City of Mandeville.