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Section 27.01. Commission established.

There is hereby created a commission to be known as the Historic District Commission of the City of Kenner.

(Ord. No. 3562, § 1, 6-16-83)

Section 27.02. Recommendation and appointment of members.

The commission shall consist of eight (8) members, all of whom shall be citizens of the city. They shall be appointed by the mayor with the approval of the council. The members of the commission shall be appointed by the mayor as follows: Six (6) citizens of the City of Kenner, one (1) qualified architect and the councilperson from Council District 1. The councilperson from Council District 1 shall vote only in the event of a tie vote. The qualified architect shall be an ex-officio, nonvoting member.

(Ord. No. 3562, § 2, 6-16-83; Ord. No. 4237, §§ 1, 2, 11-15-84; Ord. No. 5310, §§ 1, 2, 2-21-85; Ord. No. 5454, §§ 1, 2, 7-9-85)

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Section 27.03. Term vacancies.

Each of the members of the commission shall be appointed for a term of four (4) years. Whenever the term of a member of the commission expires, the mayor shall appoint his successor. The members may serve consecutive terms.

(Ord. No. 3562, § 3, 6-16-83)

Section 27.04. Employees and committees.

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

(Ord. No. 3562, § 4, 6-16-83)

Section 27.05. Rules and regulations; meetings; reports and recommendations.

The commission shall make such rules and regulations as it may deem advisable and necessary for the conduct of its affairs, not inconsistent with the laws of the city and state. The commission shall meet at least quarterly, but meetings may be held at any time by the commission on the written request of any of the three (3) members or on the call of the chairman of the commission or the mayor. The commission shall make quarterly reports to the mayor and council containing a statement of its activities. It shall make its recommendations for the future, but recommendations may be made by the council to the commission at any time.

(Ord. No. 3562, § 5, 6-16-83; Ord. No. 4237, §§ 3, 4, 11-15-84)

Section 27.06. Purpose.

The historical district commission shall have for its purpose the preservation of all such buildings in the historical district section of the city, as, in the opinion of the commission, shall have architectural and historical value and which should be preserved for the benefit of the people of the city and state and to review and judge plans for new and/or renovated structures proposed within the district. The commission should foster the carrying on of period type architecture and construction within the district compatible with that architecture identified during the time of early city growth.

(Ord. No. 3562, § 6, 6-16-83; Ord. No. 3774, § 1, 12-15-83)

Section 27.07. Definition of historical district.

The following area of the City of Kenner is hereby designated as "Kenner's Historical District", to-wit: The area bounded by the Mississippi River, Kenner Avenue, Compromise Street and Daniel Street, within the City of Kenner.

(Ord. No. 3562, § 7, 6-16-83)

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Section 27.08. Submission of plans for exterior changes to commission.

Before the commencement of any work in the erection of any new building or in the alteration or addition to, or painting or repainting or demolishing of any existing building, any portion of which is to front on any public street or alley in the Kenner Historical District, application by the owner for a permit therefore shall be made to the commission, accompanied by the full plans and specifications thereof so far as they relate to the proposed appearance, color, texture or materials and architectural design of the exterior, including the front, sides, rear and roof of such buildings, alteration or addition or of any outbuilding, party wall, courtyard, fence or other dependency thereof.

(Ord. No. 3562, § 8, 6-16-83)

Section 27.09. Commission recommendation and action thereon.

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

(Ord. No. 3562, § 9, 6-16-83; Ord. No. 10,047, § 6, 1-7-10)

Section 27.10. When director of department of inspection and code enforcement is to submit question to council; action of council.

If the applicant for a permit shall refuse to accede to reasonable changes recommended by the commission, if the commission shall disapprove any application or if the director of the department of inspection and code enforcement finds that the recommendations of the commission do not comply reasonably with the requirements of this article, the director of inspection and code enforcement, or in his absence his designated assistant, shall, within not later than fifteen (15) days, forward such matters and his written comments to the city council for such action as in its judgment, after notice and affording an opportunity to the applicant and to the commission and other protesting parties to be heard, shall effect reasonable compliance with such recommendations and this article.

(Ord. No. 3562, § 10, 6-16-83; Ord. No. 10,047, § 6, 1-7-10)

Editor's note—

Section 6 of Ord. No. 10,047, adopted Jan. 7, 2010, changed the title of § 27.10 from "When director of department of public works is to submit question to council; action of council" to "When director of department of inspection and code enforcement is to submit question to council; action of council."

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Section 27.11. Private floodlights prohibited.

The public sidewalks, places and alleys, exteriors, roofs, outer walls and fences of buildings and other constructions and signs visible from any public street, place or position in the Kenner Historical District shall not be illuminated by a privately-controlled floodlights or other illumination except as permitted by this article.

(Ord. No. 3562, § 11, 6-16-83)

Section 27.12. Overhanging balconies.

No overhanging balconies or galleries of wrought or cast iron may be removed, but other new or additional balconies may be erected if: (a) supported by brackets or iron columns; (b) at least nine (9) feet above the level of the sidewalk; and (c) conform to the quaint and distinctive architecture of the Kenner Historical District. The permits for all such new construction or any renovation shall be subject to the requirements of this article.

(Ord. No. 3562, § 11, 6-16-83)

Section 27.13. Removal of sheds and marquees.

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

(Ord. No. 3562, § 13, 6-16-83)

Section 27.14. Stopping work commenced without permit.

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

(Ord. No. 3562, § 14, 6-16-83; Ord. No. 10,047, § 6, 1-7-10)

Section 27.15. Provisions of article prevail in case of conflict.

The provisions of this article shall govern and take precedence over any other provisions of any ordinances or codes of the City of Kenner.

(Ord. No. 3562, § 15, 6-16-83)

Section 27.16. General penalty; continuing violations.

Whenever in this article any act is prohibited or is made or declared to be unlawful or an offense or whenever in this article the doing of any act is declared to be unlawful, when no specific penalty is provided therefor, the violation of any such provision of this article shall be punished by a fine not

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exceeding one hundred dollars (\$100.00) and by imprisonment for not more than ninety (90) days or both such fine and imprisonment. A provision for the revocation or refusal of a permit or other provision not imposing a fine or imprisonment shall not be deemed a provision for a specific penalty within the meaning of the foregoing sentence. Each day that any violation of any safety ordinance or regulation contained in this article shall continue shall constitute a separate offense.

(Ord. No. 3562, § 16, 6-16-83)

Section 27.17. Signs.

(a) *Definitions.* The following terms, as used in this section, are hereby defined as follows:

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

(2) *Display* includes erect, paint, repaint, place, replace, hang, rehang, repair, maintain, paint directly upon a building or other structure, inlay, imbedded in or otherwise exhibited in public view.

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

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

(d) *Signs must conform to character of section.* In addition to the prohibitions contained in this section, approval of the display of a sign in the historical district of the city shall be granted by the commission only when such signs and the plans therefor, so far as they relate to the appearance, color, size, position, method of attachment, texture of materials and design, conform to the quaint and distinctive character of the historical district or do not injuriously affect it or impair the value of the community of those buildings having architectural or historical worth.

(e) *What signs may advertise.* No sign of any character shall be displayed in the historical district unless such sign advertises a bona fide business conducted in or on the premises and, if it does do so, not exceeding fifty (50) per cent of the area of such sign may be used to advertise products or commodities actually sold on the premises.

(f) *Signs no longer complying as to advertisements to be taken down.* Any sign displayed which no longer advertises a bona fide business conducted upon the premises shall, upon notification by the historical district commission or its agent (who is hereby specifically authorized to so proceed) be taken down, removed or obliterated within five (5) days after such notification and failure to so comply on the part of the owner, occupant, agent or person having the beneficial use of any building or premises upon which such sign may be found shall subject such person to the penalty provided in section 27.16

(g) *Only one sign per shop, etc.* One sign only shall be allowed to each store, shop or bona fide place of business, and this sign shall be no larger than the maximum stipulated in this article, regardless of the amount of front footage.

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- (h) *Concealment of architectural features.* No sign shall be displayed from any building, balcony, gallery, canopy, shed, roof, door or window, or placed in any manner whatsoever so as to disfigure or conceal any architectural feature or detail of any building.
- (i) *Surface area of signs.* The surface area of any sign shall be in direct proportion to the amount of front footage of each ownership and shall be as follows:
 - (1) For single-faced signs, attached flat against the wall and including painted wall signs there shall be allowed thirty (30) square inches of sign surface area to each foot of lot frontage.
 - (2) For double-faced signs, suspended by brackets or arms perpendicularly from the wall of a building there shall be allowed sixty (60) square inches of sign surface to each running foot of lot frontage. The area of such a double-faced sign shall be taken to mean the sum of the areas of each face.
 - (3) In no case shall the area of any one single-faced or painted wall sign exceed eight (8) square feet, the maximum allowable for such a sign.
 - (4) In no case shall the area of any one single-faced or painted wall sign be less than two (2) square feet, unless by special permission of the historical district commission.
 - (5) In no case shall the area of any one double-faced sign exceed a total for both of sixteen (16) square feet, the maximum allowable size for such sign.
 - (6) In no case shall the area of any one double-faced sign be less than four (4) square feet unless by special permission of the commission.
 - (7) In the case where two (2) or more businesses are conducted on the premises of single ownership having a front footage of twenty-five (25) feet or less, the allowable sign area shall be increased by one and one-half (1½) times.
- (j) *Regulation of signs generally.* In the case of illuminated signs, where space must be provided between two (2) parallel faces for the installation of lighting fixtures, these faces shall not be farther apart than eighteen (18) inches and such lighting fixtures and all light sources shall be a steady light concealed; (a) behind standard opal glass or other substance of equal or small light transmission factor; (b) by hoods; or (c) by any acceptable method of indirect lighting approved by the historical district commission.
- (k) *Building code applicable to signs.* All signs under this section shall be further governed by the existing regulations of the building code of the city which are not in conflict with this section.
- (l) *Application for signs to be submitted to commission.* All applications for permits to display signs within the historical district of the city shall be submitted to the building inspector for approval before a permit therefor may be issued in conformity with section 27.09
- (m) *Form of application to display signs; accompanying drawings.* Application for a permit to display signs in the historical district of the city shall be made to the commission upon forms furnished by the commission. Such an application shall also be accompanied by sketches and drawings in triplicate showing details of construction and foundation when required by the building code of the city and shall delineate the size, shape, design, coloring, lighting and position in relation to the building from or upon which it shall be displayed.
- (n) *Violating signs, etc.; to be removed.* Any sign or exterior illumination of walls, exteriors, roofs, or appurtenances of buildings displayed after the effective date of this section and contrary to the provisions of this section are prohibited.

(Ord. No. 3562, § 17, 6-16-83)

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Section 27.18. Injunctions.

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

(Ord. No. 3562, § 18, 6-16-83)

FOOTNOTE(S):

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Editor's note— Ordinance No. 3562, §§ 1—18, adopted June 16, 1983, has been included herein as Art. XXVII, §§ 27.01—27.18 at the discretion of the editor. Section III of Ord. No. 3901 adopted April 5, 1984, provided that said Ord. No. 3562 be incorporated into and become a part of Ord. No. 2427, the City of Kenner Comprehensive Zoning Ordinance. ([Back](#))