

Chapter 5 - BUILDING AND CONSTRUCTION REGULATIONS

ARTICLE III. PRESERVATION AND PROTECTION OF HISTORIC STRUCTURES

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Sec. 5-50.5. Historic districts established.

There are hereby created two historic districts, one of which shall be designated as the New Roads Historic Commercial District and the other the New Roads Historic Local Landmarks District.

- (1) *New Roads Historic Commercial District.* The geographical area of the New Roads Historic Commercial District is as follows:

Beginning on the west side, from the waters edge of False River, north along the lot line between 401 and 407 W. Main Street, to the centerline of W. Main Street, then east to the centerline of St. Mary Street, then north to the centerline of First Street, then west to the centerline of Poydras Street, then north to the centerline of Second Street, then east to the centerline of Court Street, then north to the lot line between the Police Jury Property and 208 Court Street, then east along this lot line and the lot line between 205 and 301 Pennsylvania Street, to its centerline, then south to the centerline of E. Main Street, then west to the lot line between 336 to 410 E. Main Street, then south along this lot line to the waters edge of False River, then west along the waters edge of False River to the point of beginning.

Buildings, their dependencies and lots used for single family dwellings located within this geographical area are exempt from the requirements of the New Roads Historic Commercial District as long as used as single family residences.

- (2) *New Roads Historic Local Landmarks District* shall consist of any building, structure, site, monument, or other landmark worthy of preservation or of historic local significance as designated by the New Roads Historic Districts Commission.

(Ord. No. 2002-03, § 1, 3-19-02)

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Sec. 5-51. Definitions.

Alteration. Any change to any portion of real property that is visible from any public street, alley, sidewalk or lot because of construction, repair, maintenance or other means.

Applicant. The owner of record of real property; the lessee thereof with the approval of the owner of record in notarized form; or a person holding a "bona fide" contract to purchase a real property.

Appurtenance. A feature relative to a parcel of land or to a building, structure, object, site, or a related group thereof.

Architectural elements. Parts of a building that are integral to its composition, including balconies, roofs, porches, chimneys, dormers, parapets and other parts of a building that contribute to its overall shape and silhouette. The choice and arrangement of elements of a new construction should reflect those of other buildings in the historic districts livelihood.

Building. Any covered structure intended for shelter, housing, enclosure or economic activities relative to persons, animals, or chattel. The term "building" shall be construed to include the term "structure."

Business. A commercial, service or mercantile activity engaged in as a means of livelihood.

Certificate of appropriateness. A signed and dated document evidencing the approval of the commission for work proposed by an applicant.

Commission. The New Roads Historic Districts Commission.

Construction. The addition or placement of any improvement onto a real property.

Decorative details. Ornamentation or embellishment, including cornices, lintels, arches, balustrades, chimneys, shutters, columns and other common details. Which when used should create a unifying effect on a building and should be compatible with the context of the historic districts.

Demolition. The complete or partial removal of buildings, structures, objects, or sites, including appurtenances or any other improvements.

Demolition by neglect. Improper maintenance or lack of maintenance of any real property or any other improvements thereon which results in substantial deterioration.

Display. A display includes erect, paint, repaint, place, replace, hang, re-hang, repair, maintain, paint directly upon a building or other structure, inlay, embed in, or otherwise exhibit in public view.

Downtown design guidelines. A set of guidelines that property owner may follow when making improvements to their properties in the historic districts compiled from the Secretary of the Interior Standards and furnished by the Louisiana State Main Street Office, Division of Historic Preservation and adopted by the commission.

Historic. A building may be classified as historic when it is at least fifty years of age and is of significant local, regional, historic, architectural or cultural value.

Historic district. A district including its appurtenances and environmental setting, which can be linked historically through location, design, setting, materials, workmanship, and/or association, and which is significant in national, state or local history, architecture, archaeology or culture.

Materials. Basic building materials used on the exterior surfaces of a structure or building which defines its appearance or character.

Material alteration. A significant change to any portion of a real property that is visible from any public street, alley or lot. Replacement of windows, doors, facade materials, and roof materials, which significantly change the building, must be compatible with the existing structure.

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Non-material alteration. Alteration having relatively minor importance or consequences to any portion of a real property that is visible from any public street, alley, sidewalk or lot. For buildings or structures, non-material alteration shall include but not limited to ordinary maintenance, repair or painting.

Ordinary repairs or maintenance. Work done to prevent deterioration of a real property or any part thereof by returning the real property as nearly as practical to its condition prior to such deterioration, decay or damage.

Owner of record. The owner of a parcel of land, improved or unimproved, reflected on the city tax roll and in parish deed records.

Preservation. Shall mean the maintenance of a site or structure in its present condition or as originally constructed. Preservation aims at halting further deterioration and providing structural safety but does not contemplate significant rebuilding. Preservation includes techniques of arresting or slowing deterioration and improvement of structural conditions to make a structure safe, habitable or otherwise useful.

Relocation. Any changes in the location of a building, object, or structure in its present setting or to another setting.

Rhythm. The character of the district is influenced by the "rhythm" of the street scape. It is the pattern in spacing of the buildings or a building's features (doors, windows, porches, etc.) being compatible with the surrounding buildings and structures in the historic districts.

Scale. The size of a building or structure relative to surrounding structures. Scale refers to the visual perception of the size of a building and its elements in relation to other buildings and to people. Maximum height of any new construction shall conform to U.S. Department of Interior guidelines for historic districts.

Sign. A sign shall include any symbol, device, image, poster, flag, banner, billboard, design or directional sign used for advertising purposes, whether painted upon, attached to, erected on, or otherwise maintained on any premises containing any words, letters or parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names, or 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 street and is used to attract attention.

Site planning. The positioning of a building on a lot, including the setback of a building, the spacing of a building from adjacent buildings, the location of the walls, fences, walks, drives, parking and landscaping, if any of these are used in the overall design.

Streetscape. A street side view or scene; pictorial views of a street.

Structure. A work made up of interdependent and interrelated parts in a definite pattern or organization.

Texture. The texture of a building refers to the physical texture of its surface materials as well as its visual texture.

Trailer, mobile home and transportable. A structure or trailer, semi-trailer, transportable in one or more sections, which is designed, constructed and equipped as a dwelling place, living adobe, office or sleeping place, and is either equipped for use as a conveyance on highways or which is built on a permanent chassis and designed to be used as a dwelling, office or other structure, with or without a permanent foundation.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-52. Commission established.

There is hereby created a commission to be known as the New Roads Historic Districts Commission.

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(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-53. Purpose.

- (a) The commission shall carry out the intent of this article by reviewing applications for a certificate of appropriateness for any demolition, relocation, renovation, addition, or construction of any exterior feature of a structure or building within a historic district that is visible from any public street, alley, or sidewalk.
- (b) The commission shall, upon due consideration, grant or deny certificates of appropriateness contingent upon the acceptance by the applicant of its specified recommendation.
- (c) The commission shall also assist property owners interested in pursuing investment tax credits for historic rehabilitation to meet the requirements for that program.
- (d) The commission shall promote community awareness of historic preservation and its value to the City of New Roads.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-54. Recommendation and appointment of commission members.

- (a) *Qualifications:* Members shall reside in the city or own immovable property in the historic districts. Members shall have an interest, competence, or knowledge in historic preservation. Members should include professional members from the disciplines of architecture, history, architectural history, planning, archaeology or other related fields, to the extent that such professionals are available in the community. The commission should include members who have demonstrated special interest, experience or knowledge of these disciplines.
- (b) *Appointment:* Members shall be appointed by the mayor subject to approval by a majority vote of the city council.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-55. Terms; vacancies.

The commission shall consist of seven members. Members shall be appointed for a term of four years. A member may be removed at any time by the city council for just cause as determined by the mayor. Notice shall be given to the mayor and city council if a member is absent from more than 50 percent of the commission meetings in any calendar year. A vacancy shall be filled within 60 days.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-56. Bylaws.

The commission shall adopt bylaws as it may deem necessary for the conduct of its affairs not inconsistent with the laws of the city and state subject to approval of the city council. Any change of bylaws shall be approved by the city council. Presence of four members of the commission shall constitute a quorum. The commission shall meet quarterly or on the call of the chairperson of the commission or the mayor. All meetings shall be open to the general public and shall be subject to the open meetings law. Officers shall be elected annually, and shall begin serving a one-year term on January 1 of each year. Officers shall be elected by a majority of the members present. Officers shall

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have such powers and duties as pertain to their respective offices, as well as those that may be conferred by the commission.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-57. Staffing.

The commission officers and their respective duties are as follows:

- (1) *Chairman*: The chairman shall preside at all meetings of the commission. The chairman shall perform such duties as are usually incumbent upon that office.
- (2) *Vice chairman*: The vice chairman shall have such duties and responsibilities as the chairman may from time to time prescribe. The vice chairman will preside over meetings in the absence of the chairman.
- (3) *Committees*: The commission may establish committees to assist it in a specific task, relating to the overall purpose of this commission. Such committees, shall be chaired by a commission member and may consist of appointments of persons outside of the commission itself. Committees shall meet as necessary upon the call of the committee chairman and shall report to the full commission as directed.
- (4) *Secretary*: The secretary shall record and maintain in good order all records, correspondence and meeting minutes of the commission.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-58. Procedures.

(a) *Certificates of appropriateness*:

- (1) *Required*: Certificates of appropriateness are required for any demolition, relocation, renovation, addition, alteration or construction on exterior features of a structure or building within a historic district that is visible from any public street, alley or sidewalk. Certificates of appropriateness shall be valid for a period of one year from date of issuance.
- (2) *Criteria for issuance*: The commission is to issue certificates of appropriateness to encourage preservation, rehabilitation, renovation, additions, alterations or construction of exterior features of a structure or building to be compatible with the scale, materials, texture, colors and rhythm of the historic district.
- (3) *Exemptions*: Certificates of appropriateness shall not be required for interior work, work not visible from a public street, alley or sidewalk or work that does not significantly change the proportion, scale, type of materials, color or details of a structure or building. Certificates of appropriateness are not required for in kind replacement materials or ordinary repairs or maintenance.
- (4) *Procedure for issuance*:
 - a. A certificate of appropriateness must be granted before the building permit is issued.
 - b. The building inspector will provide the applicant with an application form and instructions.
 - c. Upon receiving the application for a certificate of appropriateness, the building inspector shall notify the commission chairman who will present application to the commission.
 - d. The commission shall meet to consider the application. The commission shall review and grant or deny an application for a certificate of appropriateness no later than 30 days after

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an application has been filed with the building inspector. In the event the commission fails to meet and make its decision within this 30-day period, the application for a certificate of appropriateness will be granted by default.

- e. The commission shall promptly report its decisions, including recommendations, if any, to the building inspector. If the certificate of appropriateness is approved, the building inspector shall issue a building permit for such work in conformance with the commission's decision.
- f. Denial of an application for a certificate of appropriateness shall make recommendations to the applicant and attempt to resolve the differences between the applicant and the commission.

(b) *Designation of local historic landmarks.*

(1) The commission shall adopt procedures for review and designate a New Roads Local Historic Landmark.

(2) Criteria for designation of New Roads Historic Landmarks shall include the following:

- a. Site of a significant local historic event.
- b. A property identified with a person or persons who significantly contributed to the history, culture, or development of the City of New Roads, Parish of Pointe Coupee or the State of Louisiana.
- c. The property exemplifies the cultural, economic, social or aesthetic heritage of the city.
- d. The property occupies a unique location or possesses a singular physical characteristic that makes it an established or familiar visual feature in the New Roads community.
- e. The property is a group of related properties in an area which represents a significant aesthetic or visual character or exemplifies a historical period, cultural connection, or architectural motif unique to the development of the city.
- f. A property should be 50 years old to be considered for nomination for local landmark designation. However, properties achieving particular significance in the community within the past 50 years may be considered at the discretion of the commission.
- g. Interior arrangement or use of a property shall not be considered in the designation of local historic landmarks.
- h. Architectural significance of the structure or building.

(3) *Documentation.*

- a. Documentation shall be provided the commission supporting designation as a local historic landmark.
- b. The commission shall maintain a record of all local historic landmarks.
- c. The owner of the property shall furnish the commission with a statement declaring support or opposition to designation as a local historic landmark.

(4) *Designation.*

- a. The commission shall review documentation for and designate local historic landmarks therefor.
- b. The commission shall notify the owner, mayor, city council and building inspector that a property has been designated as a local historic landmark and falls under the rules of this article.

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- (c) *Stopping work commenced without a permit.* The building inspector shall enforce the provisions of this article and shall properly stop any work attempting to be done in violation hereof.
- (d) *Demolition and construction.*
- (1) *Demolition:* Demolition or removal of buildings: No building or structure located in the historic districts shall be demolished or otherwise removed until the owner of the property has applied for a certificate of appropriateness for demolition or removal. If the historic district commission determines that the property does not contribute to the character of the historic districts because of age, structural condition or architecture, the commission may grant a certificate of appropriateness for demolition or removal. However, if the property is determined by the commission to be a contributing element in the district, the commission may delay demolition or removal for no more than 90 days. During such 90-day period, the commission shall publish three times in the official city journal a notice of the proposed demolition. The purpose of this notice is to afford the city, interested persons, historic societies or organizations, the opportunity to acquire or arrange for the preservation of such building. If no arrangements for the preservation of such building have been agreed upon during the 90-day period, the certificate of appropriateness for demolition or removal shall be granted to the property owner.
- (2) *Demolition by neglect—Responsibility of owners in maintenance of property:* The owner shall preserve any real property that is within the historic districts against decay, deterioration and unreasonable structural defects. The owner shall repair such real property if it has deteriorated to the extent that it creates or permits a hazardous or unsafe condition as determined by the building inspector. Demolition by neglect shall mean neglect in the maintenance and/or repair of a site or structure, resulting in, but not limited to any of the following conditions:
- The deterioration of exterior walls, foundations, structural members, chimneys, siding, cement, plaster, mortar, masonry, windows, doors or any feature so as to create or permit the creation of any hazardous or unsafe condition.
- (3) *Demolition by neglect—Action allowed by the commission:* If the commission determines that a real property is being demolished by neglect, it shall direct the building inspector to notify the owner. The owner shall be given 120 days from the date of notice to commence work to correct the specific defects. The time for commencing the work by the building inspector in emergency situations.
- Said notice shall be given the owner by certified mail to the last known address of the recorded; or the above mailing procedure is not successful, notice shall be posted in a conspicuous protected place on the real property, or notice shall be published in the official journal.
- (4) *Demolition by neglect—Penalties and fines:* If the owner fails to commence work within the time allotted as evidenced by the building inspector's notification, the commission shall notify the owners in the manner provided above to appear at a public hearing before the commission at a date, time and place to be specified in said notice, which shall be mailed or posted at least 30 days before said hearing. For the purpose of insuring lawful notice, a hearing may be continued to a new date and time. The commission shall receive evidence on the issue of whether the subject real property should be repaired and the owner may present evidence in rebuttal thereto. If after such hearing, the commission shall determine that the real property is to be demolished by neglect, it may direct the building inspector to levy a fine of \$100.00 for each day in violation until the necessary repairs are completed.
- (5) *New construction:* New construction in the New Roads historic districts should seek compatibility with existing structures through the harmonious use of site planning, materials, decorative details, architectural elements and scale. New construction need not duplicate or copy historic styles and period.

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The commission shall follow the guidelines established by the United States Department of the Interior, and the Louisiana Main Street's Design Guideline in considering all proposals for new construction in historic districts.

- (6) *Metal buildings, manufactured housing and trailers:* Metal buildings shall only be allowed within historic districts if the exterior facade of the building that is visible from any street, alley, or sidewalk utilizes materials compatible with the historic districts and is approved by the commission.

No mobile home, manufactured home, transportable or manufactured housing shall be located or placed within the historic districts except for temporary use during construction, reconstruction or demolition of any site with the approval of the building inspector.

- (7) *Fences:* Fence design shall be in harmony with the nature of the historic district. Acceptable fencing materials are: iron picket, ornamental cast iron, brick, concrete block with cement-plaster coating, combinations of iron and masonry, wood picket-flat boards, or square, solid wood-flat-topped or capped. Unacceptable fencing materials are: barbed wire, chain-link, concrete block, stockage, plywood, hardboard, vinyl or asbestos board.
- (8) *Floodlights:* Historic districts shall not be illuminated by privately controlled floodlights or other illumination except as approved by the commission.
- (9) *Overhanging balconies:* Overhanging balconies or galleries of wrought or cast iron shall not be removed, or balconies may be erected in historic districts if they conform to the character of the historic district and are approved by the commission.

(e) *Signs.*

- (1) *Signs must conform to character of the historic districts:* The display of a sign in the historic districts shall conform to the character of the historic districts and shall be approved by the commission.
- (2) *Signs to be displayed in certain place:* No sign shall be displayed from the parapet or roof of any building in the historic districts. No sign shall be displayed or placed in any manner whatsoever so as to disfigure or conceal any significant architectural feature or detail of any building.
- (3) *What signs may advertise:* No sign of any character shall be displayed in the historic districts unless such sign advertises a bona fide business conducted in or on the premises and if it does do so, no more than 50 percent of the area of such sign may be used to advertise products or commodities actually sold on the premises.
- (4) *Number of primary signs:* In general, one primary sign is allowed to each store, shop, or bona fide place of business, and this sign shall be no larger than the maximum stipulated in the article. In the case of a business operated on a corner lot that faces two streets, one primary sign on each street facing is allowed and shall be regulated as if each side were a separate storefront. In the case of a single sign being inappropriate, multiple primary signs may be used, the total face area of which may not exceed the maximum size stipulated in this article.
- (5) *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:

Single-faced signs, attached flat against the wall and including painted wall signs, there shall be allowed 30 square inches sign surface area to each foot of lot frontage; double faced signs, suspended by brackets or arms perpendicularly from the wall of a building, the surface area shall be the sum of the areas of each face not to exceed 30 square inches of sign surface area to each foot of lot frontage; in the case of multiple businesses operating at a single location, the total face area of signage may be increased to one and one-half times the maximum stipulated in this article.

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- (6) *Secondary signs*: In addition to the primary signs(s) referred to in subsection (3), small secondary signs may be used to identify the following: entrance doors, operating hours, temporary signs, directional signs.
 - (7) *Temporary signs*: Temporary signs of a promotional nature may be placed on the interior of store windows. In no case may they remain longer than 60 days. A permit is not required for the placement of a temporary sign. Temporary signs may be placed on the exterior of a building for the following special situations: for the identity of real estate for sale (the listing is usually for six months); for political advertisement. Except for signs larger than two feet x two feet; yard sign, no application is required; promotion by non-profit organizations. In no case may these signs exceed the size limitations of this article.
 - (8) *Portable and changeable letter signs*: No portable or changeable letter signs may be erected or allowed to remain within historic districts.
 - (9) *Illuminated signs*: No illuminated signs may be constructed or erected within the historic districts without the express approval of the commission. Concealed lighting is recommended. Bulbs may not be exposed. The light should enhance the sign as well as the building on which it is mounted. Internally illuminated signs are not permitted. Neon signs are not permitted. Flashing signs are not permitted.
 - (10) *Signs no longer complying to be taken down*: Any sign displayed which no longer advertises a bona fide business conducted upon the premises shall, be taken down, removed or obliterated.
 - (11) *Building code applicable to signs*: All signs under this section shall be further governed by existing regulations of the building code of the city which are not in conflict with this section.
 - (12) *Application for signs to be submitted to the commission*: All applications for permits to display signs within the historic districts shall be submitted to the commission for approval before a permit therefore may be issued.
 - (13) *Form of application to display signs*: Application for a permit to display signs in the historic districts shall be made to the commission upon forms furnished by the commission. Such an application shall also be accompanied by sketches and drawings showing details of construction and shall delineate the size, shape, design, coloring, lighting and position in relation to the building from or upon which it shall be displayed.
- (f) *Aerials, antennas, etc. prohibited*. The construction of aerials, antennas, or satellite dishes of any type within the historic districts is prohibited without the express approval of the commission.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-59. Responsibilities of the commission.

- (a) Prepare and maintain inventory of historic structures, neighborhoods, etc. in book form including an official map identifying historical sites and landmark areas.
- (b) Establish uniform procedures for the protection, enhancement and perpetuation of places, districts, site, buildings, structures and works of public art having a special historical, cultural or aesthetic significance, interest or value, in accordance with the provisions of this article.
- (c) Designate or recommend designation of any site, building, structure, monument, area or other landmark deemed appropriate by the commission according to the standards of this article, which is located within the city, as historic or worthy of preservation.
- (d) Upon due consideration, grant or deny a "certificate of appropriateness".

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- (e) Promote restoration and preservation of any properties owned or acquired by the city which have been designated as landmarks or historic districts.
- (f) Establish and promote a facade easement or acquisition program. For the purpose of this article, a facade easement is a less than fee interest in an historic property acquired through donation or purchase and carried as a deed restriction to protect the appearance of the building exterior.
- (g) Conduct educational programs on historic preservation.
- (h) Investigate and study such matters relating to historic preservation as the city council or commission may from time to time deem necessary or appropriate for the purposes of preserving historic resources.
- (i) Review zoning for areas affecting historic sites, districts, and neighborhoods.
- (j) Investigate tax incentives and financial incentives.
- (k) Review all public and private projects affecting historically significant properties.
- (l) Recommend appropriate local legislation for the preservation of any building, structure, site, monument, area or other landmark which said commission has so named or designated.
- (m) Recommend application, with the approval of the city council for federal funds when appropriate and available.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-60. Ordinary maintenance and public safety.

Nothing in this article should be construed to prevent the ordinary maintenance of real property. This article shall not be construed to prevent any action of construction, alteration or demolition necessary to correct or abate the unsafe or dangerous condition of any real property, or part thereof, where such condition has been declared unsafe or dangerous by the building inspector or the fire departments and where the proposed actions have been declared necessary by such authorities to correct the said condition; provided, however, that only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section.

(Ord. No. 2002-03, § 1, 3-19-02)

Sec. 5-61. Appeals, injunctions, and penalties.

- (a) *Appeals:* Any person or persons aggrieved by any decision, act or proceeding of the New Roads Historic Districts Commission shall have a right to apply in writing to the city council for reversal or modification thereof; subject to the approval of the mayor. Any such appeal shall be taken in ten days from date of the written decision, and the city council may consider said appeal at its next general or special meeting, but, in any event, not more than 45 days thereafter.

Any person or persons aggrieved by any decision of the city council shall have the right to appeal to the Eighteenth Judicial Court for the Parish of Pointe Coupee.

- (b) *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 article III of chapter 5, the commission may make application to the Eighteenth Judicial Court of the Parish of Pointe Coupee for injunctive relief.
- (c) *Penalties:* Any owner, agent, lessee or other person who shall violate the provisions of this article or the rules, regulations or decisions of the commission shall be fined not less than \$150.00 nor more

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than \$500.00 for each infraction except, as provided for in "Demolition by neglect" subsection 5-58(d)(4). Each day that a violation continues shall constitute a separate offense.

(Ord. No. 2002-03, § 1, 3-19-02)

Secs. 5-62—5-74. Reserved.

FOOTNOTE(S):

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Editor's note— Ord. No. 2002-03, § 1, Mar. 19, 2002, amended former Art. III in its entirety which pertained to similar subject matter and derived from Ord. No. 9-02, § 1, 9-2-97; Ord. No. 2000-04, § 1, 6-6-00. ([Back](#))