

COUNCIL OF THE TOWN OF LA PLATA
Emergency Ordinance 09-10

Introduced By: Mayor Roy G. Hale

Date Introduced: June 23, 2009

Date Adopted: June 23, 2009

Date Effective: July 1, 2009

1 AN EMERGENCY ORDINANCE concerning

2
3 **Extension of Temporary Moratorium on Enforcement of Certain Sign and Fee Regulations**

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5 **FOR** the purpose of extending temporary moratoria, for a certain duration of time, upon the
6 enforcement of certain regulations regarding the placement, location and duration of certain
7 temporary signs in the CB, CBT and CH zoning districts, and upon the payment of certain
8 fees for the issuance of certain sign permits; providing for the effective date of this
9 Ordinance and the termination of the moratoria established by this Ordinance; and all matters
10 generally related to the extension of a temporary moratorium upon the enforcement of certain
11 regulations relating to certain temporary signs in the Town of La Plata.

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13
14 **WHEREAS**, after giving consideration to the adverse effects of the economic downturn on
15 businesses in the Town of La Plata, and to give the Town Council time to evaluate the efficacy of
16 certain Town regulations relating to certain temporary signs, in order to assist Town business during
17 and after the holiday season, on December 16, 2008, the Town Council adopted and made effective
18 Emergency Ordinance 08-25 to impose a temporary moratorium upon the enforcement of certain
19 Town regulations relating to the placement of, location of, duration of, and payment of fees for the
20 issuance of permits for, certain temporary signs in the CB, CBT and CH zoning districts in the Town
21 of La Plata; and

22
23 **WHEREAS**, after giving consideration to the continued adverse effects of the economic
24 downturn on businesses in the Town of La Plata, and evaluating the efficacy of certain Town
25 regulations relating to certain temporary signs, in order to continue to assist Town business during
26 and after the holiday season, on March 31, 2009, the Town Council adopted and made effective
27 Emergency Ordinance 09-5 to extend the temporary moratorium upon the enforcement of certain
28 Town regulations relating to the placement of, location of, duration of, and payment of fees for the
29 issuance of permits for, certain temporary signs in the CB, CBT and CH zoning districts in the Town
30 of La Plata, said extension of the temporary moratorium to end on or before June 30, 2009; and

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32 **WHEREAS**, the Town Council declared their intention to continue to suspend enforcement
33 of certain provisions of Town Code as they pertain to “banners,” off-site “banners” and off-site

34 sandwich board signs in the CB, CBT and CH zoning districts, and to any associated applicable
35 permit fee, for a period to end on or before August 29, 2009; and
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37 **WHEREAS**, the Town Council declared their intention to temporarily extend the time that
38 “banners” are allowed to be displayed in the CB, CBT and CH zoning districts to a duration
39 coterminous with the moratorium established by this Ordinance or sixty (60) days, whichever first
40 occurs; and

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42 **WHEREAS** the Town Council declared their intention to allow “banners” and sandwich
43 board signs to be displayed on off-site property in the CB, CBT and CH zoning districts, subject to
44 the permission of the owner of such off-site property; and

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46 **WHEREAS**, after reviewing the impact the moratorium had on the business community, the
47 Town Council agreed to extend utilization of the moratoria on enforcement of certain provisions.
48 Now, therefore:

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50 **SECTION 1: BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF**
51 **LA PLATA** that the temporary moratorium is extended as follows:

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53 1. As used in this ordinance a “banner” is a temporary sign defined in Section 191-61 of
54 the La Plata Town Code and that has an area of not more than 32 square feet, and a “sandwich
55 board” is a type of sign defined in Section 191-61 of the La Plata Town Code.

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57 2. The moratoria established by this Ordinance apply to banners and sandwich board
58 signs located or to be located on properties within the CB, CBT and CH zoning districts.

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60 3. There is hereby imposed a moratorium upon the enforcement of the provisions of
61 Chapter 191 of the La Plata Town Code so that the following will not be deemed to be a violation for
62 the duration of this moratorium:

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64 a. The display of banner signs in the same location for a period of up to August
65 29, 2009.

66
67 b. The display of banner signs and sandwich board signs on property within the
68 CB, CBT and CH zoning districts other than the property on which the business being advertised by
69 the sign is located, provided any such off-site sign has received the permission of the owner of the
70 property on which sign will be located.

71
72 c. The inclusion of the area or number of banner signs in the maximum
73 allowable area or number of temporary signs otherwise allowed on the property where the banner
74 signs will be located, or that otherwise may be issued to any one business for the same site in any
75 calendar year.

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77 4. All provisions of the La Plata Town Code, including permit requirements, shall
78 continue to apply to temporary signs and sandwich board signs in the CB, CBT and CH zoning
79

80 districts except as expressly provided in Paragraph 3 above or except to the extent irreconcilably in
81 conflict with the intent of Paragraph 3 above.

82
83 5. There is hereby imposed a moratorium upon the collection of a fee otherwise payable
84 under Section 101-1.E. for the issuance of a permit for any temporary sign that is included within the
85 moratorium established by this Ordinance.

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87 **SECTION 2: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
88 **TOWN OF LA PLATA** that the moratoria established by Section 1 of this Ordinance shall expire
89 on August 29, 2009, unless sooner terminated by further ordinance of the Town Council.

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91 **SECTION 3: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
92 **TOWN OF LA PLATA** that, at least a majority of the entire Council having determined that an
93 emergency exists, this Ordinance shall become effective on July 1, 2009.

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95 **ADOPTED** this 23rd day of June, 2009.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Judith T. Frazier, Town Clerk

Joseph W. Norris, Councilman

Date: _____

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.