

COUNCIL OF THE TOWN OF LA PLATA
Emergency Ordinance 09-5

Introduced By: Mayor Roy G. Hale

Date Introduced: March 31, 2009

Date Adopted: March 31, 2009

Date Effective: April 1, 2009

1
2 **AN EMERGENCY ORDINANCE** concerning

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

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

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14 * * * * *

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

24
25 **WHEREAS**, the Town Council declared their intention to continue to suspend enforcement
26 of certain provisions of Town Code as they pertain to “banners,” off-site “banners” and off-site
27 sandwich board signs in the CB, CBT and CH zoning districts, and to any associated applicable
28 permit fee, for a period to end on or before March 31, 2009; and

29
30 **WHEREAS**, the Town Council declared their intention to temporarily extend the time that
31 “banners” are allowed be displayed in the CB, CBT and CH zoning districts to a duration

32 coterminous with the moratorium established by this Ordinance or three (3) months, whichever first
33 occurs; and
34

35 **WHEREAS** the Town Council declared their intention to allow “banners” and sandwich
36 board signs to be displayed on off-site property in the CB, CBT and CH zoning districts, subject to
37 the permission of the owner of such off-site property; and
38

39 **WHEREAS**, after reviewing the impact the moratorium had on the business community, the
40 Town Council agreed to extend utilization of the moratoria on enforcement of certain provisions.
41 Now, therefore:
42

43 **SECTION 1: BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF**
44 **LA PLATA** that the temporary moratorium is extended as follows:
45

46 1. As used in this ordinance a “banner” is a temporary sign defined in Section 191-61 of
47 the La Plata Town Code and that has an area of not more than 32 square feet, and a “sandwich
48 board” is a type of sign defined in Section 191-61 of the La Plata Town Code.
49

50 2. The moratoria established by this Ordinance apply to banners and sandwich board
51 signs located or to be located on properties within the CB, CBT and CH zoning districts.
52

53 3. There is hereby imposed a moratorium upon the enforcement of the provisions of
54 Chapter 191 of the La Plata Town Code so that the following will not be deemed to be a violation for
55 the duration of this moratorium:
56

57 a. The display of banner signs in the same location for a period of up to June 30,
58 2009.
59

60 b. The display of banner signs and sandwich board signs on property within the
61 CB, CBT and CH zoning districts other than the property on which the business being advertised by
62 the sign is located, provided any such off-site sign has received the permission of the owner of the
63 property on which sign will be located.
64

65 c. The inclusion of the area or number of banner signs in the maximum
66 allowable area or number of temporary signs otherwise allowed on the property where the banner
67 signs will be located, or that otherwise may be issued to any one business for the same site in any
68 calendar year.
69

70 4. All provisions of the La Plata Town Code, including permit requirements, shall
71 continue to apply to temporary signs and sandwich board signs in the CB, CBT and CH zoning
72 districts except as expressly provided in Paragraph 3 above or except to the extent irreconcilably in
73 conflict with the intent of Paragraph 3 above.
74
75

76 5. There is hereby imposed a moratorium upon the collection of a fee otherwise payable
77 under Section 101-1.E. for the issuance of a permit for any temporary sign that is included within the
78 moratorium established by this Ordinance.
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80 **SECTION 2: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
81 **TOWN OF LA PLATA** that the moratoria established by Section 1 of this Ordinance shall expire
82 on June 30, 2009, unless sooner terminated by further ordinance of the Town Council.
83

84 **SECTION 3: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
85 **TOWN OF LA PLATA** that, at least a majority of the entire Council having determined that an
86 emergency exists, this Ordinance shall become effective on April 1, 2009.
87

88 **ADOPTED** this 31st day of March, 2009.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale, Mayor

James Goldsmith, Councilman

Scot D. Lucas, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Judith T. Frazier, Town Clerk

Vic E. Newman, 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.