

MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF ST. MARTINVILLE, LOUISIANA  
HELD ON THE 19<sup>th</sup> DAY OF DECEMBER, 2022.

The Mayor and City Council of the City of St. Martinville, Louisiana met in Regular Session on the 19th day of December 2022 at City Hall, their regular meeting place, pursuant to the call of the Mayor.

THERE were present: Jason Willis, Mayor

Mike Fuselier, Councilman

Carol Frederick, Councilman

Jonas Fontenette, Councilman

Janise Anthony, Councilman

Flo Chatman, Councilman

Allan L. Durand, City Attorney

THERE were absent: None

Mayor Jason Willis presiding, called the meeting to order.

It was moved by Janise Anthony duly seconded by Flo Chatman and unanimously carried that the minutes of the regular meeting held December 5, 2022 hereby be approved for publication in the Teche News, the Official Journal of the City of St. Martinville.

Upon recommendation of Mayor Willis, it was moved by Carol Frederick duly seconded by Janise Anthony and unanimously carried that the Renewal Proposal for disposal of Residential Municipal Solid Waste, Yard Waste and Bulky Items presented by Republic Services be accepted and authorize Mayor Willis to execute contract.

Ms. Lawana Stokes of SLCC was unable to attend meeting due to a conflict in her schedule.

Upon request of Yvette Morris of NewComers Club, it was moved by Jonas Fontenette duly seconded by Mike Fuselier and unanimously carried that permission be granted to close New Market Street and a portion of Evangeline Blvd to hold Annual Mardi Gras Festival, on Sunday, February 19, 2023. Permission was also granted for the sale of alcohol, the use of barricades, the portable stage, the electrical box, security and the use of the restrooms behind the Heritage Center. The festival will begin at 1:00pm and will end at 7:00pm. Ms. Morris of Newcomers Club acknowledged that the club will be responsible for clean up following event.

Mr. Rusty Landry requested assistance from Mayor Willis and Councilmembers with recovering his vehicle that was impounded following a traffic stop in March of 2022. It was moved by Mike Fuselier duly seconded by Carol Frederick and unanimously carried that Mr. Landry's request be tabled to allow Chief Martin to contact LP Bourque Wrecker Services to determine the condition of the vehicle and City Attorney to research the matter.



#### ORDINANCE 22-15

*An Ordinance by the City Council of the City of St. Martinville amending and restating the Code of Ordinances governing the St. Martinville Historic District Commission, and delegating regulatory authority to the Commission*

WHEREAS the City of St. Martinville is one of the most historic municipalities in the State of Louisiana, with a rich natural history that has been recognized by the State and Federal government, and

WHEREAS the Church square and surrounding area in the City of St. Martinville has long been designated on the National Register of Historic Places, and

WHEREAS it is essential to maintaining the Historic District that the Historic District Commission be empowered to take such action, as indicated in the ordinance creating the Commission, below, to preserve and protect the unique buildings and structures located within the Historic District.

THEREFORE be it ordained that Chapter 10.5 of the Code of Ordinances for the City of St. Martinville be and the same is hereby amended and restated to read as follows:

#### **Section 10.5-1A. STATEMENT OF PURPOSE.**

The St. Martinville Historic District Commission shall have for its purpose the preservation and stewardship of all structures in the designated Historic District of the City. The commission shall have for its further purpose the guardianship of those structures which have architectural and historical value, and which should be preserved for the benefit of the people of the City and State. To Wit, the goals of the St. Martinville Historic District are as follows:

- A. Protect, enhance, and perpetuate resources which represent distinctive and significant elements of the city's historical, cultural, social, economic, political, archaeological, and architectural identity.
- B. Insure the harmonious, orderly, and efficient growth and development of the city.
- C. Strengthen civic pride and cultural stability through neighborhood conservation.
- D. Stabilize the economy of the city through the continued use, preservation, and revitalization of its resources.
- E. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided.
- F. Promote the use of resources for the education, pleasure, and welfare of the people of the city of St. Martinville.
- G. Provide a review process for the preservation and appropriate development of the city's resources.

#### **Section 10.5-1B: Name and Principal Office of Entity**

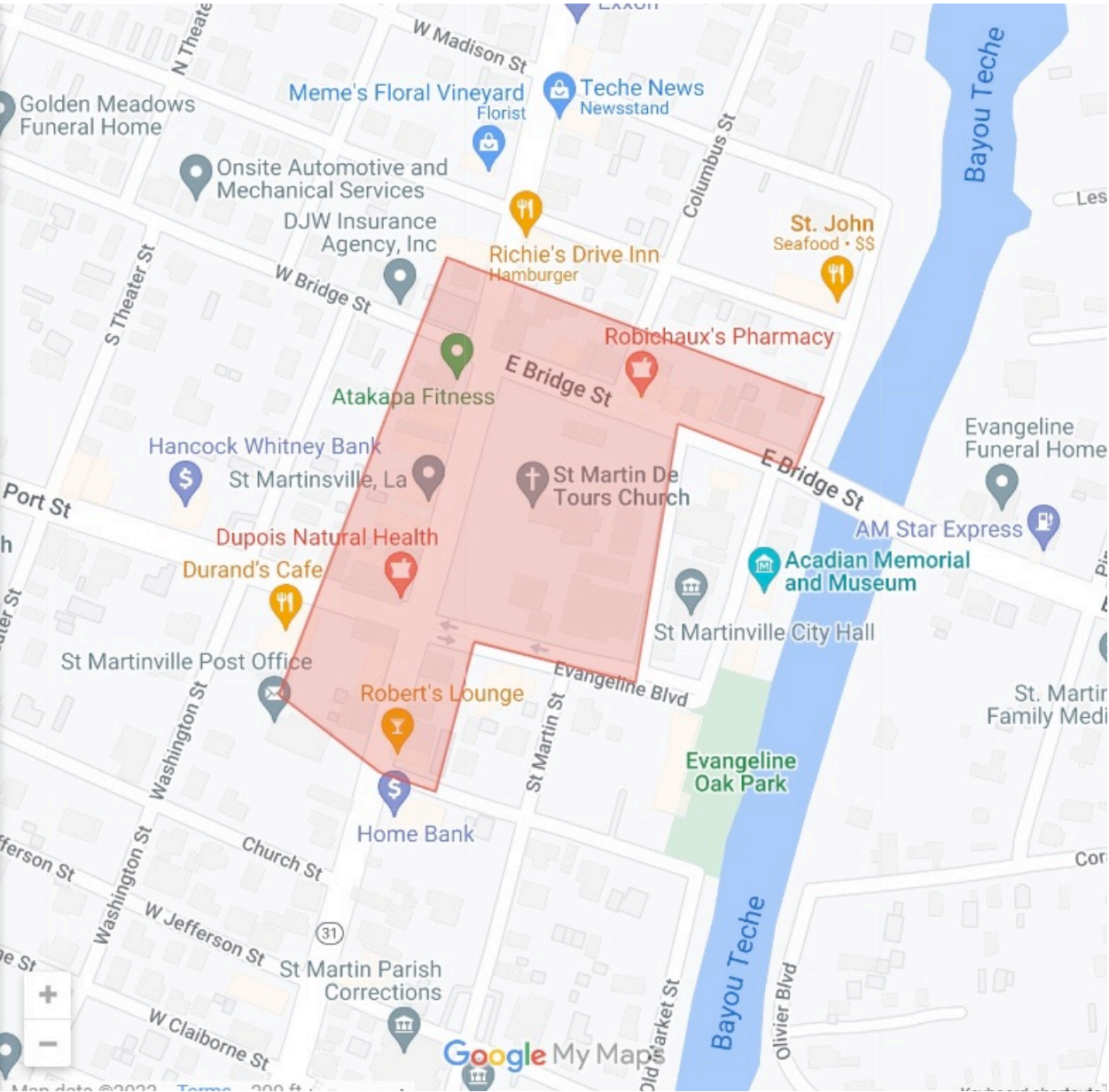
The St. Martinville government division charged with the preservation of historic buildings and landmarks within the divisional confines of “the historic district” is presently referred to as the St. Martinville Historic District Advisory Commission. By ratification of the St. Martinville City Council, the organization is renamed and referred henceforth as the St. Martinville Historic District Commission, and all previous St. Martinville Historic District codes, ordinances, and decrees will be replaced by revised codes, ordinances, and decrees as outlined in this document.

The St. Martinville Historic District Commission will consist of seven private citizens with no political affiliation, thus avoiding any pressure from constituents in the fair and unbiased enforcement of the ordinances proposed by the St. Martinville Historic District Commission and approved by the St. Martinville City Council. The St. Martinville Historic District Commission will operate as a division of the city government, and as so will be tasked with the levying of fines for infractions against the said ordinances, thus no part of the net earnings of the program shall benefit any of its members or other individuals associated with the program, and the program shall not participate in, or intervene in any political campaign on behalf of any candidate for public office. Through the remainder of this document the St. Martinville Historic District Commission may be referred to as the commission, organization, or program. The St. Martinville Historic District Commission has no formal offices at this time, with all records, memorandums, and written decisions maintained at the St. Martinville City Hall, with secondary copies maintained by the HDC secretary.

**Section 10.5-2: St. Martinville Nationally Recognized Historic District Geographic Boundaries.**

The ordinance set forth will pertain to the boundaries of the National St. Martinville Historic district begins at 214 South Main Street moving northerly to 101 North Main Street, thence easterly beginning at 101 East Bridge Street to 225 East Bridge Street to 225 East Bridge Street, thence southerly at the Church Green including the St Martin of Tours Parish Hall, St. Martin of Tours Catholic Church, and the St. Martin of Tours Rectory, thence to 201 Main Street, and ending at 219 South Main Street.

The geographic area described above is the area that was entered into the National Register of Historic Places under the provisions of the National Historic Preservation Act of 1966, on the 27<sup>th</sup> day of January 1983. The Louisiana Historic Sites Survey of 1982 lists forty-two buildings within the boundaries of the “Historic District”, three-fourths of which date from c. 1820 to c. 1910. The two major elements in the district are the church square and the surrounding historical commercial and residential sector.



**Section 10.5-3. Significance of the St. Martinville Historic District**

The St. Martinville Historic District is significant our city in the following respects:

- The historic district exemplifies it is the only town in Louisiana whose main city district devel-  
oped on property which had been donated to the Roman Catholic Church and which was later  
acquired by the individual owners not by virtue of an outright sale but only through a unique  
leasing arrangement.
- It is a quintessential example of an urban community originally settled by Acadian exiles and  
their relationship with the indigenous Atakapas Indian tribe.
- It is historically and architecturally significant on a local and state level as a quintessential ex-  
ample of an urban community with commercial development tied to steamboat commerce.
- It is architecturally significant on the state level due to the preservation of the central church  
square and its relationship to the surrounding city.
- It is the center of St. Martinville tourism, with its preservation and commercial development  
crucial to the commerce development and improving city tax revenue.

**Section 10.5-4. Definitions of Utilized Terms**

Throughout the remainder of this document, specific terms will apply, defined as:

**a.Abandoned.** Building, properties, equipment, or vehicles that have clearly been left to neglect  
with no indication of maintenance or preservation efforts. In the case of vehicles of any type,  
vehicles will be considered abandoned if not being utilized, are not street worthy, or lack current  
inspection or licenses.

**b.Alteration.** Any change to any portion of a historic structure or landmark that is visible from  
any public street, alley, sidewalk, or lot due to construction, repair, maintenance or by other  
means.

- c.**Applicant.** The owner of record of properties or structures within the St. Martinville historic district, the lessee with the approval of the owner of record in notarize form, or a person holding a bona fide contract to purchase a property deemed as historic.
- d.**Appurtenance.** A feature relative to a parcel of land or to a building, structure, object, site, or a related group thereof.
- e.**Architectural Elements.** Exterior parts of a building that are integral to its composition, including but not necessarily secluded to balconies, roofs, porches, chimneys, dormers, parapets, and other parts of the building that contribute to its overall shape and silhouette. The choice and arrangement of elements utilized in renovation or new construction shall reflect those of other buildings within the historic district.
- f.**Building.** Any covered structure intended for shelter, housing, enclosure, or economic activities relative to persons, animals, or personal possession. The term “building” shall be construed to include and be interchangeable with the term “structure”.
- g.**Certificate of Appropriateness.** A signed and dated document evidencing the approval of the St. Martinville Historic Regulatory Commission for work proposed by an applicant within the boundaries of the geographically defined areas of the historic district.
- h.**Code.** A systematic collection of laws or regulations governing construction, renovation, plumbing, electrical, fire safety, and health board laws.
- i.**Color Palette.** A list of historic colors utilized for the painting of structures and buildings within the boundaries of the historic district that create a unifying environment within the district.
- j.**Commission.** The St. Martinville Historic District Regulatory Commission.
- k.**Construction.** The addition or placement of any improvement onto a real property within the boundaries of the historic district.
- l.**Decorative Details.** Ornamentation or embellishment, including but not limited to cornices, lintels, arches, balustrades, chimneys, shutters, and columns that were original to a historic building construction. When replaced or added, the components will create a unifying effect on the building and will be compatible with the context of the historic district.
- m.**Demolition.** The complete or partial removal of buildings, structures, objects, elements, or sites, including appurtenances or proposed improvements.
- n.**Demolition By Neglect.** Substantial deterioration through owner neglect or improper construction which leads to the demolition of a structure or building with historic significance.
- o.**Display.** A display includes erect, paint, repaint, place, replace, hand, re-hang, repair, maintain, paint applied directly upon a building or structure, inlay, embed in, or otherwise exhibits public view.
- p.**Downtown Design Guidelines.** A set of guidelines confirming with the Secretary of the Interior Standards, available from the Louisiana Main Street Association and adopted by the St. Martinville Historic District Regulatory Commission to assist property owners in making improvements on historic properties.
- q.**Facade.** The front or face of the building usually facing a street front that exhibits the historic charm of the building through architectural and decorative elements exemplifying the historic era by which the building was built.
- r.**Empty Lots.** Any empty parcel of property without structure that is within the defined boundaries of the St. Martinville Historic District.
- s.**Historic.** A building or structure can be classified as historic if it is at least fifty years of age, and is of significant local, regional, historic, architectural, or cultural value, though in some cases the term “historic” may extend to outside categories, for example the Evangeline Oak.
- t.**Historic District.** An established district with defined boundaries, which shall include its appurtenances, environmental components, and setting which can be linked historically through location, design, setting, materials, workmanship, and association, and which is significant in national, local, or state history, architectural design, or culture.
- u.**Industrial Operations.** Operations that involve the use, mobilization, and/or storage of industrial trucks, equipment, trailers, campers, or mobile offices within the geographic boundaries of the historic district.
- v.**Materials.** Basic building materials utilized on the exterior surfaces of a structure or building which defines its appearance or character.
- w.**Material Alteration.** A significant change to any portion of a real structure or building which is visible from the public street, alley, or adjacent lot. Replacement of windows, doors, façade materials, and roofing must be compatible with both the existing structure and surrounding historic buildings or structure.

x.**Non-Material Alteration.** Alteration having relatively minor importance to or any consequence to a portion of a historic property that is visible from any public street, alley, sidewalk, or lot, and shall include but not limited to ordinary maintenance, repair, or painting.

y.**Nuisance Law.** The nuisance law refers to one's use of a property by either the owner or lessee of the property that interferes or infringes upon the previous peaceful use and enjoyment of neighboring properties, or the actions have a negative effect on neighboring property values.

z.**Ordinary Repairs or Maintenance.** Work done on periodic basis to prevent deterioration or maintain the beauty of a building or structure, therefore returning the structure or property to as near original condition as possible prior to deterioration, decay, damage, or degradation of paint or stain.

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

bb.**Public Sidewalk.** A pathway, regardless of construction materials, utilized by the public and maintained by the city by which pedestrians utilize for foot transportation.

cc.**Preservation.** The maintenance of a site or structure in its present condition or in a manner by which originally constructed. Preservation aims at halting the deterioration and providing structural safety but does not construe further building or significant alterations of the building or structure. Preservation utilizes restoration techniques to maintain the original character of the building and structure and precludes any significant change in the structure or building.

dd.**Relocation.** Any changes in the location of the building or structure from its present setting to an alternate location.

ee.**Rhythm.** The character or flow of the historic district is defined by the "rhythm" or the street scape, as influenced by the pattern and spacing of the buildings and building features such as doors, windows, porches, balconies, etc. and should be maintained in compatible fashion with the surrounding buildings and structures within the boundaries of the historic district.

ff.**Scale.** The size of a building or structure relative to its surroundings. Scale refers to the visual perception of the size of the building and its elements in relation to other buildings or structure, with maximum height of any new construction within the historic district conforming to U.S. Department of the Interior Guidelines for historic districts.

gg.**Signage.** Signage is defined as any symbol, device, image, poster, flag, banner, billboard, design or directional sign utilized for advertising purposes, whether painted on, attached to, erected on, or otherwise maintained on any premises containing any words, letters, figures, numerals, phrases, sentences, emblems, devices, trade names, or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a profession, a business, or a commodity or product which is visible from any public street and is used to attract attention.

hh.**Site Planning.** The positioning of a building or lot, including the setback of a building, the spacing of a building from adjacent building, the location of the walls, fences, walks, drives, parking, and landscaping as they pertain to overall design.

ii.**Structure.** A work consisting of interdependent and interrelated parts and components in a definitive pattern or organization.

jj.**Texture.** The texture of a building or structure refers to the physical texture of its surface materials as well as its visual and cosmetic texture.

kk.**Trailers, Mobile Homes, and Transportable.** A structure, trailer, semi-trailer, camper trailer, or transportable, in one or more sections which is designed, constructed, or equipped as a dwelling place, living adobe, office, sleeping place, or 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 for the transportation of equipment, with or without a permanent foundation.

ll.**Violation.** Any action that does not involve structure or building integrity or historic value compliance but violates specific ordinances as approved by the city council, interferes with the public enjoyment of the "historic district" and the maintaining of its historic value.

#### **Section 10.5-5. Purpose and Responsibilities of the St. Martinville Historic District Regulatory Commission.**

The purpose of the organization is to ensure the preservation and maintenance of historic buildings and landmarks within the defined St. Martinville historic district through the following:

a.The commission will identify and direct unbiased efforts in protecting buildings and structures which meet the classification requirements defined as historic.

b.The commission shall carry out the intent of this Ordinance by reviewing applications for a cer-



tificate of appropriateness for any demolition, relocation, renovation, addition, or construction of any exterior feature or building within the historic district that is visible from any public street, alley, or sidewalk.

c.The commission will be tasked with the duty, upon consideration, grant or deny certificates of appropriateness contingent upon the applicants submitted plans or request.

d.The commission will grant or deny certificates of appropriateness based on the prevalence of the historic significance of the building or structure, preservation of the building or structure's architectural elements, decorative details, and ensure that the building or structure color palette is within color selections deemed by the paint supplier as "historic". The commission will consider exterior architectural features, which shall include color, architectural style, general design, and general arrangement of the exterior of a structure, including the kind and texture of the building material, the type and style of all roofs, windows, doors, light fixtures, signs, and other appurtenant fixtures. The commission shall not consider interior arrangement. The decisions of the commission will in no way supersede or interfere with those of the city building and constructions codes, fire marshal regulations, and/or those codes that regulate health and safety, nor advise in any matters that involve code.

e.The commission will maintain an inventory of historic structures, neighborhoods, and boundaries in the form of a map identifying historical sites and landmark areas.

f.The commission will establish uniform procedures for the protection, enhancement and perpetuation of places, districts, site, buildings, structures and works of art having a special historical, cultural, or aesthetic significance, interest, or value, in accordance with the provisions of these articles.

g.The commission shall promote community awareness of historic preservation and its value to the City of St. Martinville.

h.The commission and its members serve at the "pleasure of the **City Council**" and as such are appointed positions.

i.The commission shall participate when requested in any activity or forum of public awareness that has value in promoting the St. Martinville Historic District and the restoration of properties designated as landmarks or historic in nature.

j.The commission will review zoning for areas affecting historic sites, districts, and neighborhoods.

k.The commission will remain aware of current available tax incentives and restoration grant funds.

l.The commission will recommend application, with the approval of the city council for federal and state funds when appropriate and available.

m.The commission will perform duties in a selfless manner with no intent of personal or financial gain.

#### **Section 10.5-.6. Approval and Appointment of the St. Martinville Historic District Regulatory Commission.**

The bylaws of the St. Martinville Historic District Commission will require approval of the **City Council**. Once approvals have been met by the city council, the St. Martinville Historic District Commission will operate as a division of the St. Martinville city government at the pleasure of the **City Council**, with all members of the commission providing services on a voluntary basis, with no expectation of salary or benefits. The commission shall consist of **seven members** all of which reside within the St. Martinville city limits, **with at least one member coming from each of the following organizations: St. Martinville Main Street Association, St. Martinville Chamber of Commerce, St. Martinville City Zoning Commission and the St. Martinville Tourist Commission..** To maintain consistency within commission processes, members of the commission will serve staggering terms with two members serving a two-year term, three members will serve a three-year term, with the remaining two members serving a four-year term. Terms will be determined by the drawing of lots. Re-appointments or replacement commission members will serve a four-year term. All members shall be appointed by the mayor and approved by the **City Council**.

The St. Martinville Historic District Commission **Chairman** is an elected position by the members of the St. Martinville Historic Commission and will preside on all meetings of the commission. The chairperson shall perform such duties as are incumbent upon that office, conduct the



meetings, maintain orderly delegation of the meeting agenda, and is allotted one vote in matters as they pertain to commission business.

The **Vice Chairman** will be an elected position by members of the St. Martinville Historic District Commission, will have such duties and responsibilities as the chairperson during any periods as required. The Vice Chairman will conduct meetings in the absence of the commission chairperson and will vote on all matters as they pertain to commission business.

The **Secretary** will be an elected position by the members of the St. Martinville Historic District Commission, will maintain in good order all records, correspondence, memorandums, and meeting minutes of the commission. The **Secretary** will also be tasked with the duties of providing a concise reading of the minutes of the previous meeting and provide a summary of the meeting agenda, as well as conduct member roll call and maintain attendance records. The secretary will vote on all matters as they pertain to commission business.

As the St. Martinville Historic District Regulatory Commission presently has no funding or maintains no monies requiring regulation, the office of **Treasurer** will be suspended for the present. At which time funding is made available, the commission members will hold special election to fill the office. When it becomes applicable, the Treasurer will provide the commission officers and members with a valuation of available monies to fund commission projects, maintain checking accounts, and distribute payments as required.

**Commission members**, in conjunction with commission officers will perform research, assist in commission business, sit on committees, and perform duties as required in the normal course of commission regulatory actions. Each commission member will vote on all matters as they pertain to commission business.

#### Section 10.5-7: **Commission Member Qualifications.**

Qualifications to become members of the St. Martinville Historic District Regulatory Commission are as follows:

- a. Members shall reside within the city limits of St. Martinville, **with at least one member coming from each of the following organizations: St. Martinville Main Street Association, St. Martinville Chamber of Commerce, St. Martinville City Zoning Commission and the St. Martinville Tourist Commission.**
- b. Members shall have an interest, passion, competence, or knowledge in historic preservation.
- c. Members should include, to the extent by which such professionals are available, commercial business owners, architects, historians, government planning, and legal.
- d. All members shall be formally appointed by the City Council prior to the conducting of officer elections.
- e. Commission members shall report any possible violations or transgressions within the boundaries of the St. Martinville Historic District as they pertain to the historic district commission ordinances that have been passed by the city council that they may be addressed in the normal course of commission meetings.

#### Section 10.5-8. **St. Martinville Historic District Commission Public Meetings.**

- a. Historic Commission meetings will be held on a 45-day basis, will be open to the public, and meetings will be subject to Robert's Rules of Order.
- b. Meeting dates, time, and location will be posted in the local newspaper 7 days in advance of meetings for public awareness, listing location and time of meeting.
- c. The meeting will then be called to order by the commission chairman, who will ask for the reading of the minutes of the last meeting by the commission Secretary and the meeting will be called to order.
- d. The Secretary will then provide a list of commission meeting agenda items, and each will be addressed in sequential order.
- e. The next meeting date will be announced and recorded by the Commission Secretary.
- f. The meeting will then be open to public forum and questions.
- g. The meeting will then be adjourned.

#### Section 10.5-9. **Terms, Members, and Vacancies.**

Commission officers and members are providing services on a voluntary basis, indicative of their concern for the preservation of the St. Martinville historic district. The commission will consist of seven members, serving at the pleasure of the **City Council**, hence:

- a. Any commission officer or member can be replaced by the **Council** for any reason.
- b. Officers and members will be expected to attend regular meetings on a timely basis, with notification to the mayor of any commission officer or member that has been absent for more than 50% of meetings within a calendar year, requesting replacement.
- c. Any commission vacancy will be filled **by the City Council**.

#### Section 10.5-10. **St. Martinville Historic District Regulatory Commission Ordinances .**

##### **1. *Certificates of Appropriateness***

- a. *Required:* Certificates of appropriateness are required for any demolition, relocation, renovation, addition, alteration, or construction on exterior features of a structure or building that is visible from any public street, alley, or sidewalk within the geographic boundaries of the St. Martinville historic district.
- b. *Required:* Certificates of appropriateness are required for any new construction, repurposing of any empty parcels of land, or existing parking lots.
- c. *Criteria For Issuance:* The commission is to issue certificates of appropriateness to encourage the preservation, rehabilitation, renovation, additions, alterations, or construction or exterior features of the building or structure to be compatible with the scale, materials, texture, colors, and rhythm of the historic district street scape.
- d. *Exemptions.* Certificates of appropriateness are not 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 structural details of the building. Certificates are also not required for in kind replacement materials, or ordinary repairs or maintenance.

##### **1. *Procedure for Certificate of Appropriateness Issuance***

- a. A certificate of appropriateness must be granted before a building permit is issued by the city building inspector.
- b. Certificates of appropriateness applications will be made available at the St. Martinville City Hall, along with written instructions on properly completing the application.
- c. Once completed, the certificate of appropriateness shall be considered by the commission, which will grant or deny an application of appropriateness no later than 45 days after the application has been filed with the St. Martinville City Hall. In the event the commission fails to provide a decision within 45 days from application filing, the application for a certificate of appropriateness will be granted by default.
- d. The commission shall promptly report its decisions, including recommendations, if any, to the city building inspector. If the certificate of appropriateness is approved, the city building inspector shall issue a building permit for such work in conformance with the commission decision.
- e. In the case by which the application for a certificate of appropriateness has been denied, the commission will attempt to resolve the differences between the applicant and the commission, though under no circumstances will *any member of commission* individually meet or discuss the commission's decisions or recommendations. Any resolution discussions with an applicant will be in the form of a "*quorum*" consisting of no less than four commission members, with the meeting to be held at the site for which the application was applied.

##### **1. *Designation of Local Historic Landmarks***

The commission shall adopt the following procedures for review and designation of a building, structure, or other feature of historic significance based on the following criteria:

- a. It was the site of a significant local event.
- b. A property identified with a person or persons who significantly contributed to the history, culture, or development of St. Martinville, Louisiana, Parish of St. Martin, 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 St. Martinville 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 city and its historic development.
- f. The building must be at least 50 years old to be considered for nomination for local landmark designation, however properties which have achieved particular significance in the community within the past 50 years may be considered for historic designation at the discretion of the commission.
- g. Architectural or historic significance of the property, structure, or building.
- h. Interior design, arrangement, or use of a property shall not be considered in the designation of local historic landmarks.

### **1. Documentation of Historic Landmarks**

- a. Written documentation shall be provided the commission supporting a site designation for consideration as a local historic landmark.
- b. The commission shall maintain a record of all local historic landmarks.
- c. The property owner of record will be provided notification that the property, structure, or building is being considered for local historic landmark designation and added to record as such.
- d. The property owner of record will be provided an opportunity to furnish the commission with a written statement declaring support or opposition to the designation of the property as a local historic landmark.

### **1. Historic Landmark or Properties Within St. Martinville Historic District**

The commission shall determine that a property has been either designated as a local historic landmark or is within the geographic boundaries of the St. Martinville Historic District and hence falls under the rules of these articles.

- a. *Stopping Work Commenced Without a Certificate of Appropriateness.* The city building inspector shall enforce the provisions of this article and shall properly stop any work that is in violation of these articles.

#### **b. Demolition and Construction**

- 1. *Demolition:* No building or structure located in the historic district shall be demolished or otherwise removed until which time the owner has applied and been granted 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 district because of lack of age, structural condition, or lack of architectural value, the commission may grant a certificate of appropriateness for demolition or removal. However, if the property is deemed by the commission to be a contributing historic district element, the commission may delay demolition or removal for no more than 90 days, at which time the commission shall publish three notifications in the local newspaper to afford the city, interested persons, civic groups, historic societies, and organizations to acquire and arrange for the preservation of the building. If no arrangements for the preservation of the building have been agreed or in the process of negotiation, the certificate of appropriateness shall be granted the property owner of record.

- 2. *Demolition By Neglect – Responsibility of Property Owner in Property Maintenance:* The owners of buildings within the historic district shall preserve any real property against decay, deterioration, and structural defects that would eventually compromise the integrity of the structure. The owner shall repair such real property if it is deteriorated to the extent that it creates 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, masonry, windows, doors, roofing materials, or any feature that would create or permit the creation of any hazardous or unsafe condition.*

- 3. *Demolition By Neglect – Actions Allowed by the Commission:* If the commission determines that neglect is demolishing a real property, it shall direct the building inspector to notify the owner of record. The owner shall be awarded 120 days to commence work to correct the specific defects, though the allotted time may be adjusted should the building inspector consider the situation “emergency” in nature.

Said notification shall be delivered to the owner of record in the form of certified mail to the last known recorded address. If the mailing procedure is not successful, notification will be posted in a protected, yet conspicuous place on the real property and notification will be published in the local newspaper.

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 as provided above to appear at a public hearing of 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 the hearing date. For the purpose of ensuring lawful notification, the hearing may be continued to a new date and time, in the case of extenuating circumstances. The commission shall receive evidence from the building inspector on the issue of whether the subject real property should be repaired, and the owner may present evidence in rebuttal thereof. If after such hearing, the commission shall determine that the real property is being demolished by neglect, it will direct the building inspector to levy a fine of \$100.00 for each day by which the property remains in violation, until the necessary repairs are completed as per building code specifications.

5. *New Construction:* New construction within the geographic boundaries of the St. Martinville Historic District will be compatible with existing structures through the harmonious use of site planning, materials, decorative details, architectural elements, and scale.

*The commission shall follow guidelines established by the United States Department of the Interior, and the Louisiana Main Street's Design Guidelines in considering all Applications of Appropriateness for new construction in the historic district.*

6. *Metal Buildings, Manufactured Housing, and Trailers:* Metal buildings may be approved for construction within the historic district, if the exterior façade of the building that is visible from any street, alley, or walkway, utilizes materials compatible with the historic district, is accompanied by a Certificate of Appropriateness, approved by the commission.

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

7. *Industrial Operations:* No industrial operations, staging of industrial equipment, or the storing of industrial equipment will be allowed within the boundaries of the historic district, except during normal city or building maintenance. Industrial equipment is defined in these articles as any vehicle exceeding four wheels, work boxes, piping, industrial work equipment, campers, work trailers, and heavy equipment.

8. *Re-purposing of Empty Lots, Parking Lots:* Any proposed re-purposing of empty lots, land parcels, or parking lots within the historic district will be subject to approval by the commission, as well as any applicable permits required by the City of St. Martinville.

9. *Fences:* Fence design shall maintain the harmony of the historic district, with acceptable fencing materials being, iron picket, ornamental cast iron, brick, concrete block with plaster coating, combinations of iron and masonry, wood picket flat boards, solid wood, flat top or capped. Unacceptable fencing materials are barbed wire, chain-link, concrete block with no plaster coating, stockage, plywood, composite board, hardboard, vinyl, or plastic.

10. *Floodlights:* Historic district shall not be illuminated by privately controlled floodlights or other illuminations, except as approved by the commission.

11. *Overhanging Balconies or Galleries:* Overhanging balconies or galleries of historic period wrought or cast iron shall not be removed, except temporarily during periods of repair, at which time the wrought or cast-iron elements shall be replaced during reconstruction. Any replaced or erected balconies will conform to the character of the surrounding historic district as approved by the commission and will adhere to building code specifications and required permits.

a. *Signs And Advertisements*

1. *Signs must conform to the character of the historic district:* The display of a sign in the historic district shall conform to the character of the historic district and shall require approval 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 district. No sign shall be displayed in a manner whatsoever that would disfigure or conceal any significant architectural feature or detail of the building.

3. *What signs may advertise.* No sign of any character shall be displayed in the historic district, unless the sign advertises a bona fide business conducted in or on the premises and if it does so, no more than 50% of the sign area may be used to advertise products or commodities or services sold on the premises.

4. *Construction of Signs:* Signs within the historic district will be professionally constructed and/or painted. Hand painted or stenciled signs, banners, etc. are prohibited within the historic district.

5. *Number of 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 these articles. In the case of a business operating on a corner lot that faces two streets, one primary sign on each street facing is allowed and will be regulated as if each side were a separate store front.

6. *Surface Area of Signs:* The surface area of any attached or painted signage, including store front windows shall be in direct proportion to the amount of front footage of the building. *Single-faced signs, attached to the wall and including painted wall signs, shall be allowed 30 square inches sign surface area per each foot of structure frontage, double faced signs suspended by brackets or arms perpendicular 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 per building frontage in feet. In the case of multiple businesses operating at a single location, the total face of the allowed signage may be increased to 1 ½ times the maximum as stipulated in the article. For example, the building in question operating multiple businesses has a frontage space of 25', which would equate to an acceptable surface area for signage of 1125 square inches for an attached or painted sign.*

7. *Secondary Signs:* In addition to the primary signs as referred to in subsection 6, small secondary signs may be used to identify entrance doors, operating hours, directional signs, or plaques designating the building as having historic significance.

8. *Temporary Signs:* Temporary signs of a promotional nature may be placed on the interior of store windows, though they cannot remain for more than 60 days at which time promotional signs must be removed and can be exchanged for new promotional signs. Promotional signs must be displayed in orderly fashion and cannot interfere with maintaining store front windows in clean fashion. Temporary signs may be placed on the exterior of the building for the under the following situations, in consideration of the fact that the sign does not exceed 2 feet x 2 feet and does not remain for more than 60 days:

- A. *Real estate signs listing property for sale.*
- B. *Political campaign advertisement*
- C. *Promotion for registered non-profit organizations.*

1. *Portable and changeable letter signs:* No portable or changeable letter signs may be erected or allowed to remain within the historic district, except for temporary caution signs utilized by city or state government maintenance divisions.

2. *Illuminated signs:* No illuminated signs may be constructed or erected within the historic district without the express approval of the commission, with concealed lighting the recommendation and exposed bulbs prohibited. The light should enhance the sign as well as the building by which it is mounted. Neon or flashing signs are not permitted.

3. *Signs no longer complying to be removed:* Any displayed sign which no longer advertises a bona fide business conducted upon the premises shall be taken down and removed.

4. *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 the articles as listed in this section.

5. *Painted or vinyl letter window front signs:* Painted and/or vinyl window front signs which are permanent or temporary in nature are not subject to Section 8, in consideration of the fact that it is professionally produced and applied, does not encompass more than 50% of the window front, and does not include any offensive verbiage. Vinyl lettering applied to store front is an acceptable method of store front advertising, though the script and letter charactering will reflect the historic era of the building. Any vinyl lettering previously adhered to store front windows that is peeling from windows will require removal.

6. Murals applied to any exterior building wall within the historic district are prohibited under this article unless approved by the commission:

A. *Murals are defined in this article as any art, work of art, or advertisement applied directly to a wall. This article refers to **exterior buildings or structure walls**, in either permanent, semi-permanent, or temporary fashion.*

1. *Application for signs to be submitted to commission:* All applications for permits to supply signs within the historic district shall be submitted to the commission for approval before a permit may be issued. Application for permit to display signs in the historic district shall be made to the commission upon forms furnished by the commission. Such an application shall be accompanied by sketches and drawings showing details of construction and shall delineate the size, shape, design, coloring, lighting, and position in relationship to the building from or upon which it shall be displayed.

a. *Sidewalk Display Items:* Sidewalk display items are acceptable in consideration of the following:

1. The items are neatly and professionally displayed against the front wall of the building.
2. The total sum of the display items does not encompass more than 10% of the sidewalk square footage in relationship to the building front footage. *For example: Should the building frontage measure 30' in length and the sidewalk is 5' wide, the sidewalk displays may not encompass greater than 15 total square feet.*
3. The display items do not encumber public sidewalk foot traffic.
4. The items are removed from store front prior to closing of establishment at end of business day.
5. Exemptions are weekend pop-up display sale items as sanctioned by the St. Martinville Main Street Association and any approved vendor displays during permitted city celebrations or festivals.

a. *Store Front Window and Sidewalk Maintenance Within the Historic District:*

1. Windows in the historic district will be cleaned on a regular basis, disallowing visible dust or dirt to accumulate.
2. Vacant buildings with applied paper covering will maintain covering in orderly fashion and ensure that outside of windows are cleaned on a regular basis, disallowing visible dust or dirt to accumulate.
3. Any broken windows visible to the public view will be replaced with actual glass. Plexiglass, plywood, and any other alternate replacement material is not acceptable, except in the case of awaiting arrival of replacement glass.
4. Sidewalks will be cleaned on a regular basis, with any accumulated rubbish or trash removed by the owner.

a. ***Deteriorated, Peeling Paint Within the Historic District:***

1. Structures, buildings, and facades within the historic district will be cleaned on regular basis and maintained free of vegetation, vines, etc.
2. Any structure, building, or façade within the historic district with peeling paint or deteriorated paint will be cleaned and painted with colors within the historic paint color palette available from the paint supplier.

a. *Accumulated Trash, Rubbish, Discarded Items*

1. Sidewalks, alleys, and back properties in the historic district will be maintained by property owners free of rubbish, garbage, and accumulated discarded items.
2. Rubbish, garbage, or any accumulated items that clearly have no value will be removed at the property owners' expense and properly disposed.
3. During building maintenance, construction, or reconstruction, any discarded wood, nails, screws, accumulated sawdust, and empty cans/containers will be placed in an approved dumpster and the work site left in a clean and orderly fashion prior to discontinuing of work for the day. Storage of building materials will be maintained in clean and orderly fashion outside of public view and will not encumber sidewalk space.
4. All maintenance, construction, or reconstruction activities will adhere to city building and safety code regulations.

a. *Maintaining Properly Lines and Lots Within the Historic District*

1. Property lines and green areas within the historic area will be maintained in clean and orderly fashion, with grass cutting and landscape maintenance performed on a regular basis.
2. Any maintenance on shared property lines will be agreed upon by both adjacent property owners. If one property owner has attempted to contact the adjacent property owner to perform maintenance and has not received response, the property owner may contact the commission for assistance in procuring such response.

a. *Louisiana Nuisance Law*

1. Under the guidelines of the Louisiana Nuisance Law, no businesses or private enterprises will operate in the St. Martinville Historic District, or maintain properties in a manner that:
  - a. Interfere with private neighbors enjoying their property or conducting in the manner by which it was intended.
  - b. Changes the rhythm of the historic district.
  - c. Results in a reduction in value of adjacent properties.
  - d. Interferes with the ability of neighboring businesses to conduct daily activities.
  - e. Degrades the quintessential nature or value of the St. Martinville historic district.

Section 10.5-11. **Ordinary Maintenance and Public Safety.**

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

Section 10.5-12. **Appeals, Injunctions, and Penalties.**

a. *Appeals:* Any person or person aggrieved by any decision, act, or proceeding of the St. Martinville Historic District Regulatory Commission shall have the right to appeal, in the form of a written letter to the St. Martinville City Council and will be voted upon by the city council at its next general meeting, not to exceed 45 days from the original appeal date. Should a decision not be granted within the 45 days from the original appeal date, the appeal will be granted by default. Any person or persons aggrieved by any decision of the City Council affecting said St. Martinville Historic District Commission shall have the right to file a civil suit within thirty days from date of decision in a court of competent jurisdiction under the usual rules of procedure governing same, with the right to stay order and injunctive relief provided the situation warrants.

b. *Penalties:* Once provided notification by the commission, and allowed a reasonable time by which to correct the violation, any owner, agent, lessee or other person who shall continue to violate the provisions of this article or the rules, regulations, or decisions of the commission will be fined not less than \$50.00 nor more than \$100.00 for each infraction except as provided for in section defining "Demolition By Neglect", with each day that a violation continues constituting a separate offense. Should a historic structure be demolished without the permission of the St. Martinville Historic Commission, fines will range from a minimum of \$1,000.00 to a maximum of \$10,000.00.

c. *Appeals To Avoid Penalties:* During any periods of appeal, violation penalties will continue to accumulate. Should the appeal be granted, all penalties will be reversed, and the appellant will be notified of such by commission written correspondence. Should the appeal be dismissed by the city council, aggregate penalties from the date of appeal will be applied and continue until which time violations or infractions are resolved.

d. *Payment of Fines and Penalties:* Fines and penalties will be paid to the City of St. Martinville as directed on penalty documents. Failure to pay fines or penalties within 30 days of receipt will result in the aggregate sum of said fines to be added to and will become a legally binding portion of the property taxes associated with the property, structure, or building deemed to be in violation.

The foregoing Ordinance was offered by \_\_\_\_\_, duly seconded by \_\_\_\_\_, and upon being submitted to a vote, the vote was :

Yeas:

Nays: None

Absent: None

The Ordinance was thereon declared adopted on the 19th day of December, 2022.

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JASON WILLIS, Mayor



Blair Boudreaux was previously granted until October 1, 2022 to remove the vehicles, trailers and campers she owns from City Property located on the corner of RR Ave and Columbus Street. This deadline was not met and Ms. Boudreaux is having problems obtaining necessary permits and contractors to relocate campers; therefore, it was moved by Carol Frederick to extend deadline to January 13<sup>th</sup> to remove everything from said property.

A substitute motion was made by Mike Fuselier to allow Ms. Boudreaux until the end of January to remove everything from said property.

A substitute motion was made by Flo Chatman duly seconded by Jonas Fontenette to allow Ms. Boudreaux 60 days to remove the vehicles, trailers and campers she owns from City Property located on the corner of RR Ave and Columbus Street. If deadline is not met, the City will proceed with moving everything at the expense of Ms. Boudreaux.

Ms. Chatman's motion being submitted to a vote, the vote thereon was:

Yeas: M.Fuselier, J.Fontenette, J.Anthony and F.Chatman

Nays: C. Frederick

Absent: None

RESOLUTION AUTHORIZING MAYOR TO SIGN PURCHASE AGREEMENT  
FOR URGENT CARE FACILITY LOCATION

*A Resolution by the City Council of the City of St. Martinville Authorizing a  
Purchase Agreement for an urgent care facility*

WHEREAS, the City of St. Martinville owns a building and parking lot donated to the City by Walmart, located on Main Street in the City of St. Martinville; and

WHEREAS, City of St. Martinville proposes to sell a portion of the said property, 0.60 acres, more or less, in size, to Hutton ST21 LLC, or assigns, for the sum of \$150,000, on such conditions as are contained in said agreement, and

THEREFORE BE IT RESOLVED, that the City of St. Martinville enter into, and the Mayor is authorized and directed to sign, a Purchase Agreement with Hutton ST 21 LLC. or their assigns, granting to them the right to purchase 0.60 acres, more or less, of the old Walmart parking lot located on Main Street in the City of St. Martinville, according to the terms and conditions of said agreement, a multiple original of which shall be attached hereto.

The foregoing Resolution was offered by Mike Fuselier, duly seconded by Carol Frederick, and upon being submitted to a vote, the vote was:

Yeas: M.Fuselier, C.Frederick, J.Fontenette, J.Anthony and F.Chatman

Nays: None.

Absent: None

The Resolution above was thereon declared adopted on the 19<sup>th</sup> day of December, 2022.

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JASON WILLIS, Mayor

ORDINANCE NO. 22-14

AN ORDINANCE GRANTING CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY LOUISIANA GAS, THE RIGHT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN FACILITIES FOR THE TRANSPORTATION, DISTRIBUTION AND SALE OF GAS IN THE MUNICIPALITY AND, FOR SUCH PURPOSES, TO USE AND EXCAVATE IN THE PUBLIC HIGHWAYS, STREETS, SIDEWALKS, ALLEYS, SQUARES, COMMONS, GROUNDS, AND OTHER PUBLICLY OWNED AREAS AND LEVYING A FRANCHISE (PRIVILEGE) TAX FOR THAT PURPOSE.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ST. MARTINVILLE, LOUISIANA:

CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Louisiana Gas, its successors and assigns, hereinafter called "Grantee," is hereby granted the right to construct, install, operate and maintain in this municipality, as now and hereafter constituted, pipelines and related facilities for the transportation, distribution and sale of gas ("Facilities") and for such purposes to use, and excavate in, the public highways, bridges, streets, sidewalks, alleys, squares, commons, grounds and other publicly owned areas ("Public Rights-of-Way") for a period of twenty-five (25) years. Grantee will apply for permits with the City Permits Director for all work to be performed, and permits will be issued promptly and without fees, except those cases in which the work for which Grantee seeks a permit will conflict and impair work by the City at the same location which is either ongoing or scheduled to occur at the same time. The term shall automatically renew for one-year periods unless either party gives notice of termination at least ninety (90) days prior to the expiration of the then-current term; provided, however, that the term shall not exceed a total of sixty (60) years from the effective date of this franchise.

Grantee's facilities shall be installed and operated in a workmanlike manner, and this Municipality shall be held harmless from any damages caused by Grantee's employees in the course of their employment. Grantee shall tunnel beneath paved streets, sidewalks, and alleys wherever practical in laying and replacing mains. Grantee shall refill its excavations and restore sidewalks and pavements promptly and in a workmanlike manner, and if this is not done within a reasonable time then it may be done by the Municipality at Grantee's expense. Grantee's lines shall be laid so as not to interfere with the present sewer and/or water system, and if a new sewer and/or water line crosses Grantee's pipeline at the same level, then this Municipality may, if Grantee has not done so after reasonable notice, raise or lower Grantee's line at Grantee's expense but only under Grantee's supervision. However, if any relocation of Grantee's pipelines and/or related facilities is required as a result of any project of the United States federal government or any project financed in whole or in part by the United States federal government, then the Municipality shall pay Grantee the costs and expenses incurred by Grantee in relocating Grantee's pipelines and/or related facilities up to but not greater than the total finances provided in connection with any such project by the United States federal government.

This Municipality may inspect Grantee's construction work at any time or have said work inspected by a qualified engineer.

The point of delivery of gas to the consumer shall be at the inlet to the consumer's meter, and service pipe and facilities necessary to safely receive and utilize the gas at and beyond that point of delivery shall be furnished and maintained by the consumer, except that Grantee shall furnish and connect the gas meter. Title to all equipment installed by Grantee shall remain in Grantee, and Grantee shall have the unqualified right to use, extend, repair, replace, change, abandon or remove facilities installed under the authority of this grant or any other facilities as it may determine to be necessary or desirable from time to time in the conduct of its business. Grantee will not be obligated to commence, extend or continue any particular gas service by means of facilities installed under the authority of this grant or any other facilities except as Grantee may determine the prudent management and use of its present and future gas supply and facilities to permit and in accordance with Grantee's applicable rates, rules, regulations, policies and procedures, including curtailment procedures, as the same may exist and be changed from time to time. Grantee may promulgate and enforce reasonable rules, regulations and requirements

governing the sale, delivery, receipt and use of gas furnished by Grantee and the commencement and discontinuance of gas service.

Grantee's rates currently effective in this Municipality for gas service shall continue in effect until raised or lowered in the manner provided by law.

In consideration of this grant, beginning on the date Grantee files its written acceptance of this ordinance and thereafter for as long as this ordinance remains in effect in accordance with its terms, Grantee shall pay to the City of St. Martinville four percent (4%) of Grantee's gross receipts from gas sales to residential and commercial customers located inside the city limits. Amounts due hereunder shall be computed quarterly for periods ending March 31, June 30, September 30, and December 31, and payments shall be made within thirty (30) days after the expiration of the quarter with respect to which payment is due.

This franchise ordinance will not be effective unless it is accepted by Grantee by written notice delivered or mailed to the Mayor within 90 days after the date of its passage and publication as required by law.

Nothing contained in this Franchise shall ever be construed as conferring upon the Grantee any exclusive rights or privileges of any nature whatsoever.

The provisions hereof are intended to be separate and severable, and the holding of any portion hereof to be invalid shall not affect the other portions.

The foregoing Ordinance was offered by Mike Fuselier, duly seconded by Flo Chatman, and upon being submitted to a vote, the vote was:

Yeas: M.Fuselier, C.Formeller, J.Fontenette, J.Anthony, and F.Chatman

Nays: None

Absent: None

The Ordinance was thereon declared adopted on the 19th day of December 2022.

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JASON WILLIS, Mayor

There being no further business to come before the Mayor and City Council, Mayor Willis adjourned the meeting upon motion of Jonas Fontenette duly seconded by Janise Anthony.

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JASON WILLIS, MAYOR

ATTEST:

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LORRIE M POIRIER, CLERK  
EXECUTIVE ASSISTANT