

CITY OF ST. GEORGE

BY COUNCIL MEMBER MURRELL:

PROPOSED ORDINANCE NO. 2025-042

TO PROHIBIT PUBLIC DISPLAY OF MATERIAL DEFINED AS OBSCENE OR APPEALING TO THE PRURIENT INTERESTS AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, the St. George City Council seeks to promote the health, safety, morals, and general welfare of its residents, including protecting minors from exposure to harmful material and preserving the community's aesthetic character;

WHEREAS, the St. George City Council has determined that billboards and signage directing the public to obscene or prurient material, including via QR codes or digital links, contribute to the erosion of community standards and harm minors, and create secondary effects such as increased crime, blight, and reduced property values, contribute to visual blight; and

WHEREAS, St. George City Council is empowered under the Lawrason Act (La. R.S. 33:401 et seq.), the Louisiana Constitution, and federal law to regulate signage in a manner consistent with state and federal constitutional protections and state statutes, including, La. R.S. 14:91.11 and La. R.S. 14:106;

NOW, THEREFORE, the City of St. George hereby enacts the following:

Sec. 1. Purpose.

The City of St. George finds that signage and billboards displaying or linking to obscene content appealing to the prurient interests, as defined by law, or coding to access sites which display such materials, undermine community standards, contribute to visual blight, and may be harmful to the health, safety, and welfare of residents, including minors. This Ordinance is intended to regulate such signage in a manner consistent with state law and state and federal constitutional protections.

Sec. 2. Definitions.

As used in this Ordinance, the following terms have the meanings ascribed to them in this Section unless the context clearly indicates otherwise:

1. **Advertisement:** Any message, image, or mechanism on a billboard that promotes, describes, or facilitates access to material, goods, or services.
2. **Billboard:** a type of sign, generally, but not limited to, a rigidly assembled sign, display, or device, usually freestanding, that is affixed to the ground or to a building, the primary purpose of which is to display advertising posters, including static and digital formats, visible from any public street, right-of-way, or adjacent private property.

3. **Digital Link:** Any QR code, hyperlink, phone number, URL, or similar technology embedded in a billboard that connects to material accessible via electronic device.
4. **Obscene Material:** Material that appeals to prurient interests, is patently offensive, and lacks serious literary, artistic, political, or scientific value, as set forth in Louisiana Revised Statutes 14:106.
5. **Prurient interests:** Abnormal, unhealthy, shameful, or morbid interest in sex, nudity, or excretion, as defined by the U.S. Supreme Court in *Miller v. California*, 413 U.S. 15 (1973), when the material:
 - A. Appeals to the prurient interest, applying contemporary community standards;
 - B. Depicts or describes sexual conduct in a patently offensive way; and
 - C. Lacks serious literary, artistic, political, or scientific value.
6. **Signage:** Any structure, device, placard, poster, graphic, or visual representation, whether temporary or permanent, that:
 - A. Conveys a message, advertisement, or image (commercial or non-commercial);
 - B. Is visible to the public from any street, sidewalk, park, or private property; and
 - C. Includes but is not limited to:
 - i. Posters, banners, and murals;
 - ii. Electronic or digital displays;
 - iii. Projected images or lighting; and
 - iv. Vehicle-mounted signs used primarily for advertising.

Sec. 3. Prohibition.

No person, firm, corporation, or entity shall erect, construct, maintain, or display any billboard or signage containing, depicting, or providing a digital link to obscene material which the average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest and which lacks serious literary, artistic, political, or scientific value.

Sec. 4. Exemptions.

This Ordinance shall not apply to:

1. Materials displayed in bookstores, theaters, or galleries where access is legally restricted to adults;
2. Government-sponsored educational or health-related materials; or
3. Signs located entirely within private property and not visible from public rights-of-way.

Sec. 5. Enforcement And Penalties.

Any sign in violation of this Ordinance may be ordered removed by the City of St. George, with notice provided to the property owner and sign owner, if different.

1. Each day a prohibited sign remains in violation shall constitute a separate offense.
2. Violators may be fined up to \$500 per offense per day and may be subject to injunctive relief or other remedies as provided by law.

Sec. 6. Severability. If any provision or section of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of the remaining provisions.

Sec. 7. Effective Date. This Ordinance shall become effective upon publication.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

Ayes: Cook, Delucci, Edmonds, Himmel, Monachello, Murrell, Talbot

Nays: None

Absent: None

Introduced on August 12, 2025 and voted on August 26, 2025.



Lorraine Beaman, City Clerk

Delivered to Mayor on August 29, 2025.



Lorraine Beaman, City Clerk

Approved:



Dustin Yates, Mayor

Received from Mayor on Sept 2, 2025

Ordinance published in The Advocate on the 9th day of Sept, 2025