

(Ord. 2990, 03-02-2019)

16-4-6.15 Temporary Signs

A) Purpose and Findings.

The Governing Body enacts this Ordinance to establish reasonable, narrowly tailored regulations for the posting of Temporary signs on public and private property. Temporary Signs left completely unregulated, can become a threat to public safety as a traffic hazard, and a detriment to property values as an aesthetic nuisance. By implementing these regulations, the City intends to:

- 1) Balance the rights of individuals to convey their messages through temporary signs and the right of the public to be protected against the unrestricted proliferation of signs;
- 2) Further the objectives of the City's comprehensive plan;
- 3) Protect the public health, safety and welfare;
- 4) Reduce traffic and pedestrian hazards;
- 5) Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
- 6) Promote economic development; and
- 7) Ensure the fair and consistent enforcement of the temporary sign regulations.

This ordinance is not intended to, and should not be read to include, content based regulations. If for any reason any portion or part of this Ordinance set out in this Section, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Section.

B) Regulations.

Temporary signs, as defined in Article 9, may be posted on property in all Zoning Districts of the City, subject to the following requirements:

- 1) The total square footage for temporary signs on any lot in any district, in the aggregate, shall not exceed forty-eight (48) square feet, with no individual sign exceeding sixteen (16) square feet. The total square footage of a sign is measured to include all of the visible display area of only one side of the sign and only the area of one side of a double-sided sign is included in the aggregate calculation.
- 2) Signs shall not exceed five (5) feet in height measured from the average grade at the base of the sign.
- 3) No sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.
- 4) No sign shall be illuminated or painted with light reflecting paint.
- 5) A sign shall only be posted with the consent of the property owner or occupant. Signs posted in the public right of way may only be posted with the permission of the person or

entity that has a duty to maintain such section of the right of way. Provided further, no temporary sign shall be placed closer than 5 feet to edge of the pavement or curb of the street.

- 6) All temporary signs must be maintained in a state of good repair.
- C) Removal or Replacement of Temporary Signs:
- 1) The person who has posted or directed the posting of the sign is responsible for the removal or replacement of that sign.
 - 2) If that person does not remove or replace the sign in accordance with these regulations, then the property owner or occupant of the building or lot where the sign is posted is responsible for the sign's removal or replacement.
- D) Obscene Materials.

Obscene signs, flags, banners, or any sign of any type are prohibited. "Obscene" is defined as any material that (1) whether the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest; (2) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and (3) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

(Ord. 2448, 06-29-2010)

16-4-7 LANDSCAPING AND SCREENING REQUIREMENTS

16-4-7.1 Landscaping and Screening

- A) **Intent.** The landscaping and screening requirements of this Ordinance are intended to promote attractive and quality development within the City. These provisions are intended to improve the appearance of developed and preserved site areas, paved areas and buildings, give maximum absorption of surface water and provide shade. It is also intended by these provisions to preserve and enhance property values by ensuring that yards, open spaces, parking lots and those land areas abutting public right-of-ways are designed, installed and maintained in accordance with the provisions of this Ordinance. Property development shall consider and respect land capabilities and constraints, minimize erosion and destruction of natural amenities and provide a buffer between differing land uses.
- B) **Scope.** The provisions of this section shall apply to all new construction including, but not limited to, structures, dwellings, buildings, parking lots, residential subdivisions, office parks, shopping centers, and to redevelopment for which development plan approval is required. The Agricultural District shall be exempt from this section.

16-4-7.2 Landscaping Requirements – Single Family Residential

Single family and two family dwellings shall provide and maintain a minimum of thirty percent (30%) of lot area as a permeable and uncovered surface that contains living material. Single family and two family dwellings shall be exempt from all other requirements of this Ordinance except for Plant Material and