

## ORDINANCE NO. 2477NS

### AN ORDINANCE RELATING TO NON-ACCESSORY SIGNS AMENDING SECTION 3-216 OF THE SHAWNEE MUNICIPAL CODE, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

**WHEREAS**, a moratorium was approved on August 20, 2001 and reaffirmed on October 21, 2002 by the Shawnee City Commission that has prevented the City of Shawnee from issuing permits for non-accessory signs pursuant to Section 3-216; and

**WHEREAS**, moratoriums should be short in duration and the City of Shawnee must now take action to clarify code provisions relating to non-accessory signs; and

**WHEREAS**, the Shawnee Planning Commission held public hearings on January 4, 2012 and March 7, 2012 to accept public testimony and consider standards contained in Section 3-216 and voted favorably to repeal such and permanently prohibit non-accessory signs; and

**WHEREAS**, the Shawnee City Commission held public hearings on January 17, 2012 and March 19, 2012 to accept public testimony and consider provisions found in Section 3-216 and it is their desire to effectuate code changes to the effect stated herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA:**

**SECTION 1: AMENDATORY.** Section 3-216 is hereby deleted in its entirety and shall be replaced by the following:

Section 3-216. Billboards and non-accessory sign standards.

A. General:

1. Non-accessory (off-premise) signs may only be established on property zoned A-1, C-3, C-5, CP, I-1, I-2, and I-3.
2. New non-accessory signs shall only be located along four lane highways or along a portion of a highway that contains four lanes.
3. All new non-accessory signs shall be mono pole construction only.
4. All signs shall be maintained in good and safe condition. The painted portions shall be periodically repainted and kept in good condition.
5. The general area of the sign shall be kept free and clear of sign material, weeds, debris, and trash and other refuse.
6. Permits shall be required for all signs and material change or alterations to existing signs or structure, except for message change.

B. Setbacks and dimensional standards:

1. Sign placement shall be allowed no closer than 50 feet from all property lines, but shall be within six hundred and sixty (660) feet from the edge of the right-of-way.
2. No sign shall be erected closer than one thousand (1,000) feet to another non-accessory sign.
3. Signs shall be located a minimum of five hundred (500) feet from any residential zoned property which shall be measured from the base of the pole to the property line of the residentially zoned property.
4. No sign shall be erected closer than three hundred (300) feet from a City park.
5. No sign shall be erected closer than three hundred (300) feet from structures or sites listed on the National Register of Historic Places.
6. Signs located within six hundred and sixty (660) feet of the nearest edge of the right-of-way of a State or Federal highway shall be required to obtain a permit from the Oklahoma Department of Transportation in conformance with Title 69, Article 12 of Oklahoma Statutes.

7. The square footage of any non-accessory sign shall not exceed 250 square feet which shall include the frame and/or border.
  8. Back-to-back signs are allowed with only one side used to calculate total square footage (no penalty).
  9. Stacked or side-by-side signs are not allowed.
- C. Exterior lighting. The lighting of new or relighting of existing billboards and signs shall require a Building Permit, which shall be granted subject to the following requirements:
1. Signs may have direct or indirect illumination, however, internally lit and LED signs shall not be permitted.
  2. Flashing, intermittent or moving light or lights are prohibited except for time, temperature and date signs.
  3. No sign shall be illuminated so that it interferes with the effectiveness of, or obscures an official traffic sign, device or signal; nether shall it be permitted to have beams or rays directed at any portion of the travelled ways and be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
  4. Externally illuminated billboards and signs shall have fixtures mounted at the top of the billboard or sign and aimed downward. The fixtures shall be designed, fitted and aimed to shield the source from off-site view and to place the light output onto and not beyond the sign or billboard. Lighting shall be by linear fluorescent. At no point on the face of the sign or billboard and at no time shall the illumination exceed 30-vertical foot candles during hours of darkness.
  5. Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons, searchlights or strobe lighting shall not be permitted.
  6. The use of highly reflective signage that creates nuisance glare or a safety hazard shall not be permitted.


**SECTION 2: SEVERABILITY.** The provisions of this ordinance are severable, and if any sentence, provision or other part of this Ordinance shall be held invalid, the decision of the courts so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

**SECTION 3: EMERGENCY.** It being necessary for the protection of the public health, safety and welfare, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this 16<sup>th</sup> day of April, 2012.



  
LINDA PETERSON, MAYOR

  
PHYLLIS LOFTIS, CMC, CITY CLERK