

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE IV, CHAPTER 403 SIGN REGULATIONS OF THE MUNICIPAL CODE BY AMENDING SIGN DEFINITIONS, SIGNS PERMITTED IN DISTRICT “C-2, ADDITIONAL REGULATIONS AND TOTAL EXEMPTIONS SECTIONS

WHEREAS, at its meeting on April 29, 2024, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri (the "Commission") conducted a public hearing wherein it considered and reviewed amendments to the Sign Regulations of the Municipal Code by amending Sign Definitions, Signs Permitted in District “C-2”, Additional Regulations and Total Exemptions Sections; and

WHEREAS, the Commission approved the proposed amendment at its regular meeting on April 29, 2024, and recommended approval of the amendments to the City Council; and

WHEREAS, the proposed amendment will promote the development, rehabilitation, restoration, and preservation of property in the City and the educational, cultural, economic, health, safety and general welfare of the City.

WHEREAS, the City Council of the City of Excelsior Springs, Missouri has determined that the Municipal Code of the City should be revised as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Excelsior Springs, Missouri, as follows:

Section 1. Chapter 403: Sign Regulations of the Municipal Code is hereby amended by amending Sign Definitions, Signs Permitted in District “C-2”, Additional Regulations and Total Exemptions Sections, as attached in Exhibit A.

Section 2. Should any provision hereof for any reason be deemed or ruled illegal, invalid or unconstitutional by any court of competent jurisdiction, no other provision of this Ordinance shall be affected; and this Ordinance shall then be construed and enforced as if such illegal or invalid or unconstitutional provision had not been contained herein.

Section 3. The Mayor, the City Manager, the City Clerk and other appropriate City officials are hereby authorized to take any and all actions as may be deemed necessary or convenient to carry out and comply with the intent of this Ordinance and to execute and deliver for and on behalf of the City all certificates, instruments, agreements and other documents, as may be necessary or convenient to perform all matters herein authorized.

Section 4. This Ordinance overrides any conflicting provision or regulation with the Municipal Code of the City of Excelsior Springs, Missouri.

Section 5, This Ordinance shall be in full force and effect from and after its passage and approval.

INTRODUCED IN WRITING, read by title two times, passed and approved the _____ day of _____, 2024.

ATTEST:

Mark D. Spohn, Mayor

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager

EXHIBIT A

Chapter 403 Sign Regulations

Section 403.020 **Definitions**

Sign

Amend Par. 2.c. Attention Attracting Device. Any flasher, blinker, animation, **banner**, animal or human replica, or other object designated or intended to attract the attention of the public to an establishment or to a sign. Any illuminated sign on which the artificial light is not constant in intensity and color at all times. For the purpose of this regulation, any revolving, rotating, moving, animated sign with moving lights or signs which create the illusion of movement shall be considered flashing signs. Electronic message centers are not considered attention attracting devices for the purposes of this section. **Feather Signs are not considered attention attracting devices for the purposes of this section.**

Amend Par. 5 by adding: **f. Sandwich Board. A framed sign consisting of two (2) faces, hinged together at one end that is self-supported, easily moved, and not affixed to a building, base structure, or the ground. Sandwich Board signs may not exceed six (6) square feet in total sign area and may not exceed three (3) feet in height.**

Amend Par. 5 by adding: **g. Feather Sign. A generally narrow vertical temporary sign made of flexible material with or without copy where the sign is mounted onto a pole or individual mounting device with the intent of utilizing natural or man-made air movement. Feather Signs may not exceed twenty-five (25) square feet in total sign area and may not exceed twelve (12) feet in height.**

Amend Par. 5 by adding: **h. Banners. A sign composed of light weight material without framing, either attached to a building, pole or free-standing in a non-permanent setting.**

Section 403.080 **District “C-2” General Business District – Signs Permitted.**

Add new **Par. A.7. Central Business District**

In addition to other signs permitted, within the Central Business District as defined in Section 400.280 Par. H, one Sandwich Board located on-site or on the public sidewalk, under the following standards:

1. Sandwich Board may not exceed six (6) square feet in total sign area and may not exceed three (3) feet in height.
2. Sandwich Board may be located on the public sidewalk only so that it does not impede reasonable pedestrian and disability access and located not less than one (1) foot from the public street curb.
3. No sign permit shall be required for Sandwich Boards.

The one Sandwich board is in addition to the total number of signs permitted in District “C-2” as described above in Paragraphs A.1-6 inclusive.

Within the Central Business District as defined in Section 400.280 Par. H, feather signs are not permitted.

Section 403.120. **Additional Regulations.**

Par. D. Temporary Signs

Amend Par. D.2. Number And Timing. **A maximum of eight (8) temporary sign permits for fifteen (15) days each may be issued for the same business, upon property owner approval, at the same location per calendar year. Temporary sign permits may be issued to run consecutively. Up to five (5) temporary signs may be included under one temporary sign permit. Major and minor shopping centers may be allowed up to two (2) temporary sign**

permits at any one time. Each temporary sign application shall be accompanied by a permit fee as specified in the Schedule of Fees, Title I, Appendix A. All temporary signs shall be removed at the end of the day's business on the day such permit expires. Additional temporary sign permits shall not be issued for the same business at the same location within fourteen (14) days following the expiration of a previously issued temporary sign permit. Failure to comply with any specification, regulation, or control placed on a temporary sign permit set for by the office of the Building Official will immediately void said permit.

Amend Par. D.3. Types. a. Banners; b. Non-projecting wall signs; c. Secured ground signs; d. Sandwich boards; ~~e. Portable and wheeled signs;~~ ~~and e f.~~ Inflatable devices; ~~and f g.~~ Feather signs

Amend Section 403.130 **Total Exemptions.** Par. B. Exemptions From Sign Permit. 5. ~~Temporary signs to include garage sale signs, banners, and changeable copy signs.~~