

# Article 19

## Sign Regulations

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### 19.100 Intent and Purpose

1. It is the intent and purpose of this section to establish minimum standards to insure traffic safety, to protect neighborhood aesthetics, to insure public safety, and to protect property values.
2. Prior to installing a sign along US-24 or K-63 Highways, one should be familiar with K.S.A 68-2231 through 68-2244, Highway advertising control: sign standards.
3. Prior to changing this article, future commissions are advised to research U.S. Supreme Court rulings on sign regulations.

### 19.101 Prohibited Signs

Prohibited signs include:

1. Private signs located on any public property or on any public easement, including signs located in the right of way along K-63 or US 24 as described in K.S.A. 68-422. Prohibited signs located on public property may be removed by the City of St. Marys. An attempt to contact the owner of the sign will be made prior to removal. If the owner of the sign cannot be contacted or there is no response from the owner in a timely manner, the sign may be removed and destroyed by the City of St. Marys.
2. A sign that displays patently indecent or obscene matter.
3. Any sign which blocks the clear vision or sight triangle of an intersection and any sign which blocks traffic signs.

### 19.102 Sign Permits

1. All signs which exceed the height, size, location, and time restrictions in this article require a permit. It shall be unlawful for any person to erect, construct, alter, relocate, or convert any sign or advertising device (as described in this section) in such a way as to exceed the restrictions in this article without first obtaining a sign permit.

2. An application for a sign permit shall be made on forms provided by the Zoning Administrator and submitted to the Zoning Administrator. The Zoning Administrator must review the application and respond to the applicant with his decision within five working days of the submission of a completed application. The applicant shall provide the following information, as applicable to the sign installation, on two sets of plans drawn to an appropriate scale:
  - a) Sign location on the property or structure.
  - b) The size and type of sign. If the sign exceeds the size restrictions, the Zoning Administrator may require a sight plan.
  - c) The design of the sign and its structural support.
  - d) The materials to be used in the construction and support of the sign.
  - e) The method of sign illumination.
  - f) Such other information, consistent with the requirements of this UDC, as may be required by the Zoning Administrator to determine compliance with the UDC.
3. The application may be approved or denied by the Zoning Administrator.

### **19.103 Construction Methods and Materials**

1. All signs must be maintained in good and safe structural condition and must be constructed to acceptable engineering standards.
2. Signs must be constructed from materials commonly used for sign making such as wood, metal, masonry materials, plastic, and other similar materials. Signs that are not made from acceptable materials and are determined to be aesthetically unacceptable are not allowed and will be treated as an abandoned or unsafe sign as seen in Section 19.105.

### **19.104 Size and Height Limitations**

1. In all Residential districts, signs may be 15 square feet or less.
2. In all Commercial and Industrial districts that are not located on Highway 63 or U.S. 24, signs may be 80 square feet or less.
3. In Commercial and Industrial districts located on Highway 63 or U.S. 24, the size of signs allowed varies as follows.
  - a) Signs located along US-24 West of Maple Hill Road and East of 10<sup>th</sup> Street, and along K-63 South of the city limit, may be up to 100 square feet in size.
  - b) Signs located along US-24 East of Maple Hill Road and West of 10<sup>th</sup> Street, and along K-63 North of the city limit, may be up to 200 square feet in size. Billboard type signs, such as those commonly seen along highways, are allowed in these areas subject to K.S.A 68-2231 through 68-2244.

4. Signs may be as tall as the permitted building height allowed in the district in which it is located, except in Residential areas, where signs may be up to 6 feet tall. The Residential exception is for aesthetic purposes.

### **19.105 Abandoned or Unsafe Signs**

1. If the Zoning Administrator, in conjunction with the Utility Supervisor, finds that any sign or advertising device is unsafe, or a menace to the public, they shall notify the property owner in writing. If the sign is not repaired or removed within five days (unless an appeal has been made to the Board of Zoning Appeals), such device shall be removed and the costs assessed to the owner of the property. Uncollected removal costs shall be assessed with the property taxes.
2. The property owner may appeal to the Board of Zoning Appeals if a sign is deemed unsafe or a menace. If the BZA votes in his favor, he may keep the sign. If the BZA does not vote in the property owner's favor, the sign must be repaired or removed as stated in Section 19.103.1.

### **19.106 Temporary Signs – Special Regulations**

Temporary signs such as special event signs, garage sale signs, bake sale signs, and signs similar in nature are allowed on Private Property subject to the following regulations.

1. Temporary sign(s) may be placed at curb side except when located in along a Highway 63 or U.S. 24.
2. Temporary signs located along Highway K-63 or U.S. 24 right of way shall be placed behind the sidewalk that parallels the highway. If no side walk exists the sign shall be placed outside of the highway right of way or in a storefront window.
3. Signs announcing a special event may be allowed for a period of one month.
4. Garage sale signs, bake sale signs, and signs similar in nature should be posted for public display no longer than 5 days.