

ORDINANCE NO. 1405

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV, LAND USAGE; CHAPTER 152, SIGNS AMENDING DEFINITIONS, REMOVING SPEECH SPECIFIC SUBJECT MATTER AND ESTABLISHING UNIFORM SIZE, HEIGHT AND DURATION REQUIREMENTS FOR ALL SIGNS REGARDLESS OF CONTENT.

BE IT ORDAINED by the Governing Body of the City of Vermillion, South Dakota that the following sections of Chapter 152 shall be deleted as follows:

§ 152.02 DEFINITIONS. (removing the following definitions)

~~COMMERCIAL MESSAGE. Any sign, wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, sale or sales event or other commercial activity.~~

~~POLITICAL SIGN. A temporary sign such as a poster card or lawn sign identifying a candidate or issue to be voted for or upon on a definite election day.~~

~~RESIDENTIAL SIGN. Any sign located in a district zoned for residential uses that contains no commercial message except advertising for services legally offered on the premises where the sign is located.~~

~~TEMPORARY SIGN. Any sign that is used for varying periods of time and may be mounted on or below grade.~~

§ 152.04 SIGNS EXEMPT FROM DIVISION REGULATIONS.

~~(A) Real estate signs. Signs advertising the sale, rental, or lease of the premises or part of the premises on which the signs are displayed. One non-illuminated sign, not to exceed 6 square feet in residential districts and 32 square feet in commercial or industrial districts, shall be permitted. The signs shall not extend higher than 3 feet above grade level in residential districts or 12 feet above ground in commercial or industrial districts or closer than 3 feet from any property line unless located on the wall of a building. The signs shall not be located in any public right-of-way and must be removed within 1 week after the disposition of the premises. However, multi-family residential structures containing 12 or more dwelling units per structure are allowed 1 sign not exceeding 32 square feet.~~

~~—(B)— Construction signs. Signs identifying the architect, engineer, contractor or other individuals involved in the construction of a building and signs announcing the character of the building enterprise or the purpose for which the building is intended but not including product advertising. One non-illuminated sign not to exceed 50 square feet shall be permitted per street frontage. The sign shall not extend higher than 10 feet above grade level and meet the front yard requirement for a principal structure unless located on the wall of a building on the premises or~~

~~on a protective barricade surrounding the construction. The signs shall not be located in any public right-of-way and must be removed within 1 week following completion of construction and/or occupancy of the building.~~

~~(C) Political campaign signs. Signs announcing candidates seeking public political office or pertinent political issues. Non-illuminated signs, not exceeding 6 square feet in residential districts and 32 square feet in commercial or industrial districts, shall be permitted. The signs shall not extend higher than 3 feet above grade level in residential districts or 12 feet above ground in commercial or industrial districts or closer than 3 feet from any property line unless located on the wall of a building. The signs shall be confined to private property and shall signs may be displayed only for a period of 60 days preceding the date of the election and shall be removed within 1 week after the election to which they pertain.~~

~~(J) Residential Signs. Residential Signs under 2 square feet in size.~~

BE IT ORDAINED by the Governing Body of the City of Vermillion, South Dakota that the following sections of Chapter 152 shall be added as follows:

§ 152.02 DEFINITIONS (adding the following definitions)

COMMERCIAL SIGN. Any sign, permitted by the code, located in a district zoned for Commercial or Industrial uses.

HOME OCCUPATION SIGN. Any sign located in a district zoned for residential uses that advertises for services legally offered on the premises where the sign is located. The sign shall not be illuminated or more than one (1) square foot in area.

RESIDENTIAL SIGN. Any sign, permitted by the code, located in a district zoned for residential uses.

TEMPORARY SIGN. Any sign, handbill, or poster which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence for a fixed and limited time or duration and intended for a limited period of display, or which is not designed or intended to be placed permanently.

§ 152.03(1) HOME OCCUPATION SIGNS

Home occupation signs. There can be no evidence other than the nameplate that will indicate from the exterior that the building is being utilized in part for any other purpose other than that of a dwelling. There shall be no sign which is attached to the building other than a nameplate. The sign shall not be illuminated or more than one (1) square foot in area.

§ 152.04 SIGNS EXEMPT FROM DIVISION REGULATIONS.

(A) Commercial Signs. In addition to permitted signs, one (1) exempt sign located at a property in any Commercial or Industrial district is permitted. Signs shall be, non-illuminated, not to exceed 32 square feet and no higher than 12 feet above grade level or closer than three (3) feet from any property line unless located on the wall of a building. The signs shall not be located in any public right-of-way. Temporary signs may be displayed only for a period of 60 days, or until one (1) week following completion of the event or project the sign refers to, whichever comes first. One (1) additional wall or freestanding sign up to six (6) square feet in area shall be allowed per lot during any period of time in which the lot is available for sale, lease, or rent. If it is a freestanding sign, it cannot be taller than three (3) feet above grade.

(B) Deleted

(C) Deleted

(J) Residential Signs. In addition to permitted signs, one (1) exempt sign located at a property in any residential district is permitted. Signs shall be, non-illuminated, not to exceed six (6) square feet and no higher than three (3) feet above grade level or closer than three (3) feet from any property line. The signs shall not be located in any public right-of-way. Temporary signs may be displayed for up to 60 days or until one (1) week following completion of the event or project the sign refers to, whichever comes first. Multi-family residential structures containing four (4) or more dwelling units per structure are allowed one (1) additional exempt sign not exceeding 32 square feet attached to the building or within four feet of the structure. Free standing signs not attached to the building shall be no higher than six (6) feet. One (1) additional wall or freestanding sign up to six (6) square feet in area shall be allowed per lot during any period of time in which the lot is available for sale, lease, or rent. If it is a freestanding sign, it cannot be taller than three (3) feet above grade.

Dated at Vermillion, South Dakota this 7th day of October, 2019.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY John E. Powell
John E. (Jack) Powell, Mayor

ATTEST:

BY Michael D Carlson
Michael D Carlson, Finance Officer

First Reading: September 16, 2019

Second Reading: October 7, 2019

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