

(First published in the Phillips County Review on May 4, 2011 .) 1t

ORDINANCE NO. 1368

AN ORDINANCE AMENDING: PARAGRAPH 5 OF SECTION 2 OF ARTICLE XXIII, AS CONTAINED IN A BOOK ENTITLED "ZONING ORDINANCE AND SUBDIVISION REGULATIONS FOR THE CITY OF PHILLIPSBURG, KANSAS" AS ORIGINALLY ADOPTED IN ORDINANCE NO. 1334; AND REPEALING SAID PARAGRAPH 5 WITHIN SAID SECTION 2 OF ARTICLE XXIII AS CONTAINED IN SAID BOOK AS ORIGINALLY ADOPTED IN ORDINANCE NO. 1334. THIS ORDINANCE PERTAINS TO SIGN REGULATIONS WITHIN THE CITY OF PHILLIPSBURG, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PHILLIPSBURG, KANSAS:

Section 1. That Paragraph 5 of Section 2, entitled SPECIFIC REQUIREMENTS of Article XXIII, SIGN REGULATIONS, in a book entitled "Zoning Ordinance and Subdivision Regulations for the City of Phillipsburg, Kansas" as originally adopted in Ordinance No. 1334, is hereby amended to read as follows:

5. Building signs are permitted in the "A-L", "C-S", "C-2", "I-1", and "I-2" Districts only, subject to the following:
 - A. The building sign shall be affixed flat against the face of the building as opposed to perpendicular and/or double faced.
 - B. Building signs in the "C-1" District shall be affixed flat against the face of the building or be a projecting sign conforming to the following special requirements:
 - 1) Projecting signs shall mean a sign other than a flat wall sign, which is attached to and projects from a building wall, and which is not parallel to the structure to which it is attached.
 - 2) Projecting signs shall be at least ten (10) feet above the sidewalk surface. Projecting signs may project over the public right of way, but in no case beyond the width of the sidewalk. If a projecting sign is within two (2) feet of the curb, it shall be at least fifteen (15) feet above the surface of the curb. No part of any projecting sign shall extend more than seven (7) feet from its supporting wall. The maximum height from the sidewalk surface to the top of the projecting sign shall be thirty-five (35) feet. No projecting sign shall exceed fifty (50) square feet in sign area.

Projecting signs shall be installed at right angles to the building wall except where two streets intersect in which case a projecting sign may be installed at a 45-degree angle from the plane of the building elevation. No projecting sign shall be installed so that it is nearer than ten (10) feet to any other projecting sign.

All projecting signs shall be designed and installed by a licensed commercial sign company who shall bear all responsibility and liability for the correct and safe installation of the sign. All projecting signs shall be constructed of structurally sound weather proof materials and shall be permanently attached to the building by direct attachment to a rigid wall. Specifications shall be submitted with the sign permit application.

3) Projecting signs may be illuminated subject to the following:

a) Digital/electronic messaging shall not be allowed.

b) Lighting from commercial signs shall be shaded so that no light in excess of 0.3 foot candles intrudes upon a residential use, measured at the property line where the lighting is generated. Illumination from the sign shall not cast light directly upon any residential property.

c) The sign shall be equipped with a mechanism to automatically adjust the brightness of the display's illumination which shall be controlled by means of a light detector/photo cell or other means as approved by the Building Official.

4) Projecting signs shall contain only advertising display for businesses located within the building where the sign is located. In no case shall the sign contain advertising in any form for any business at another location.

5) Projecting signs are permitted only in the "C-1" Central Business District.

6) Administration:

a) It is the responsibility of the property owner to assure that all projecting signs are maintained in a safe and functional manner. All signs shall be maintained free from structural, material, and electrical defects or hazards.

b) The Building Official is authorized to order the property owner in writing to remove or repair any sign which endangers the public safety, health, or welfare and/or has become a public nuisance. This order shall specify the defect or hazard and require that the sign be removed or the defect or hazard corrected within 15 days of receipt of the letter.

c) When the Building Official determines that a sign poses an immediate threat to the public safety, the Building Official shall arrange for the immediate removal of the dangerous sign without notice.

d) The City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign. If the cost is not recovered the expense may be assessed as a special assessment against the parcel on which the sign is located.

C) Building signs in the "C-3" District shall conform to the following special requirements:

1) Building signs shall have only one (1) display surface. Such display surface shall:

a) Be a flat plane, rectangular in shape.

b) Not exceed nine (9) square feet in sign area.

c) Not exceed three (3) feet in height or three (3) feet in length.

d) Be affixed or attached to any wall or door of the establishment.

e) Advertising signs shall contain no photographs, silhouettes, drawings or pictorial representations of any kind.

f) Each letter forming a word on an advertising sign shall be of a solid color, and each such letter shall be the same print-type, size and color. The background behind such lettering on the display surface of an advertising sign shall be of a uniform and solid color.

Section 2. That Paragraph 5 of Section 2, entitled SPECIFIC REQUIREMENTS of Article XXIII, SIGN REGULATIONS, in a book entitled "Zoning Ordinance and Subdivision Regulations for the City of Phillipsburg, Kansas" as originally adopted in Ordinance No. 1334, is hereby repealed.

Section 3. That this ordinance shall take effect and be in full force from and after its publication in the official newspaper of the City of Phillipsburg, Kansas.

PASSED BY THE CITY COUNCIL THE 2nd day of May, 2011.

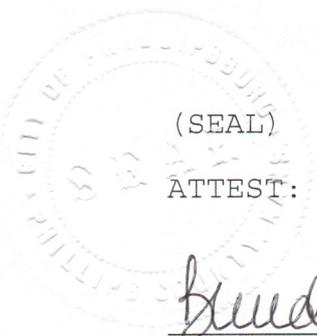
APPROVED BY THE MAYOR THIS 2nd day of May, 2011.



Fred E. Robinson, Mayor
City of Phillipsburg, Kansas

(SEAL)

ATTEST:




Brenda L. Chance, City Clerk
City of Phillipsburg, Kansas