

DR-76-6 - Sign Permits and Fees

ACTION

	DATE
COMMITTEE <i>Ad Hoc Sign Com.</i> <i>3-22/29/44-5-1976</i>	<u> </u>
M.A.P.C. <i>App. Rec. of Ad Hoc Sign Com.</i>	<i>4-29-76</i>
B.C.C./B. CO. C. <i>OK on items 27, 54, 78,</i> <i>Departments 194</i>	<i>5-4-76</i>
<i>for 3 weeks</i> <i>Deferred one week</i>	<i>5-25-76</i>
<i>Approve Ord. 'B'</i>	
<i>Placed on 1st Reading</i>	<i>6-1-76</i>
<i>Adopted by C.C.</i>	<i>6-15-76</i>

DR-76-6 - Sign Permits and Fees

'B'

AN ORDINANCE AMENDING SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO REVISIONS OF PERMITS AND FEES; AND REQUIREMENTS FOR THE MAINTENANCE, ALTERATION AND REPAIR OF SIGNS; AND REPEALING SAID ORIGINAL SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 24.04.050 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.050 - Permits required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, relocate or create by painting, a sign within the city without first obtaining a permit from the superintendent of central inspection, who shall issue permits for the following:

(a) Permanent Sign Permit. This permit shall be required for all new permanent signs erected, relocated, created by painting, reconstructed or for signs altered to increase the height or area. Permanent signs in existence on December 13, 1974, which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued as nonconforming signs, from December 13, 1974, for a period not to exceed fifteen years before conformance or removal.

(b) Temporary Sign Permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit as required by Section 24.04.070 of this Code. Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances.

(c) Periodic Sign Maintenance Inspection. A periodic sign maintenance inspection shall be made by the Superintendent of Central Inspection every five years. The owner of any permanent sign regulated by this chapter shall be required to pay a periodic sign maintenance inspection fee as set forth in this ordinance."

Section 24.04.060 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.060 - Permit application and issuance. (a) Application for permits shall be made to the superintendent of central inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the superintendent of central inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

(b) The superintendent of central inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the city.

(c) A permanent sign permit issued under the provisions of this chapter shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of such permit, or if the

work authorized by such permit is suspended or abandoned for a period of one hundred twenty days or more at any time after the work is commenced. The superintendent of central inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter, a new permit shall first be obtained and the fee thereof shall be one-half the amount required for a new permit for such work provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.

(d) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit.

Exceptions:

(1) Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger.

(2) Maintenance and repainting of existing signs by the owner when no structural changes are made to a sign."

(e) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

Section 24.04.070 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.070 - Permit Fees. The fees prescribed herein must be paid to the city for each permanent sign, temporary sign or event using temporary signs, portable signs or advertising decorations for which a permit is required and shall be paid before any such permit is issued.

(a) Permanent Sign Permit Fee.

(1) For each permanent sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the sign permit fee shall be ten dollars, plus two dollars per each ten square feet in gross surface area or fraction thereof. Except that only one base permit fee of ten dollars shall be charged when more than one sign is to be erected, installed, affixed, relocated, created by painting or reconstructed concurrently upon one zoning lot.

(2) For each existing permanent sign that is altered to increase the area or height of the sign, a sign permit fee of ten dollars plus two dollars per each ten square feet of increased in gross surface area of the sign or fraction thereof.

(3) For each existing permanent sign that the copy is altered or changed by painting or replacing sign faces where no increase in height or area occurs, and does not involve structural changes, a sign permit fee of ten dollars shall be paid. This fee shall not apply to change of copy for off-site signs, but shall apply when a change is made to add an additional face to a single face sign.

(4) For each sign that is erected, installed, affixed, altered, relocated, created by painting or reconstructed, without first obtaining a permanent sign permit, the fee shall be twice the amount specified above.

(b) Temporary Sign Permit Fees.

(1) For temporary signs, portable signs and advertising decorations permitted by Section 28.04.139-C(8) of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) shall be paid for the first special event period, with an additional temporary sign permit fee of \$2.00 (TWO DOLLARS) for each additional special event within any calendar year.

(2) For all other temporary signs permitted by Section 28.04.139 of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) plus \$1.00 (ONE DOLLAR) for each fifty square feet of gross surface area of the sign or fraction thereof.

(3) The owner of portable ground signs that are leased or loaned to businesses or individuals for temporary advertising purposes shall obtain an annual temporary sign permit for each individual sign. Such annual permit shall be \$5.00 (FIVE DOLLARS) for any sign not exceeding twenty-five square feet and \$10.00 (TEN DOLLARS) for all signs over twenty-five square feet of gross surface area.

(4) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

(c) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this chapter or from the penalties prescribed herein."

(d) Periodic Sign Maintenance Inspection Permit Fees.

(1) For each unique business location, zoning lot, or individual occupancy of a premise containing a permanent sign or signs for which a periodic sign maintenance inspection permit is required, a periodic sign maintenance inspection permit fee of \$20 shall be paid for the first permanent sign, with an additional fee of \$2 for each additional permanent sign.

(2) Permanent signs for which a permit has been issued 18 months or less prior to a periodic sign maintenance inspection of a premise shall not be used in calculating the periodic sign maintenance inspection permit fee.

(3) Failing to secure a periodic maintenance inspection permit within 30 days after notification by the Superintendent of Central Inspection, the fee shall be twice the amount specified above.

Section 24.04.080 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.080 - Requirements for Maintenance of Signs.

(a) All signs together with all their supports, braces, connections, anchors and any appurtenances thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and

inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(b) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected within thirty days upon notice by the superintendent of central inspection or be removed."

Section 24.04.100 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.100 - Alteration and repair of Nonconforming Signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off-site sign, and the copy of on-site signs for the same business on the zoning lot, and may include the sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of sign;

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed fifty percent of its structural value;

(c) Normal maintenance and repairs required by Section 24.04.080 of this Code."

Section 24.04.220 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.220 - General Requirements. The signs regulated by this chapter shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, areas, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in fire zone No. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be

constructed as set forth in the electrical code, however, signs outside of fire zone No. 1 may be constructed of heavy timber or faced with combustible materials upon the approval of the superintendent of central inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the superintendent of central inspection.

(i) No projecting signs shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed in incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions:

The applicant shall give a bond in the sum of five thousand dollars to save and hold the city free and harmless from all damages which may be occasioned by the erection and maintenance of such sign; the bond is to be signed by the sureties acceptable to the city and to be approved as to form by the city attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to file with the city a blanket surety bond to cover all roof signs erected and maintained by a person within the city. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the city free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the city and shall be approved as to form by the city attorney.

(l) Each sign, except temporary signs for which permits have been issued for thirty days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the superintendent of central inspection."

The originals of Sections 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 and 24.04.220 of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this _____ day of _____, 1976.

James M. Donnell, Mayor

ATTEST:

Donald C. Gisick, City Clerk

(SEAL)

Approved as to form:

John Dekker, City Attorney

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 24, 1976

TO Robert Finch, City Manager (Interim)
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 76-6 - Sign Permits and Fees

The Ad Hoc Sign Committee held a meeting on Monday, May 24, 1976, to review the recommendations of the Superintendent of Central Inspection on a five year sign maintenance inspection fee as set forth in Ordinance "B".

After considerable discussion, the following recommendations were made.

1. That the ordinance provide for a periodic sign maintenance inspection every five years at no fee, and that a 15% increase in the initial sign permit be charged to offset part of the administration cost. It is further recommended that the balance of the administrative cost be provided from the general fund.

Motion carried - 6 in favor - 2 opposed.

2. That the Committee make a recommendation to the City Commission that no changes be made in the time limitations for the use of temporary signs.

Motion carried - 5 in favor - 2 against - 1 abstained.



Robert A. Lakin
Director of Planning

RAL:GEL:ber

The recommendations of the Ad Hoc Sign Committee made on May 24, 1976, can be accomplished by adopting Ordinance "A" with the following changes:

1. In Section 24.04.070(a) (1) and (2) - Change the two dollar per 10 square feet to \$2.50 per 10 square feet.

2. Add the following to Section 24.04.080(c):
(c) Periodic sign maintenance inspection. A periodic sign maintenance inspection shall be made of all signs by the Superintendent of Central Inspection every five years.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 20, 1976

TO Robert G. Finch, City Manager (Interim)
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 76-6 - Sign Permits and Fees

Attached hereto are copies of two alternate ordinances which would amend Title 24, Sign ordinance of the City Code.

The ordinance designated 'A' includes the eight recommendations made by the MAPC and the Ad Hoc Sign Committee at the May 4, 1976 City Commission meeting.

The ordinance designated 'B' is identical to ordinance 'A' except that it also includes the recommendation of the Superintendent of Central Inspection to include a periodic sign maintenance inspection. This is included by the addition of Sections 24.04.050(c) and 24.04.070(d) to the ordinance.

Both ordinances include all eight recommendations made by the MAPC and the Ad Hoc Sign Committee of which recommendations 2, 3, 5, 6, 7 and 8 were approved by the City Commission on May 4, 1976. Recommendations 1 and 4 were deferred for 3 weeks. (See attached memo dated April 28, 1976).



Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachments

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
Ad Hoc Sign Committee

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO REVISIONS OF PERMITS AND FEES; AND REQUIREMENTS FOR THE MAINTENANCE, ALTERATION AND REPAIR OF SIGNS; AND REPEALING SAID ORIGINAL SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 24.04.050 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.050 Permits required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, relocate or create by painting or maintain a sign within the city without first obtaining a permit from the superintendent of central inspection who shall issue permits for the following:

(a) ~~Initial Permanent Sign and-Use Permit. This permit shall be required for all new permanent signs erected, relocated, created by painting, reconstructed or for signs altered to increase the height or area. The initial sign-and-use-permit shall be valid for a period of three years from the date of issuance. At the termination of the initial sign-and-use permit the owner shall be required to obtain an existing sign-use permit.~~

~~(b) Existing Sign-Use Permit. The owner of any sign regulated by this chapter, except temporary signs and portable signs in existence on the effective date of the ordinance codified herein, shall obtain a sign-use permit and renew the permit biennially for as long as the sign is used. Permanent signs in existence on the date of enactment of the ordinance codified herein December 13, 1974 which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued as nonconforming signs, from the effective date of the ordinance codified herein December 13, 1974, for a period not to exceed fifteen years before conformance or removal. A sign-use permit shall be valid for a period of three years.~~

(b) ~~(c) Temporary Sign Permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit as required by Section 24.04.070 of this code. All temporary and portable signs existing on the effective date of the ordinance codified herein may remain in use for sixty days after which it will be necessary to comply with all applicable regulations and obtain a temporary sign permit. Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances.~~

Section 24.04.060 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.060 Permit application and issuance. (a) Application for permits shall be made to the superintendent of central inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This

may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the superintendent of central inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

(b) The superintendent of central inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the city.

(c) ~~Any initial permanent sign and-use permit issued under the provisions of this chapter shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty days or more at any time after the work is commenced. The superintendent of central inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee thereof shall be one-half the amount required for a new permit for such work provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.~~

~~(d) The superintendent of central inspection may, in writing, suspend or revoke any permit issued under the provisions of this chapter whenever the permit is issued on the basis of a material omission or misstatement of fact or the sign is in violation of this chapter or any other applicable ordinance.~~

~~(e) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit.~~

Exceptions:

(1) Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger.

(2) Maintenance and repainting of existing signs by the owner when no structural changes are made to a sign.

(e) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

Section 24.04.070 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.070 Permit Fees. The fees prescribed herein must be paid to the city for each permanent sign, temporary sign or event using temporary signs, portable signs or advertising decorations for which a permit is required and shall be paid before any such permit is issued.

(a) ~~Initial Permanent Sign and-Use Permit Fee.~~

(1) For each permanent sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the initial sign and-use permit fee shall be ten dollars plus two dollars per each ten square feet in gross surface area of each face of the sign or major fraction thereof. Except that only one base

permit fee of ten dollars shall be charged when more than one sign is to be erected, installed, affixed, relocated, created by painting or reconstructed concurrently upon one zoning lot.

(2) For each existing permanent sign that is altered to increase the area or height of the sign, a new initial sign and use permit fee of ten dollars plus two dollars per each ten square feet of increase in gross surface area of the sign or major fraction thereof. Credit toward the payment of this fee may be any unused portion of the existing sign-use permit.

(3) For each existing permanent sign that the copy is altered or changed by painting or replacing sign faces where no increase in height or area occurs, and does not involve structural changes, a sign permit fee of ten dollars shall be paid. This fee shall not apply to change of copy for off-site signs, but shall apply when a change is made to add an additional face to a single face sign.

(4) For each sign that is erected, installed, affixed, altered, relocated, created by painting or reconstructed, without first obtaining a permanent sign-use permit, the fee shall be twice the amount specified above.

(b) Existing Sign-Use Permit Fee.

(1) For each existing sign for which a sign-use permit is required, a sign-use permit fee of twelve dollars shall be paid for any sign not exceeding one hundred fifty square feet in gross surface area and for any sign exceeding one hundred fifty square feet in gross surface area the permit fee shall be fifteen dollars.

When the application for an existing sign-use permit is accompanied by a certificate of inspection by a licensed and bonded sign hanger, the permit fee stated above shall be reduced to one-half the amount.

(2) Failing to secure a sign-use permit within thirty days after notification by the superintendent of central inspection, the fee shall be twice the amount specified above.

(b) Temporary Sign Permit Fees.

(1) For temporary signs, portable signs and advertising decorations permitted by Section 28.04.139-C(8) of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) shall be paid for the first special event period with an additional temporary sign permit fee of \$2.00 (TWO DOLLARS) for each additional special event within any calendar year.

(2) For all other temporary signs permitted by Section 28.04.139 of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) plus \$1.00 (ONE DOLLAR) for each fifty square feet of gross surface area of the sign or fraction thereof.

(3) The owner of portable ground signs that are leased or loaned to businesses or individuals for temporary advertising purposes shall obtain an annual temporary sign permit for each individual sign. Such annual permit shall be \$5.00 (FIVE DOLLARS) for any sign not exceeding twenty-five square feet and \$10.00 (TEN DOLLARS) for all signs over twenty-five square feet of gross surface area.

(4) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

(e) Temporary Sign-Permit Fees.

(1) For temporary signs and displays for which a permit is required, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) for each permit issued per parcel of land (as defined by Section 28.04.020), plus \$1.50 (ONE DOLLAR AND FIFTY CENTS) for each 75 square feet of sign and display area or major fraction thereof, when more than one sign, display, pennant, structure, etc., are to be used and the time limitations are concurrent, one permit shall be issued; otherwise, a permit shall be issued for each occurrence. For the purpose of calculating the permit fee when more than one sign, display, pennant, or structure, etc., are to be used, the areas of the signs shall be actual, and the areas of pennants, streamers and other wind-type signs shall be estimated at one square foot for each lineal foot of such display.

(c) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this chapter or from the penalties proscribed herein.

Section 24.04.080 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.080 Requirements for maintenance of signs. Conditions for sign-use permit. (a) All signs together with all their supports, braces, connections, anchors and any appurtenance thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(b) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected before any sign-use permit is issued, within thirty days upon notice by the superintendent of central inspection or be removed.

Section 24.04.100 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.100 Alteration and repair of nonconforming signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off site sign, and the copy of on site signs for the same business on the zoning lot, and may include the sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of sign;

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed fifty percent of its structural value;

(c) Normal maintenance and repairs required for the issuance of a sign-use permit, by Section 24.04.080 of this code.

Section 24.04.220 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.220 General requirements. The signs regulated by this chapter shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, area, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in fire zone no. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be constructed as set forth in the electrical code, but however signs outside of fire zone no. 1 may be constructed of heavy timber or faced with combustible materials with upon the approval of the superintendent of central inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the superintendent of central inspection.

(i) No projecting sign shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed of incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions:

The applicant shall give a bond in the sum of five thousand dollars to save and hold the city free and harmless from all damages which may be occasioned by the

erection and maintenance of such sign; the bond is to be signed by the sureties acceptable to the city and to be approved as to form by the city attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to file with the city a blanket surety bond to cover all roof signs erected and maintained by a person within the city. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the city free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the city and shall be approved as to form by the city attorney.

(l) Each sign, except temporary signs for which permits have been issued for thirty days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the superintendent of central inspection.

~~(m) Only licensed and bonded sign-hangers may erect, erect by painting, affix, alter, relocate or reconstruct any sign requiring a permit. Exception: Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign-hanger.~~

The originals of Sections 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 and 24.04.220 of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this _____ day of _____, 1976.

James M. Donnell, Mayor

ATTEST:

Donald C. Gislack, City Clerk

Approved as to form

John Dekker, City Attorney

Deletions marked thus
Additions underlined

B

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO REVISIONS OF PERMITS AND FEES; AND REQUIREMENTS FOR THE MAINTENANCE, ALTERATION AND REPAIR OF SIGNS; AND REPEALING SAID ORIGINAL SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 24.04.050 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.050 Permits required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, relocate or create by painting or maintain a sign within the city without first obtaining a permit from the superintendent of central inspection who shall issue permits for the following:

(a) ~~Initial~~ Permanent Sign and-Use Permit. This permit shall be required for all new permanent signs erected, relocated, created by painting, reconstructed or for signs altered to increase the height or area. ~~The initial sign and use permit shall be valid for a period of three years from the date of issuance. At the termination of the initial sign and use permit the owner shall be required to obtain an existing sign use permit.~~

(b) ~~Existing Sign Use Permit. The owner of any sign regulated by this chapter, except temporary signs and portable signs, in existence on the effective date of the ordinance codified herein, shall obtain a sign use permit and renew the permit triennially for as long as the sign is used. Permanent signs in existence on the date of enactment of the ordinance codified herein December 13, 1974 which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued as nonconforming signs, from the effective date of the ordinance codified herein December 13, 1974, for a period not to exceed fifteen years before conformance or removal. A sign use permit shall be valid for a period of three years.~~

(b) ~~(c)~~ Temporary Sign Permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit as required by Section 24.04.070 of this code. ~~All temporary signs and portable ground signs existing on the effective date of the ordinance codified herein may remain in use for sixty days after which it will be necessary to comply with all applicable regulations and obtain a temporary sign permit. Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances.~~

(c) Periodic Sign Maintenance Inspection. A periodic sign maintenance inspection shall be made by the Superintendent of Central Inspection every five years. The owner of any permanent sign regulated by this chapter shall be required to pay a periodic sign maintenance inspection fee as set forth in this ordinance.

"24.04.060 Permit application and issuance. (a) Application for permits shall be made to the superintendent of central inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the superintendent of central inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

(b) The superintendent of central inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the city.

(c) ~~Any initial~~ A permanent sign and-use permit issued under the provisions of this chapter shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty days or more at any time after the work is commenced. The superintendent of central inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee thereof shall be one-half the amount required for a new permit for such work provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.

(d) ~~The superintendent of central inspection may, in writing, suspend or revoke any permit issued under the provisions of this chapter whenever the permit is issued on the basis of a material omission or misstatement of fact or the sign is in violation of this chapter or any other applicable ordinance.~~

(d) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit.

Exceptions:

(1) Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger.

(2) Maintenance and repainting of existing signs by the owner when no structural changes are made to a sign.

(e) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

Section 24.04.070 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.070 Permit Fees. The fees prescribed herein must be paid to the city for each permanent sign, temporary sign or event using temporary signs, portable signs or advertising decorations for which a permit is required and shall be paid before any such permit is issued.

(a) Initial Permanent Sign and-Use Permit Fee.

(1) For each permanent sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the initial sign and-use permit fee shall be ten dollars plus two dollars per each ten square feet in gross surface area of each face of the sign or major fraction thereof. Except that only one base permit fee of ten dollars shall be charged when more than one sign is to be erected, installed, affixed, relocated, created by painting or reconstructed concurrently upon one zoning lot.

(2) For each existing permanent sign that is altered to increase the area or height of the sign, a an initial sign and-use permit fee of ten dollars plus two dollars per each ten square feet of increase in gross surface area of the sign or major fraction thereof. Credit toward the payment of this fee may be any unused portion of the existing sign-use permit.

(3) For each existing permanent sign that the copy is altered or changed by painting or replacing sign faces where no increase in height or area occurs, and does not involve structural changes, a sign permit fee of ten dollars shall be paid. This fee shall not apply to change of copy for off-site signs, but shall apply when a change is made to add an additional face to a single face sign.

(4) (2) For each sign that is erected, installed, affixed, altered, relocated, created by painting or reconstructed, without first obtaining a permanent sign and-use permit, the fee shall be twice the amount specified above.

(b) Existing Sign-Use Permit Fee.

(1) For each existing sign for which a sign-use permit is required, a sign-use permit fee of twelve dollars shall be paid for any sign not exceeding one hundred-fifty square feet in gross surface area and for any sign exceeding one hundred-fifty square feet in gross surface area the permit fee shall be fifteen dollars.

When the application for an existing sign-use permit is accompanied by a certificate of inspection by a licensed and bonded sign-hanger, the permit fee stated above shall be reduced to one-half the amount.

(2) Failing to secure a sign-use permit within thirty days after notification by the superintendent of Central inspection, the fee shall be twice the amount specified above.

(b) Temporary Sign Permit Fees.

(1) For temporary signs, portable signs and advertising decorations permitted by Section 28.04.139-C(8) of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) shall be paid for the first special event period, with an additional temporary sign permit fee of \$2.00 (TWO DOLLARS) for each additional special event within any calendar year.

(2) For all other temporary signs permitted by Section 28.04.139 of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) plus \$1.00 (ONE DOLLAR) for each fifty square feet of gross surface area of the sign or fraction thereof.

(3) The owner of portable ground signs that are leased or loaned to businesses or individuals for temporary advertising purposes shall obtain an annual temporary sign permit for each individual sign. Such annual permit shall be \$5.00 (FIVE DOLLARS) for any sign not exceeding twenty-five square feet and \$10.00 (TEN DOLLARS) for all signs over twenty-five square feet of gross surface area.

(4) (2) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

(c) Temporary Sign-Permit Fees.

(1) For temporary signs and displays for which a permit is required, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) for each permit issued per parcel of land (as defined by Section 28.04.220), plus \$1.50 (ONE DOLLAR AND FIFTY CENTS) for each 75 square feet of sign and display area or major fraction thereof. When more than one sign, display, pennant, streamer, etc., are to be used and the time limitations are concurrent, one permit shall be issued; otherwise, a permit shall be issued for each occurrence. For the purpose of calculating the permit fee when more than one sign, display, pennant, or streamer, etc., are to be used, the areas of the signs shall be actually and the area of pennants, streamers and other wind-type signs shall be estimated at one square foot for each linear foot of such display.

(c) (2) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this chapter or from the penalties prescribed herein.

(d) Periodic Sign Maintenance Inspection Permit Fees.

(1) For each unique business location, zoning lot, or individual occupancy of a premise containing a permanent sign or signs for which a periodic sign maintenance inspection permit is required, a periodic sign maintenance inspection permit fee of \$20 shall be paid for the first permanent sign, with an additional fee of \$2 for each additional permanent sign.

(2) Permanent signs for which a permit has been issued 18 months or less prior to a periodic sign maintenance inspection of a premise shall not be used in calculating the periodic sign maintenance inspection permit fee.

(3) Failing to secure a periodic maintenance inspection permit within 30 days after notification by the Superintendent of Central Inspection, the fee shall be twice the amount specified above.

Section 24.04.080 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.080 Requirements for maintenance of signs. Conditions for sign-use permit. (a) All signs together with all their supports, braces, connections, anchors and any appurtenance thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(b) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected before any sign-use permit is issued, within thirty days upon notice by the superintendent of central inspection or be removed."

Section 24.04.100 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.100 Alteration and repair of nonconforming signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off site sign, and the copy of on site signs for the same business on the zoning lot, and may include the sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of sign;

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed fifty percent of its structural value;

(c) Normal maintenance and repairs required for the issuance of a sign-use permit, by Section 24.04.080 of this code."

Section 24.04.220 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.220 General requirements. The signs regulated by this chapter shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, area, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in fire zone no. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be constructed as set forth in the electrical code, but however signs outside of fire zone no. 1 may be constructed of heavy timber or faced with combustible materials with upon the approval of the superintendent of central inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the superintendent of central inspection.

(i) No projecting sign shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed of incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions:

The applicant shall give a bond in the sum of five thousand dollars to save and hold the city free and harmless from all damages which may be occasioned by the erection and maintenance of such sign; the bond is to be signed by the sureties acceptable to the city and to be approved as to form by the city attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to the city a blanket surety bond to cover all roof signs erected and maintained by a person within the city. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the city free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the city and shall be approved as to form by the city attorney.

(l) Each sign, except temporary signs for which permits have been issued for thirty days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the superintendent of central inspection.

~~(m) Only licensed and bonded sign-hangers may erect, created by painting, affix, alter, relocate or reconstruct any sign requiring a permit. Exception: Temporary signs set forth in Section 24-64-236 unless required to be erected by a licensed sign-hanger."~~

The originals of Sections 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 and 24.04.220 of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this ____ day of _____, 1976.

James M. Donnell, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form

John Dekker, City Attorney

Deletions marked thus
Additions underlined

'B'

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO REVISIONS OF PERMITS AND FEES; AND REQUIREMENTS FOR THE MAINTENANCE, ALTERATION AND REPAIR OF SIGNS; AND REPEALING SAID ORIGINAL SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 24.04.050 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.050 Permits required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, relocate or create by painting or maintain a sign within the city without first obtaining a permit from the superintendent of central inspection who shall issue permits for the following:

(a) ~~Initial Permanent Sign and Use Permit.~~ This permit shall be required for all new permanent signs erected, relocated, created by painting, reconstructed or for signs altered to increase the height or area. ~~The initial sign and use permit shall be valid for a period of three years from the date of issuance. At the termination of the initial sign and use permit the owner shall be required to obtain an existing sign use permit.~~

~~(b) Existing Sign Use Permit. The owner of any sign regulated by this chapter except temporary signs and portable signs, in existence on the effective date of the ordinance codified herein, shall obtain a sign use permit and renew the permit triennially for as long as the sign is used. Permanent signs in existence on the date of enactment of the ordinance codified herein December 13, 1974 which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued as nonconforming signs, from the effective date of the ordinance codified herein December 13, 1974, for a period not to exceed fifteen years before conformance or removal. A sign use permit shall be valid for a period of three years.~~

(b) ~~(e)~~ Temporary Sign Permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit as required by Section 24.04.070 of this code. ~~All temporary signs and portable ground signs existing on the effective date of the ordinance codified herein may remain in use for sixty days after which it will be necessary to comply with all applicable regulations and obtain a temporary sign permit. Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances.~~

(c) Periodic Sign Maintenance Inspection. A periodic sign maintenance inspection shall be made by the Superintendent of Central Inspection every five years. The owner of any permanent sign regulated by this chapter shall be required to pay a periodic sign maintenance inspection fee as set forth in this ordinance.

"24.04.060 Permit application and issuance. (a) Application for permits shall be made to the superintendent of central inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the superintendent of central inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

(b) The superintendent of central inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the city.

(c) ~~Any initial~~ A permanent sign and-use permit issued under the provisions of this chapter shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty days or more at any time after the work is commenced. The superintendent of central inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee thereof shall be one-half the amount required for a new permit for such work provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.

~~(d) -- The superintendent of central inspection may, in writing, suspend or revoke any permit issued under the provisions of this chapter whenever the permit is issued on the basis of a material omission or misstatement of fact, or the sign is in violation of this chapter or any other applicable ordinance.~~

(d) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit.

Exceptions:

(1) Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger.

(2) Maintenance and repainting of existing signs by the owner when no structural changes are made to a sign."

(e) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

Section 24.04.070 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.070 Permit Fees. The fees prescribed herein must be paid to the city for each permanent sign, temporary sign or event using temporary signs, portable signs or advertising decorations for which a permit is required and shall be paid before any such permit is issued.

(a) ~~Initial~~ Permanent Sign and-Use Permit Fee.

(1) For each permanent sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the ~~initial sign and-use~~ permit fee shall be ten dollars plus two dollars per each ten square feet in gross surface area ~~of each face of the sign or~~ major fraction thereof. Except that only one base permit fee of ten dollars shall be charged when more than one sign is to be erected, installed, affixed, relocated, created by painting or reconstructed concurrently upon one zoning lot.

(2) For each existing permanent sign that is altered to increase the area or height of the sign, a ~~an initial sign and-use~~ permit fee of ten dollars plus two dollars per each ten square feet of increase in gross surface area of the sign or major fraction thereof. ~~Credit toward the payment of this fee may be any unused portion of the existing sign use permit.~~

(3) For each existing permanent sign that the copy is altered or changed by painting or replacing sign faces where no increase in height or area occurs, and does not involve structural changes, a sign permit fee of ten dollars shall be paid. This fee shall not apply to change of copy for off-site signs, but shall apply when a change is made to add an additional face to a single face sign.

(4) ~~(3)~~ For each sign that is erected, installed, affixed, altered, relocated, created by painting or reconstructed, without first obtaining a permanent an-initial sign and-use permit, the fee shall be twice the amount specified above.

~~(b)~~ --Existing Sign-Use-Permit-Fee.

~~(1)--For each existing sign for which a sign-use permit is required, a sign-use permit fee of twelve dollars shall be paid for any sign not exceeding one hundred fifty square feet in gross surface area and for any sign exceeding one hundred fifty square feet in gross surface area the permit fee shall be fifteen dollars.~~

~~When the application for an existing sign use permit is accompanied by a certificate of inspection by a licensed and bonded sign hanger, the permit fee stated above shall be reduced to one-half the amount.~~

~~(2)--Failing to secure a sign-use permit within thirty days after notification by the superintendent of Central Inspection, the fee shall be twice the amount specified above.~~

(b) Temporary Sign Permit Fees.

(1) For temporary signs, portable signs and advertising decorations permitted by Section 28.04.139-C(8) of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) shall be paid for the first special event period, with an additional temporary sign permit fee of \$2.00 (TWO DOLLARS) for each additional special event within any calendar year.

(2) For all other temporary signs permitted by Section 28.04.139 of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) plus \$1.00 (ONE DOLLAR) for each fifty square feet of gross surface area of the sign or fraction thereof.

(3) The owner of portable ground signs that are leased or loaned to businesses or individuals for temporary advertising purposes shall obtain an annual temporary sign permit for each individual sign. Such annual permit shall be \$5.00 (FIVE DOLLARS) for any sign not exceeding twenty-five square feet and \$10.00 (TEN DOLLARS) for all signs over twenty-five square feet of gross surface area.

(4) ~~(2)~~ For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

~~(c)~~ Temporary Sign Permit Fees.

~~(1) For temporary signs and displays for which a permit is required, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) for each permit issued per parcel of land (as defined by Section 24.04.020), plus \$1.50 (ONE DOLLAR AND FIFTY CENTS) for each 75 square feet of sign and display area or major fraction thereof. When more than one sign, display, pennant, structures, etc., are to be used and the time limitations are concurrent, one permit shall be issued, otherwise, a permit shall be issued for each occurrence. (For the purpose of calculating the permit fee when more than one sign, display, pennant, or structures, etc., are to be used, the areas of the signs shall be actual, and the area of pennants, streamers and other wind type signs shall be estimated at one square foot for each lineal foot of such display.)~~

(c) ~~(d)~~ Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this chapter or from the penalties prescribed herein."

(d) Periodic Sign Maintenance Inspection Permit Fees.

- (1) For each unique business location, zoning lot, or individual occupancy of a premise containing a permanent sign or signs for which a periodic sign maintenance inspection permit is required, a periodic sign maintenance inspection permit fee of \$20 shall be paid for the first permanent sign, with an additional fee of \$2 for each additional permanent sign.
- (2) Permanent signs for which a permit has been issued 18 months or less prior to a periodic sign maintenance inspection of a premise shall not be used in calculating the periodic sign maintenance inspection permit fee.
- (3) Failing to secure a periodic maintenance inspection permit within 30 days after notification by the Superintendent of Central Inspection, the fee shall be twice the amount specified above.

Section 24.04.080 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.080 Requirements for maintenance of signs. Conditions-for-sign-use-permit. (a) All signs together with all their supports, braces, connections, anchors and any appurtenance thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(b) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected ~~before any sign-use permit is issued,~~ within thirty days upon notice by the superintendent of central inspection or be removed."

Section 24.04.100 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.100 Alteration and repair of nonconforming signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off site sign, and the copy of on site signs for the same business on the zoning lot, and may include the sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of sign;

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed fifty percent of its structural value;

(c) Normal maintenance and repairs required ~~for the issuance of a sign-use permit.~~ by Section 24.04.080 of this code."

Section 24.04.220 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.220 General requirements. The signs regulated by this chapter shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, area, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in fire zone no. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be constructed as set forth in the electrical code, but however signs outside of fire zone no. 1 may be constructed of heavy timber or faced with combustible materials with upon the approval of the superintendent of central inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the superintendent of central inspection.

(i) No projecting sign shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed of incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions:

The applicant shall give a bond in the sum of five thousand dollars to save and hold the city free and harmless from all damages which may be occasioned by the erection and maintenance of such sign; the bond is to be signed by the sureties acceptable to the city and to be approved as to form by the city attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to file with the city a blanket surety bond to cover all roof signs erected and maintained by a person within the city. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the city free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the city and shall be approved as to form by the city attorney.

(l) Each sign, except temporary signs for which permits have been issued for thirty days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the superintendent of central inspection.

~~(m) -- Only licensed and bonded sign hangers may erect, created by painting, affix, alter, relocate or reconstruct any sign requiring a permit. -- Exception -- Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger. "~~

The originals of Sections 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 and 24.04.220 of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this ____ day of _____, 1976.

James M. Donnell, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form

John Dekker, City Attorney

Deletions marked thus
Additions underlined

A

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO REVISIONS OF PERMITS AND FEES; AND REQUIREMENTS FOR THE MAINTENANCE, ALTERATION AND REPAIR OF SIGNS; AND REPEALING SAID ORIGINAL SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 24.04.050 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.050 Permits required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, relocate or create by painting or maintain a sign within the city without first obtaining a permit from the superintendent of central inspection who shall issue permits for the following:

(a) Initial Permanent Sign and Use Permit. This permit shall be required for all new permanent signs erected, relocated, created by painting, reconstructed or for signs altered to increase the height or area. ~~The initial sign and use permit shall be valid for a period of three years from the date of issuance. At the termination of the initial sign and use permit the owner shall be required to obtain an existing sign use permit.~~

~~(b) Existing Sign Use Permit. The owner of any sign regulated by this chapter, except temporary signs and portable signs, in existence on the effective date of the ordinance codified herein, shall obtain a sign use permit and renew the permit triennially for as long as the sign is used. Permanent signs in existence on the date of enactment of the ordinance codified herein December 13, 1974 which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued as nonconforming signs, from the effective date of the ordinance codified herein December 13, 1974, for a period not to exceed fifteen years before conformance or removal. A sign use permit shall be valid for a period of three years.~~

(b) ~~(c)~~ Temporary Sign Permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit as required by Section 24.04.070 of this code. ~~All tempo signs and portable ground signs existing on the effective date of the ordinance codified herein may remain in use for sixty days after which it will be necessary to comply with all applicable regulations and obtain a temporary sign permit. Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances.~~

Section 24.04.060 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.060 Permit application and issuance. (a) Application for permits shall be made to the superintendent of central inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This

may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the superintendent of central inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

(b) The superintendent of central inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the city.

(c) ~~Any initial~~ A permanent sign ~~and-use~~ permit issued under the provisions of this chapter shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty days or more at any time after the work is commenced. The superintendent of central inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee thereof shall be one-half the amount required for a new permit for such work provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.

~~(d) The superintendent of central inspection may, in writing, suspend or revoke any permit issued under the provisions of this chapter whenever the permit is issued on the basis of a material omission or misstatement of fact, or the sign is in violation of this chapter or any other applicable ordinance.~~

(d) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit.

Exceptions:

(1) Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger.

(2) Maintenance and repainting of existing signs by the owner when no structural changes are made to a sign."

(e) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

Section 24.04.070 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.070 Permit Fees. The fees prescribed herein must be paid to the city for each permanent sign, temporary sign or event using temporary signs, portable signs or advertising decorations for which a permit is required and shall be paid before any such permit is issued.

(a) Initial Permanent Sign and-Use Permit Fee.

(1) For each permanent sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the ~~initial~~ sign ~~and-use~~ permit fee shall be ten dollars plus two dollars per each ten square feet in gross surface area ~~of each face of the sign~~ or major fraction thereof. Except that only one base

permit fee of ten dollars shall be charged when more than one sign is to be erected, installed, affixed, relocated, created by painting or reconstructed concurrently upon one zoning lot.

(2) For each existing permanent sign that is altered to increase the area or height of the sign, a ~~an initial sign and-use~~ permit fee of ten dollars plus two dollars per each ten square feet of increase in gross surface area of the sign or major fraction thereof. ~~Credit toward the payment of this fee may be any unused portion of the existing sign-use permit.~~

(3) For each existing permanent sign that the copy is altered or changed by painting or replacing sign faces where no increase in height or area occurs, and does not involve structural changes, a sign permit fee of ten dollars shall be paid. This fee shall not apply to change of copy for off-site signs, but shall apply when a change is made to add an additional face to a single face sign.

(4) ~~(3)~~ For each sign that is erected, installed, affixed, altered, relocated, created by painting or reconstructed, without first obtaining a permanent ~~an initial sign and-use~~ permit, the fee shall be twice the amount specified above.

~~(b) Existing Sign-Use Permit Fee.~~

~~(1) For each existing sign for which a sign-use permit is required, a sign-use permit fee of twelve dollars shall be paid for any sign not exceeding one hundred-fifty square feet in gross surface area and for any sign exceeding one hundred-fifty square feet in gross surface area the permit fee shall be fifteen dollars.~~

~~When the application for an existing sign-use permit is accompanied by a certificate of inspection by a licensed and bonded sign hanger, the permit fee stated above shall be reduced to one-half the amount.~~

~~(2) Failing to secure a sign-use permit within thirty days after notification by the superintendent of central inspection, the fee shall be twice the amount specified above.~~

(b) Temporary Sign Permit Fees.

(1) For temporary signs, portable signs and advertising decorations permitted by Section 28.04.139-C(8) of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) shall be paid for the first special event period, with an additional temporary sign permit fee of \$2.00 (TWO DOLLARS) for each additional special event within any calendar year.

(2) For all other temporary signs permitted by Section 28.04.139 of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) plus \$1.00 (ONE DOLLAR) for each fifty square feet of gross surface area of the sign or fraction thereof.

(3) The owner of portable ground signs that are leased or loaned to businesses or individuals for temporary advertising purposes shall obtain an annual temporary sign permit for each individual sign. Such annual permit shall be \$5.00 (FIVE DOLLARS) for any sign not exceeding twenty-five square feet and \$10.00 (TEN DOLLARS) for all signs over twenty-five square feet of gross surface area.

(4) (2) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

~~(e) -- Temporary Sign Permit Fees.~~

~~(1) -- For temporary signs and displays for which a permit is required, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) for each permit issued per parcel of land (as defined by Section 20-04-020), plus \$1.50 (ONE DOLLAR AND FIFTY CENTS) for each 75 square feet of sign and display area or major fraction thereof. -- When more than one sign, display, pennant, structures, etc., are to be used and the time limitations are concurrent, one permit shall be issued, otherwise, a permit shall be issued for each occurrence. (For the purpose of calculating the permit fee when more than one sign, display, pennant, or structures, etc., are to be used, the areas of the signs shall be actual, and the area of pennants, streamers and other wind type signs shall be estimated at one square foot for each lineal foot of such display.)~~

(c) (d) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this chapter or from the penalties prescribed herein."

Section 24.04.080 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.080 Requirements for maintenance of signs. ~~Conditions for sign use permit.~~ (a) All signs together with all their supports, braces, connections, anchors and any appurtenance thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(b) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected ~~before any sign use permit is issued,~~ within thirty days upon notice by the superintendent of central inspection or be removed."

Section 24.04.100 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.100 Alteration and repair of nonconforming signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off site sign, and the copy of on site signs for the same business on the zoning lot, and may include the sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of sign;

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed fifty percent of its structural value;

(c) Normal maintenance and repairs required ~~for the issuance of a sign-use permit.~~ by Section 24.04.080 of this code."

Section 24.04.220 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.220 General requirements. The signs regulated by this chapter shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, area, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in fire zone no. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be constructed as set forth in the electrical code, but however signs outside of fire zone no. 1 may be constructed of heavy timber or faced with combustible materials with upon the approval of the superintendent of central inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the superintendent of central inspection.

(i) No projecting sign shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed of incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions:

The applicant shall give a bond in the sum of five thousand dollars to save and hold the city free and harmless from all damages which may be occasioned by the

erection and maintenance of such sign; the bond is to be signed by the sureties acceptable to the city and to be approved as to form by the city attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to file with the city a blanket surety bond to cover all roof signs erected and maintained by a person within the city. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the city free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the city and shall be approved as to form by the city attorney.

(1) Each sign, except temporary signs for which permits have been issued for thirty days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the superintendent of central inspection.

~~(m)--Only-licensed-and-bonded-sign-hangers-may-erect, created-by-painting,affix,alter,relocate-or-reconstruct-any-sign-requiring-a-permit--Exception---Temporary-signs-set-forth-in-Section-24-04-230-unless-required-to-be-erected-by-a-licensed-sign-hanger--"~~

The originals of Sections 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 and 24.04.220 of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this ____ day of _____, 1976.

James M. Donnell, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form

John Dekker, City Attorney

May 24, 1976

Robert Finch, City Manager (Interim)
Robert A. Lakin, Director of Planning

DR 76-6 - Sign Permits and Fees

The Ad Hoc Sign Committee held a meeting on Monday, May 24, 1976, to review the recommendations of the Superintendent of Central Inspection on a five year sign maintenance inspection fee as set forth in Ordinance "B".

After considerable discussion, the following recommendations were made.

1. That the ordinance provide for a periodic sign maintenance inspection every five years at no fee, and that a 15% increase in the initial sign permit be charged to offset part of the administration cost. It is further recommended that the balance of the administrative cost be provided from the general fund.

Motion carried - 6 in favor - 2 opposed.

2. That the Committee make a recommendation to the City Commission that no changes be made in the time limitations for the use of temporary signs.

Motion carried - 5 in favor - 2 against - 1 abstained.


Robert A. Lakin
Director of Planning

RAL:GEL:ber

COMMISSIONERS PROCEEDINGS

3285

May 4, 1976

<p>Ronald Sloan</p>	<p>Mr. Sloan presented a report of the development of the CPO and stated that with the acceptance of this report it will conclude their contract obligation with the City.</p>
<p>Mayor Donnell</p>	<p>Mayor Donnell expressed appreciation for the work done by the Christian Church Commission in this effort.</p>
<p>Motion-- --carried</p>	<p>Casado moved that the report be received and filed. Motion carried 4 to 0.</p>
<p>DISCUSSION OF ENFORCEMENT OF LAWS GOVERNING TAXIS IN THE CITY & QUALITY OF TAXI SERVICE</p>	<p>Discussion of Enforcement of Laws Governing Taxis in the City and the Quality of Taxi Service, presented.</p>
<p>Taylor Hogaboom</p>	<p>Requested by Mr. Taylor Merle Hogaboom. Mr. Hogaboom, a taxi driver, reviewed infractions of code requirements which are occurring regarding taxicab operations, and stated that he felt taxicab operations could be improved by establishing a taxicab bureau, separate from the Police Department, to control licensing of cab drivers and also the inspection of taxicabs, and that taxicabs should be new full-sized vehicles and be inspected every three months with the drivers required to take a driving as well as a written test given by the bureau.</p>
<p>Discussion Comm. Shanahan</p>	<p>Discussion was had, and Commissioner Shanahan pointed out that per charter ordinance the responsibility of regulating taxicab operations is vested in the MTA, and expressed the opinion that the City will either have to provide the MTA with adequate funds to have the necessary personnel to handle such inspection, supervision and regulation of taxicabs or place it with another department or agency.</p>
<p>Motion-- --carried</p>	<p>Shanahan moved that the MTA be requested to respond in four weeks to the Commission as to what they would suggest as to fees for inspection and licensing of taxicabs to enable them to have adequate funding for personnel, at least on particular occasions, to insure proper regulation and supervision of taxicabs. Motion carried 4 to 0.</p>
<p>DR 75-27 POSSIBLE AMENDMENTS TO ZONING ORDINANCE CONCERNING SIGN REGULATIONS</p>	<p>DR 75-27 Possible Amendments to Zoning Ordinance Concerning Sign Regulations, presented.</p>
<p>Recommendation</p>	<p>On March 9, 1976, the City Commission considered possible amendments to the zoning ordinance recommended by the Ad Hoc Sign Committee and the MAPC. The City Commission concurred in all but the recommendation to increase the height limit on pole signs an additional ten feet. The other approved changes have been adopted by ordinance. The MAPC reconsidered the pole sign height recommendation again on April 1, 1976, and again recommended the change to wit: "an additional two and one-half feet of height for each 100 square feet of landscaping or architectural treatment at the base of the sign, with a maximum addition of ten feet to a sign with 400 square feet of treatment at the base." A delineated copy of this proposed amendment to the zoning ordinance has been prepared.</p>
<p>Glen Lytle</p>	<p>Glen Lytle, Special Assistant for Zoning, briefly reviewed the amendment proposed.</p>
<p>Bobbie Keltner</p>	<p>Bobbie Keltner, Environmental Resources Advisory Board, stated that the Board continues to oppose the proposed amendment.</p>
<p>Motion-- --carried</p>	<p>Shanahan moved that no action be taken and the proposed amendment be not approved. Motion carried 3 to 1. Casado, "NO".</p>
<p>DR 76-6 SIGN PERMITS & FEES</p>	<p>DR 76-6 Sign Permits and Fees, presented. Deferred from the meeting of April 4, 1976.</p>

COMMISSIONERS PROCEEDINGS

3286

May 4, 1976

On March 9, 1976, the City Commission considered recommendations of the Planning Commission on sign permits and fees. After lengthy discussion, the City Commission referred the matter back to the Ad Hoc Sign Committee and the MAPC for further study.

The Ad Hoc Sign Committee has met and studied the several suggestions made by the City Commission and recommends:

1. Elimination of the "triennial sign use permit" with the request that the City Commission provide the necessary monies from the general fund for administration of the sign regulations.
2. The permit fee cost be calculated for the gross surface area of double face signs.
3. Owners be permitted to maintain or repaint a sign, providing no structural modifications are being made.
4. Amend fees charged for temporary signs, portable signs and special displays to \$5 for the first event and \$2 for each subsequent in a calendar year and that licensing of portable signs leased or loaned to business be on an annual basis.
5. All signs existing prior to December 13, 1974, be grandfathered.
6. Require sign hangers to provide sufficient information at the time a permit is requested to reduce the time necessary for issuance of permits.
7. Development of a simpler method of providing sign regulation information to the public.
8. Authority for issuance of tickets for violations of the regulations be requested from the courts.

The MAPC will meet to hear and consider these recommendations on April 27, 1976, and the recommendations of that body will be provided at the time this matter is considered.

Virginia Gould

Virginia Gould, owner of property at 1690 West Douglas, stated that the property is leased but they own the sign and that it does protrude out over the sidewalk. She stated that the sign was removed by a sign company for painting, and the company then advised that under the ordinance they could not replace the sign as it was illegal.

Fred Linde

Fred Linde, Grievance Officer, stated that Ms. Gould had contacted him, and it was his opinion that had the sign not been removed then this would not have been a problem. He stated in his opinion the grandfather clause should cover repair or repainting so long as the sign is only out of service for a few days.

Bob Feldner

Bob Feldner, Superintendent of Central Inspection, answered questions by the Commission and stated that the sign was nonconforming as it projected over public property, and that no alterations or repair can be made to non-conforming signs except as provided under Section 24.04.100 of the City Code. He further stated a permit was issued to a licensed sign hanger, but the permit prohibits placing a sign which extends over public property.

Bob Wilson

Bob Wilson, President and Chairperson of the Rights for Business Signs Association of Wichita, stated that general agreement had been reached in this matter, and felt that these were changes which they could live with. He requested the Commission approve the recommended changes.

COMMISSIONERS PROCEEDINGS

3287

May 4, 1976

Glen Lytle

Glen Lytle, Special Assistant for Zoning, reviewed the actions taken by the Ad Hoc Sign Committee, and concurred in by the Metropolitan Area Planning Commission, relative to the recommendations outlined above, and answered questions by the Commission.

David Bayouth

David Bayouth, speaking as an individual and also representing a group, noted that recommendation No. 1 seemed to be the only one in dispute. However, he suggested this matter be deferred for a full Commission. He further stated that he saw no need for annual, 3 year, or 5 year inspections. He also spoke as a member of the Ad Hoc Sign Committee, and in answer to inquiry by the Commission, Mr. Bayouth stated that they could live with it but they did not like it.

Bobbie Keltner

Bobbie Keltner, Environmental Resources Advisory Board, stated that the Board was opposed to recommendation No. 1, and suggested periodic inspections for 5 years and inspections should proceed by area. She also suggested the present inspection fees be reduced by assessing per premises with additional nominal charges per sign.

Mayor Donnell

Mayor Donnell recognized students from area schools visiting the Commission meeting.

RECESS

Commission recessed at 10:40 a.m. and reconvened at 11:07 a.m.

Discussion
Comm. Casado

Discussion was had, and Commission Casado questioned the results of additional boards being involved in this matter, and suggested that the Commission accept the recommendations and go with them.

Fat Guinan

Fat Guinan, Wichitans for Better Signs and Project Beauty, stated they were still opposed to recommendation No. 1. She stated they had reservations regarding recommendation No. 4, but they would not object to it. She urged the acceptance of all but No. 1.

Bill Campbell

Bill Campbell, Claude Neon Federal Company and Kansas State Sign Association, expressed their general agreement with the recommendations, but noted that a problem existed with the grandfathering provision due to inadequate record keeping of permit issuance.

Lonnie Hefner

Lonnie Hefner, Porta-Ad of Wichita, objected to the fees charged for temporary and portable signs. However, he did not object to the annual fee. He also expressed objection to the 42 day time limit for sign displays on site which he felt would be detrimental to his business.

Taylor Hogeboom

Taylor Hogeboom also spoke regarding the grandfathering provision.

Tom Inkelaar

Tom Inkelaar, TMCS Home Centers, spoke concerning the preservation of freedom here in Wichita.

Shirley Odell
Don Boyd

Shirley Odell, Odell Washer Supply, and Don Boyd, Pepsi Cola Company, spoke concerning the sign fees.

C. E. Hammer

C. E. Hammer stated that his sign was damaged by vandals and is in violation as it is not yet repaired because of litigation for the sign damage. Whereupon Mr. Feldner advised individuals have 30 days after a notice is served to correct a violation and that such time can be extended for extenuating circumstances.

Bob Feldner

Motion--

Shanahan moved to approve proposed revisions Nos. 2, 3, 5, 6, 7 and 8 as recommended, and defer consideration of recommendation Nos. 1 and 4 for three weeks to allow Commissioner Stevens to be present and add his comments. Motion carried 3 to 1. Casado, "NO".

--carried

Motion--

Donnell moved that the Commission recess and an executive session be held to consider matters of personnel and land acquisition, to return at 1:30 p.m. Motion carried 4 to 0.

--carried

LUNCH RECESS

Commission recessed for lunch at 12:03 p.m. and reconvened at 1:35 p.m. with Mayor Donnell in the Chair. Commissioners Casado, Peters, Shanahan, present. Commissioner Stevens, absent.

PUBLIC HEARING ON
CONDEMNATION OF
STRUCTURES

Public Hearing on Condemnation of Structures, presented.

On March 23, 1976, a report was submitted by the Superintendent of Central Inspection with respect to the dangerous and unsafe condition of the

May 20, 1976

Robert G. Finch, City Manager (Interim)

Robert A. Lakin, Director of Planning

DR 76-6 - Sign Permits and Fees

Attached hereto are copies of two alternate ordinances which would amend Title 24, Sign ordinance of the City Code.

The ordinance designated 'A' includes the eight recommendations made by the MAPC and the Ad Hoc Sign Committee at the May 4, 1976 City Commission meeting.

The ordinance designated 'B' is identical to ordinance 'A' except that it also includes the recommendation of the Superintendent of Central Inspection to include a periodic sign maintenance inspection. This is included by the addition of Sections 24.04.050(c) and 24.04.070(d) to the ordinance.

Both ordinances include all eight recommendations made by the MAPC and the Ad Hoc Sign Committee of which recommendations 2, 3, 5, 6, 7 and 8 were approved by the City Commission on May 4, 1976. Recommendations 1 and 4 were deferred for 3 weeks. (See attached memo dated April 28, 1976).

Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachments

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
Ad Hoc Sign Committee

WICHITA-SEDGWICK COUNTY

DATE

May 19, 1976

METROPOLITAN AREA PLANNING DEPARTMENT

TO Ad Hoc Sign Committee
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT Meeting Date

At the meeting of May 4, 1976, the City Commission considered the eight recommendations of the Ad Hoc Sign Committee and the MAPC. For your information, the City Commission concurred in all of the recommendations except two, and deferred action on these two recommendations until May 25, 1976.

The two recommendations deferred were that for the elimination of the "triennial sign use permit" and the recommendation on temporary sign permit fees.

At the request of the City Manager, the Superintendent of Central Inspection has submitted a report on a 5-year sign maintenance inspection fee. A copy of that report and delineated copies of alternate ordinances "A" and "B" are attached for your information. The only difference in ordinances 'A' and 'B' is the addition of the recommended 5-year maintenance inspection fee to alternate ordinance 'B'. This is included as Sections 24.04.050 (c) and 24.04.070(d).

The City Manager has requested that the provisions of this recommendation by the Superintendent of Central Inspection be presented to the Ad Hoc Sign Committee prior to the City Commission meeting of May 25, 1976. Due to conflicts with other meetings it was necessary to schedule the Ad Hoc Sign Committee meeting for 1:15 p.m. on Monday, May 24, 1976. This meeting will be held in the Planning Department Conference Room, 10th floor, City Hall, 455 North Main Street.

It has been requested that the meeting start promptly at 1:15 p.m. as Mr. Feldner will be leaving for another meeting around 2:00 p.m. My secretary will try to call and remind you of the meeting Monday morning.


Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

cc: Robert Feldner, Superintendent of Central Inspection
Ray Bruggeman, Director of Public Works
Robert A. Lakin, Director of Planning

May 19, 1976

Ad Hoc Sign Committee

Glen E. Lytle, Special Assistant for Zoning

Meeting Date

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Glen E. Lytle
Special Assistant for Zoning

GEL:rne
Attachment

cc: Robert Feldner, Superintendent of Central Inspection
Ray Bruggeman, Director of Public Works
Robert A. Lakin, Director of Planning

ATTEND.: GOEBEL, BAYOUTH, STEWART, HANSON, HALE,
ELLIOTT, BOYD, GUINAN

ABSENT: KAMAS,

Also: ODELL, HEWNER, WILSON, CAMPBELL, L. RAY, EARL COLLINS, DUND

DISCUSSION: How can inspection be provided
without a sign maintenance inspection fee?

Common plan if ad Hwy signs long term -
MOTION: That periodic inspections be provided
Stewart moved, Hanson second -
Motion carried 6-2
yes (Stewart, Hanson, Elliott) (no - Bayouth - Boyd)
(Hale, Guinan, Duell)

← ~~1111~~ →

MOTION: Increase initial sign permit fee
15% & not have more than
2 inspectors. (BAYOUTH) no second

Motion -
Stewart!
Revised maintenance inspection every
5 years + pay 15% increase in
permanent sign permit fee - & cost
paid from general funds. ^{of permit fee} ~~be~~

2nd Hanson
Substitute motion - Bayouth. ^{as above} same but eliminate 5 year
maintenance. second (Stewart)
failed 2 to 6

Vote on original motion
carried 6 to 2 - (Bayouth - Boyd)

Recommendations

Motion: No change in time limitations
on temporary signs - ^{Quinn} ~~Stewart~~
(5-2) 1 abstained
Social

Boynath Box

Quinn, Hansen,
Haley, Stewart, Elliott

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE May 12, 1976



TO Robert Feldner, Superintendent of Central Inspection

FROM Robert G. Finch, City Manager (Interim)

SUBJECT Sign Permits
and Fees

This office is in receipt of your May 7, 1976 memorandum on the captioned subject. Before forwarding the cost projection you provided to the City Commissioners, some additional information may be in order.

1. In addition to a cost-revenue projection for a 5-year inspection process, please combine this with similar data for the current ordinance requirement for a 3-year inspection to permit Commissioners comparative information showing budgetary effect upon the City.
2. Taking several general examples, it would be helpful if you would show the Commission what may happen to the cost to an individual or business under the current and proposed inspection requirements.

If possible, you are requested to provide this information by Friday, May 14, 1976, with a copy to Glen Lytle in Planning. Mr. Lytle is requested by copy of this memorandum to attempt to arrange a meeting of the Ad Hoc Sign Committee to consider your information for presentation to the City Commission.


Robert G. Finch
City Manager (Interim)

RGF/tmp

cc: Glen Lytle, Planning
Robert A. Lakin, Director of Planning
Ray W. Bruggeman, Director of Public Works



THE CITY OF WICHITA

OFFICE OF Central Inspection

DATE May 7, 1976



TO The Honorable Board of City Commissioners

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Sign Permits and Fees:
Recommendations

At the City Commission meeting of May 4, 1976, the Board of City Commissioners deferred for three weeks, two recommendations from the Ad Hoc Sign Committee and the Metropolitan Area Planning Commission relating to sign permits and fees. To assist in the future consideration of these items, the following information is provided:

Recommendation 1:

Prior ordinances of this nature have been based upon the premise that the principal beneficiary support the cost through permit fees. Should the City Commission desire to continue this concept and provide for a five-year periodic maintenance inspection in lieu of the present triennial inspection, a projection of costs and revenues is herewith included as Attachment 1.

Projections were based upon a recurring five-year maintenance inspection, conducted per premise or individual business location. Workload projections reveal that effective enforcement of the ordinance-- inspecting new permanent signs, conducting periodic maintenance inspections per premise, certifying portable signs, permitting special events utilizing temporary and portable signs and area monitoring-- will require three inspectors regardless of the funding source.

If the recommendation is adopted as written, eliminating any legal requirements for periodic maintenance inspection, the City will still need to be monitored for compliance with the ordinance. Thus, workload and personnel requirements remain the same, but revenues derived from permits and inspections will be reduced.

Attachment 2 is provided as a possible addition to the present sign ordinance to provide for a five-year sign maintenance inspection program.



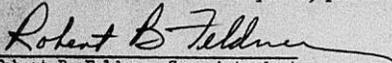
Recommendation 4:

Approval of this recommendation will allow permitting temporary and portable sign displays on a per premise basis. The present ordinance requires that each sign be permitted individually, even when displayed concurrently.

Annual licensing of portable signs will insure that all such signs which are to be loaned or leased to businesses are properly maintained.

The projected revenues from the recommended fees appear to be adequate, and are included in Attachment 1.

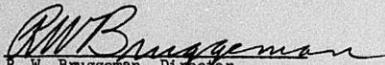
If further information is required, please contact me at any time.



Robert B. Feldner, Superintendent
Central Inspection Division

RRF:cj

Approved:



R. W. Bruggeman, Director
Department of Public Works

cc: Robert G. Finch, City Manager (Interim)
Glen Lytle, Special Assistant for Zoning

SIGN ORDINANCE

Periodic Maintenance Inspection
Projected Cost and Revenue

<u>Revenue or Cost Item (Per Year)</u>	<u>Workload Total</u>	<u>Periodic Maintenance Revenue</u>	<u>5-Year Inspection Cost</u>
New Permanent Signs (@ \$24.27 each average)	960 (avg. per year)	\$ 23,300	\$
Maintenance Inspections:	13,335		
Initial Inspection (@ \$20 each per location)	8,181	32,724	
Multiple Signs (@ \$2 each per location)	5,154	2,062	
Temporary/Portable Signs:			
Portable Sign Annual Permit (70% @ \$10)	100 70	700	
(30% @ \$5)	30	150	
Special Events (@ \$5 each)	2,045	10,225	
Clerk II			6,930
Inspector I			(3) 41,847
Inspector II (Supervision $\frac{1}{2}$ time)			7,837
Transportation			3,600
Administration			6,165
Computer Processing, Forms, Supplies and Equipment			<u>4,100</u>
TOTAL		<u>\$69,161</u>	<u>\$70,479</u>

The cost/revenue ratio is within 1.8% of balancing, an acceptable tolerance factor on projections of this nature. The above projections are based upon procedures developed by utilizing sectional areas of the city, by individual business location, and by performing visual (as opposed to structural) on-site inspections on permanent signs. Enforcement procedures formatted in this manner will allow for an approximate average of $1\frac{1}{2}$ hours per day, per man, in area monitoring.

All projections were derived by utilizing the best available information from the following sources: Historical sign records, telephone and field surveys, R. L. Polk's Changes in Profile (1973), and the Wichita/Sedgwick County Intergovernmental Enumeration.

24.04.050

- (c) **Periodic Sign Maintenance Inspection.** A periodic sign maintenance inspection shall be made by the Superintendent of Central Inspection every five years. The owner of any permanent sign regulated by this chapter shall be required to pay a periodic sign maintenance inspection fee as set forth in this ordinance.

24.04.070

- (d) **Periodic Sign Maintenance Inspection Permit Fees.**

- (1) For each unique business location, zoning lot, or individual occupancy of a premise containing a permanent sign or signs for which a periodic sign maintenance inspection permit is required, a periodic sign maintenance inspection permit fee of \$20 shall be paid for the first permanent sign, with an additional fee of \$2 for each additional permanent sign.
- (2) Permanent signs for which a permit has been issued 18 months or less prior to a periodic sign maintenance inspection of a premise shall not be used in calculating the periodic sign maintenance inspection permit fee.
- (3) Failing to secure a periodic maintenance inspection permit within 30 days after notification by the Superintendent of Central Inspection, the fee shall be twice the amount specified above.

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE May 5, 1976



GL handle

TO Robert A. Lakin, Director of Planning
FROM Robert G. Finch, City Manager (Interim)

SUBJECT DR 76-6 - Sign Permits
and Fees

At the meeting of May 4, 1976, the City Commission placed on first reading portions of a proposed ordinance pertaining to sign permits and fees. The portions approved for first reading are those referred to as items 2, 3, 5, 6, 7 and 8 on the May 4 agenda.

Please have the necessary final copy of these amendments prepared, approved by the Department of Law, and forwarded to the City Clerk for final reading and adoption.

The Commission deferred consideration of those items referenced as items 1 and 4 on the May 4 agenda for three weeks to May 25, 1976, for further consideration. This office will return those items to the Commissioners on that date as requested.

By copy of this memo we are asking the Superintendent of Central Inspection to provide a report by May 25, 1976, concerning comparison of costs between 3-year and 5-year inspections.


Robert G. Finch
City Manager (Interim)

RGF/ksw

c. c. Glen Lytle, Special Assistant for Zoning
Robert Feldner, Superintendent of Central Inspection
Ray W. Bruggeman, Director of Public Works



WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 28, 1976

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning

SUBJECT DR 76-6 - Sign Permits and Fees

BACKGROUND

On March 9, 1976, the Board of City Commissioners considered recommendations of the Planning Commission on sign permits and fees. (See attached memo of March 3, 1976.) After a lengthy discussion, the Board of City Commissioners referred the matter back to the Ad Hoc Sign Committee and the MAPC for further study. The City Commission also suggested that consideration be given to certain suggestions made at the meeting that the City Commission deemed appropriate. The following suggestions are summarized and were included as a part of the motion to defer.

- A. Consider a change in the "triennial sign use permit" to possibly an "inspection fee" and consider a change in method of inspection to a premise inspection on an area basis, which could possibly be for a period of longer than three years. Further, that the inspection fee be assessed per premise with an additional nominal charge per sign, rather than the present charge per each sign.
- B. Re-evaluate the permit fee for double faced signs.
- C. Consider the possibility of an owner being permitted to maintain or repaint his own signs.
- D. Consideration be given to cost of temporary sign permit fees.
- E. That consideration be given to not collecting permit fees on signs existing on the date of the ordinance, providing the signs otherwise conform to all prior regulations.
- F. In order to reduce the amount of the Inspection Division's time, require the proper information be supplied with the application for permit.
- G. Provide a simpler means of communicating the requirements of the ordinance to the users of signs in the community.

SUMMARY

The Ad Hoc Sign Committee met three consecutive Mondays, March 22, March 29, and April 5, for approximately 3 hours each session. Their discussions resulted in the following recommendations:

Page 2 - Ralph Wulz, City Manager
April 28, 1976

1. On suggestion "A", it was recommended to eliminate the requirement of the "triennial sign use permit" and request that the City Commission provide the necessary monies from the general fund for administration of the sign regulations.
2. On suggestion "B", it was recommended the ordinance be amended to calculate the permit fee of a double faced sign to the same basis as the calculation of gross surface area of the sign (one face only).
3. On suggestion "C", it was recommended that an owner be permitted to maintain or repaint a sign, providing no structural modifications are being made.
4. On suggestion "D", it was recommended that permit fees for temporary signs, portable signs and special displays be amended. The attached ordinance revisions will require a permit fee of \$5.00 for the first event permitted under Section 28.04.139(C)(8) of the Code, and for each additional event in a calendar year, a permit fee of \$2.00. It was also recommended that portable signs that are leased or loaned to businesses be required to be licensed on an annual basis.

The above recommendations are included in the attached copy of amendments to the sign ordinance. The following recommendations were made that were administrative in nature and do not require ordinance amendments:

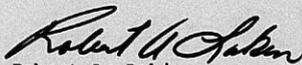
5. On suggestion "E", it was recommended that all signs that existed on December 13, 1974, providing the signs conformed to all previous regulations, be grandfathered even though records did not indicate a permit had been issued for such sign, and not charge a permit for such a sign.
6. On suggestion "F", it was recommended that the Inspection Division require the sign hangers to present adequate information and thus reducing the amount of time necessary for the issuance of permits.
7. On suggestion "G", it was recommended that a simpler method of communicating the requirements of the Code to the public, particularly as it relates to temporary and portable signs.
8. It is further recommended that in order to provide a more efficient and effective method of enforcement of the elimination or repair of dilapidated, dangerous, obsolete signs, and the illegal use of temporary and portable signs, it is suggested that authority for issuance of tickets for such violations be requested from the courts.

Page 3 - Ralph Wulz, City Manager
April 28, 1976

The above recommendations will be considered by the Planning Commission on Thursday, April 29, 1976, and the recommendations of the Planning Commission will be available after that meeting.

RECOMMENDATION

Take the action deemed to be in the best interests of the public.



Robert A. Lakin
Director of Planning

RAL:GEL:ber
Attachments

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
MAPC Members
Ad Hoc Sign Committee

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 30, 1976

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 76-6 - Sign Permits and Fees

This memo is to supplement the memo of April 28, 1976 relative to the action of the Planning Commission at their meeting of April 29, 1976.

After a brief discussion of recommendation number 1, a motion was made by Savina and seconded by Hennessy to approve the eight recommendations of the Ad Hoc Sign Committee.

A substitute motion was made by Barrier, seconded by Porter, to vote separately on each recommendation. Substitute motion failed by a vote of 4 in favor (Kamen, Porter, Barrier, Taylor), and 5 against (Savina, Hennessy, Gragg, Greider, Bayouth).

Hennessy moved, Gragg seconded to cease discussion. Motion carried 8 to 1.

Action on the original motion: Motion carried by a vote of 5 in favor (Savina, Hennessy, Gragg, Greider, Bayouth), and 4 against (Kamen, Porter, Barrier, Taylor).



Robert A. Lakin
Director of Planning

RAL:GEL:ber

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection

Copies to:

~~8/11/11 - Enclaves~~

Maxine Hanson -
300~~0~~ Morningside 18

Bob Wilson
1600 So. Topeka 11

Jim Tidwell
250 N. Kansas 14

Lonnie Nephner
737 So. Wash. 11

Tim Hurley
Wich Assn. of Home Builders.
730 N. Main 03

Wes Galyon
Wich Bd. of Realtors
626 N. Schweg 14

Pam Reynolds
Chamber of Commerce
350 W. Douglas 67202

4-13-76

Send copies of Ad Hoc SIGN COMM.

RECOMMENDATIONS

TO:

PAM REYNOLDS
CHAMBER OF COMMERCE
350 W. DOUGLAS
W. K. 67202

AD HOC SIGN COMM

MAP C

FELDNER

BRUGGEMAN

April 28, 1976

TO: Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM: Wichitans for Better Signs and Project
Beauty, Inc.

SUBJECT: Sign Permits and Fees

Wichitans for Better Signs was included in the Ad Hoc Sign Committee and we concur with most of the summarized recommendations of the committee. Wichitans for Better Signs and Project Beauty, Inc., support the following recommendations: 2, 3, 5, 6, 7, and 8.

We do not agree with suggested change No. 1. Although the "triennial sign use permit" should be changed, we do not feel that periodic re-inspection of signs should be entirely eliminated. We support the suggestion that periodic re-inspection be done on a per premises basis rather than per sign, thus reducing cost and fees. This could be done on a 5-year basis rather than 3. We support recommendation No. 8 (the issuing of tickets for ordinance violations); but even if the courts grant such authority, we do not feel that a ticketing system would remove the need for periodic re-inspection.

Recommendation No. 4 would give adequate information for temporary sign enforcement if procedures are followed. However, with suggested temporary sign fees significantly lower than either the present or the old ordinance, we are concerned that revenue may not be sufficient for administration. Also, with temporary sign fees no longer tied to amount of signage used, the only incentive for restraint in number and areas of temporary signs used is removed. While it is possible that the recommendations of the Ad Hoc Sign Committee will still allow control of temporary signs, Wichitans for Better Signs and Project Beauty, Inc., believe that the best interests of the community at large are better served by the present temporary sign regulations rather than by recommendation No. 4.

There are a number of communities which allow temporary signs only on windows, or outside a building only when opening a new business--our temporary sign regulations are non-restrictive in comparison. We regret that time limitations on temporary signs have already been relaxed.



THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF Environmental Health . . . DATE April 28, 1976

TO Wichita-Sedgwick County Metropolitan Area Planning Commission

FROM Barbara Keltner, Chairperson, Wichita-Sedgwick County
Environmental Resource Advisory Board

SUBJECT Sign Permits and Fees

The Environmental Resource Advisory Board supports Recommendations No. 2, 3, 4, 5, 6 and 8 of the Ad Hoc Sign Committee.

ERAB does not support Recommendation No. 1. ERAB has suggested that the present "triennial sign use permit fee" be changed to an "inspection fee". That this periodic inspection (which could be every five years rather than every three years) proceed by area throughout the city rather than by inspecting each sign on each premise as its inspection date comes due. This could reduce manpower and fuel costs considerably. Further that the inspection fee be assessed per premise with an additional nominal charge per sign, rather than assessed per individual sign. To adequately enforce the ordinance both reinspection and tickets (Recommendation No. 8) are needed.

ERAB does not support Recommendation No. 7 at this time. ERAB is not convinced that the recommendation on temporary signs by the Ad Hoc Sign Committee are compatible with effective control of temporary signs.

Barbara Keltner per

Barbara Keltner, Chairperson
Environmental Resource Advisory Board

BK:pp

April 28, 1976

TO: Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM: Wichitans for Better Signs and Project
Beauty, Inc.

SUBJECT: Sign Permits and Fees

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Recommendation No. 7 would give adequate information for temporary sign enforcement if procedures are followed. However, with suggested temporary sign fees significantly lower than either the present or the old ordinance, we are concerned that revenue may not be sufficient for administration. Also, with temporary sign fees no longer tied to amount of signage used, the only incentive for restraint in number and areas of temporary signs used is removed. While it is possible that the recommendations of the Ad Hoc Sign Committee will still allow control of temporary signs, Wichitans for Better Signs and Project Beauty, Inc., believe that the best interests of the community at large are better served by the present temporary sign regulations rather than by recommendation No. 7.

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April 30, 1976

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

DR 76-6 - Sign Permits and Fees

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Robert A. Lakin
Director of Planning

RAL:GEL:ber

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection

April 28, 1976

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

DR 76-6 - Sign Permits and Fees

BACKGROUND

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- C. Consider the possibility of an owner being permitted to maintain or repaint his own signs.
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- E. That consideration be given to not collecting permit fees on signs existing on the date of the ordinance, providing the signs otherwise conform to all prior regulations.
- F. In order to reduce the amount of the Inspection Division's time, require the proper information be supplied with the application for permit.
- G. Provide a simpler means of communicating the requirements of the ordinance to the users of signs in the community.

SUMMARY

The Ad Hoc Sign Committee met three consecutive Mondays, March 22, March 29, and April 5, for approximately 3 hours each session. Their discussions resulted in the following recommendations:

Page 2 - Ralph Wulz, City Manager
April 28, 1976

1. On suggestion "A", it was recommended to eliminate the requirement of the "triennial sign use permit" and request that the City Commission provide the necessary monies from the general fund for administration of the sign regulations.
2. On suggestion "B", it was recommended the ordinance be amended to calculate the permit fee of a double faced sign to the same basis as the calculation of gross surface area of the sign (one face only).
3. On suggestion "C", it was recommended that an owner be permitted to maintain or repaint a sign, providing no structural modifications are being made.
4. On suggestion "D", it was recommended that permit fees for temporary signs, portable signs and special displays be amended. The attached ordinance revisions will require a permit fee of \$5.00 for the first event permitted under Section 28.04.139(C) (8) of the Code, and for each additional event in a calendar year, a permit fee of \$2.00. It was also recommended that portable signs that are leased or loaned to businesses be required to be licensed on an annual basis.

The above recommendations are included in the attached copy of amendments to the sign ordinance. The following recommendations were made that were administrative in nature and do not require ordinance amendments:

5. On suggestion "E", it was recommended that all signs that existed on December 13, 1974, providing the signs conformed to all previous regulations, be grandfathered even though records did not indicate a permit had been issued for such sign, and not charge a permit for such a sign.
6. On suggestion "F", it was recommended that the Inspection Division require the sign hangers to present adequate information and thus reducing the amount of time necessary for the issuance of permits.
7. On suggestion "G", it was recommended that a simpler method of communicating the requirements of the Code to the public, particularly as it relates to temporary and portable signs.
8. It is further recommended that in order to provide a more efficient and effective method of enforcement of the elimination or repair of dilapidated, dangerous, obsolete signs, and the illegal use of temporary and portable signs, it is suggested that authority for issuance of tickets for such violations be requested from the courts.

Page 3 - Ralph Wulz, City Manager
April 28, 1976

The above recommendations will be considered by the Planning Commission on Thursday, April 29, 1976, and the recommendations of the Planning Commission will be available after that meeting.

RECOMMENDATION

Take the action deemed to be in the best interests of the public.

Robert A. Lakin
Director of Planning

RAL:GEL:ber
Attachments

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
MAPC Members
Ad Hoc Sign Committee

Deletions marked ~~the~~
Additions underlined

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO REVISIONS OF PERMITS AND FEES; AND REQUIREMENTS FOR THE MAINTENANCE, ALTERATION AND REPAIR OF SIGNS; AND REPEALING SAID ORIGINAL SECTIONS 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 AND 24.04.220 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

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

Section 24.04.050 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.050 Permits required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, relocate or create by painting or maintain a sign within the city without first obtaining a permit from the superintendent of central inspection who shall issue permits for the following:

(a) ~~Initial Permanent Sign and Use Permit.~~ This permit shall be required for all new permanent signs erected, relocated, created by painting, reconstructed or for signs altered to increase the height or area. ~~The initial sign and use permit shall be valid for a period of three years from the date of issuance. At the termination of the initial sign and use permit the owner shall be required to obtain an existing sign use permit.~~

~~(b) Existing Sign Use Permit. The owner of any sign regulated by this chapter, except temporary signs and portable signs, in existence on the effective date of the ordinance codified herein, shall obtain a sign use permit and renew the permit triennially for as long as the sign is used. Permanent signs in existence on the date of enactment of the ordinance codified herein December 13, 1974 which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued as nonconforming signs, from the effective date of the ordinance codified herein December 13, 1974, for a period not to exceed fifteen years before conformance or removal. A sign use permit shall be valid for a period of three years.~~

(b) ~~(c)~~ Temporary Sign Permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit as required by Section 24.04.070 of this code. ~~All temporary signs and portable ground signs existing on the effective date of the ordinance codified herein may remain in use for sixty days after which it will be necessary to comply with all applicable regulations and obtain a temporary sign permit.~~ Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances."

Section 24.04.060 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.060 Permit application and issuance. (a) Application for permits shall be made to the superintendent of central inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This

may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the superintendent of central inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

(b) The superintendent of central inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the city.

(c) ~~Any initial~~ A permanent sign and-use permit issued under the provisions of this chapter shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty days or more at any time after the work is commenced. The superintendent of central inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee thereof shall be one-half the amount required for a new permit for such work provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.

~~(d) The superintendent of central inspection may, in writing, suspend or revoke any permit issued under the provisions of this chapter whenever the permit is issued on the basis of a material omission or misstatement of fact, or the sign is in violation of this chapter or any other applicable ordinance.~~

(d) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit.

Exceptions:

(1) Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger.

(2) Maintenance and repainting of existing signs by the owner when no structural changes are made to a sign."

(e) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

Section 24.04.070 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.070 Permit Fees. The fees prescribed herein must be paid to the city for each permanent sign, temporary sign or event using temporary signs, portable signs or advertising decorations for which a permit is required and shall be paid before any such permit is issued.

(a) Initial Permanent Sign and-Use Permit Fee.

(1) For each permanent sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the initial sign and-use permit fee shall be ten dollars plus two dollars per each ten square feet in gross surface area of each face of the sign or major fraction thereof. Except that only one base

permit fee of ten dollars shall be charged when more than one sign is to be erected, installed, affixed, relocated, created by painting or reconstructed concurrently upon one zoning lot.

(2) For each existing permanent sign that is altered to increase the area or height of the sign, a an initial sign and-use permit fee of ten dollars plus two dollars per each ten square feet of increase in gross surface area of the sign or major fraction thereof. Credit toward the payment of this fee may be any unused portion of the existing sign-use permit.

(3) For each existing permanent sign that the copy is altered or changed by painting or replacing sign faces where no increase in height or area occurs, and does not involve structural changes, a sign permit fee of ten dollars shall be paid. This fee shall not apply to change of copy for off-site signs, but shall apply when a change is made to add an additional face to a single face sign.

(4) ~~(3)~~ For each sign that is erected, installed, affixed, altered, relocated, created by painting or reconstructed, without first obtaining a permanent an-initial sign and-use permit, the fee shall be twice the amount specified above.

~~(b)~~ Existing Sign-Use-Permit-Fee.

~~(1)~~ For each existing sign for which a sign-use permit is required, a sign-use permit fee of twelve dollars shall be paid for any sign not exceeding one hundred-fifty-square-feet-in-gross-surface-area-and for any sign exceeding one-hundred-fifty-square-feet-in-gross-surface-area-the permit fee shall be fifteen dollars.

When the application for an existing sign-use permit is accompanied by a certificate of inspection by a licensed and bonded sign hanger, the permit fee stated above shall be reduced to one-half the amount.

~~(2)~~ Failing to secure a sign-use permit within thirty days after notification by the superintendent of central inspection, the fee shall be twice the amount specified above.

(b) Temporary Sign Permit Fees.

(1) For temporary signs, portable signs and advertising decorations permitted by Section 28.04.139-C(8) of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) shall be paid for the first special event period, with an additional temporary sign permit fee of \$2.00 (TWO DOLLARS) for each additional special event within any calendar year.

(2) For all other temporary signs permitted by Section 28.04.139 of the code, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) plus \$1.00 (ONE DOLLAR) for each fifty square feet of gross surface area of the sign or fraction thereof.

(3) The owner of portable ground signs that are leased or loaned to businesses or individuals for temporary advertising purposes shall obtain an annual temporary sign permit for each individual sign. Such annual permit shall be \$5.00 (FIVE DOLLARS) for any sign not exceeding twenty-five square feet and \$10.00 (TEN DOLLARS) for all signs over twenty-five square feet of gross surface area.

(4) (2) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

~~(e) -- Temporary Sign Permit Fees.~~

~~{1} -- For temporary signs and displays for which a permit is required, a temporary sign permit fee of \$5.00 (FIVE DOLLARS) for each permit issued per parcel of land (as defined by Section 26-04-020), plus \$1.50 (ONE DOLLAR AND FIFTY CENTS) for each 75 square feet of sign and display area or major fraction thereof. When more than one sign, display, pennant, structures, etc., are to be used and the time limitations are concurrent, one permit shall be issued, otherwise, a permit shall be issued for each occurrence. (For the purpose of calculating the permit fee when more than one sign, display, pennant, or structures, etc., are to be used, the areas of the signs shall be actual, and the area of pennants, streamers and other wind type signs shall be estimated at one square foot for each linear foot of such display.)~~

(c) (d) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this chapter or from the penalties prescribed herein."

Section 24.04.080 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.080 Requirements for maintenance of signs. ~~Conditions for sign use permit.~~ (a) All signs together with all their supports, braces, connections, anchors and any appurtenance thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(b) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected ~~before any sign use permit is issued~~ within thirty days upon notice by the superintendent of central inspection or be removed."

Section 24.04.100 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.100 Alteration and repair of nonconforming signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off site sign, and the copy of on site signs for the same business on the zoning lot, and may include the sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of sign;

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed fifty percent of its structural value;

(c) Normal maintenance and repairs required ~~for the issuance of a sign-use permit.~~ by Section 24.04.080 of this code."

Section 24.04.220 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

"24.04.220 General requirements. The signs regulated by this chapter shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, area, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in fire zone no. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be constructed as set forth in the electrical code, but however signs outside of fire zone no. 1 may be constructed of heavy timber or faced with combustible materials with upon the approval of the superintendent of central inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the superintendent of central inspection.

(i) No projecting sign shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed of incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions:

The applicant shall give a bond in the sum of five thousand dollars to save and hold the city free and harmless from all damages which may be occasioned by the

erection and maintenance of such sign; the bond is to be signed by the sureties acceptable to the city and to be approved as to form by the city attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to file with the city a blanket surety bond to cover all roof signs erected and maintained by a person within the city. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the city free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the city and shall be approved as to form by the city attorney.

(1) Each sign, except temporary signs for which permits have been issued for thirty days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the superintendent of central inspection.

~~{m}--Only-licensed-and-bonded-sign-hangers-may-erect, created-by-painting, affix, alter, relocate or reconstruct any sign requiring a permit.--Exception--Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign-hanger."~~

The originals of Sections 24.04.050, 24.04.060, 24.04.070, 24.04.080, 24.04.100 and 24.04.220 of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this ____ day of _____, 1976.

James M. Donnell, Mayor

ATTEST:

Donald C. Gisick, City Clerk

Approved as to form

John Dekker, City Attorney

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 23, 1976

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 76-6 - Sign Permits and Fees -
Recommendations of Ad Hoc Sign
Committee

BACKGROUND

At the City Commission meeting of March 9, 1976, after several hours of discussion on the previous recommendations made by the MAPC on sign permits and fees, the Board of City Commissioners referred the matter back to the Ad Hoc Sign Committee and the MAPC for further study. The City Commission also instructed that the Committee consider certain suggestions made at the meeting that the City Commission deemed appropriate. The following suggestions were included as part of their motion to defer:

- A. Consider a change in the "triennial sign use permit" to possibly an "inspection fee" and consider a change in method of inspection to a premise inspection on an area basis, which could possibly be for a period of longer than three years. Further, that the inspection fee be assessed per premise with an additional nominal charge per sign, rather than the present charge per each sign.
- B. Re-evaluate the permit fee for double faced signs.
- C. Consider the possibility of an owner being permitted to maintain or repaint his own signs.
- D. That consideration be given to not collecting permit fees on signs existing on the date of the ordinance, providing the signs otherwise conform to all prior regulations.
- E. In order to reduce the amount of the Inspection Division's time, require the proper information be supplied with the application for permit.
- F. Provide a simpler means of communicating the requirements of the ordinance to the users of signs in the community.
- G. Consideration be given to cost of temporary sign permit fees.

A copy of the previous recommendations made by the MAPC are also attached.

SUMMARY

The Ad Hoc Sign Committee met three consecutive Mondays, March 22, March 29, and April 5, for approximately 3 hours each session. Their discussions resulted in the following recommendations:

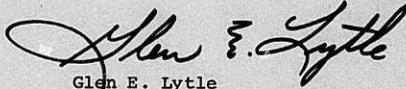
1. Eliminate the requirement of the "triennial sign use permit" and request that the City Commission provide the necessary monies from the general fund for administration of the sign regulations.
2. Amend the ordinance to calculate the permit fee of a double face sign to the same basis as the calculation of gross surface area (only one face).
3. Do not require that a licensed and bonded sign hanger be hired to maintain or repaint a sign, providing no structural modifications are being made.
4. Grandfather all signs existing on December 13, 1974, providing the signs otherwise conform to all previous regulations, even though no permits are on record.
5. Requested that the Central Inspection Division require the proper information be furnished by the sign hanger at the time a permit is applied for, thereby eliminating some of the cost of administration.
6. Requested that the Central Inspection Division develop a simpler method of communicating the requirements of the ordinance to the public, particularly as it relates to temporary and portable signs.
7. Recommend that the permit fees for temporary signs, portable signs and special displays be amended. This will require a fee of \$5.00 for the first event permitted by the ordinance with an additional fee of \$2.00 for each additional event or use of such signs. Portable signs leased or loaned to businesses will be required to secure an annual license for each sign.
8. In order to provide a more efficient and effective method of enforcement of the elimination or repair of dilapidated, dangerous, obsolete signs, and the illegal use of temporary and portable signs, it is suggested that authority for issuance of tickets for such violations be requested from the courts.

Copies of the ordinance incorporating the above recommended changes will be available at the MAPC meeting.

Page 3 - Metropolitan Area Planning Commission
April 23, 1976

RECOMMENDATION

Concur with the recommendations of the Ad Hoc Sign Committee,
or make additional recommendations deemed to be in the best
interest of the public.


Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachments

cc: Robert Feldner, Supt. of Central Inspection
Ray Bruggeman, Director of Public Works
Ad Hoc Sign Committee

RE: AGENDA ITEM NO. 18

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 23, 1976

TO Wichita-Sedgwick County Metropolitan Area Planning Commission
FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 76-6 - Sign Permits and Fees -
Recommendations of Ad Hoc Sign Committee

*- Savings moved to agenda
plus 8 recommendations
5-4 Karen Porter Taylor
Barrier*

BACKGROUND

At the City Commission meeting of March 9, 1976, after several hours of discussion on the previous recommendations made by the MAPC on sign permits and fees, the Board of City Commissioners referred the matter back to the Ad Hoc Sign Committee and the MAPC for further study. The City Commission also instructed that the Committee consider certain suggestions made at the meeting that the City Commission deemed appropriate. The following suggestions were included as part of their motion to defer:

- A. Consider a change in the "triennial sign use permit" to possibly an "inspection fee" and consider a change in method of inspection to a premise inspection on an area basis, which could possibly be for a period of longer than three years. Further, that the inspection fee be assessed per premise with an additional nominal charge per sign, rather than the present charge per each sign.
- B. Re-evaluate the permit fee for double faced signs.
- C. Consider the possibility of an owner being permitted to maintain or repaint his own signs.
- D. That consideration be given to not collecting permit fees on signs existing on the date of the ordinance, providing the signs otherwise conform to all prior regulations.
- E. In order to reduce the amount of the Inspection Division's time, require the proper information be supplied with the application for permit.
- F. Provide a simpler means of communicating the requirements of the ordinance to the users of signs in the community.
- G. Consideration be given to cost of temporary sign permit fees.

A copy of the previous recommendations made by the MAPC are also attached.

*- Barrier moved to vote separately on each item
Porter 4-5
- Hanna moved to close drawing
8-1*

SUMMARY

The Ad Hoc Sign Committee met three consecutive MOndays, March 22, March 29, and April 5, for approximately 3 hours each session. Their discussions resulted in the following recommendations:

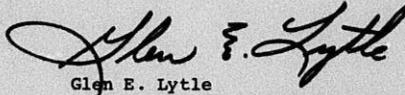
1. Eliminate the requirement of the "triennial sign use permit" and request that the City Commission provide the necessary monies from the general fund for administration of the sign regulations.
2. Amend the ordinance to calculate the permit fee of a double face sign to the same basis as the calculation of gross surface area (only one face).
3. Do not require that a licensed and bonded sign hanger be hired to maintain or repaint a sign, providing no structural modifications are being made.
4. Grandfather all signs existing on December 13, 1974, providing the signs otherwise conform to all previous regulations, even though no permits are on record.
5. Requested that the Central Inspection Division require the proper information be furnished by the sign hanger at the time a permit is applied for, thereby eliminating some of the cost of administration.
6. Requested that the Central Inspection Division develop a simpler method of communicating the requirements of the ordinance to the public, particularly as it relates to temporary and portable signs.
7. Recommend that the permit fees for temporary signs, portable signs and special displays be amended. This will require a fee of \$5.00 for the first event permitted by the ordinance with an additional fee of \$2.00 for each additional event or use of such signs. Portable signs leased or loaned to businesses will be required to secure an annual license for each sign.
8. In order to provide a more efficient and effective method of enforcement of the elimination or repair of dilapidated, dangerous, obsolete signs, and the illegal use of temporary and portable signs, it is suggested that authority for issuance of tickets for such violations be requested from the courts.

Copies of the ordinance incorporating the above recommended changes will be available at the MAPC meeting.

Page 3 - Metropolitan Area Planning Commission
April 23, 1976

RECOMMENDATION

Concur with the recommendations of the Ad Hoc Sign Committee,
or make additional recommendations deemed to be in the best
interest of the public.


Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachments

cc: Robert Feldner, Supt. of Central Inspection
Ray Bruggeman, Director of Public Works
Ad Hoc Sign Committee

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 3, 1976

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Recommendations of the AD HOC SIGN COMMITTEE and
the Planning Commission on sign permits and fees
(Title 24).

BACKGROUND

See background information included in memo this date with subject (DR-75-27 - Possible amendments to the zoning ordinance - on-site and off-site signs), and the accompanying MAPC minutes. Also attached is a copy of Title 24, sign ordinance, as adopted in December 1974 and the amendments thereto adopted during 1975.

SUMMARY

During the meetings of the AD HOC SIGN COMMITTEE, the requirements for permits and fees were discussed on several occasions. It was the consensus opinion of the AD HOC SIGN COMMITTEE not to make any recommendation on the permits and fees that are set forth in the sign ordinance. However, as indicated in the minutes of the Planning Commission meeting of January 8, 1976, considerable amount of the discussion pertained to the requirements of permits and fees. The discussions all took place without benefit of any representative of the enforcing department being present.

Recommendations made by the planning Commission on permits and fees are as follows:

1. The sign ordinance be amended to require only an initial sign permit. (This would eliminate the triennial sign use permit required by Section 24.04.070-b of the ordinance.)
2. A temporary sign permit fee of \$6.00 be established for temporary portable ground signs to be paid annually. Also a temporary sign permit fee of \$6.00 be established for promotional activities on a property, to be good for one year, which would include all signs and pennants used in the promotional activities.

It is my understanding that the Superintendent of Central Inspection will be prepared to discuss the matter of permits and fees with the Commission.

Ralph Wuls, City Manager
March 3, 1976
Page 2

RECOMMENDATION

Take the action deemed to be in the best interest of the public and instruct the staff to prepare the necessary documents under Title 24 to accomplish same.

Ralph Wuls
Robert A. Wuls
Director of Public Works

RAL:GEL:ems
Attachment

cc: Ray Bruggeman, Director of Public Works
Robert Faldner, Superintendent of Public Works
Metropolitan Area Planning Commission
AD HOC SIGN COMMITTEE
Chamber of Commerce
Wichita Board of Realtors
Wichita Association of Home Builders

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF Environmental Health DATE April 28, 1976

TO Wichita-Sedgwick County Metropolitan Area Planning Commission
FROM Barbara Keltner, Chairperson, Wichita-Sedgwick County
Environmental Resource Advisory Board
SUBJECT Sign Permits and Fees

The Environmental Resource Advisory Board supports Recommendations No. 2, 3, 4, 5, 6 and 8 of the Ad Hoc Sign Committee.

ERAB does not support Recommendation No. 1. ERAB has suggested that the present "triennial sign use permit fee" be changed to an "inspection fee". That this periodic inspection (which could be every five years rather than every three years) proceed by area throughout the city rather than by inspecting each sign on each premise as its inspection date comes due. This could reduce manpower and fuel costs considerably. Further that the inspection fee be assessed per premise with an additional nominal charge per sign, rather than assessed per individual sign. To adequately enforce the ordinance both reinspection and tickets (Recommendation No. 8) are needed.

ERAB does not support Recommendation No. 7 at this time. ERAB is not convinced that the recommendation on temporary signs by the Ad Hoc Sign Committee are compatible with effective control of temporary signs.

Barbara Keltner *per*
Barbara Keltner, Chairperson
Environmental Resource Advisory Board

BK:pp

April 28, 1976

TO: Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM: Wichitans for Better Signs and Project
Beauty, Inc.

SUBJECT: Sign Permits and Fees

Wichitans for Better Signs was included in the Ad Hoc Sign Committee and we concur with most of the summarized recommendations of the committee. Wichitans for Better Signs and Project Beauty, Inc., support the following recommendations: 2, 3, 4, 5, 6, and 8.

We do not agree with suggested change No. 1. Although the "triennial sign use permit" should be changed, we do not feel that periodic re-inspection of signs should be entirely eliminated. We support the suggestion that periodic re-inspection be done on a per premises basis rather than per sign, thus reducing cost and fees. This could be done on a 5-year basis rather than 3. We support recommendation No. 8 (the issuing of tickets for ordinance violations); but even if the courts grant such authority, we do not feel that a ticketing system would remove the need for periodic re-inspection.

Recommendation No. 7 would give adequate information for temporary sign enforcement if procedures are followed. However, with suggested temporary sign fees significantly lower than either the present or the old ordinance, we are concerned that revenue may not be sufficient for administration. Also, with temporary sign fees no longer tied to amount of signage used, the only incentive for restraint in number and areas of temporary signs used is removed. While it is possible that the recommendations of the Ad Hoc Sign Committee will still allow control of temporary signs, Wichitans for Better Signs and Project Beauty, Inc., believe that the best interests of the community at large are better served by the present temporary sign regulations rather than by recommendation No. 7.

There are a number of communities which allow temporary signs only on windows, or outside a building only when opening a new business--our temporary sign regulations are non-restrictive in comparison. We regret that time limitations on temporary signs have already been relaxed.



WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 23, 1976

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 76-6 - Sign Permits and Fees -
Recommendations of Ad Hoc Sign
Committee

BACKGROUND

At the City Commission meeting of March 9, 1976, after several hours of discussion on the previous recommendations made by the MAPC on sign permits and fees, the Board of City Commissioners referred the matter back to the Ad Hoc Sign Committee and the MAPC for further study. The City Commission also instructed that the Committee consider certain suggestions made at the meeting that the City Commission deemed appropriate. The following suggestions were included as part of their motion to defer:

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- B. Re-evaluate the permit fee for double faced signs.
- C. Consider the possibility of an owner being permitted to maintain or repaint his own signs.
- D. That consideration be given to not collecting permit fees on signs existing on the date of the ordinance, providing the signs otherwise conform to all prior regulations.
- E. In order to reduce the amount of the Inspection Division's time, require the proper information be supplied with the application for permit.
- F. Provide a simpler means of communicating the requirements of the ordinance to the users of signs in the community.
- G. Consideration be given to cost of temporary sign permit fees.

A copy of the previous recommendations made by the MAPC are also attached.

SUMMARY

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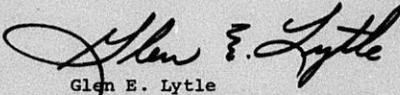
1. Eliminate the requirement of the "triennial sign use permit" and request that the City Commission provide the necessary monies from the general fund for administration of the sign regulations.
2. Amend the ordinance to calculate the permit fee of a double face sign to the same basis as the calculation of gross surface area (only one face).
3. Do not require that a licensed and bonded sign hanger be hired to maintain or repaint a sign, providing no structural modifications are being made.
4. Grandfather all signs existing on December 13, 1974, providing the signs otherwise conform to all previous regulations, even though no permits are on record.
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8. In order to provide a more efficient and effective method of enforcement of the elimination or repair of dilapidated, dangerous, obsolete signs, and the illegal use of temporary and portable signs, it is suggested that authority for issuance of tickets for such violations be requested from the courts.

Copies of the ordinance incorporating the above recommended changes will be available at the MAPC meeting.

Page 3 - Metropolitan Area Planning Commission
April 23, 1976

RECOMMENDATION

Concur with the recommendations of the Ad Hoc Sign Committee,
or make additional recommendations deemed to be in the best
interest of the public.


Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachments

cc: Robert Feldner, Supt. of Central Inspection
Ray Bruggeman, Director of Public Works
Ad Hoc Sign Committee

April 23, 1976

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Glen E. Lytle, Special Assistant for Zoning

DR 76-6 - Sign Permits and Fees -
Recommendations of Ad Hoc Sign
Committee

BACKGROUND

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 - G. Consideration be given to cost of temporary sign permit fees.
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SUMMARY

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Copies of the ordinance incorporating the above recommended changes will be available at the MAPC meeting.

Page 3 - Metropolitan Area Planning Commission
April 23, 1976

RECOMMENDATION

Concur with the recommendations of the Ad Hoc Sign Committee,
or make additional recommendations deemed to be in the best
interest of the public.

Glen E. Lytle
Special Assistant for Zoning

GEL:ber
Attachments

cc: Robert Feldner, Supt. of Central Inspection
Ray Bruggeman, Director of Public Works
Ad Hoc Sign Committee

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF Environmental Health

DATE April 5, 1976



TO David Bayouth, Chairman, Metropolitan Area Planning Commission
FROM Joan Kamas, Wichita-Sedgwick County Environmental Resource
Advisory Board
SUBJECT Ad Hoc Sign Committee

On March 9, 1976, the Board of City Commissioners referred back to the Ad Hoc Sign Committee, recommendations on permits and fees that had been forwarded to them by the Metropolitan Area Planning Commission. At this time, the Environmental Resource Advisory Board advises of the withdrawal of its representative from participation in that committee's discussion on permits and fees.

It has been the Environmental Resource Advisory Board's policy to refrain from involvement in this area of the sign ordinance and that policy will continue, except to comment as needed at Commission hearings. Only when it was determined that the sign ordinance itself was in danger did ERAB present to City Commissioners on March 9, 1976, suggestions on permits and fees. After attending two committee meetings, it seems that positions of the Central Inspection Division and the business representatives have polarized and that ERAB is unable to contribute to meaningful compromise.

Enforcement remains the key to the success of the sign ordinance. To assist Central Inspection Division in quick and simple enforcement, it appears necessary to provide authority for issuing on-the-spot tickets for obsolete and dilapidated signs as well as for non-conforming temporary and portable signs.

Again, ERAB emphasizes that fees should be fair, as reasonable as possible and yet provide funding for enforcement.

Joan Kamas

Joan Kamas
Environmental Resource Advisory Board

JK:pp

cc Board of City Commissioners
William J. Goebel ✓

mtg 4-5-76

- ✓ GOEBEL
- ✓ BAYOUTH
- ✓ GUINAN
- ✓ HANSON
- ✓ BOYD - ALTERNATE
- HALE - ALTERNATE - CAMPBELL
- ✓ ALLEN ENLOW
- ✓ GLEN LYTLE

1. Develop procedure for promotional activities

12 event jacket @ cost	3.00
2.00 per event	24 hr -

2. OK

3. OK

4. Provide better comm on temporary signs to public

AD HOC SIGN COMMITTEE

SUMMARY OF RECOMMENDATIONS TO DATE

1. Eliminate the triennial sign use permit and require only the original sign permit.
2. Grandfather all signs existing on December 13, 1974 (date of adoptions of ordinance) providing signs otherwise conform to all previous regulations, even though permits may not have been obtained, or no record of permits are on record.
3. Not require a licensed and bonded sign hanger to paint or repaint a sign, providing the permit is issued and the sign is in compliance with all regulations. (This would not include erection of signs other than temporary signs).
4. Do not increase the original sign permit fee at this time, and request the City Commission provide from the general fund the necessary monies to provide administration of the regulations for 2 years.
5. Recommended that a procedure be established for the issuance of an annual permit for portable ground signs that would simplify the use and the permit cost to the user; providing further, that signs used under this procedure shall not exceed 72 square feet; not more than 2 signs per street frontage; and comply with the time limitations for temporary signs.
6. *Provide for method of enforcement of regulations by use of tickets or citation for violation of ordinance.*

4-2-76

AD HOC SIGN COMMITTEE

—————
+—————+
ITEMS REFERRED BY CITY
COMMISSION NOT COMPLETED

1. Permit fees and procedures for promotional activities using banners, pennants and temporary signs.
2. The new ordinance reads "application for permits shall be made to the superintendent of Central Inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations." Therefore, it is suggested sign inspectors make only one trip to a premise for inspection for initial sign permits and not make trips before and after installation, thereby doubling the cost in fuel and labor. Sign hangers are responsible for submitting the information and Central Inspection has records available for verification.
3. The present procedure for measuring signage allowances is to measure the gross surface area--and on double faced signs to measure only one side. It seems inconsistent then, to charge fees for both sides of a double faced sign as is the current practice. The suggestion is to change the regulation wording to charge fees for only one side of a double faced sign.
4. Problems of communication between the Inspection Division and the Business community on the application of the regulations.

No limitation \$1000 + \$200 verification event

12 EX

1976

AD HOC SIGN COMMITTEE MEETING
March 29, 1976

1:45 pm

✓ GOEBEL	Yes
✓ BAYOUTH <i>arrive 1:10</i>	Yes
Elliott	No, Conflicting meeting with Rotary Club
STEWART	No, meeting with Revenue bond for Wesley
✓ BOYD	Yes
✓ HALE	Will Try
✓ KAMAS <i>arrive 2:30</i>	Will be late, has a Girl Scout-Boy Scout Board Meeting at noon
✓ GUINAN	YES
✓ MAXINE HANSON	YES
✓ FELDNER	YES
✓ LYTTLE	YES
✓ INLOW	YES
LAKIN	
✓ BOB WILSON — SOS	
✓ Russell Ross — Downey	

Adjourned 5:25 pm

3-9-76

1:45

① Discussion #2 ← # →



 BA YOUTH - enters^{2:10} - chaos begins
~~Waco company - unsafe - abandoned signs - # only #~~
 Wilson # No reinspection - SOS groups

Kamas - is there a way to pay for inspection -

Feldner - 3 yrs. - \$74,000⁰⁰/yr.
 5 yrs. - \$55,000⁰⁰/yr.

Haley - Volunteer to feed info on signs needing repair.

Recommendation #

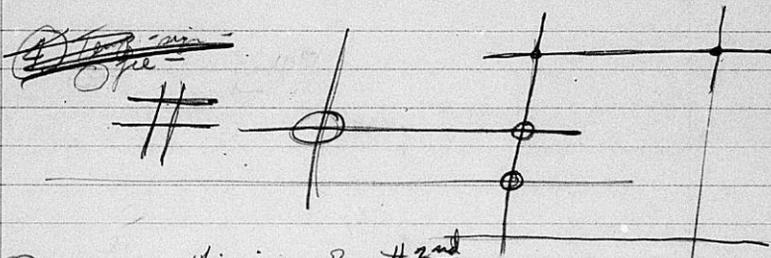
Sign industry to notify C.I.D. of signs that need repair, painting.

① Have Motion to Eliminate triennial sign use permit - / -
 2nd BA YOUTH - grandfather signs effective on Dec 13, 76 -
 4-3
 Byatt, Sub, Hal, Boyd for - Kamas, Binn, Hester

② motion - Bayouth - Not require hinged board sign
 larger - to paint a sign complete -
 2nd Hale - Unams. -

Boyd - Bayouth ^{2ND}

③ Motion: ^{initial permit} Leave fees as is, and the cost of operations be provided from general fund for 2 yrs.
 Carried 6-1 Guinan no.



④ Motion Guinan - Bayouth ^{2ND}
 Annual permit - notice & triplicate by
 72 hr max. signs - owners -
 Landowner to notify C.I.D. of length of time.

⑤ Temp. signs -
 Bayouth ~~###~~

Motion to adjourn

ATTENDANCE

3-22-76

- GOEBEL - Com.
- GUINAN - Com. - WBS
- Bob WILSON - SOS
- FELDMER - CID
- ENLOW - CID
- Lyman Ray - SOS
- Maxina Hanson - WBS
- Bill Campbell - com substitute
- Alan Lytle - MAPD -
- Joan Kamas -

Sign Use permit -

discussion - ERAB - Recommendation -

Enlow - explanation -

Lytle - reasons for reqs -

Kamas -

Guinan - How about use permit - ? Feldner -
Can you go along w/ suggestion?

Enlow # - explain of system on temp. permits -

Guinan - Ask C.I.D. for inspection fee / premise -
for next mtg. -

~~#1~~

KAMAS -
Why should not #2 be accepted
as suggested -

& Sugg. as to cost of #1
on Premise insp. basis

Enlow & Lytle - temp. signs.
recommndation

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 16, 1976

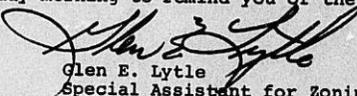
TO Ad Hoc Sign Committee
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT Meeting Dates.

The Ad Hoc Sign Committee will meet on Monday, March 22, 1976 beginning at 1:45 p.m. in the Planning Department Conference Room, 10th Floor, City Hall, 455 North Main. Additional meetings have tentatively been set for each of the following two Mondays, March 29 and April 5 at 1:45 p.m. It is anticipated that three meetings should be sufficient to formulate recommendations on the Sign Ordinance related to permits and fees.

The Board of City Commissioners, at their regular meeting of March 9, 1976, referred back to the Ad Hoc Sign Committee the recommendations on permits and fees that were forwarded to them by the Planning Commission. In their motion to defer, the City Commission also gave certain directions to the committee on the suggestions made at the meeting that they deemed appropriate for inclusion or changes in the regulations.

The City Commission indicated that the suggestions made by ERAB as included on pages 2 and 3 of the attached memo provided some constructive suggestions that should be considered. Another suggestion was to clarify when a person could paint a sign.

I will try to develop some specific proposals along these lines and have them available for the meeting on Monday. My Secretary will call each of you Monday morning to remind you of the meeting.


Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

cc: Robert Feldner, Superintendent of Central Inspection

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF Environmental Health DATE March 8, 1976

RECEIVED
Mayor's Office
DATE 3-8

"All City Commissioners Received"

TO Mayor Connie Peters

FROM Bobbie Keltner, Chairperson, Wichita-Sedgwick County Environmental Resource Advisory Board

SUBJECT SIGN ORDINANCE

Wichita's new sign ordinance is a good ordinance. It is not unduly restrictive. In its present form, the ordinance represents thousands of hours of conflict and compromise. The continuous attacks and requests for variances which serve to complicate understanding and enforcement are regrettable. The Environmental Resource Advisory Board was represented on the Ad hoc Sign Committee and suggests City Commissioners accept the recommendations of that committee with three exceptions.

Specifically, objection is raised to proposal No. 3 which would permit additional on-site signs, such as wingboards, unless the square footage allowance is reduced. Hopefully, this would help reduce the clutter of many signs on a premise.

ERAB questions the value of proposal No. 4 that ground or pole signs be permitted to greater heights by the addition of landscaping at the base of the signs. It is ironic that the community's Environmental Resource Advisory Board should oppose this provision, but it is feared that this barter for greater height will lead to other problems--such as these structures becoming catchalls for blowing trash and dead plantings. If this proposal is rejected, it does not mean landscaping bases cannot be built, by those who care to, only that the reward of extra height would not be available.

Even though several accompanying restrictions are recommended for proposal No. 7, the Board is opposed to off-site signs being introduced into light commercial districts. At this time, billboards are allowed in many areas in the city and the opening of a new area could lead to further encroachment later.

The Environmental Resource Advisory Board definitely opposes the Metropolitan Area Planning Commission's proposal No. 1 amending the sign ordinance to require only an original sign use permit. Obviously, if the triennial sign use permit is eliminated, no effective way remains to enforce compliance. Most merchants are responsible citizens, however it

Mayor Connie Peters
March 8, 1976
Page Two

should be realized from past experience with effective and abandoned signs that some merchants are not! It may be desirable that permits be renewed for longer periods, or that the procedure change, but some form of on-going inspection is a must.

Proposal No. 2 concerning sign permits and fees would destroy the intent of the temporary portable sign section. It is imperative that permits specify time limits and location in order to provide information for enforcement. Portable temporary signs are major offenders in visual pollution. There are several alternatives to temporary ground signs. One which is being used more and more often is the placement of a separate sign for temporary promotions on the permanent sign pole. The MAPC proposal would appear to place restrictions on permanent signs while allowing temporary signs to proliferate at will. The Environmental Resource Advisory Board strongly urges the Commission not to approve proposal No. 2.

The Environmental Resource Advisory Board has stated many times it desire that fees charged be as reasonable as possible for the merchant but adequate to provide effective enforcement.

At the heart of the complaints to the sign regulations are misunderstanding and perhaps misinterpretation. In researching the permit and fees problem, one ironic fact was discovered. In some cases if the old ordinance had been enforced, it would prove more restrictive than the new one. And sometimes, fees would be higher. Lack of enforcement was an important problem with the old ordinance and lack of control for portable signs was another. Apparently only those merchants who obeyed the law and applied for permits were the ones charged fees. Others who ignored the regulations did not. In fact, a Central Inspection Department survey shows that prior to the new ordinance, 27 percent of the signs in the city did not have permits.

The following suggestions are made then in the hope they will serve commissioners and staff with alternatives in making the regulations more workable.

1. For the sake of clarification, it is suggested that the term "sign use permit fee" be changed to "inspection fee". That this periodic inspection (which could be for a longer period than three years but must be periodic) proceed by areas throughout the city rather than by inspecting each sign on each premise as its inspection date comes due. This could reduce manpower and fuel costs considerably. Further, that the inspection fee be assessed per premise with an additional nominal charge per sign, rather than assessed per individual sign.

Mayor Connie Pett
March 8, 1976
Page Three

2. That the initial sign permit fee not be charged to existing signs without permits if erected prior to the new ordinance, provided the signs otherwise conform to all prior regulations. This would happen only once---now--- in order to facilitate implementation of the new regulations.
3. The new ordinance reads "application for permits shall be made to the superintendent of Central Inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations." Therefore, it is suggested sign inspectors make only one trip to a premise for inspection for initial sign permits and not make trips before and after installation, thereby doubling the cost in fuel and labor. Sign hangers are responsible for submitting the information and Central Inspection has records available for verification.
4. The present procedure for measuring signage allowances is to measure the gross surface area--and on double faced signs to measure only one side. It seems inconsistent then, to charge fees for both sides of a double faced sign as is the current practice. The suggestion is to change the regulation wording to charge fees for only one side of a double faced sign.
5. Much unnecessary anger prevails. It is the city's responsibility to make the change from an old to new ordinance as simple as is practical for the involved citizens. Previously, the Environmental Resource Advisory Board recommended mailing short flyers of explanation with notifications. Presently, flyers are mailed to only specific groups of sign owners and are written on two sheets of paper. The suggestion is that the information be condensed, simplified and printed on both sides of one sheet of paper (if that much is necessary) and mailed with all notifications.

Those who implement the regulations have the greatest responsibility for the public's response to them. A sincere effort to help each person contacted better understand the rules applied to them, and an earnest effort to solve individual problems would reap great rewards in citizen acceptance of this new ordinance. The business community, too, has responsibilities; to have open minds and to exercise the same spirit of cooperation shown in the air pollution program.

Bobbie Keltner

Bobbie Keltner, Chairperson
Environmental Resource Advisory Board

pp

cc Commissioner Casado
Commissioner Donnell

Commissioner Shanahan
Commissioner Stevens

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE March 15, 1976

Lytle



TO R. W. Bruggeman, Director of Public Works
FROM Robert B. Feldner, Superintendent of Central Inspection
SUBJECT Sign Permit Fees

Re: City Manager's memo, dated March 10, 1976, titled as above.

Please be assured that Central Inspection will provide viable, forthright input into all facets of the restudy to facilitate a fair and enforceable final version.

Perhaps the Manager's memo was stimulated by a comment made by a member of the MAPC at the March 9 Commission meeting. The meeting referred to was the Metropolitan Area Planning Commission meeting of January 8, 1976. Central Inspection received notification of this meeting the afternoon of January 7. Unfortunately, the only two Central Inspection Division staff members with the necessary experience and expertise in the areas of sign fees and inspection frequency had prior commitments. The superintendent, as ex-officio, attended the Energy Task Force Meeting; and his aide, Mr. Inlow, was conducting a meeting with a consultant who was under contract to the Department of Public Works at that time. The assumption was made that Mr. Lytle, having authored the ordinance, would be able to provide adequate explanation.

Several other suggestions were made pertaining to the ordinance and its enforcement at the Commission meeting. In many instances these recommendations were previously implemented and operating. A brief itemization of these follows:

1. Informative letters or booklets should accompany all notifications and inspections. Two letters were previously prepared, one each for permanent (11-24-75) and temporary and portable (9-24-75) signs. The proper letter routinely accompanies any notification sent as well as being utilized as handouts by inspectors conducting sign surveys. Copies of these letters are attached.
2. It is impossible to obtain an expeditious permit to remove a sign. Permits are not required to remove any sign. A check of sign records indicates that no permits have been issued for this purpose.
3. New sign installation inspections should be reduced from two to one. Under the present ordinance the site must be checked for zoning restrictions as well as existing signs. Following erection of the sign, an inspection is made. Should the first inspection be omitted and subsequent inspection reveal that the density of signs (or placement) is in error, the new sign would have to be removed or relocated.



4. The property owner should be allowed to paint or repaint his signs. Interpretation of the existing ordinance allows the owner to create, or have created, by anyone of his choosing, any sign excepting a wall sign. The ordinance, in its present format, contains restrictions as to the maximum area of each wall that may be covered. Should a sign be created that is larger than allowed, it would have to be removed. All permanent signs must be erected by a licensed sign hanger.

Central Inspection is not adverse to changing the requirement that a sign hanger must be obtained for repainting an existing sign, but all implications must be carefully analyzed.

5. Existing signs that were originally constructed without benefit of permit should be exempt from new permit procedures. An opinion from the Director of Law stipulates that these signs should be permitted as new. In actuality these signs require more investigation and inspection time than a new sign. Exempting these signs would, in effect, be penalizing those firms who complied with the original ordinance.
6. Inspections should be scheduled for areas of the city concurrently, not sporadically, throughout the city. Central Inspection recognizes the advantages of this concept and has in fact implemented this strategy from the inception of the ordinance.

The attached map shows the entire city broken into trines. These divisions were made, utilizing historical sign records, to provide an even workload of existing signs within each area. Each trine is then further divided into an average day's workload for one inspector on a tri-annual basis. This division involves inspecting each sign at a given location concurrently with inspections scheduled for the same day in adjoining locations. In this manner the division is hopeful of accomplishing inspections (and area monitoring) over the entire city while reducing the costs of enforcement.

7. The term "Sign Use Fee", utilized throughout the ordinance and in correspondence, should be changed to "Inspection", "Inspection Fee" and/or "Reinspection, etc."

The term "Use Fee" is misleading and Central Inspection will recommend these changes to the Ad Hoc Sign Committee.

Central Inspection is prepared to discuss the permit fee schedule at any time. If further information is desired on permit fees or other facets of the ordinance, it will be supplied as expediently as possible.

Robert B. Feldner, Superintendent
Central Inspection Division

cc: Ralph Wulz, City Manager
Robert Lakin, Director, Planning Department

REB:cj

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS
Central Inspection Division
City Hall - 7th Floor
455 North Main
Wichita, Kansas 67202

To Sign Hangers, Sign Owners/Users:

Subject: Information Pertaining to the Sign Ordinances
of the City of Wichita, Kansas

Effective December 13, 1974, the City Commission amended the City of Wichita Sign Ordinance, creating several new provisions, and revising fee schedules and enforcement procedure. The stated purpose of the revision is to eliminate potential hazards, to encourage signs which are harmonious with the environment, to protect public and private investment in buildings and open spaces; and to promote the public health, safety and general welfare. A brief narrative of sign classifications, fees and requirements (in accordance with the new regulations) follows:

Initial (New) Sign and Use Permit: This permit is for all new signs erected, relocated, created, reconstructed or altered. The Initial Sign and Use Permit is valid for a period of three years. Upon expiration of this permit, an Existing Sign and Use Permit is required. The Initial Sign and Use Permit fee is \$10 (TEN DOLLARS) plus \$2 (TWO DOLLARS) for each 10 square feet (or gross surface area), of each face of the sign. When more than one sign is to be created concurrently on the same lot, only one base permit fee of \$10 (TEN DOLLARS) is charged. Only licensed sign hangers may obtain this type of permit.

Existing Sign Use Permit: The owner of any sign, except portable and temporary, which was in existence on the effective date of this ordinance, must obtain a Sign Use Permit. The permit fee is \$12 (TWELVE DOLLARS) for a sign not exceeding 150 square feet and \$15 (FIFTEEN DOLLARS) if over 150 square feet. The permit is issued for a three-year period. When the application for a Sign Use Permit is accompanied by a Certificate of Inspection from a licensed sign hanger, the fee shall be reduced to one-half the amount. A Sign Use Permit may be obtained by either the owner or a licensed sign hanger.

Upon failure to either secure a Sign Use Permit or remove the sign within thirty days after notification by the Superintendent of Central Inspection, the fee will be double.

Existing Sign Erected Without Benefit of Permit: Existing signs which were originally erected without the benefit of a permit will be issued an Initial Sign and Use Permit for the first three-year period.

Nonconforming Signs: Existing permanent signs rendered nonconforming by this ordinance, but which were in compliance with all previous regulations, may be maintained for fifteen years from December 13, 1974, before they are brought into compliance or removed. An Existing Sign Use Permit must be obtained.

Directional Sign: Small directional on-site signs, not exceeding 3 (THREE) square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, restrooms, freight entrances and the like do not require a permit. However, they must conform to all applicable ordinances.

Abandoned Signs: "24.04.120. Abandoned Signs. Any sign which is located on a property which becomes vacant and unoccupied for a period of thirty days, or any sign which was erected for an occupant or business unrelated to the present occupant or his business shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more."

Failure after notification to remove any sign determined to be abandoned will cause the sign to be removed by the city. All costs incurred in the removal will be assessed as a special assessment against the lot or parcel of land upon which the sign was located.

Further regulations affecting temporary signs (including portable), and displays as well as the ordinances relating to signs, may be obtained from the Central Inspection Division, City Hall - 7th Floor, 455 North Main.

Questions may be directed to Dwight Flowers or Herb Poff in the Central Inspection Division, Sign Inspection Section, telephone 268-4475.

Central Inspection Division
Department of Public Works

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS
CENTRAL INSPECTION DIVISION
282-0811 — AREA CODE 316
CITY BUILDING ANNEX
104 S MAIN - WICHITA, KAN. 67202

To: Sign Hangers, Temporary and Portable Sign Owners/Users

Subject: Temporary and Portable Sign Regulations
within the City of Wichita, Kansas

The City Commission recently amended the City of Wichita's Sign Ordinance, creating new provisions which are now effective, for temporary and portable signs. The purpose of the sign regulations is to eliminate potential hazards to motorists and pedestrians and to eliminate excessive and confusing sign displays. This will provide an aesthetic balance to the visual qualities of the community, protect public and private investments in buildings and open spaces and promote the public health, safety and general welfare. A brief narrative of the new regulations follows:

Temporary Signs are defined as on-site signs such as cloth banners, pennants, signs of light weight cardboard, airborne, plastic, metal or paper materials intended to be displayed for a short period of time.

Portable Signs are defined as on-site signs designed in such a manner to be readily moveable and not permanently attached to the property. Any nonpermanent sign not classified as a temporary sign shall be deemed to be a portable sign.

EXEMPTIONS: Temporary decorations or displays located on private property celebrating the occasion of traditionally accepted patriotic or religious holidays and window displays; temporary on-site signs placed in the windows of any commercial or industrial building; and directional on-site signs not exceeding 3 square feet are exempt from the provisions of this ordinance.

Signs designed as an integral part of vending machines and dispensing equipment or which are an integral part of merchandise display racks are also exempt. All signs included in this exemption must be located within eight feet of the building and not on public right-of-way. On service station properties, they may also be located on or immediately adjacent to the service islands.

Temporary signs are limited to on-site signs.

Permits. No temporary sign shall be placed on any property without the owner first obtaining a temporary sign permit. Temporary signs can be displayed during special event periods only (grand openings, carnivals, holidays, promotional activities) with a limit of twelve such events and a total time limitation of six weeks (42 days) during any calendar year. Such signs shall be removed within 24 hours of the expiration of the permit. Failure to secure a permit prior to placement of any temporary sign will result in a double fee assessment.

Permit Fee Schedule. A temporary sign permit fee of five dollars (\$5) plus one dollar and fifty cents (\$1.50) for each 75 square feet of sign area or fraction thereof will be charged for each permit. When more than one sign, streamers, etc., are to be used and the time limitations are concurrent, one permit will be issued; otherwise, a permit will be issued for each occurrence. The area of pennants, streamers and other wind-type signs will be estimated at one square foot for each lineal foot of display.

Placement. No ground sign, permanent or temporary, may be located closer than 25 feet to a driveway approach unless it is placed six feet from the public right-of-way.

Further regulations affecting temporary signs (including portable), and displays as well as the ordinances relating to signs, may be obtained from the Central Inspection Division. Questions may be directed to Dwight Flowers or Herbert Poff in the Central Inspection Division, Sign Inspection Section.

Central Inspection Division
Department of Public Works

Current Address:

104 South Main

Telephone:

262-0611, Ext. 256

Upon relocation to
the new City Hall:

455 North Main

Telephone:

268-4475

**SIGN DISPERSAL WITHIN THE
CITY OF WICHITA**

By Tr-ine based upon percentage

- LEGEND
- CITY LIMIT
- FREEWAYS
- EXPRESSWAYS
- ARTERIALS
- COLLECTORS

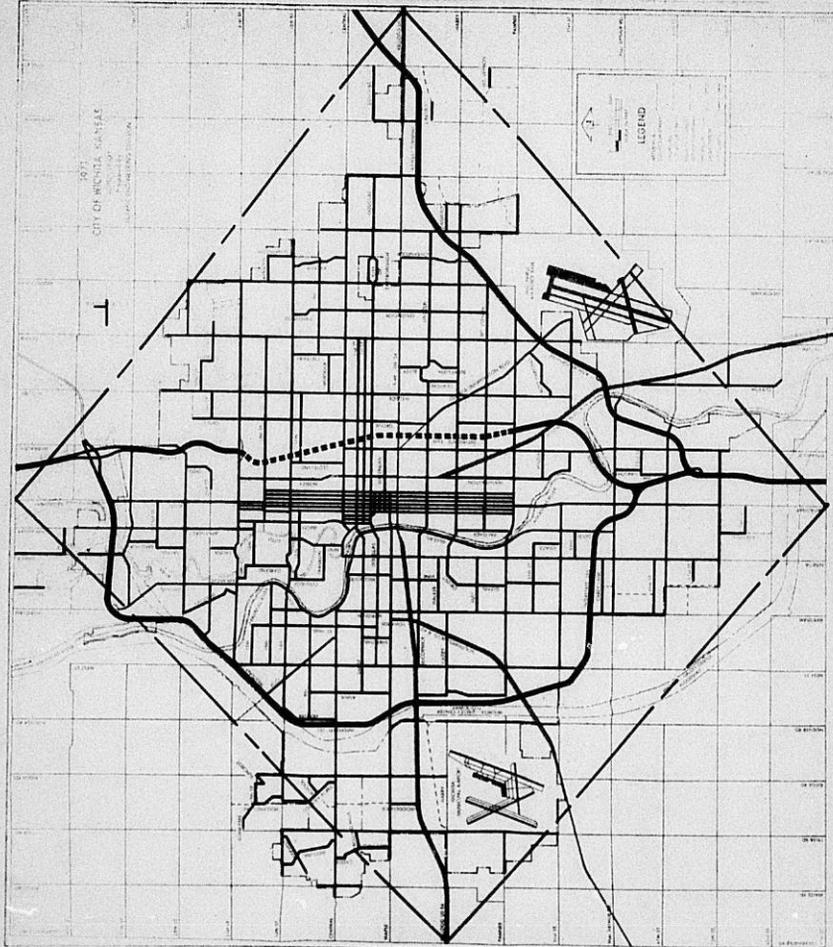
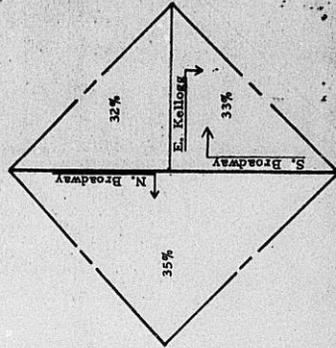


FIGURE 3. STREET CLASSIFICATION

COMMISSIONERS PROCEEDINGS

March 9, 1976

3C91

construction cost has been realized and requested that \$390,500 of those funds remaining be utilized to complete certain portions of the museum, mainly three areas which he outlined in a slide presentation. He estimated that there would still be a surplus of over \$100,000 which will be returned to the City.

Peters - motion
--carried

Peters moved that Mr. Wooden be granted an additional 5 minutes.
Motion carried 5 to 0.

Discussion.

Motion--

Donnell moved that the Wichita Art Museum Board be authorized to use the \$390,000 plus, as designated, in the three areas not previously contemplated.

Discussion

Discussion was had regarding staff's review of this alteration to their budget, and the City Manager stated that he was advised that Mr. Anderson and Mr. Parsons of the Department of Administration had reviewed them.

-- carried

Motion carried 5 to 0.

OFF AGENDA ITEMS

Motion--
--carried

Shanahan moved that the rules be suspended and a matter considered off the agenda concerning a request for a parade permit for March 17, 1976.
Motion carried 5 to 0.

Mr. O'Donnell &
Mr. O'Brien
Parade Request

Mr. O'Donnell and Mr. O'Brien, on behalf of KAKE Radio Station, requested a parade permit for a St. Patrick's Day Parade to be held March 17, 1976, from 12:30 P.M. to 1:00 P.M., to be formed at the Broadview Hotel and traveling east on Douglas to Union Station where the parade will disband. The permit had been approved by the Park Board, Traffic Engineer and the Police Department.

Motion--
-- carried

Shanahan moved that the parade permit be granted for March 17, 1976.
Motion carried 5 to 0.

Motion--
Gas Tax
--carried

Casado moved that the rules be suspended to take up off the agenda a matter concerning removal of the gas tax from fuel used for mass transit purposes. Motion carried 5 to 0.

Motion--
--carried

Casado moved that a resolution be passed and forwarded to the House of Representatives in Topeka supporting the removal of gas tax from fuel used for mass transit purposes. Motion carried 5 to 0.

RESOLUTION

A resolution declaring the City of Wichita's support for Kansas Senate Bill No. 628, providing for rebate of special fuel taxes paid by Metropolitan Transit Authorities. Casado moved that the resolution be adopted. Motion carried 5 to 0. Yeas: Casado, Donnell, Shanahan, Stevens, Peters.

Motion
--carried

Donnell moved that an executive session be held to discuss personnel matters. Motion carried 5 to 0.

LUNCH RECESS

Commission recessed for lunch at 12:25 P.M. and reconvened at 2:20 P.M. with Mayor Peters in the Chair. Commissioners Casado, Donnell, Shanahan, Stevens, present.

DR 75-27, ZONING
ON SIGNS

DR 75-27 - Possible amendments to the zoning ordinance on on-site and off-site signs, presented.

Hearing on this item was scheduled for 2:00 P.M. with the hearing on the related sign permits and fees to follow.

At the request of the City Commission in the early part of 1975, an Ad Hoc Committee was appointed by the MAPC Chairman to review the regulations pertaining to temporary and portable signs and the fees thereof. Revisions pertaining to these signs were adopted by the City Commission in July and August of 1975. During these discussions by the Committee and the City Commission, several other matters pertaining to the sign regulations were suggested as needing review.

COMMISSIONERS PROCEEDINGS

March 9, 1976

3092

The Ad Hoc Committee has met on nine separate occasions since that time. The Committee recommendations were presented to the MAPC on January 8, 1976 and a public hearing was held on February 19, 1976. The changes to the zoning ordinance as recommended by the MAPC have been provided to the City Commissioners.

Those in favor of change

Harvin Bastian
Mike Seltzer
David Bayouth
Mr. Tidwell
Everett Hale
Mike Savina
Payne Ratner, Jr.

The following persons appeared and recommended that the Commission adopt the changes as recommended by the MAPC:

1. Marvin Bastian, President Wichita Area Chamber of Commerce.
2. Mike Seltzer, North Wichita Business Mens Association.
3. David Bayouth, Chairman, Metropolitan Area Planning Commission.
4. Mr. Tidwell, member Ad Hoc Committee.
5. Everett Hale, Kansas State Sign Association.
6. Mike Savina, Metropolitan Area Planning Commission.
7. Payne Ratner, Jr., representing Donrey Outdoor Advertising.

Opposition, Bobbie Keltner and Mary Bridson
Motion--

Bobbie Keltner, Chairperson Environmental Resource Advisory Board and Mary Bridson, Project Beauty spoke against making any changes to the ordinance.

Casado moved to place the ordinance amending the zoning ordinance on first reading.

Discussion.

Substitute Motion--

Peters moved a substitute motion that the Commission vote on each item of change as recommended by the Planning Commission. Motion carried 4 to 1, Stevens, "NO".

--carried

Motion--

Peters moved that a change in the definition of on-site sign, deleting that portion of the definition which referred to the use of national advertising poster panels, or the use of trademark or symbols when a product is sold only by vending machines on the premises (28.04.139 a.1.J.) be approved. Motion carried 5 to 0.

--carried

Motion--

Stevens moved that provision for exemption of special displays from the restrictions of the ordinance when approved under Section 24.04.240 of the sign ordinance (28.04.139 b) be approved. Motion carried 5 to 0.

--carried

Motion--

Peters moved that provision for additional on-site ground or pole signs in the "LC" Light Commercial, "C" Commercial, "D" Central Business, "E" Light Industrial, "F" Heavy Industrial, zoning districts, subject to limiting the number, height, location and area of the additional signs (28.04.139 g, 28.04.139 h, 28.04.139 i, and 28.04.139 j) be approved. Motion carried 3 to 2, Donnell, Shanahan, "NO".

--carried

Motion--

Stevens moved to permit on-site ground or pole signs to be erected to greater heights subject to the amount of landscaping and architectural treatment at the base of the sign. This would permit a maximum of ten additional feet in height for any sign, (28.04.139 K.3) be approved. Motion failed 2 to 3, Donnell, Shanahan, Peters, "NO".

--failed

Motion--

Peters moved that provision for a reduction in the distance from the adjacent property for on-site ground or pole signs from 25 to 15 feet, and a clarification of the separation requirement for on-site ground or pole signs on the same property that are located closer than 35 feet from the street right-of-way line (28.04.139 K.6), be approved. Motion carried 3 to 2, Donnell, Shanahan, "NO".

--carried

Motion--

Peters moved that provision for an increase in the height of off-site signs from 30 feet to 40 feet when erected adjacent to an elevated roadway (28.04.139 l) be approved. Motion carried 5 to 0.

--carried

Motion--

Donnell moved that provision for the erection of off-site signs in the "LC" light commercial district subject to the following additional limitations not applicable in other districts permitting off-site signs:

- a. The property shall be located adjacent to arterial street, expressway or freeway; and
- b. The designated mile shall be adjacent to not less than 70% commercial or industrial zoned properties; and
- c. The property shall be a part of at least 300 continuous feet of "LC" zoning; and
- d. There shall be not less than 150 feet distance from the sign to a residence.

(28.04.139 g and 28.04.139 l), not be approved.

COMMISSIONERS PROCEEDINGS

March 9, 1976

3093

Substitute motion-- Stevens moved a substitute motion to approve the above provisions.
--carried Motion carried 3 to 2, Donnell, Peters, "NO".

Motion-- Peters moved that the revised ordinance amending the zoning ordinance
--carried be placed on its first reading. Motion carried 5 to 0.

ORDINANCE

An ordinance amending Sections 28.04.139(a)(1)(J), 28.04.139(b), 28.04.139(g), 28.04.139(h), 28.04.139(i), 28.04.139(j), 28.04.139(k)(6) and 28.04.139(l) of the code of the City of Wichita, Kansas, pertaining to the revision of the definition of on-site signs; a revision to exempt special displays authorized under Section 24.04.240 of the Code; a revision to permit a greater number of on-site ground or pole signs in all commercial and industrial zoning districts; a revision to reduce the distance an on-site ground or pole sign is required to set back from an adjacent property and from signs on the same property; a revision to allow off-site signs to be erected to a height of 40 feet; and a revision to permit the erection of off-site signs in the "LC" Light Commercial Zoning District; and repealing said original Sections 28.04.139(a)(1)(J), 28.04.139(k)(6), and 28.04.139(l), read for the first time and under the rules laid over.

RECESS

Commission recessed at 3:45 P.M. and reconvened at 4:05 P.M.

SIGN PERMITS & FEES

Recommendations of the Ad Hoc Sign Committee and the Planning Commission on sign permits and fees, presented.

During the meetings of the Ad Hoc Sign Committee as cited in the previous item, the requirements for permits and fees were considered on several occasions. It was the consensus opinion of the Ad Hoc Sign Committee not to make any recommendation on the permits and fees that are set forth in the sign ordinance. The Planning Commission has recommended that:

- (1) The sign ordinance be amended to require only an initial sign permit.
(This would eliminate the triennial sign use permit presently required.)
- (2) A temporary sign permit fee of \$6.00 be established for temporary portable ground signs to be paid annually. Also a temporary sign permit fee of \$6.00 be established for promotional activities on a property, to be good for one year, which would include all signs and pennants used in the promotional activities.

The Superintendent of Central Inspection has submitted data to indicate that elimination of reinspection would result in a greater deficit position by CID in relating cost of enforcement to generated revenues and would require an approximate 17% increase in permit fees to make the enforcement self-sustaining.

Recommendation

The Director of Public Works recommended that no change be made in the present permit fee schedule. City Manager concurred.

Persons appearing

The following persons appeared and spoke concerning the present sign ordinance, primarily against the sign permits and fees, and the method of inspection, but also regarding the painting of signs, the length of time certain signs are permitted and the unenforceableness of the existing ordinance:

David Bayouth
Bobbie Keltner
Joan Kamas
Mike Seltzer

David Bayouth, Chairman, Metropolitan Area Planning Commission.
Bobbie Keltner, Chairman, Environmental Resource Advisory Board.
Joan Kamas, member of Environmental Resource Advisory Board.
Mike Seltzer, businessman.

Motion--
--carried

Casado moved that Mr. Seltzer be granted an additional 2 minutes.
Motion carried 5 to 0.

COMMISSIONERS PROCEEDINGS

March 9, 1976

3C94

S. E. Cohlma

Bob Wilson
Don Gragg
Mary Bridson

Motion--
--carried

Phillip Rein
Everett Hale
Pat Guinan
Mike Savinas
Don Boyd

Lonnie Hefner

Juanita Vickers

Mr. Bayouth

Motion to defer--

Shanahan

Substitute motion--
--failed

Original motion
carried

RECESS

REPORT OF COMMUNITY
GRIEVANCE ADVISORY
BOARD

Delays in con-
struction work

S. E. Cohlma, representing furniture businesses and Independent Grocers Association.

Bob Wilson, President of Rights for Business Signs Association.
Don Gragg, Metropolitan Area Planning Commission.
Mary Bridson, Project Beauty.

Casado moved that Ms. Bridson be granted an additional 2 minutes.
Motion carried 5 to 0.

Phillip Rein, Par Enterprises.
Everett Hale, Kansas State Sign Association.
Pat Guinan, Wichitans for Better Signs.
Mike Savina, Metropolitan Area Planning Commission.
Don Boyd, Pepsi Cola Company

Stevens excused.

Lonnie Hefner, Porta-ad of Wichita

Stevens present.

Juanita Vickers.

Mr. Bayouth expressed the opinion that signs are necessary for the merchandising business and the only solution he could see would be to have an ordinance written on abandoned and unsafe signs that is enforceable. He hoped the Commission would approve the Planning Commission's recommendations.

Donnell moved that this matter be deferred for 4 weeks and ask the Ad Hoc Sign Committee and MAPC to consider some of the suggestions made, (1) the term "sign use permit fee" be changed to "inspection fee"; (2) consider inspection by area rather than on a time basis, and per premise basis be used as a means of determining the sign fee; (3) the gross surface area assessment be re-evaluated for double faced signs; (4) a new form for notification be devised to clarify sign costs and what inspection will be involved; (5) reconsider the provision that has to do with temporary signs, for better design and clarification; and (6) aspects of the ordinance relating to painting and erecting of signs be reconsidered; and that suggestions or recommendations be returned to the City Commission.

Commissioner Shanahan stated that as one Commissioner he would stand with the general purpose, intent and provisions of the present sign ordinance requiring an initial sign permit and also requiring periodic sign permits, and also the temporary sign provisions.

Stevens moved a substitute motion that recommendations 1 and 2 of the Planning Commission be approved. Motion failed 3 to 2, Donnell, Shanahan, Peters, "NO".

Original motion carried 4 to 1, Stevens, "NO".

Commission recessed at 6:27 P.M. and reconvened at 7:07 P.M.

Staff recommendations relating to the twelfth quarterly report of the Community Grievance Advisory Board.

On December 16, 1975, the City Commission received and filed the twelfth quarterly report of the Community Grievance Advisory Board and requested that staff comments on the recommendations be provided. Comments in the various areas are as follows:

- (1) Delays in construction work. Awards of contracts should continue to be based on the low bid for the project. The present City Commission policy now requires contractors to work six, ten-hour days in constructing arterial streets. However, this is not a requirement of utility companies. The Director of Public Works recommends that the City Commission reconsider an ordinance requiring utility companies to work a 60-hour week to expedite

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 3, 1976

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Recommendations of the AD HOC SIGN COMMITTEE and
the Planning Commission on sign permits and fees
(Title 24).

BACKGROUND

See background information included in memo this date with subject (DR-75-27 - Possible amendments to the zoning ordinance - Re: on-site and off-site signs), and the accompanying MAPC minutes. Also attached is a copy of Title 24, sign ordinance, as adopted in December 1974 and the amendments thereto adopted during 1975.

SUMMARY

During the meetings of the AD HOC SIGN COMMITTEE, the requirements for permits and fees were discussed on several occasions. It was the consensus opinion of the AD HOC SIGN COMMITTEE not to make any recommendation on the permits and fees that are set forth in the sign ordinance. However, as indicated in the minutes of the Planning Commission meeting of January 8, 1976, considerable amount of the discussion pertained to the requirements of permits and fees. The discussions all took place without benefit of any representative of the enforcing department being present.

Recommendations made by the planning Commission on permits and fees are as follows:

1. The sign ordinance be amended to require only an initial sign permit. (This would eliminate the triennial sign use permit required by Section 24.04.070-b of the ordinance.)
2. A temporary sign permit fee of \$6.00 be established for temporary portable ground signs to be paid annually. Also a temporary sign permit fee of \$6.00 be established for promotional activities on a property, to be good for one year, which would include all signs and pennants used in the promotional activities.

It is my understanding that the Superintendent of Central Inspection will be prepared to discuss the matter of permits and fees with the Commission.

Ralph Wulz, City Manager
March 3, 1976
Page 2

RECOMMENDATION

Take the action deemed to be in the best interest of the public and instruct the staff to prepare the necessary amendments to Title 24 to accomplish same.


Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
Metropolitan Area Planning Commissioners
AD HOC SIGN COMMITTEE
Chamber of Commerce
Wichita Board of Realtors
Wichita Association of Home Builders

DONNELL

MOTION —

REFER 4 WKS

AD HOC SIGN COM.

1. INSP. FEB
2. BUD. BY AREA — PREMISE
3. GROSS SURF AREA
4. INFOR. —
5. TEMP. SIGNS —
6. PAINTING SIGNS
PERMIT. — ~~PERMIT~~ —
- 7.

~~SECOND — PETERS~~

.050
.070
.190

SEGUENS

SHANAHAN

INITIAL PER. — OK
PBA-SIGN BASIS —
TEMP. — SIGNS — OK

~~PERMIT~~ MAPC
FAILED 3-2

~~Oldman. —~~
~~Bayouth — / FEES —~~
~~Central abandoned signs —~~

~~KELTNER — ERAB~~

~~KAMAS —~~

- 1 + INSP. + FEES
- 2 + PERMIT ON EXIST SIGNS.
- 3 +
- 4 + GROSS SURF. AREA. — 1/2 side only
- 5 + INFORMATION SMT —
FOR BUS. —

~~SELTZER~~

~~COHLMA~~

~~AGREEMENT WITH MAPC ON FEES~~

~~BOB WILSON —~~

~~RIGHTS FOR BUS. RIGHTS ASSOC.
OBJECTS TO FEES —~~

~~RYAN
HALE —~~

~~GUINAN —~~

~~SAVINA —~~

~~BOYD —~~

~~WILSON —~~

~~HEPNER —~~

~~BAYOUTH —~~

~~SELTZER —~~

~~BAYOUTH —~~

Chapter 24.04

SIGN REGULATIONS AND STANDARDS

Sections:

- 24.04.010 Title.
- 24.04.020 Purpose.
- 24.04.030 Applicability.
- 24.04.040 Definitions.
- 24.04.050 Permits required.
- 24.04.060 Permit application and issuance.
- 24.04.070 Permit fees.
- 24.04.080 Conditions for sign use permit.
- 24.04.090 Signs hereafter rendered nonconforming.
- 24.04.100 Alteration and repair of nonconforming signs.
- 24.04.110 Permits for new signs or expansion of nonconforming signs.
- 24.04.120 Abandoned signs.
- 24.04.130 Removal of signs.
- 24.04.140 Cost of sign removal.
- 24.04.150 License to engage in business of sign hanger.
- 24.04.160 Bond required.
- 24.04.170 Liability for safe maintenance.
- 24.04.180 Revocation of permits.
- 24.04.190 Inspections—Right of entry.
- 24.04.200 Prohibited locations.
- 24.04.210 Signs subject to more than one classification.
- 24.04.220 General requirements.
- 24.04.230 Temporary signs.
- 24.04.240 Special displays.
- 24.04.250 Penalty for violation of chapter, rule or order.

24.04.010 Title. This chapter shall be known as the "sign ordinance of the city of Wichita, Kansas." (Ord. No. 33-589, (part).)

24.04.020 Purpose. The purpose of the sign regulations set forth in this chapter shall be to eliminate potential hazards to motorists and pedestrians; to encourage signs which, by their location and design, are harmonious to the buildings and sites which they occupy, and which eliminate excessive and confusing sign displays; to provide an opportunity to achieve a reasonable balance between the need of the sign and outdoor advertising industries while improving and preserving the visual qualities of the community; to protect public and private investment in buildings and open spaces; to provide for the administration of the regulations imposed and set forth in the zoning ordinance of the city; and to promote the public health, safety and general welfare. (Ord. No. 33-589, (part).)

24.04.030 Applicability. The provisions of this chapter shall apply to the construction, erection, alteration, use, location and maintenance of all signs located out-of-doors; to those signs painted on any part of a building; and to those signs placed within a building for the express purpose of being visible from the exterior of the building.

(a) Exceptions. The provisions of this chapter shall not apply to:

(1) Signs exempt from the provisions of the zoning ordinance by Section 28.04.139;

(2) Temporary decorations or displays located on private property celebrating the occasion of traditionally accepted patriotic or religious holidays;

(3) Signs on a truck, bus, trailer or other vehicle while operated in the normal course of a business which is not primarily the display of such signs;

(4) Window displays and temporary on site signs placed in the windows of any commercial or industrial building;

(5) Scoreboard structures in athletic stadiums the face of which is not visible from any residence or public street.

(b) Exemption From Permit Fees. All provisions of this chapter shall apply to the following signs except that permits or permit fees shall not be required for:

(1) Temporary, nonilluminated, real estate signs, not more than eight square feet in area, advertising the sale, lease or rental of the premises on which the sign is located;

(2) Political signs not exceeding thirty-two square feet in area, provided such signs shall not be more than five feet in height and shall not be located closer than six feet to a property line;

(3) Nameplate signs not exceeding two square feet in area accessory to a dwelling;

(4) Temporary on site signs in conjunction with licensed miscellaneous sales, not exceeding two square feet, and located on private property; or

(5) Special displays as set forth in Section 24.04.240;

(6) Directional on-site signs, not exceeding three square feet;

(7) Identification and nameplate signs, not exceeding three square feet, that are painted or attached to the windows, doors or walls of a building. (Ord. No. 33-857, (part); Ord. No. 33-589, (part).)

24.04.040 Definitions. The definitions of terms and description of sign types used in this chapter are set forth in the zoning ordinance, Title 28 of the Code. (Ord. No. 33-589, (part).)

24.04.050 Permits required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, relocate, create by painting or maintain a sign within the city without first obtaining a permit from the superintendent of central inspection who shall issue permits for the following:

(a) Initial Sign and Use Permit. This permit shall be required for all

new signs erected, relocated, created by painting, reconstructed or for signs altered to increase the height or area. The initial sign and use permit shall be valid for a period of three years from the date of issuance. At the termination of the initial sign and use permit the owner shall be required to obtain an existing sign use permit.

(b) Existing Sign Use Permit. The owner of any sign regulated by this chapter, except temporary signs and portable signs, in existence on the effective date of the ordinance codified herein, shall obtain a sign use permit and renew the permit triennially for as long as the sign is used. Permanent signs in existence on the date of enactment of the ordinance codified herein which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous applicable regulations, shall be regarded as nonconforming signs and may be continued as nonconforming signs, from the effective date of the ordinance codified herein, for a period not to exceed fifteen years before conformance or removal. A sign use permit shall be valid for a period of three years.

(c) Temporary Sign Permit. The owner of any temporary sign or portable sign shall obtain a temporary sign permit. All temporary signs and portable ground signs existing on the effective date of the ordinance codified herein may remain in use for sixty days after which it will be necessary to comply with all applicable regulations and obtain a temporary sign permit. Temporary sign permits shall be valid only for the duration of time noted on the permit and furthermore subject to all applicable provisions of the city ordinances. (Ord. No. 33-589, (part).)

24.04.060 Permit application and issuance. (a) Application for permits shall be made to the superintendent of central inspection upon forms provided by the city and shall be accompanied by such information as may be required to assure compliance with all appropriate regulations. This may include drawings indicating the sign legend or advertising message, location, dimensions, construction and structural design. If the superintendent of central inspection deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments.

(b) The superintendent of central inspection shall issue a permit for a sign when an application therefor has been made and the sign complies with all applicable regulations of the city.

(c) An initial sign and use permit issued under the provisions of this chapter shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within ninety days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty days or more at any time after the work is commenced. The superintendent of central inspection may grant extensions to these time limitations when a request is made in writing due to unusual circumstances. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee thereof

shall be one-half the amount required for a new permit for such work, provided no changes have been made in the original design of the sign and provided further, that such suspension or abandonment has not exceeded one year.

(d) The superintendent of central inspection may, in writing, suspend or revoke any permit issued under the provisions of this chapter whenever the permit is issued on the basis of a material omission or misstatement of fact, or the sign is in violation of this chapter or any other applicable ordinance.

(e) No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance. (Ord. No. 33-589, (part).)

24.04.070 Permit fees. The fees prescribed herein must be paid to the city for each sign for which a permit is required and shall be paid before any such permit is issued.

(a) Initial Sign and Use Permit Fee.

(1) For each sign that is erected, installed, affixed, relocated, created by painting, or reconstructed, the initial sign and use permit fee shall be ten dollars plus two dollars per each ten square feet in gross surface area of each face of the sign or major fraction thereof. Except that only one base permit fee of ten dollars shall be charged when more than one sign is to be erected, installed, affixed, relocated, created by painting or reconstructed, concurrently upon one zoning lot.

(2) For each existing sign that is altered to increase the area or height of the sign, an initial sign and use permit fee of ten dollars plus two dollars per each ten square feet of increase in gross surface area of the sign or major fraction thereof. Credit toward the payment of this fee may be any unused portion of the existing sign use permit.

(3) For each sign that is erected, installed, affixed, altered, relocated, created by painting or reconstructed, without first obtaining an initial sign and use permit, the fee shall be twice the amount specified above.

(b) Existing Sign Use Permit Fee.

(1) For each existing sign for which a sign use permit is required, a sign use permit fee of twelve dollars shall be paid for any sign not exceeding one hundred fifty square feet in gross surface area and for any sign exceeding one hundred fifty square feet in gross surface area the permit fee shall be fifteen dollars.

When the application for an existing sign use permit is accompanied by a certificate of inspection by a licensed and bonded sign hanger, the permit fee stated above shall be reduced to one-half the amount.

(2) Failing to secure a sign use permit within thirty days after notification by the superintendent of central inspection, the fee shall be twice the amount specified above.

(c) Temporary Sign Permit Fee. — See amend. Ord. 33-996

(1) For temporary signs and displays for which a permit is required, a temporary sign permit fee of eight dollars for the first seventy-five square feet of sign area plus two dollars for each additional one hundred square feet of sign and display area or major fraction thereof, plus one dollar for each thirty-day period the permit is issued therefor. (For the purpose of calculating the permit fee when more than one sign, display, pennant or streamers, etc. are to be used, the areas of the signs shall be actual, and the area of pennants, streamers and other wind type signs shall be estimated at one square foot for each lineal foot of the display.)

(2) For temporary signs and displays placed on a property without the permit as required, the fee shall be twice the amount specified above.

(d) Double Fee.

The payment of a double fee for failing to obtain the appropriate permit prior to the erecting, placing, installing, creating by painting, affixing, reconstructing or altering a sign shall not relieve any person from complying with other provisions of this chapter or from the penalties prescribed herein. (Ord. No. 33-857, (part); Ord. No. 33-589, (part).)

24.04.080 Conditions for sign use permit. (a) All signs together with all their supports, braces, connections, anchors and any appurtenance thereto, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(b) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected before any sign use permit is issued. (Ord. No. 33-589, (part).)

24.04.090 Signs hereafter rendered nonconforming. Any sign which becomes nonconforming subsequent to the effective date of the ordinance codified herein, either by reason of annexation to the city of the zoning lot upon which the sign is located, or the amendment of this chapter, or any other ordinance so as to render such sign nonconforming, shall be subject to the provisions of this chapter. The period within which such sign must be removed shall commence to run upon the effective date of the annexation, amendment or the date upon which the sign otherwise becomes nonconforming. (Ord. No. 33-589, (part).)

24.04.100 Alteration and repair of nonconforming signs. No alteration or repair shall be made to any nonconforming sign unless such sign is brought into conformance with all applicable regulations, except for the following:

(a) Altering or changing the copy of any off site sign, and the copy of on site signs for the same business on the zoning lot, and may include the

sign faces when no structural modifications of the sign are made, or such alteration does not increase the height, area or type of the sign;

(b) Structural alterations or repairs to any nonconforming sign shall be limited to signs damaged by fire, explosion, act of God, traffic accident or other similar accident, and when the damage does not exceed fifty percent of its structural value;

(c) Normal maintenance and repairs required for the issuance of a sign use permit. (Ord. No. 33-589, (part).)

24.04.110 Permits for new signs or expansion of nonconforming signs. No permit shall be issued for a new sign or the reconstruction, relocation or expansion of a nonconforming sign, when the issuance of the permit would be contrary to applicable regulations, except for the following:

(a) Off site signs may be erected, relocated, expanded or reconstructed only when the number of permitted off site signs within a designated mile is being reduced, or is less than the number permitted by all applicable regulations and the total square feet of permitted off site sign area (number of permitted signs multiplied by the maximum permitted sign area) within the designated mile is not exceeded. However, if the total square feet of off site signs in the designated mile exceed the permitted area, then a permit shall be issued only when an equal or greater amount of off site sign area is being removed within the designated mile and the number of off site signs within the designated mile is being reduced. Permits for the relocation, reconstruction or expansion of nonconforming off site signs shall be limited to the sign structures that would be permitted by all applicable regulations.

(b) On site ground or pole signs may be erected, altered, expanded, relocated or reconstructed only when such alteration, expansion, relocation or reconstruction is associated with the removal of, or the reduction of, the number and area of nonconforming signs. Whenever permits are issued under this section, a plan shall be submitted by the owner of the zoning lot to the superintendent of central inspection designating which sign structures are to remain at the termination date of all nonconforming signs, and permits shall be limited to those designated signs. This authorization for exception shall not apply to a zoning lot where only one business or use is located thereon.

(c) On site building signs may be erected, affixed, created by painting, expanded, altered, relocated or reconstructed only when the area of such sign would not exceed the permitted area for the portion of the building occupied by the use. The owner of the zoning lot shall determine the building sign area that will be reduced at the termination date of all nonconforming signs.

(d) On site building signs may be erected, affixed, created by painting, expanded, altered, relocated or reconstructed within the limitations of all applicable regulations for building signs regardless of the presence of any nonconforming off site signs, on site ground or pole signs, on site roof signs or projecting signs on the zoning lot only until the termination date of all nonconforming signs. (Ord. No. 33-589, (part).)

24.04.120 Abandoned signs. Any sign which is located on a property which becomes vacant and unoccupied for a period of thirty days, or any sign which was erected for an occupant or business unrelated to the present occupant or his business shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a

change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign is prohibited and shall be removed within thirty days after notification by the superintendent of central inspection. (Ord. No. 33-589, (part).)

24.04.130 Removal of signs. (a) The superintendent of central inspection shall remove or cause to be removed any abandoned, dangerous, defective, illegal or prohibited sign subject to removal under the provisions of this chapter which has not been removed within the time period specified in this chapter, or any other sign maintained in violation of the provisions of this chapter. The superintendent of central inspection shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within thirty days, the sign shall be removed in accordance with the provisions of this chapter.

(b) The notice shall be mailed or given to the owner of the sign, the occupant of the property or their employee or representative upon which the sign is located and to the owner of the property on which the sign is located as shown on the records of the register of deeds.

(c) Any person having an interest in the sign or the property may appeal the determination of the superintendent of central inspection ordering removal or compliance by filing a written notice of appeal. Appeals appertaining to the provisions of the zoning ordinance shall be filed with the secretary of the board of zoning appeals.

(d) Appeals appertaining to the general regulations of this chapter shall be filed with the superintendent of central inspection who shall refer such appeal to the board of appeals, building code.

(e) Notwithstanding the above, in cases of emergency, the superintendent of central inspection may cause the immediate removal of a dangerous or defective sign without notice. (Ord. No. 33-589, (part).)

24.04.140 Cost of sign removal. Any sign removed by the superintendent of central inspection may be disposed of in any manner deemed appropriate by the city. The cost of abatement or removal shall include any and all incidental expenses incurred by the city in connection with the sign abatement or removal. These costs shall be certified to the city clerk who shall assess the costs as a special assessment against the lot or parcel of land on which the sign was located. (Ord. No. 33-589, (part).)

24.04.150 License to engage in business of sign hanger. All persons engaged in the business of hanging signs, which involves in whole or part, the erection, alteration, creating by painting, relocation, maintenance or other sign work, shall be required to obtain a license from the city to conduct such business. This shall be an annual license and the fee therefor shall be seventy-five dollars. (Ord. No. 33-589, (part).)

24.04.160 Bond required. No license shall be issued to any sign hanger until a bond shall have been filed with the city clerk in the sum of two thousand dollars, such bond to be approved as to form by the city attorney. Such bond shall be conditioned for the construction and erection of signs in accordance with the ordinances of the city, the provisions of this code and the laws of the state, and to protect and save the city harmless from any and all claims or demands by reason of any negligence of the sign hanger or his agents, servants or employees by reason of the erection, demolition, construction, maintenance, repair, removal or defects in or collapse of any sign erected by or under the direction of the sign hanger named in such bond. This obligation shall be a continuing obligation and shall remain in full force and effect until cancelled by the principal or surety after having given thirty days' written notice to the city. (Ord. No. 33-589, (part).)

24.04.170 Liability for safe maintenance. The granting of a permit by the superintendent of central inspection shall not relieve the owner of the sign or the owner, tenant or lessee of the premises upon which or to which the sign is attached, from the responsibility of safely maintaining such sign. (Ord. No. 33-589, (part).)

24.04.180 Revocation of permits. The superintendent of central inspection may revoke any permit under the provisions of this chapter or stop the work or order the removal of any sign for any of the following reasons:

- (a) Whenever there is a violation of any of the provisions of this chapter or any other ordinance relating to signs;
- (b) Whenever the continuance of any work becomes dangerous to life or property;
- (c) Whenever there is any violation of any condition on which the permit was based;
- (d) Whenever, in the opinion of the superintendent of central inspection, the person having charge of such work is incompetent;
- (e) Whenever any false statement or misrepresentation has been made on the application on which the issuance of the permit was based;
- (f) Whenever the owner has failed to maintain a sign in conformance with this chapter;
- (g) Whenever the owner has changed the zoning lot to make a sign nonconforming.

The notice to stop work or order for removal of a sign shall be as set forth in Section 24.04.130. (Ord. No. 33-589, (part).)

24.04.190 Inspections - Right of entry. The superintendent of central inspection, or his authorized representative, shall inspect all signs regulated by this chapter. He may also enter any building or upon any premises at any reasonable time for the purpose of inspection or to prevent a violation of this chapter, upon presentation of the proper credentials. (Ord. No. 33-589, (part).)

24.04.200 Prohibited locations. (a) **Obstructing Windows, Doors, Etc.** No sign shall be placed or erected across or so as to obstruct in any way any window, door, exit or entrance of, to or from any building, whether occupied or not, but this provision shall not prohibit placing a sign across a transom. No sign of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape, nor shall any sign be attached to any fire escape.

(b) **Interfering with Public Safety and Convenience.** No sign shall be constructed, erected or maintained in any way that will interfere with public safety and convenience or with the proper and convenient operation of the fire department for protection of property.

(c) **Across Streets, Alleys, Etc.** No sign shall be suspended or constructed across any street or alley, except as provided in this code.

(d) **Use of Public Property.** No sign, except as provided in Section 24.04.230(g), shall be supported in any way by public property. No sign shall project over public right-of-way except projecting signs permitted on buildings located within eight feet of a right-of-way line. No signs projecting into alleys shall be permitted in fire zone no. 1 as defined by Title 18 of this code. No part of any projecting sign extending over any public property shall be less than ten feet from the surface immediately below, except signs not exceeding four square feet in area and not projecting more than two feet may be hung not less than eight feet from the surface of the public property immediately below; and provided further, that no part of any sign extending over any public roadway shall be less than fifteen feet from the surface immediately below. In no case shall the outer edge of a projecting sign extend closer to the vertical plane of a street curb than two feet, unless the bottom of such sign is thirteen feet, six inches or more from the sidewalk immediately below. Any permit for a sign over public property issued under the provisions of this chapter, or any previous ordinance, shall be revocable at the will of the board of city commissioners.

(e) **Interfering With Traffic.** No sign of any kind shall be erected or maintained in such a manner as to interfere with, mislead or confuse traffic or to obstruct the line of sight of any traffic signal, or traffic device as may be determined by the traffic commission.

(f) No off site sign shall be located within fifty feet of a residential structure.

(g) No off-site sign shall be located closer than six hundred sixty feet to the established bank lines of the Big Arkansas or the Little Arkansas Rivers, to any park or recreation area under the jurisdiction of the board of park commissioners of the city, or to any portion of an interstate highway structure which the traffic deck is elevated ten feet or more above the grade of adjacent properties. Exception: Off-site signs may be erected adjacent to elevated portions of an interstate highway when the signs are limited to public service advertising for nonprofit organizations, and to travelers' information giving direction to premises where food and lodging may be secured, and to the location of businesses engaged in supplying goods and

services essential to the normal operation of motor vehicles, including emergency and towing services.

(h) No ground sign exceeding a height of three feet, permanent or temporary, shall be located closer than twenty-five feet to a driveway approach unless it is placed six feet from the public right-of-way. (Ord. No. 33-857, (part); Ord. No. 33-654, (part); Ord. No. 33-589, (part).)

24.04.210 Signs subject to more than one classification. Whenever a sign could be subject to more than one classification, the superintendent of central inspection shall determine the most appropriate classification and apply all applicable regulations. (Ord. No. 33-589, (part).)

24.04.220 General requirements. The signs regulated by this chapter shall be subject to all applicable ordinances, conditions and special requirements as may be specified herein.

(a) All signs shall comply with the appropriate detailed provisions of Title 18, Building Code, relating to the design, structural members and connections.

(b) All signs shall comply with the applicable provisions of Title 19, Electrical Code, and subject to the permits required therein.

(c) All signs shall comply with the limitations of height, area, type and illumination requirements as set forth in Title 28, zoning ordinance.

(d) No sign shall be erected that will allow the sign to swing or rotate due to wind action. All signs shall be securely fastened so that movement in any direction is prevented.

(e) Every sign shall be erected level and plumb and be constructed of galvanized metal or otherwise protected from corrosion.

(f) No sign of combustible material shall be erected in fire zone no. 1 as defined in Title 18, Building Code, except for temporary signs.

(g) Structures of all signs shall be fabricated of incombustible materials and supported by concrete foundations or anchored with metallic connections to the supporting structure. All electrically illuminated signs shall be constructed as set forth in the electrical code, but signs outside of fire zone no. 1 may be faced with combustible materials with the approval of the superintendent of central inspection.

(h) Wall signs shall not extend beyond the top or ends of the wall surface on which the sign is placed without the approval of the superintendent of central inspection.

(i) No projecting sign shall be erected closer to an adjacent property than the distance the sign projects from its support. All projecting signs shall be constructed entirely of incombustible material.

(j) Signs erected on, attached to or made a part of a canopy or marquee projecting over public right-of-way shall be considered projecting signs.

(k) Roof signs shall be constructed of incombustible material and shall be so located as not to interfere with the drainage of the roof, or to prevent

access onto any portion of the roof. Permit for any roof sign shall be issued only after compliance by the applicant with the following provisions.

The applicant shall give a bond in the sum of five thousand dollars to save and hold the city free and harmless from all damages which may be occasioned by the erection and maintenance of such sign; the bond is to be signed by the sureties acceptable to the city and to be approved as to form by the city attorney.

In lieu of this bond of five thousand dollars for each roof sign permitted under this section, it shall be permissible to file with the city a blanket surety bond to cover all roof signs erected and maintained by a person within the city. Such bond shall be of such nature as to cover each such roof sign erected and maintained, in the amount of five thousand dollars. Such blanket surety bond shall be conditioned to save and hold the city free and harmless from any and all damages, claims or demands which may be occasioned by the erection and maintenance of such sign. Such bond shall be signed by sureties acceptable to the city and shall be approved as to form by the city attorney.

(l) Each sign, except temporary signs for which permits have been issued for thirty days or less, shall have the permit number and the name of the sign owner affixed to the sign in a manner approved by the superintendent of central inspection.

(m) Only licensed and bonded sign hangers may erect, create by painting, affix, alter, relocate or reconstruct any sign requiring a permit. Exception: Temporary signs set forth in Section 24.04.230 unless required to be erected by a licensed sign hanger. (Ord. No. 33-589, (part).)

24.04.230 Temporary signs. No temporary sign shall be placed on any property without first obtaining a temporary sign permit. Such permit shall be subject to the following requirements:

(a) No temporary sign shall exceed one hundred twenty-eight square feet in area, except as permitted in subsection (g).

(b) No temporary sign shall extend over or into any street, alley or sidewalk or other public right-of-way except for those attached to permanent canopies or marquees. No temporary sign suspended from or attached to a canopy or marquee shall extend closer to the sidewalk than seven feet.

(c) Temporary signs shall be limited to on-site signs.

(d) All temporary signs shall be substantially constructed and adequately weighted or anchored to prevent movement or overturning by the wind.

(e) All temporary signs of rigid construction exceeding seventy-two square feet, all temporary signs on private structures over any public right-of-way shall be erected, affixed or placed by a licensed and bonded sign hanger.

(f) A permit for a temporary sign shall be subject to all applicable regulations and shall be removed within twenty-four hours of the expiration of the permit.

(g) Temporary Signs on Private Structures Over Public Space. Permits for the placing of temporary signs upon privately owned structures, located over or upon public streets, alleys or other public spaces, may be issued for not to exceed thirty days, subject to the following requirements:

(1) The applicant shall submit a signed statement from the owner, agent or lessee of the structure, granting permission for the erection of the sign.

(2) The sign shall not be over two hundred square feet in area or exceed five feet in its least dimension.

(3) The owner of the sign shall file with the city clerk a surety bond, approved as to form by the city attorney, for each sign in the amount of fifteen thousand dollars, or any other equivalent security the board of city commissioners may approve, to save and hold the city free and harmless from all damages which may be occasioned by the erection and maintenance of such sign.

(4) The advertising contained on the sign shall pertain to events of a public or semipublic nature, or civic or charitable enterprises. (Ord. No. 33-589, (part); Ord. No. 33-589, (part).)

24.04.240 Special displays. Decorative displays used for holidays, public demonstrations or for the promotion of civic welfare or charitable enterprises may be authorized by the city manager or the board of city commissioners. Such displays shall be for a stated period of time and subject to such conditions as deemed advisable to protect the health, safety and welfare of the public. This may require the applicant to furnish a bond, approved as to form by the city attorney in such an amount and with such sureties to save and hold the city free and harmless from all damages which may be occasioned by the erection and maintenance of such sign or display. (Ord. No. 33-589, (part).)

24.04.250 Penalty for violation of chapter, rule or order. (a) Any person violating any of the provisions of this chapter, or any reasonable rule or order of the superintendent of central inspection, or causing, permitting or suffering the same to be done, is guilty of violation of this chapter, and shall be punished as provided in Section 1.04.060 of this Code.

(b) The issuance or granting of a permit shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter. No permit presuming to give authority to violate or cancel the provisions of this chapter shall be valid, except insofar as the work or use which it authorizes is lawful. (Ord. No. 33-589, (part).)

ORDINANCE NO. 33-996

AN ORDINANCE AMENDING SECTION 24.04.070 (c) (1) OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE REVISION OF PERMIT FEES; AND REPEALING SAID ORIGINAL SECTION 24.04.070 (c) (1).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA,

KANSAS:

SECTION 24.04.070(c) (1) of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

- (1) For temporary signs and displays for which a permit is required, a temporary sign permit fee of \$5 (FIVE DOLLARS) for each permit issued per parcel of land (as defined by Section 28.04.020), plus \$1.50 (ONE DOLLAR AND FIFTY CENTS) for each 75 square feet of sign and display area or major fraction thereof. When more than one sign, display, pennant, streamers, etc. are to be used and the time limitations are concurrent, one permit shall be issued; otherwise, a permit shall be issued for each occurrence. (For the purpose of calculating the permit fee when more than one sign, display, pennant, or streamers, etc. are to be used, the areas of the signs shall be actual, and the area of pennants, streamers and other wind type signs shall be estimated at one square foot for each linear foot of such display.)

The original of Section 24.04.070(c) (1) of the Code of the City of Wichita, Kansas, is hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this 26 day of August, 1975.


Conna A. Futura, Mayor

ATTEST:


Donald C. Uelick, City Clerk

Approved as to form:


John Decker, City Attorney