

ORDINANCE NO. 5258

AN ORDINANCE REGULATING THE BRIGHTNESS OF OFF-PREMISES SIGNS BY AMENDING SECTION 15.28.160 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the City of Rapid City has adopted a comprehensive Sign Code to regulate the location and appearance of signs within the City; and

WHEREAS, many signs within the City are either externally or internally illuminated so that they can be viewed at night; and

WHEREAS, the light used to illuminate signs can pose a safety hazard; and

WHEREAS, the brightness of lighting used to illuminate signs can interfere with the peace, comfort, convenience and general welfare of adjacent properties; and

WHEREAS, the Common Council of the City of Rapid City has determined that it is in the City's best interests to regulate the brightness of signs to protect the welfare of the general public by amending Section 15.28.160 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 15.28.160 of the RCMC be amended to read as follows:

15.28.160 Off-premises signs.

- A. Off-premises ground signs shall have no more than 1 structural support or pole.
- B. Off-premises sign structure shall be of earth tone.
- C. Off-premises signs shall be limited to 250 square feet in size and shall not be in conflict with a contrary provision of South Dakota law.
- D. Off-premise signs shall be located not nearer than 500 feet from any other off-premise sign. The distance between off-premise signs shall be measured from the base of the sign in all directions. In addition, no off-premises sign shall be located nearer than 1,000 feet from the nearest off premises signs as measured by the distance over a public road between a line that extends from the base of each sign to the nearest mid-point of any public road from which the sign is intended to be viewed.
- E. Off premise signs shall have no more than 2 faces.
- F. Off-premises signs shall be mounted parallel and up to 20 degrees to one another.
- G. Off-premises signs shall be limited to 30 feet in height and shall be 10 feet clear from bottom of sign to grade or shall be set back no less than 10 feet.

H. Off-premises signs shall not be located within any clear sight triangle as set forth by the city's Municipal Code.

I. Off-premise signs shall be at least 50 feet from any on-premises sign. This subsection shall not prevent the construction of an on-premise sign within 50 feet of a previously existing off-premise sign.

J. Off-premise signs shall not be placed in any railroad right of way

K. Off-premises sign shall be identified by a label, nameplate, or trademark identifying the owner of the sign, except those signs which are exempt under § 15.28.080(B) of this code.

L. Off-premises signs shall not be placed on any property without written consent of the property owner or the owner's authorized agent.

M. The light from any light source intended to illuminate an off-premises sign, or emanating from an internally illuminated off-premises sign, shall be so shaded, shielded, ~~or directed so that the light intensity or~~ directed or of such an intensity that the brightness shall not adversely affect surrounding or facing premises, nor adversely affect safe vision of pedestrians or operators of vehicles moving on public or private streets, driveways or parking areas. Electrical service to all off premises signs shall be provided an underground service lateral. In no case shall overhead wires be attached in any manner to an off premise sign.

N. The lowest point of an off-premise sign which extends over an area intended for pedestrian use shall not be less than 8 feet above the finished grade below it. The lowest point of a sign which extends over an area intended for vehicular use shall not be less than 14 feet about the finished grade below it.

O. No on premise sign may be converted to an off-premise sign.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: