

ORDINANCE NO. 3676

AN ORDINANCE AMENDING SECTION 12.20.020 OF THE RAPID CITY MUNICIPAL CODE BY DELETING THE SUNSET PROVISION RELATING TO CERTAIN SIGNS AND FACILITIES TO BE PLACED UPON CERTAIN SIDEWALKS UNDER CERTAIN CONDITIONS WHEN AUTHORIZED BY THE CITY COUNCIL.

BE IT ORDAINED by the City of Rapid City that Section 12.20.020 of the Rapid City Municipal Code be amended by adding thereto a new subsection to read as follows:

E. Notwithstanding any other provision of this section or section 12.20.030 of this code, ~~during the period April 1, 1999, through October 31, 2000,~~ the City Council may authorize the placement of certain signs and facilities upon public sidewalks as hereinafter described, subject to the conditions hereinafter set forth:

(1) Any signs authorized hereunder shall be of such size, dimension, orientation, and placement as to be directed toward the attention of pedestrians within fifty (50) feet thereof and, under no circumstances, directed toward the attention of persons traveling in motor vehicles. Such signs shall not exceed forty-two (42) inches in height above the sidewalk or more than twenty-four (24) inches in width on any face or no more than two (2) faces total. Any such sign shall contain no off-premise advertising, and shall display no logo or advertising copy other than for the primary business of the occupant of the abutting property.

(2) Tables and chairs may be authorized for public use and convenience.

(3) Any signs or other facilities shall be placed and kept in such manner that there is constantly maintained a clear path for pedestrians not less than seven (7) feet in width measured from the back of the parking curb and shall be placed and kept in such manner that there is constantly maintained a clear path not less than fifty (50) inches in width to provide access to any door or fire hydrant or valve on the abutting or neighboring property.

(4) Any signs or other facilities shall be of such design and materials that they are freely moveable in the event of inclement weather or when directed to be moved by the emergency service personnel or building official.

(5) Such signs or other facilities are authorized only in the area bounded by Fifth Street on the east, Rapid Street on the north, West Boulevard on the west, and Kansas City Street on the south.

(6) Nothing herein shall be construed as authorizing the placement, display, or vending of any merchandise other than food and beverages on any sidewalk.

(7) No authorization may be granted to any business or property owner unless the business and property are fully in compliance with all applicable laws, codes, and regulations. Any

authorization granted pursuant to this subsection shall be revocable, in the sole discretion of the Council, immediately upon notice to the owner of the business conducted upon the abutting property, his agent, or any other person present and apparently in a position of authority with such business.

THE CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: