

**From:** Lisa Modrick [scenicrapidcity@yahoo.com]

**Sent:** Thursday, May 10, 2012 8:59 PM

**To:** Kooiker Sam; Wright Jerry; Brown Gary; Davis Dave; Doyle Charity; Laurenti Steve; Mason Jordan; Nordstrom Ritchie; Petersen Bonny; Roberts John; Sasso Ron; Landeen Joel

**Subject:** Sign Code Working Session - Recommendations from Scenic Rapid City

## **SCENIC RAPID CITY RECOMMENDATIONS to the Special City Council**

### **SIGN CODE Working Session on May 14, 2012**

Dear Mayor Kooiker and Members of the City Council,

Here are the recommendations provided by "Sign Scholars" that have combined experience of over 10 years researching the existing Sign Code for Rapid City

#### **1) Separate OFF-PREMISE and ON-PREMISE Sign Code**

Necessary for interpretation and understanding by sign companies, businesses, City Government and Code Enforcement.

The State of South Dakota Legislators reprimanded the City of Rapid City for not properly addressing Off-Premise Billboards

#### **2) Remove "PUBLIC PURPOSE"**

Re-align current signs into either OFF-PREMISE or ON-PREMISE

Recommended by the Mayor's Task Force and the City Attorney

#### **3) Off-Premise DIGITAL message change minimum to 60 seconds**

Create a STATIC advertisement. With a steady traffic flow, the same number of drivers would see an advertisement whether it was six 10 SECOND messages, or one 60 SECOND message.

The difference is having only one distracting change rather than six changes creating an “animation effect” and safety issue.

**4) REMOVE entire Sign Credit REISSUE section**

Removing the Sign Credit section removes the "false currency" that won't be passed on to future generations.

**5) Annual Off-Premise License Fee increased to \$200**

The current License Fees have not been increased for decades. Code Enforcement Department deficit would now be supplemented for Sign Code Enforcement, Full-TIME and PRO-ACTIVELY instead of RE-ACTIVE.

**NOTE:** Historically, outdoor advertising companies state that raising the fee is in violation of state statute. State Code: 31-29 addresses state jurisdiction on state highways for the annual inspection fee. In 2010, HB 1042 raised the annual inspection fee for the DOT to inspect the signs in their jurisdiction. The costs of these inspection fees were increased to cover the cost of the annual inspections. It is a local determination for the annual license for the sign structures in Rapid City's jurisdiction. There is nothing in state statute that states that a City has no ability to control, price regulate, or administer their own annual license fee structure.

**6) Off-Premise SIGN of APPEALS BOARD eliminated as it is no longer needed based on Sign Code Ordinances that are clear and well defined**

This will eliminate controversial sign decisions creating non-conforming signs that are given a “Grandfather” clause forever. It will save Taxpayer dollars from costs of processing. Any issue of variance would come before the full City Council for an "open and transparent" environment.

**It is because of mixed sections and paragraphs that it is difficult to follow the current Sign Code based on interpretation. This is why it is imperative that a clean Sign Code be developed to align the regulations that serve to guide the sign companies and the businesses. This process assures the citizens of Rapid City that you are looking after the best interest of its community, which voted 66% in favor of SIGN REGULATION.**

**Please, put on your NIKE shoes, and just do it!**

**In appreciation of your service in City Government, and your commitment in the work to be done.**

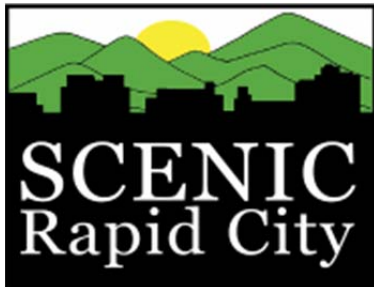
**Sincerely,**

**Citizens and members of Scenic Rapid City**

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