

## ORDINANCE # 2009-09

**AN ORDINANCE TO AMEND CHAPTER 13, POSTINGS, SOLICITING, ADVERTISING; ARTICLE II, POLITICAL SIGNS, BANNERS, PLACARDS, ETC, OF THE CODE OF ORDINANCES OF THE CITY OF WALTERBORO, SO AS TO REVISE THE PROVISIONS FOR AND SET NEW PROCEDURES FOR THE HANDLING OF CITIZEN REQUESTS TO PLACE SIGNS WITHIN THE PUBLIC RIGHT-OR-WAY; TO SET FORTH CRITERIA BY WHICH THE CITY WILL DETERMINE WHAT TYPES OF SIGNS ARE ALLOWED; TO AUTHORIZE THE CITY MANAGER TO RECEIVE AND REVIEW SUCH REQUESTS; TO PROVIDE PENALTIES FOR VIOLATION OF THIS ORDINANCE; AND TO PROVIDE A TIME PERIOD FOR TEMPORARY SIGNS WITHIN THE RIGHT-OF-WAY.**

**WHEREAS**, citizen requests to place signs within the public right-of-way have increased substantially; and

**WHEREAS**, City Council wishes to establish a procedure for the orderly handling of such requests and to set forth criteria by which the City will determine what types of signs are allowed; and

**WHEREAS**, City Council deems it appropriate to amend the Code of Ordinances so as to designate the City Manager to receive and review such requests without the necessity of council handling such requests at its meetings.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the City of Walterboro, in council Assembled, that the following amendments to the Code of Ordinances will become effective upon passing of this ordinance:

**Section 13.205 of the Code of Ordinances** is hereby deleted in its entirety and substituted therefore is the following language:

**Sec. 13.205. Billposting; signs on public rights-of-way.**

- a. No person shall put or place, or cause to be put or placed, any sign, announcement, or advertising matter on a public utility pole, post fence, trees or any public property or thoroughfare of the City, except as may be authorized or required by law.
- b. All signs in the public right-of-way must have a valid sign permit from the city, specifying the period of time for which the permit is valid. Any sign that does not have a permit may be removed by the city without prior notice to the sign owner.
- c. The City Manager or his designee may grant a permit for the placement of a temporary sign within the public right-of-way; provided the sign meets all of the following requirements:
  1. The purpose of such sign shall be to inform the public of major events;
  2. The event is open to the public;
  3. The event is of community-wide interest or regional significance;
  4. The sign is ground mounted; and

5. The sign does not prevent any person driving a vehicle approaching an intersection of streets from having a clear, safe view of traffic approaching such intersection.

Major events may include but are not limited to religious, educational, charitable, civic, fraternal, sporting, or similar events including but not limited to golf tournaments, festivals, blood drives, and farmer's markets.

Political signs and sign solely for the benefit of private businesses shall not be authorized.

- d. The City Manager may, in his discretion, refer requests to place signs in the public right-of-way to City Council for approval.
- e. Any person violating this section shall be deemed guilty of a City Code infraction and subject to a fine or imprisonment not to exceed the limits set by the City Code for misdemeanors and shall pay all costs incurred by the City in the removal of said sign, announcement and/or advertising matter.
- f. The applicant for a sign permit shall be responsible for compliance with all state and federal laws and regulations pertaining to signs, and the issuance of a sign permit by the City shall not be construed to certify compliance with such laws and regulations.
- g. A temporary sign permitted under this section shall not be erected more than fourteen (14) days prior to the event that it advertises and shall be removed within five (5) day after such event.

**DONE**, this 8<sup>th</sup> day of December, 2009.

William T. Young, Jr.  
William T. Young, Jr.  
Mayor

ATTEST:  
Betty J. Hudson  
Betty J. Hudson  
City Clerk

First Reading: November 24, 2009  
Public Hearing: December 8, 2009  
Second Reading: December 8, 2009