CITY OF HARRISBURG ORDINANCE #2022-04,
TO AMEND THE ZONING REGULATIONS

BE IT ORDAINED by the City Council of the City of Harrisburg as follows:

ARTICLE I – PURPOSE AND JURISDICTION

SECTION 1 – PURPOSE.

Ordinance #2022-04 is an ordinance to amend the Sign Regulations section of the Zoning Regulations of the City of Harrisburg. The City Council of the City of Harrisburg has deemed these regulations and controls to be reasonable and reasonably related to the purpose of promoting the health, safety, and general welfare of the City of Harrisburg.

SECTION 2 – JURISDICTION.

This Ordinance shall govern all territory within the statutory jurisdiction of the City of Harrisburg, South Dakota.

SECTION 3 – SEVERABILITY AND SEPARABILITY.

Should any Article, Section, Subsection, or Provision of this Ordinance be found to be or declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the Ordinance as a whole or any part thereof, other than the portion so declared to be invalid or unconstitutional.

ARTICLE II – AMENDMENTS TO CHAPTER 9.02: ZONING REGULATIONS

A. That Section 4.9 be amended to read:

SIGN REGULATIONS. The purpose of this section is to protect the safety of and promote the orderly development of the community through the regulation of signs and sign structures.

A. This Section only pertains to signs that are located outside of or on the outside of a structure.

B. Sign permits shall be reviewed and approved by the Commission. The Commission may apply conditions to the approval of a sign permit or may deny a sign permit if the proposed sign does not meet the requirements of these regulations.

C. A sign permit is required in order to put up a roof, projecting, or non-confoming freestanding sign. A sign permit for a conforming freestanding sign may be included with the building permit for a commercial, industrial, or multi-family structure on a previously vacant parcel without Commission review and approval. If a sign is installed without a required sign permit, a

late application fee of four times the sign fee will be added to the permit fee at the time the permit is submitted.

D. Additional freestanding signs are not allowed on a property where a freestanding sign already exists. A new freestanding sign cannot be erected on such a property without razing the existing sign nor can improvements beyond normal maintenance and minor updates, such as changing tenant names, be made to the existing sign.

E. One freestanding sign may be located on any parcel except parcels within agricultural, natural resource, or single-family residential zoning districts (unless otherwise specifically allowed by use-specific standards in these regulations). If a principal building is not present on such a parcel, a Conditional Use Permit is required to place the sign.

F. Signs or supporting structures shall not be located upon or over any portion of a right-of-way of any public street, alley, trail, or thoroughfare.

G. Abandoned signs shall be removed or brought into compliance within ninety days of written notice from a Code Officer. Signs are considered abandoned if the business, promotion, or event is no longer approaching, taking place, or in existence.

H. Signs shall be maintained in a safe and legible condition at all times. Unsafe signs shall be removed immediately or brought into compliance upon written notice from a Code Officer.

I. The light from any illuminated sign shall be so shielded, shaded, or directed so that the light shall not adversely affect surrounding or facing premises or safe vision of operators of vehicles on public or private streets. Sudden movement is prohibited on illuminated signs so that only gradual movement, such as dissolve, fade, or slow scrolling, is used.

J. Signs are required to be secured to the ground or to the load-bearing supports of a structure. Wall signs shall not be fastened to the exterior façade of a building.

K. Roof signs are allowed in business zoning districts and within Planned Unit Developments (subject to conditions of approval of the CUP). Roof signs shall not project more than ten feet above the roof line and shall not exceed 160 square feet in sign face area. Plans for roof signs must be sealed by a structural engineer.

L. Projecting signs are allowed in business zoning districts and within Planned Unit Developments (subject to conditions of approval of the CUP). The edges of projecting signs shall be at least fourteen feet above grade but no

more than ten feet above the roof line or away from the wall face they are attached to. Sign face area for projecting signs shall not exceed 160 square feet and no more than two sign faces shall be allowed per projecting sign. Plans for projecting signs must be sealed by a structural engineer.

M. Freestanding signs, where allowed, shall not exceed a height of thirty-five feet, shall have a total sign face area that does not exceed 160 square feet per sign face side, and shall have no more than two sign faces sides. Sign face sides shall be less than 45° from parallel.

N. Signs shall be designed and installed to withstand snow and wind loads, as provided in the City's Building Code.

O. All signs and sign structures shall be subject to inspection by a Building Official.

P. No sign shall: advertise or display words or pictures of obscene or pornographic material; emit sound, odor, or visible matter; appear similar to traffic control signs or signals and/or display words such as "Stop", "Go", "Danger", or "Warning"; or obstruct the view of traffic or of traffic control signs, signals, or lights in a public right-of-way.

BE IT FURTHER ORDAINED by the City Council of the City of Harrisburg that this Ordinance shall become effective in accordance to law.

CITY OF HARRISBURG

_____
Mayor

ATTEST:

_____
Finance Officer
(SEAL)

First Reading: April 5, 2022
Second Reading: April 19, 2022
Published: April 28, 2022
Effective: May 20, 2022