

Ordinance 12-01(S)(A) Amending the Sign Code

Ordinance ID: 12-01(S)(A)

Ordinance Status: Adopted

Postponed Until: Mon Apr 9th, 2012

Ordinance Summary:

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.60.040, Definitions; Homer City Code 21.60.060, Signs Allowed on Private Property With and Without Permits; Homer City Code 21.60.070, Permits Required; Homer City Code 21.60.080 Design, Construction, and Maintenance; Homer City Code 21.60.090, Signs in the Public Right-Of-Way; Homer City Code 21.60.095, Electoral Signs; Homer City Code 21.60.100, Signs Exempt from Regulation Under this Chapter; Homer City Code 21.60.110 Signs Prohibited Under this Chapter; Homer City Code 21.60.130, Temporary Signs-Private Property; Homer City Code 21.60.150, Time of Compliance-Nonconforming Signs and Signs Without Permits; and Homer City Code 21.60.170, Enforcement and Remedies; and Repealing Homer City Code 21.60.120, General Permit Procedures; Homer City Code 21.60.140, Temporary Signs-Public Rights-Of-Way; and Homer City Code 21.60.160, Violations; Regarding the Regulation of Signs. Planning/City Attorney.

CITY OF HOMER
HOMER, ALASKA
Planning/City Attorney
ORDINANCE 12-01(S)(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.60.040, DEFINITIONS; HOMER CITY CODE 21.60.060, SIGNS ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS; HOMER CITY CODE 21.60.070, PERMITS REQUIRED; HOMER CITY CODE 21.60.080 DESIGN, CONSTRUCTION, AND MAINTENANCE; HOMER CITY CODE 21.60.090, SIGNS IN THE PUBLIC RIGHT-OF-WAY; HOMER CITY CODE 21.60.095, ELECTORAL SIGNS; HOMER CITY CODE 21.60.100, SIGNS EXEMPT FROM REGULATION UNDER THIS CHAPTER; HOMER CITY CODE 21.60.110 SIGNS PROHIBITED UNDER THIS CHAPTER; HOMER CITY CODE 21.60.130, TEMPORARY SIGNS-PRIVATE PROPERTY; HOMER CITY CODE 21.60.150, TIME OF COMPLIANCE-NONCONFORMING SIGNS AND SIGNS WITHOUT PERMITS; AND HOMER CITY CODE 21.60.170, ENFORCEMENT AND REMEDIES; AND REPEALING HOMER CITY CODE 21.60.120, GENERAL PERMIT PROCEDURES; HOMER CITY CODE 21.60.140, TEMPORARY SIGNS-PUBLIC RIGHTS-OF-WAY; AND HOMER CITY CODE 21.60.160, VIOLATIONS; REGARDING THE REGULATION OF SIGNS.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.60.040, Definitions, is amended to read as follows:

21.60.040 Definitions. In this chapter, addition to terms defined in HCC §21.03.040, the following words and phrases shall have the meanings set forth in this section.

"Abandoned sign" means a sign that refers to a business or activity that is no longer being conducted or pursued.

"Animated sign" means a sign that uses flashing lights, movement or change of lighting to depict action or create a special effect or scene, or that includes characters, letters, or illustrations whose message changes at least one time per day; provided that a changing electronic or mechanical indication of time or temperature does not cause a sign to be an animated sign.

"Banner" means a lightweight sign that contains a message which is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable materials, including without limitation cardboard, cloth and plastic. Banner material attached to a rigid frame on all edges or a flag shall not be considered a banner.

"Beacon" means a sign that emits one or more beams of light, capable of being directed in one or more directions or rotated or moved.

"Building marker" means a wall sign cut or etched into masonry, bronze, or similar material that includes only the building name, date of construction, or historical data on historic site.

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

"Building sign" means a sign that is attached to and/or supported by a building, but that is not a freestanding sign.

"Changeable copy sign" means a sign that includes characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign, and on which the message changes less often than one time per day; provided that a changing electronic or mechanical indication of time or temperature does not cause a sign to be a changeable copy sign.

"Commercial message" means letters, graphic material or a combination thereof that, directly or indirectly, names, advertises, or calls attention to a business, brand, product, service or other commercial activity.

"Electoral sign" means any sign used for the purpose of advertising or promoting a political party, or the election or defeat of a candidate initiative, referendum or proposition at an election.

"Flag" means the flag of the United States, the State, the City, a foreign nation having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction.

"Freestanding sign" means a sign supported, in whole or in part, by structures or supports that are placed on, or anchored in the ground and that are independent of any building or other structure.

"Ground sign" means a freestanding sign that is placed directly on the ground having or appearing to have a foundation or solid base beneath 50 percent or more of the longest horizontal dimension of the sign.

"Incidental sign" means an informational or directional sign that is incidental and subordinate to a principal use of the lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and that bears no commercial message that is legible from outside that lot.

"Marquee sign" means a sign attached in any manner to, or made a part of, a permanent roof-like structure projecting beyond a building, generally designed and constructed to provide protection from the weather.

"Official traffic control device" means a sign not inconsistent with Alaska Statutes Title 28, placed or erected by authority of a state or municipal agency or official having jurisdiction, for the purpose of traffic regulating, warning and guiding.

"Off-premises sign" means a sign containing a message drawing attention to goods or services, business or other activity not offered or conducted on the lot on which the sign is located.

"Pennant" means a lightweight plastic, fabric, or other material, whether or not containing a message of any kind suspended from a rope, wire, or string, usually in series, designed to move in the wind.

"Permanent sign" means a sign that is not a temporary sign.

"Principal building" means a building in which the principal use of the lot is conducted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other accessory structures shall not be considered principal buildings.

"Projecting sign" means a building sign attached to a wall and that protrudes more than six inches beyond the surface of the wall.

"Public sign" means an off-premises sign other than an official traffic control device, that provides direction or information, or identifies public facilities such as parks, playgrounds, libraries, or schools or a distinct area of the City, such as Pioneer Avenue, the Homer spit, Old Town and entrances to the City.

"Residential sign" means a sign located in the Rural Residential, Residential Office or Urban Residential zoning districts that contains no commercial message except for advertising for goods or services legally offered on the premises where the sign is located, if offering such services at such location conforms to all requirements of the zoning code.

"Roof sign, integral" means a sign erected and constructed as an integral part of roof of a building, such that no part of the sign extends vertically more than two feet above the highest portion of that roof of which it is a part.

"Setback" means the distance between a sign located on a lot and the closest lot line.

"Sign" means a device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

"Suspended sign" means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

"Temporary sign" means a sign that is not affixed permanently to a building or to a permanent support or foundation, including without limitation menu or sandwich board signs.

"Wall sign" means a sign attached parallel to, but within six inches of, a wall, painted on the surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such building or structure, and which displays only one sign surface.

"Window sign" means a sign that is placed inside a window or upon the window panes or glass and is visible from the exterior of the building.

Section 2. The title and subsection (a) of Homer City Code 21.60.060, Signs allowed on private property with and without permits, are amended to read as follows:

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

21.60.060 Signs on private property. a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the letter “A” appears for a sign type in a column, such sign type is allowed without prior permit approval in the zoning district represented by that column. If the letter “P” appears for a sign type in a column, such sign type is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter “N” appears for a sign type in a column, such sign type is not allowed in the zoning districts represented by that column under any circumstances. If the letters “PH” appear for a sign type in a column, such sign type is allowed in the zoning districts represented by that column only with prior approval by the Commission after a public hearing.

b. Although permitted under the previous paragraph, a sign designated by an "A" or "P" in Table 1 shall be allowed only if:

1. The sum of the area of all building and free standing signs on the lot does not exceed the maximum permitted sign area for the zoning district in which the lot is located as specified in Table 2; and
2. The characteristics of the sign conform to the limitations of Table 3; Permitted Sign Characteristics, and with any additional limitations on characteristics listed in Table 1 or Table 2.

c. A sign type that is not listed on the following tables is prohibited.

Section 3. The Key to Tables 1 through 3 that follows Homer City Code 21.60.060, Signs on private property, is amended to read as follows:

KEY to Tables 1 through 3

RR Rural Residential	GBD Gateway Business District
UR Urban Residential	GC1 General Commercial 1
RO Residential Office	GC2 General Commercial 2
INS Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU East End Mixed Use
CBD Central Business District	MC Marine Commercial
TC Town Center District	MI Marine Industrial
	OSR Open Space Recreation
	PS Public Sign Uses Permit

A = Allowed without sign permit

P = Allowed only with sign permit

N = Not allowed

PH = Allowed only upon approval by the Planning Commission after a public hearing

For parenthetical references, e.g., “(a),” see Notes following graphical portion of table.

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

Section 4. Table 1 following Homer City Code 21.60.060, Signs on private property, is amended to read as follows:

Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC 1	GC 2	EEMU	MC	MI
Freestanding												
Residential (b)	A	A	A	A	A	A	A	N	N	N	N	N
Other (b)	N	N	N	P	P	P	P-(i)	P	P	P	PS	P
Incidental (c)	N	N	A(d)	A (d)	A	A	A	A	A	A	A	A
Building												
Banner	N	N	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	A	A	A	A	A	A	A	A
Identification (d)	A	A	A	A	A	A	A	A	A	A	A	A
Incidental (c)	N	N	A (f)	A	A	A	A	A	A	A	A	A
Marquee	N	N	N	N	P	P	P	P	P	P	P	P
Projecting	N	N	N	N	P	P	P	P	P	P	P	P
Residential (b)	A	A	A	N	A	A	A	N	N	N	N	N
Roof, Integral	N	N	N	P	P	P	P	P	P	P	P	P
Suspended	N	N	N	P	P	P	P	P	P	P	P	P
Temporary (g)	P	P	P	N		P	P	P	P	P	P	P
Wall	A	A	A	A	P	P	P	P	P	P	P	P
Window	N	N	A	N	P	P	P	P	P	P	P	P
Miscellaneous												
Flag (h)	A	A	A	A	A	A	A	A	A	A	A	A

Notes to Table 1:

a. This column does not represent a zoning district. It applies to institutional uses permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined as an established organization or corporation of a public, non-profit, or public safety/benefit nature, i.e., schools, churches, and hospitals.

b. No commercial message allowed on sign, except for a commercial message drawing attention to

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

goods or services legally offered on the lot.

c. No commercial message of any kind allowed on sign if such message is legible from any location off the lot on which the sign is located.

d. Only address and name of occupant allowed on sign.

e. May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.

f. No commercial message of any kind allowed on sign.

g. The conditions of HCC § 21.60.130 apply.

h. Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the stars and stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulations as such.

i. The main entrance to a development in GBD may include one ground sign announcing the name of the development. such sign shall consist of natural materials. Around the sign grass, flowers and shrubs shall be placed to provide color and visual interest. The sign must comply with applicable sign code requirements.

Section 5. Table 2 following Homer City Code 21.60.060, Signs on private property, is amended to read as follows:

Table 2. Maximum Total Sign Area Per Lot by Zoning District

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker and flags (b) shall be as follows according to district:

R	UR	RO	RO(e)	INS (a)	OSR	PS (d)
4	4	6	50	20	4	32

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

<u>Square feet of wall frontage (c):</u>	<u>Maximum allowed sign area per Principle Building:</u>
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or with multiple independent businesses or occupancies in one or more buildings, the total allowed sign area may be increased beyond the maximum allowed shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote or identify the building or buildings.

In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed, shall not exceed the following:

Only one freestanding sign is allowed per lot, except one freestanding Public Sign may be additionally allowed. A Public Sign may not exceed ten (10) feet in height. The sign area on a freestanding sign (excluding a Public Sign) shall be included in the calculation of maximum allowed sign area per lot and shall not exceed the following:

One business or occupancy in one building – 36 sq ft

Two independent businesses or occupancies or principal buildings in any combination – 54 sq ft

Three independent businesses or occupancies or principal buildings in any combination – 63 sq ft

Four or more independent businesses or occupancies or principal buildings in any combination – 72 sq ft

Section 6. Table 3 following Homer City Code 21.60.060, Permitted Sign Characteristics by Zoning District, is amended to read as follows:

Sign Type	RR	UR	RO	INS (a)	CBD	TC	GBD	GC 1	GC 2	EEMU	MC	MI
Animated (b)	N	N	N	N	P	P	N	P	N	P	P	N
Changeable Copy (c)	N	N	N	N	P	P	N	P	P	P	P	P
Illumination Internal	N	N	N	P	P	P	N	P	P	P	P	P
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P
Neon (d)	N	N	N	N	P	P	N	P	P	P	P	P

Section 7. Homer City Code 21.60.070, Permits required, is amended to read as follows:

21.60.070 Sign permits. a. No person may place, construct, erect or modify a sign for which a provision of this chapter requires a permit without first obtaining a permit for the sign under this section.

b. Applications. An application for a sign permit shall be submitted to the Department on an application form or in accordance with application specifications published by the Department. An application for a permit for a sign that is not an off-premises sign shall be submitted by the owner of the lot where the sign is to be located, or by a tenant leasing all or part of the lot when the sign names, advertises, or calls attention to a business, brand, product, service or other commercial activity of the tenant.

c. Fees. An application for a sign permit shall be accompanied by the applicable fees established by the Homer

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

City Council from time to time by resolution.

d. Action. Within seven working days after the submission of a complete application for a sign permit, the Department shall:

1. If the sign is allowed only with the prior approval of the Commission after a public hearing, refer the application to the next available Commission meeting for a public hearing.
2. If the sign is subject to administrative permit approval, either
 - i. Issue the sign permit, if each sign that is the subject of the application conforms in every respect with the requirements of this chapter; or
 - ii. Reject the sign permit if a sign that is the subject of the application fails in any way to conform to the requirements of this chapter. In case of rejection, the Department shall specify in the rejection the section or sections of this chapter to which the sign does not conform.

Section 8. Subsection (b) of Homer City Code 21.60.080, Design, construction, and maintenance, is amended to read as follows:

b. Except for flags, temporary signs and window signs conforming in all respects to the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

Section 9. Homer City Code 21.60.090, Signs in the public right-of-way, is amended to read as follows:

21.60.090 Permanent signs in public rights-of-way. No person may place, construct or erect a permanent sign in a public right-of-way, except for the following:

- a. Official traffic control devices.
- b. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
- c. Informational signs of a public utility regarding its poles, lines, pipes, or facilities; and
- d. Signs containing commercial messages that have been approved by the State of Alaska Department of Transportation.

Section 10. Subsection (d) of Homer City Code 21.60.095, Electoral Signs, is amended to read as follows:

d. An electoral sign shall not exceed 32 16 square feet in area and shall not exceed the height limitation applicable to non-electoral signs within the same zoning district.

Section 11. Homer City Code 21.60.100, Signs exempt from regulation under this chapter, is amended to read as follows:

21.60.100 Signs exempt from regulation under this chapter. The following signs shall be exempt from regulation under this chapter:

- a. Any sign bearing only a public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- b. Any emergency warning sign erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within a public right-of-way.
- c. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located,
- d. Works of art that do not contain a commercial message;
- e. Holiday lights between October 15 and April 15;
- f. Traffic control signs on private property, such as a stop sign, a yield sign, and similar signs, the face of which meet Department of Transportation standards and that contain no commercial message of any sort.
- g. Signs in existence before February 11, 1985, but such signs shall not be replaced, moved, enlarged, altered, or reconstructed except in compliance with this chapter.

Section 12. Homer City Code 21.60.110, Signs prohibited under this chapter, is amended to read as follows:

21.60.110 Signs prohibited under this chapter. All signs not expressly permitted under this chapter or exempt from regulation hereunder in accordance with HCC § 21.60.100 are prohibited in the City. Without limiting the foregoing, examples of prohibited signs include:

- a. Banners;

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

- b. Beacons;
- c. Pennants;
- d. Strings of lights not permanently mounted to a rigid background, except those exempt under HCC § 21.60.100;
- e. Inflatable signs and tethered balloons;
- f. Animated signs that are neon, change colors, or exceed three square feet in area;
- g. Placement of hand bills, flyers, or bumper stickers on parked vehicles other than by owner;
- h. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signage not otherwise allowed by the Code; Prohibited is any sign displayed on a parked trailer or truck or other vehicle where the primary purpose of the vehicle is to advertise a product, service, business, or other activity. This regulation shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.
- i. Abandoned signs, which shall be removed by the owner or lessee, if any, of the lot upon which the signs are located. If such owner or lessee fail to remove such signs after an opportunity for a hearing before the Planning Commission and fifteen days written notice to remove given by the City, then (i) the owner or lessee has committed a violation, and (ii) the City may remove the signs and collect the cost of removal from such owner or lessee, who shall be jointly and severally liable for such cost.

Section 13. Homer City Code 21.60.120, General permit procedures, is repealed.

Section 14. Homer City Code 21.60.130, Temporary signs-private property, is amended to read as follows:

21.60.130 Temporary signs. a. General. All temporary signs are subject to the following requirements:

- 1. A temporary sign may not be an illuminated, animated, or changeable copy sign.
 - 2. Unless a smaller area is required by another provision of this chapter, the area of a temporary sign shall not exceed 16 square feet.
 - 3. A temporary sign whose message pertains to a specific date, event, or time period shall not be displayed for more than seven days after that date or the conclusion of the event or time period.
- b. Commercial. A temporary sign that bears a commercial message shall be limited to the following:
- 1. One sign advertising the property on which the sign is located for sale or for rent; or
 - 2. One sign advertising a temporary sale of household goods located on the lot where the sale is held.
 - 3. One temporary sign other than those described in 1 and 2 above may be allowed by permit for display.
- c. Non-commercial. Temporary signs that do not bear a commercial message are allowed on private property in any number, subject to the square footage limitations in this chapter.

Section 15. Homer City Code 21.60.140, Temporary signs-Public right-of-way, is repealed.

Section 16. Homer City Code 21.60.150, Time of compliance-Nonconforming signs and signs without permits, is amended to read as follows.

- 21.60.150 Time of compliance-Nonconforming signs and signs without permits. a. Except as otherwise provided herein, the owner of any lot or other premises on which exists a sign that does not conform to the requirements of this chapter or for which there is no current and valid sign permit must remove such sign or, in the case of a nonconforming sign, bring it into conformity with the requirements of this chapter.
- b. Signs that were prohibited by Ordinance 84-33(S), as amended by Ordinances 86-18 and 89-8, and that are prohibited by this chapter are illegal and must be removed immediately.
- c. Any sign that was constructed and continues to be maintained in accordance with the applicable ordinances and other laws that existed prior to an amendment to this code, but which becomes unlawful as a result of an amendment to this code, is lawfully nonconforming. A sign that is lawfully nonconforming under this subsection may remain in place and continue to be maintained until the information on the face of the sign is changed, or for a period of one year after the effective date of the amendment, whichever occurs first. If any action is taken that increases the degree or extent of the nonconformity with the amended code, the sign loses lawful nonconforming status and must be removed immediately. At the end of the period during which the lawfully nonconforming sign is allowed to remain in use, the sign shall either be removed or the owner must obtain a permit, if required, and complete all other steps and make any modifications necessary to bring it into full compliance with this code.
- d. Any sign that was constructed and continues to be maintained in accordance with the applicable laws that governed territory prior to its annexation to the City, but which becomes unlawful under this code as a result of annexation to the City, is lawfully nonconforming. A sign that is lawfully nonconforming under this subsection may remain in place and continue to be maintained until the information on the face of the sign is changed, or for a period of one year after the later of (i) the effective date of the annexation of the territory or (ii) the effective date of

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

the ordinance that assigns the territory in which the sign is located to a zoning district under the Homer zoning code, whichever occurs first. If any action is taken that increases the degree or extent of the nonconformity with the code, the sign loses lawful nonconforming status and must be removed immediately. At the end of the period during which the lawfully nonconforming sign is allowed to remain in use, the sign shall either be removed or the owner must obtain a permit, if required, and complete all other steps and make any modifications necessary to bring it into full compliance with this code.

e. Notwithstanding the remainder of this section, a nonconforming banner or temporary sign shall be removed no later than May 1, 2012.

Section 17. Homer City Code 21.60.160, Violations, is repealed.

Section 18. Homer City Code 21.60.170, Enforcement and remedies, is amended to read as follows:

21.60.170 Enforcement and remedies. In addition to the remedies provided in HCC Chapter 21.90, violations of this chapter are subject to the following remedies:

a. A person designated to enforce this title under HCC 21.90.020 may remove a temporary sign placed in a public right-of-way in violation of this chapter. The person responsible for the illegal placement shall be liable for the cost incurred in removing the sign.

b. Notwithstanding any other provision of this title:

1. An appeal to the Planning Commission from an enforcement order that requires the abatement or removal of a temporary sign placed on private property in violation of this chapter must be filed within seven days after the date of distribution of the enforcement order to the person whose property is the subject of the enforcement order.

2. An appeal from a final decision of the Planning Commission regarding an enforcement order that requires the abatement or removal of a temporary sign placed on private property in violation of this chapter must be taken directly to the Superior Court.

Section 19. Sections 1 through 18 of this Ordinance are of a permanent and general character and shall be included in the City Code.

Section 20. This Ordinance shall become effective on May 1, 2012.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 9th day of April, 2012.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR
ATTEST:

JO JOHNSON, CMC, CITY CLERK
YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

Walt E. Wrede, City Manager Thomas F. Klinkner, City Attorney

Ordinance 12-01(S)(A) Amending the Sign Code

Published on City of Homer Alaska Official Website (<http://www.cityofhomer-ak.gov>)

Date: _____ Date: _____

Ordinance Dates **Ordinance Introduction Date:** Mon Jan 9th, 2012

Ordinance Public Hearing Date: Mon Jan 23rd, 2012

Second Public Hearing: Mon Apr 9th, 2012

Ordinance Second Reading Date: Mon Apr 9th, 2012

Ordinance Effective Date: Tue May 1st, 2012

Ordinance Files  [Ordinance 12-01\(S\)\(A\)](#)

Source URL (retrieved on 2015-03-07 00:25):

<http://www.cityofhomer-ak.gov/ordinance/ordinance-12-01sa-amending-sign-code>