

*Requested by
Jerry Anderson*

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 92-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER AMENDING HOMER CITY CODE § 21.60 TO PROVIDE FOR SIGN STANDARDS AND REGULATIONS.

WHEREAS; The current sign ordinance is lengthy, complicated and difficult to enforce, and:

WHEREAS; Enforcement is instituted only upon individual complaint, leading to sporadic and unequal enforcement, and:

WHEREAS; Increased expenses and reduced revenues in all areas of City operations do not allow the addition of increased enforcement personnel, and:

WHEREAS; The Council of the City of Homer, desiring that all provisions of the Homer City Code be administered in a fair and consistent manner, and to the level commensurate with available resources;

NOW THEREFORE THE CITY OF HOMER HEREBY ORDAINS:

Section 1. Section 21.60 of the Homer City Code is hereby repealed and reenacted as follows:

21.60.010 Sign Standards Sign standards are set out in §§ 21.60.020 through 21.60.170

21.60.020 Purpose. The purposes of these regulations are to maintain and enhance the aesthetic and economic environment of the City; to minimize adverse effects on adjacent properties; and to enable the fair and consistent enforcement of these regulations.

21.60.030 Applicability - Effect. (Unchanged)

21.60.040 Definitions. (unchanged)

21.60.050 Repealed.

21.60.060 Repealed.

21.60.070 Repealed.

21.60.080 Design, construction and maintenance. (Unchanged)

21.60.090 Repealed.

21.60.100 Unchanged.

21.60.110 Signs prohibited under this chapter. The following signs are prohibited:

- a. Beacons;
- b. Inflatable signs and tethered balloons;
- c. Placement of handbills, flyers, or bumper stickers on parked vehicles other than by the owner.
- d. Animated or flashing signs, signs that are neon, or change colors. Signs that provide time, temperature, notices of community affairs, meetings or other items of a timely or informational nature are permitted.

21.60.120 Repealed.

21.60.130 Repealed.

21.60.140 Repealed.

21.60.150 Repealed.

21.60.160 Violations. Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by the zoning code and by state law:

- a. To install, create, erect or maintain any sign that is in violation of any provision of this chapter;
- b. To fail to remove any sign that is installed, created, erected or maintained in violation of any provision of this chapter;
- d. To continue any such violation. Each day of a continued violation shall be considered a separate violation.

21.60.170 Enforcement and remedies. (Unchanged)

21.60.180 Repealed.

Section 3. This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA this _____ day of _____ 1992.

City of Homer

Harry E. Gregoire, Mayor

Attest:

Mary L. Shannon, City Clerk

to:
Mayor's
Council

Rec'd 07/27/92
Clerk's Office
attach to Ord 92-37

TANGO CONSTRUCTION COMPANY

2396 Kachemak Bay Drive Homer, Alaska 99603
(907) 235-8141 Fax (907) 235-8590

July 23, 1992

Homer City Council
City of Homer
491 E. Pioneer Avenue
Homer, AK 99603

Dear Ladies and Gentlemen of the Council:

Since I am out of town most of the time, I've lost track of the Sign Ordinance debate. I intended to attend the public hearing but apparently it has been put off. I want to give you this testimony and I request that this letter become part of the next City Council agenda packet.

I am strongly in favor of a restrictive sign ordinance. Revising the ordinance might be okay, but I am absolutely opposed to an elimination of the sign ordinance. Homer derives a great deal of its income from the tourist business, and clearly a nice looking and well kept city is essential in attracting continuing tourist business. Homer has always had a reputation of being a very junky town in a very beautiful setting. In the last few years a great deal of effort has been applied by some to make Homer a nicer place. I think that reflects in higher tourist related income to all of us, and the City's revenues. People despise junky signs and disorganization that seems to prevail in some cities and towns. If you think about successful tourist oriented towns around the United States, you will see that practically every one is neat and orderly in appearance, often with some kind of theme.

It might be appealing to think that every owner can have whatever kind of sign they want and that, somehow, the most awful and loud sign brings in the most money to those vendors, but I really don't think that's true. Location, appearance, and price all are attractive business items, but if a business owner has to rely on a big sign for business, the business owner is in the wrong business for themselves and the town.

Homer is certainly reaping the benefits of becoming a tourist oriented location. There is a huge monetary benefit to all of us to protect our tourists and visitor environment, and that means making this town look nice - something we can be proud of. Please, I urge you to take some control of the town and maintain the sign ordinance.

Sincerely,



Tony Neal

TN/dls
dd558.gen

HOMER CITY COUNCIL
REGULAR MEETING MINUTES
JULY 13, 1992

VOTE: YES: McHONE, ANDERSON, HENRY.
NO: GODFREY, FORREST, SWEIVEN.

Motion failed. Takes four affirmative votes to pass a motion.

C. ORDINANCE 92-37, OF THE CITY COUNCIL OF THE CITY OF HOMER AMENDING HOMER CITY CODE 21.60 TO PROVIDE FOR SIGN STANDARDS AND REGULATIONS. (First Reading 07/13/92, Public Hearing 07/27/92, Second Reading 08/10/92.) Requested and submitted by Councilmember Anderson.

ANDERSON/FORREST - MOVED FOR THE ADOPTION OF ORDINANCE 92-37 FOR FIRST READING BY READING OF TITLE.

Councilmember Anderson stated that the present Sign Ordinance is so comprehensive that it is impossible to enforce. He clarified regarding the animated signs that time, temperature, menu specials which is timely information are the intent.

Councilmember Godfrey requested information from the City Planner regarding sign permits.

City Planner Bechtol advised that there are 173 Sign Permits voluntarily obtained, 7 businesses have refused, all 50 of the Cordes alleged violations have obtained permits and that 116 have valid compliance. She further advised that no new businesses have put up illegal signs.

Councilmember Godfrey then pointed out that the present ordinance is effective. She stated that she would be bringing a grandfather clause before the Council at the next meeting. She stated that she would like to see Ordinance 92-35 and 92-37 fail.

Councilmember Sweiven voiced concern with so much of the Sign Ordinance being deleted.

Mayor Pro Tem Henry state that she would appreciate hearing the City Manager's comments.

City Manager Leland stated that it is obvious that signs are an issue. He stated that he thinks there is a better way, that there are many items which are cumbersome, but that the ordinance is not impossible to enforce. Mr. Leland will take a thorough view at the intention of Sign Ordinance, adding that he has an adverse view of piece mealing. He suggested bringing the Council, staff and citizens together on the issue for review purposes. City Manager Leland stated that he would have a preliminary recommendation to the Council regarding a Sign Ordinance Committee for the next meeting.

ANDERSON/McHONE - MOVED TO POSTPONE UNTIL THE COMMITTEE IS FORMED, MEETS WITH THE CITY MANAGER AND RECOMMENDATIONS ARE MADE.

VOTE: YES: HENRY, McHONE, SWEIVEN, ANDERSON, GODFREY, FORREST.

Motion carried.