

**CITY OF BOX ELDER**

**ORDINANCE #508**

**AMENDMENTS TO ORDINANCE #466,  
SIGN AND ADVERTISING REGULATIONS**

**EFFECTIVE 4/15/2011**

CITY OF BOX ELDER ORDINANCE #508,  
AMENDMENTS TO ORDINANCE #466,  
SIGN AND ADVERTISING REGULATIONS

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BOX ELDER  
AS FOLLOWS:

**ARTICLE I – PURPOSE AND JURISDICTION**

SECTION 1 – PURPOSE.

Ordinance #508 is an Ordinance providing amendments to Ordinance #466, which regulates signs and advertising within the jurisdiction of the City of Box Elder. The Common Council of the City of Box Elder has deemed these amendments to be reasonable and reasonably related to the needs of the business community to adequately and properly advertise its goods and services of benefit to the traveling public and to the health and safety of the residents of the community.

**ARTICLE II – AMENDMENTS TO ORDINANCE #466**

Additions are underlined, deletions are ~~striketroughs~~.

Amend ARTICLE 4, SECTION 1 – OFF-PREMISE SIGNS to read:

- A. Off-premise signs shall be located solely on land within commercial or industrial zoning districts that has a City-approved Conditional Use Permit (~~also known as a Use on Review~~) which grants approval (and may impose conditions upon the approval) for the installation of the off-premise sign.
- B. No portion of an off-premise sign or its sign structure having a sign face larger than thirty-two (32) square feet shall be ~~more than seventy five feet (75') nor less than ten feet (10')~~ from the boundary of the highway right of way for Interstate 90 allowed to be constructed within the City's jurisdiction.
- C. No off-premise sign structure shall support more than two (2) sign faces.
- D. Off-premise sign structure surfaces shall be painted or coated in earth-tone colors.
- ~~E. Each off premise sign face shall be no larger than seven hundred (700) square feet in size, excluding the area of any structural apron or border.~~
- F. No portion of any off-premise sign shall be located closer than six hundred feet (600') to any portion of any other off-premise sign located on the same side of the street or highway. The distance between off-premise signs shall be measured from the edge of each sign or sign structure closest to the adjoining sign.

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- G. Off-premise sign faces shall be mounted to the sign structure so the sign faces are no more than thirty degrees (30°) from parallel to one another.
- H. The upper edge of an off-premise sign face that is square or whose face has its longest side in a non-vertical plane shall be no more than ~~thirty five feet (35')~~ twenty-four feet (24') above the lowest undisturbed pre-construction ground level beneath the sign face. ~~The upper edge of an off-premise sign face that has its longest side in a vertical plane shall be no more than sixty five feet (65') above the lowest undisturbed pre construction ground level beneath the sign face.~~
- ~~I. The Council may grant an exception to the above height restrictions listed in Paragraph H. if adherence to these requirements would cause the lower edge of the sign face to be constructed below the level of the outside lane edge of the street or highway nearest to the sign face. The exception shall allow the upper and lower edges of said sign face to be moved equally upward (on a presumably taller sign structure) until the lower edge of the sign face is horizontally level with the outside lane edge of the street or highway nearest to the sign face.~~
- J. No portion of any off-premise sign shall be closer than one hundred feet (100') to any portion of any on-premise sign at the time of construction of the off-premise sign.
- K. Each off-premise sign shall be identified by a label, nameplate, or trademark identifying the owner of the sign.
- L. Off-premise signs shall not be placed on any property without the written consent of the property owner or the owner's authorized agent.
- M. The light from any light source intended to illuminate an off-premise sign face shall be so shaded, shielded, and directed so that the light is focused solely upon the sign face and the light intensity or brightness shall not adversely affect surrounding or facing premises, nor adversely affect safe vision of pedestrians or operators of vehicles moving on public or private streets, driveways, or parking areas or aircraft overhead. Such lighting shall be installed in accordance with the National Electrical Code by a licensed electrical contractor.
- N. Off-premise wall signs are prohibited.
- O. Off-premise signs shall be subject to the Permit and, if having a sign face larger than thirty-two (32) square feet, to the License requirements of Article V of this Ordinance.

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- P. Off-premise sign faces or structures shall not have animated or moving parts, flashing, blinking, or traveling lights, or any other such lighting not providing constant illumination of the sign face, or have digital or electronic message display faces.

Amend Article 5, Section 5 to read:

**SECTION 5 – SIGN LICENSE.**

- A. Every sign, except as otherwise provided in this Ordinance, shall have a sign license issued by the Planning Coordinator to the sign owner ~~attached for display no more than ten feet (10') above ground level on the sign structure. It is the sole responsibility of the sign owner to ensure that the sign license is properly attached and displayed.~~
- B. The Planning Coordinator shall cause a sign license to be issued to the sign permit applicant within thirty (30) days of written notification of completion of the alteration, conversion, or erection of a permitted sign.
- ~~C. Any sign not having a properly displayed sign license shall be deemed an unlawful sign.~~

Amend Article 4, Section 5.A. to read:

Each political sign shall have no more than ~~one (1)~~ two (2) sign faces that shall each be no larger than thirty-two (32) square feet.

Amend Article 4, Section 5.J. to read:

All political signs shall be removed within four (4) days after Election Day. No political sign, in the case of municipal, school board, or fire district elections, shall be erected or placed more than seventeen (17) days before Election Day.

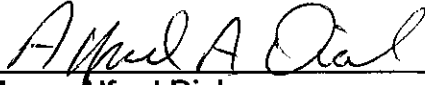
Add Article 4, Section 4.L. to read:

**City Pride Signs:** These permanent or semi-permanent signs, such as Tree City USA Community, South Dakota Gold Community, Horizons Community, etc., are intended to promote the community and inform the traveling public about features of community pride and are typically located in public rights-of-way at or near the City boundaries. The installation of such signs shall be at the discretion of the Council.

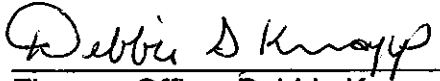
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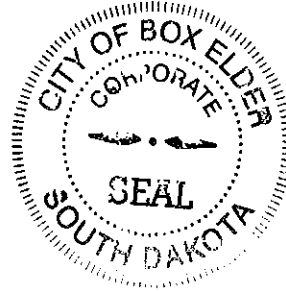
BE IT FURTHER ORDAINED by the Common Council of the City of Box Elder  
that this Ordinance shall become effective according to law.

CITY OF BOX ELDER

  
\_\_\_\_\_  
Mayor Alfred Dial

ATTEST:

  
\_\_\_\_\_  
Finance Officer Debbie Knapp



(SEAL)

Public Hearing before the Planning & Zoning Commission: 2/8/11

Public Hearing before the Common Council: 3/1/11

First Reading: 3/1/11

Second Reading: 3/15/11

Published: 3/26/11

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