

ORDINANCE NO. 45-322

AN ORDINANCE AMENDING SECTIONS 24.04.200 AND 24.04.210 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO PROHIBITED LOCATIONS - GENERAL REQUIREMENTS AND REMOVAL OF SIGNS PLACED UPON PUBLIC PROPERTY AND REPEALING THE ORIGINALS OF SAID SECTIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Section 24.04.200 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Prohibited locations - General requirements.

(a) Obstructing Windows, Doors, Etc. No sign shall be placed or erected across or so as to obstruct in any way any window, door, exit or entrance or, to or from any building, whether occupied or not, but this provision shall not prohibit placing a sign across a transom. No sign of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape, nor shall any sign be attached to any fire escape.

(b) Interfering with Public Safety and Convenience. No sign shall be erected, constructed, reconstructed, remodeled, relocated, altered, hung, affixed or created by painting, or maintained in any way that will interfere with public safety and convenience or with the proper and convenient operation of the fire department for protection of property.

(c) Across Streets or Alleys. No sign shall be suspended or constructed across any street or alley, except as provided in this chapter.

(d) Use of Public Property. No sign, except as provided in Section 24.04.230 (g), shall be supported in any way by public property. No sign shall project over public right-of-way except projecting signs permitted on buildings located within eight feet of a right-of-way line. No part of any projecting sign extending over any public property shall be less than ten feet from the surface immediately below, except signs not exceeding four square feet in area and not projecting more than two feet may be hung not less than eight feet from the surface of the public property immediately below. No part of any sign permitted to extend over any alley or public roadway, however, shall be less than fifteen feet from the surface immediately below. In no case shall the outer edge of a projecting sign extend closer to the vertical plane of a street curb than two feet, unless the bottom of such sign is thirteen feet, six inches or more from the sidewalk immediately below. Any permit for a sign over public property issued under the provisions of this chapter, or any previous ordinance, shall be revocable at the will of the city council, upon notice and opportunity for hearing.

(e) Interfering with Traffic. No sign of any kind shall be erected or maintained in such a manner as to interfere with, mislead or confuse traffic or to obstruct the line of sight of any traffic signal, or traffic device as may be determined by the traffic commission.

(f) Near Residences. No off-site sign shall be located within fifty feet of a residential structure.

(g) Close to Rivers, Parks. No off-site sign shall be located closer than six hundred sixty feet to the established bank lines of the Big Arkansas or the Little Arkansas Rivers, to any park or recreation area under the jurisdiction of any public body including the board of park commissioners of the city.

Off-site signs may be erected within six hundred sixty feet of the established bank lines of the Big Arkansas or the Little Arkansas Rivers or of any such park or recreation area when such off-site signs are located in athletic field facilities owned or operated by a public body.

(h) Near Highways. No off-site sign shall be located closer than six hundred sixty feet to any portion of the existing or designated right-of-way of State Highway K-96 between Interstate 135 and the east city limits.

(i) Near Driveway Approach. No ground sign exceeding a height of three feet, permanent or temporary, shall be located within a triangle, the sides of which are formed by the property line, the edge of the driveway as extended from the street, and a line from a point on the property line twenty-five feet from the driveway to a point on the edge of the driveway six feet behind the property line.

(j) Posting on Utility Poles. Except as authorized by Section 24.04.040 (2) and temporary signs erected by public utilities placed on such utility poles, no sign, notice, poster or other paper or device calculated to attract the attention of the public shall be posted on any lamppost, public utility pole, or traffic control device located in the public right of way.”

SECTION 2. Section 24.04.210 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"(a) Any unauthorized temporary sign placed upon public property, including public rights-of-way, or upon any lamppost, public utility pole or traffic control device located within the public right of way is declared to be a public nuisance. The superintendent of central inspection or any other individual authorized by this section, shall cause its removal in the manner provided for by this section.

(b) Any temporary sign, bill, advertisement or notice posted or placed on public property in violation of this title may be torn down or removed by any law enforcement officer, any deputy under the supervision of the superintendent of the office of central inspection, any personnel of public works and any health officers under the supervision of the director of the Department of Environmental Health.

(c) Any temporary sign removed pursuant to subsection (b), which is six square feet or larger and composed entirely of metal or wood shall be kept by the superintendent of central inspection or other department designated to remove such sign for a period of twenty days, after which it may be disposed of in any manner deemed appropriate by the City. All other signs removed pursuant to subsection (b) may be disposed of in any manner deemed appropriate by the City.

(d) Any such metal or wooden sign removed pursuant to subsection (b) may be recovered by the owner within twenty days upon payment of a service charge of twenty-five dollars (\$25.00) per sign."

SECTION 3. The originals of Sections 24.04.200 and 24.04.210 and of the Code of the City of Wichita, Kansas, are hereby repealed.

SECTION 4. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this MAY 21 2002



ATTEST:

for Patsy Ellis Deputy
Pat Burnett, City Clerk

Bob Knight
Bob Knight, Mayor

Approved as to Form:

Gary E. Rebenstorf
Gary E. Rebenstorf
Director of Law

AFFIDAVIT

STATE OF KANSAS \
- SS.
County of Sedgwick /

Milt Mounts, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle for

1 consecutive issues - weeks, that the first publication of said notice was

made as aforesaid on the 25th day, of

May A.D. 2002 , with

subsequent publications being made on the following dates:

And affiant further says that _____ he has personal knowledge of the statements above set forth and that they are true.



Subscribed and sworn to before me this

25th Day of May , 2002

Norma J. Hoch
Notary Public Sedgwick County, Kansas

NORMA J. HOCH
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 8-12-02
Expires August 12th, 2002

Printer's Fee \$106.08

LEGAL PUBLICATION
GW
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ORDINANCE NO. 45-122
AN ORDINANCE AMENDING SECTIONS 24.04.200 AND 24.04.210 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO PROHIBITED LOCATIONS, GENERAL REQUIREMENTS AND REMOVAL OF SIGNS (PLACED UPON PUBLIC PROPERTY AND REPEALING THE ORIGINALS OF SAID SECTIONS) BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS (Section 1), Section 24.04.200 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:
Prohibited locations - General requirements.
(a) Obstructing Windows, Doors, Etc. No sign shall be placed or erected across or so as to obstruct in any way any window, door, sill or entrance or, to or from any building, whether occupied or not, but this provision shall not prohibit placing a sign across a (transom. No sign of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape, nor shall any sign be attached to any fire escape.
(b) Interfering with Public Safety and Convenience. No sign shall be erected, constructed, reconstructed, remodeled, relocated, altered, hung, affixed or created by painting, or maintained in any way that will interfere with public safety and convenience or with the proper and convenient operation of the fire department for protection of property.
(c) Across Streets or Alleys. No sign shall be suspended or constructed across any street or alley, except as provided in this chapter.
(d) Use of Public Property. No sign, except as provided in Section 24.04.230 (a), shall be supported in any way by public property. No sign shall project over public right-of-way except projecting signs permitted on buildings located within eight feet of a right-of-way line. No part of any projecting sign extending over any public property shall be less than ten feet from the surface immediately below, except signs not exceeding four square feet in area and not projecting more than two feet may be hung not less than eight feet from the surface of the public property immediately below. No part of any sign permitted to extend over an alley, public roadway, however, shall be less than fifteen feet from the surface immediately below. In no case shall the outer edge of a projecting sign extend closer to the vertical plane of a street curb than two feet, unless the bottom of such sign is thirteen feet, six inches or more from the sidewalk immediately below. Any permit for a sign over public property issued under the provisions of this chapter, or any previous ordinance, shall be revocable at the will of the city council upon notice and opportunity for hearing.
(e) Interfering with Traffic. No sign of any kind shall be erected or maintained in such manner as to interfere with, mislead or confuse traffic or to obstruct the line of sight of any traffic signal, or traffic device as may be determined by the traffic commission.
(f) Near Residences. No off-site sign shall be located within fifty feet of a residential structure.
(g) Close to Rivers, Parks. No off-site sign shall be located closer than six hundred sixty feet to the established bank lines of the Big Arkansas or the Little Arkansas Rivers, to any park or recreation area under the jurisdiction of any public body including the board of park commissioners of the city.
Off-site signs may erected within six hundred sixty feet of the established bank lines of the Big Arkansas or the Little Arkansas Rivers or of any such park or recreation area when such off-site signs are located in athletic field facilities owned or operated by a public body.
(h) Near Highways. No off-site sign shall be located closer than six hundred sixty feet to any portion of the existing or designated right-of-way of State Highway K-96 between Interstate 195 and the east city limits.
(i) Near Driveway Approach. No ground sign exceeding a height of three feet, permanent or temporary, shall be located within a triangle the sides of which are formed by the property line, the edge of the driveway as extended from the street, and a line from a point on the property line twenty-five feet from the driveway to a point on the edge of the driveway six feet behind the property line.
(j) Posting on Utility Poles. Except as provided by Section 24.04.100, no ground signs shall be posted on utility poles.