

CITY OF GEORGETOWN, KENTUCKY

ORDINANCE NO. 17-004

AN ORDINANCE AMENDING THE GEORGETOWN SIGN ORDINANCE

SUMMARY

Amends the Georgetown Sign Ordinance to define Non-Commercial Flag and Commercial Flag; allows display of Non-Commercial Flags not exceeding 32 sq. ft. in area or attached to poles not exceeding 32 ft. in height in all zoning Districts without a permit; allows one Non-Commercial flag, per parcel, exceeding 32 sq. ft. in area and/or attached to a pole exceeding 32 ft. in height, to be displayed in certain Districts with a conditional use permit; defines non-content-based criteria that must be satisfied for the conditional use permit; allows the Board of Adjustments to approve a smaller flag or shorter pole when necessary to satisfy the criteria; states that a permitted Non-Commercial Flag that otherwise satisfies the requirements for a conditional use permit shall not be considered a sign for purposes of a limit on the number of signs in the applicable District; allows one Commercial Flag, per parcel, not exceeding 32 sq. ft. in area or attached to a pole not exceeding 32 ft. in height in Commercial, Industrial and Professional Office Districts; provides that Commercial Flags exceeding 32 sq. ft. or attached to poles exceeding 32 ft. in height are considered Interstate Signs; makes various amendments for consistency with revised provisions; provides for severability, repeal of inconsistent ordinances and an effective date upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: April 24, 2017

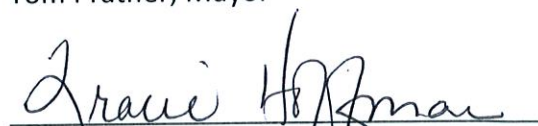
PUBLICLY READ SECOND TIME AND PASSED: May 8, 2017

APPROVED:



Tom Prather, Mayor

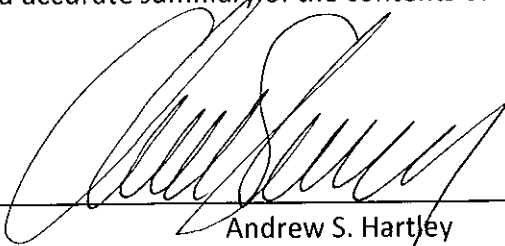
ATTEST:



Tracie Hoffman, City Clerk

I, Andrew S. Hartley, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street,

Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 17-004 of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9), and is a true and accurate summary of the contents of said Ordinance.



Andrew S. Hartley

CITY OF GEORGETOWN, KENTUCKY

ORDINANCE NO. 17-004

AN ORDINANCE AMENDING THE GEORGETOWN SIGN ORDINANCE

Sponsor: Council Member Tingle-Sames

WHEREAS, the City Council desires to amend the City's sign ordinance in order to address flags;

NOW THEREFORE, Be it Ordained by the City of Georgetown, Kentucky:

SECTION ONE

Section 2(13) of Ordinance Number 13-022 is amended as follows:

13. Non-Commercial Flag – Any fabric, banner, or bunting containing distinctive colors, patterns, words or symbols, [used as a symbol of a government, political subdivision, or other entity, including businesses. Also known as banners, pennants, streamers, and similar items.] attachable by one edge to a pole or rope, and not containing a commercial message or being displayed for a commercial purpose.

SECTION TWO

A new subsection of Section 2 of Ordinance Number 13-022 is added to read as follows:

Commercial Flag – Any fabric, banner, or bunting containing distinctive colors, patterns, words or symbols, attachable by one edge to a pole or rope, and containing a commercial message or being displayed for a commercial purpose.

SECTION THREE

Section 4(P) of Ordinance Number 13-022 is amended as follows:

- P. Flags, except that poles over thirty two (32) feet tall shall not be permitted without a Conditional Use Permit. when displayed in accordance with the provisions of SECTION FIVE of this Ordinance.

SECTION FOUR

Table 2 of Section 4 of Ordinance Number 13-022 is amended as follows:

Table 2: Standards for Exempt Signs

| | Number Permitted per Lot | Maximum Area (sq. ft.) | Maximum Height (feet) | Additional Setback (feet) | Other Requirements |
|--|--------------------------|------------------------|-----------------------|---------------------------|--------------------|
| Permanent Signs | | | | | |
| Directional Signs | -- | 6 | 3 | -- | (a)(b)(i) |
| [Flags and Institutional insignias | -- | 24 | 32 | 40 | k] |
| Institutional/Government announcement boards | 1 | 16 | 4 | -- | k |
| No Trespassing signs | -- | 2 | -- | -- | (e) |
| [Flag, business or institutional | 1 | 32 | 35 | 40 | h] |
| Temporary Signs | | | | | |
| Construction Signs | 1 | 32 | 8 | 6 | (i)(b) |
| Political | -- | 8 | 6 | -- | (f) |
| Institutional sign temporary | -- | 24 | 32 | -- | (j) |
| Help Wanted Sign | -- | 6 | -- | -- | (h) (d) |
| Real Estate Sign | 1 | 6 | 4 | -- | (g) |
| Home Sale Signs | -- | 4 | -- | -- | (g) |
| Banner Sign | 1 | 24 | 32 | 40 | (k) |

Notes for Table 2

No restriction except as specified in definitions, footnotes or elsewhere in this Zoning Ordinance.

- (a) Information on location of entrances and exits, parking, traffic movement and the like. No advertising content other than name and logo of establishment. Shall not be counted as part of allowable sign area.
- (b) Commercial, office and industrial use only.
- (c) [The flag, pennant or insignia of any governmental or educational institution.]
Reserved
- (d) Per home occupation or business establishment
- (e) Includes no hunting, dumping or similar uses.
- (f) Must be removed within five (5) days after date of election.
- (g) Displayed on the premises of the yard sale. Shall not be displayed more than two (2) days prior to the event and shall be removed no later than two (2) days after the event.
- (h) Temporary banners signs are permitted only for commercial, office and industrial uses and shall have a minimum spacing of twenty (20) feet from any other banner sign on the same property. No Banner sign shall be erected on a premise for a cumulative total of more than a period greater than sixty (60) days per calendar year shall obtain approval from the Board of Adjustments.
- (i) Not permitted for residential uses.
- (j) Announcing a special event of a religious, educational or philanthropic institution and displayed only on property controlled by the institution and for maximum of fifteen days before the event.
- (k) Per street frontage.
- (l) Not more than 25 percent of the area of any directional sign shall be permitted to be devoted to business identification or logo, which area shall not be assessed as identification sign area.

SECTION FIVE

A new section of Ordinance 13-022 is created to read as follows:

Flags:

1. Non-Commercial Flags not exceeding 32 square feet in area and attached to a pole not exceeding 32 feet in height are exempt from the requirements in this code, except for maintenance and relationship to building and electrical codes, and may be displayed without a permit in every zoning District.

2. One (1) Non-Commercial Flag, per parcel, exceeding 32 sq. ft. in area and/or attached to a pole exceeding 32 ft. in height may be displayed in the B-2, B-4, B-5, I-1, I-2, P-1, and P-1B Districts with a conditional use permit.

3. The Board of Adjustments may grant a conditional use permit for a Non-Commercial Flag upon a showing by the applicant that:
 - A. The flag pole meets all of the minimum distance requirements applicable to Interstate Signs;

 - B. The size of the flag and height of the pole will not interfere with public health, safety or welfare; and

 - C. The flag pole meets all Engineering, Foundation, Building, Fire and Electrical Code Requirements applicable to signs under this code.

4. The Board of Adjustments may approve a smaller flag and/or shorter pole than requested by an applicant, when doing so is necessary to satisfy the requirements of Subsection 3 of this Section.

5. When a permitted Non-Commercial Flag otherwise satisfies the requirements for a conditional use permit, the Flag shall not be considered a sign for purposes of a limit on the number of signs in the applicable District.

6. One (1) Commercial Flag, per parcel, not exceeding 32 sq. ft. in area and attached to a pole not exceeding 32 ft. in height shall be exempt from the requirements in this code, except for maintenance and relationship to building

and electrical codes, and may be displayed without a permit in all Commercial, Industrial, and Professional Office zoning Districts.

7. Commercial Flags exceeding 32 sq. ft. in area or attached to poles exceeding 32 ft. in height shall be considered Interstate Signs under this code.

SECTION SIX

Section 15(4) of Ordinance 13-022 is amended as follows:

~~[Flags, banners, or emblems identifying the political, civic, philanthropic educational or religious organizations located on the premises.]~~ Reserved.

SECTION SEVEN

Section 4(G) of Ordinance 13-022 is amended as follows:

~~[Decorative flags, banners, or other types of signs for a celebration, convention, or commemoration of significance to the entire community when authorized by Scott County, City of Georgetown, City of Stamping Ground, or City of Sadieville.]~~ Reserved.

SECTION EIGHT

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION NINE

All ordinances not consistent with this Ordinance are hereby repealed.

SECTION TEN

This Ordinance shall become effective upon passage and publication according to law.

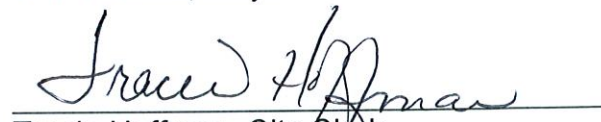
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