

ORDINANCE NO. 1731

AN ORDINANCE TO AMEND TITLE XI, "ZONING"; CHAPTER 1, "ZONING REGULATIONS"; SECTION 3.3, "DEFINITIONS" AND SECTION 10.15, "SIGN REGULATIONS" OF THE MUNICIPAL CODE OF GERING; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GERING, NEBRASKA, THAT:

SECTION 1. Section 3.301(92), definition of "Sign" is amended by adding the following subsections:

- a. **Off-Site Sign**: A sign which directs attention to a business, profession, activity, commodity, service or entertainment other than one sold, conducted, or offered upon the site or premises where such sign is located. Also referred to as an off-premise sign.
- b. **On-Site Sign**: A sign which directs attention to a business, profession, activity, commodity, service, entertainment, or attraction sold, conducted or offered on the same site where such sign is located. Also referred to as an on-premise sign.

SECTION 2. That the following sections of Title XI, Chapter 1, of the Municipal Code of Gering, Nebraska are hereby amended as follows:

10.1501 ON AND OFF-SITE SIGNS ON INTERSTATE OR FEDERAL PRIMARY HIGHWAYS: The erection or maintenance of any advertising sign, display, or device which is visible to the traveled way of the National System of Interstate and Defense Highways, and the System of Federal-Aid Primary roads of the State of Nebraska as defined by the Nebraska Department of Roads, is hereby prohibited unless in compliance with regulations set forth within the Rules and Regulations Relating to the Control of Advertising in Areas Adjacent to the Interstate and Federal Aid and Primary Highways; as amended, adopted and published by the Nebraska Department of Roads and made a part of these zoning regulations by reference, except there is specifically prohibited the construction of any off-site advertising signs, displays or devices in the area bounded by the Highway 71 By-Pass and the west boundary of the zoning jurisdiction of the City of Gering, Nebraska between Highway 92 (M Street) on the South and Country Club Road on the North. Said prohibition shall apply notwithstanding compliance with regulations set forth as amended, adopted and published by the Nebraska Department of Roads.

10.1502(3) The highest point of any free standing or pole sign provided for in this Section shall not extend more than thirty (30) feet, measured from ground level at its supports; except that the highest point of any on-site sign in the area bounded by the Highway 71 By-Pass and the west boundary of the zoning jurisdiction of the City of Gering, Nebraska between Highway 92 (M Street) on the South and Country Club Road on the North shall not extend more than fifteen (15) feet, measured from ground level at its supports.

10.1506 SIGN REGULATIONS, EXEMPT SIGNS: The following types or categories of signs are exempt from the permit provisions of these regulations but shall comply with the general rules pertaining to traffic hazards, intersection vision, right of way placement or other provisions which may pertain to the public welfare and safety.

(1) Directional or instructional signs which provide direction or instruction to guide persons to public facilities but contain no commercial advertising.

(2) Governmental signs for control of traffic and other regulatory purposes and signs of public service companies indicating danger and aids to service or safety.

(3) Holiday decorations or signs temporarily displayed on traditionally accepted civic, patriotic or religious holidays, providing such sign shall be removed within a reasonable time after the holiday, but not exceeding thirty (30) days.

(4) Public notice signs required by governmental bodies authorized for a specific public purpose by any law or ordinance and posted by public officers or employees in their line of duty.

(5) Temporary real estate signs advertising the sale, lease or rent of the premises upon which the sign is posted. The area of such signs shall be limited to sixteen (16) square feet per sign face with a maximum of two (2) sign faces. Only one (1) sign per lot frontage shall be permitted. Temporary real estate signs may be in place until the property sale is finalized.

One (1) sign not more than eighty (80) square feet in area and fifteen (15) in height announcing the sale of lots and/or houses in a subdivision may be located on said development. Said sign shall be removed when seventy-five (75) percent of the lots have been sold, whichever is sooner.

(6) One (1) sign not more than eighty (80) square feet in area and fifteen (15) in height advertising a site under construction in a commercial or industrial zone may be located on said site until construction is completed, whichever is sooner.

(7) Temporary event signs promoting an event or occurrence which is expected to end within a relatively short amount of time, shall be allowed in the commercial and industrial zones provided that said signs are placed no sooner than two (2) weeks prior to the event or occurrence and are removed no more than five (5) days following the event or occurrence. Said signs shall follow the same area, height, and setback requirements for off-site signs as set forth in Section 10.1503.

(8) Temporary political signs announcing political candidates seeking public office, political parties, and or political issues contained on a ballot for an election may be located only on private property, not sooner than eight (8) week prior to a primary or general election, and shall be removed no more than five (5) days following the election.

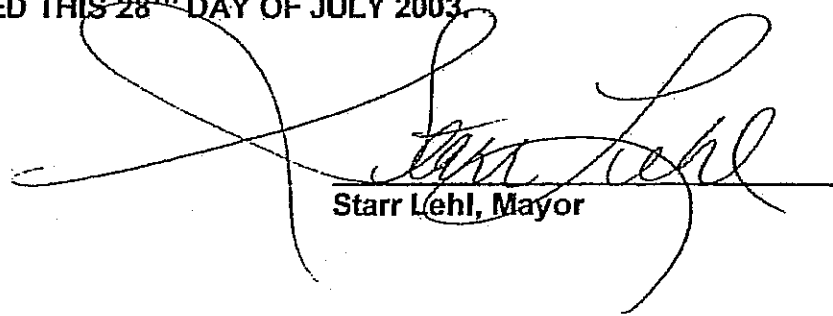
10.1507. SUBDIVISION ENTRY SIGNS: Application for a subdivision entry sign shall be subject to the review of the Planning Commission and approval of the City Council. Said application shall include a site plan, construction drawings, landscape plan, and a maintenance plan and any other information deemed necessary by the Planning Commission or City Council.

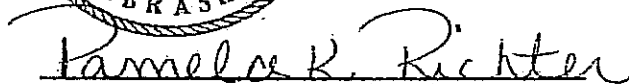
SECTION 3. Any ordinances or part of any ordinance in conflict with this ordinance are hereby repealed to the extent of such conflict and should any part or section of this ordinance be declared void and unenforceable, such declaration shall not render any other part void and unenforceable.

SECTION 4. This Ordinance shall take full effect and be in full force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED THIS 28TH DAY OF JULY 2003.




Starr Lehl, Mayor


Pamela K. Richter, City Clerk