

ORDINANCE 2024-03

AN ORDINANCE TO AMEND TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4 ZONING, ARTICLE 7 SIGNS OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCE.

WHEAREAS, the intent of this article is to establish limitations on signs to ensure that they are appropriate to the land, building or use to which they are appurtenant and are adequate, but not excessive, for their intended purpose; and

WHEREAS, in recent years the number of political signs placed within the public rights-of-way prior to primary and general elections has increased dramatically; and,

WHEREAS, often the signs are placed in locations that block the vision of motorists and pedestrians creating a public safety concern; and

WHEREAS, the existence of such signs create litter, create visibility polluting blight, may be detrimental to a healthy tourism economy and impact the aesthetics of the community; and

WHEREAS, the Isle of Palms City Council has the authority to amend its Code of Ordinances when deems to be in the best interest of the citizens of the City, and now desires to do so with respect to the subject of political signs placed within the public rights-of-way by enacting the revisions displayed below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Councilmembers of the City of Isle of Palms, Section 5-4-138, and Section 5-4-141 of the Isle of Palms Code of Ordinances titled "Temporary signs" and "Prohibited Signs" are hereby amended to specifically read as follows:

Sec. 5-4-138. Temporary signs.

The following types of signs are classified as temporary signs, and are allowed as follows:

(a) Building-mounted Grand Opening and Going Out of Business signs, not exceeding thirty-two (32) square feet in sign area, may be erected for businesses and services in nonresidential districts for one (1) period only not to exceed thirty (30) days.

(b) Construction signs. For any construction, remodeling, or landscaping activity, signs which identify the designer, contractor, developer, finance organization, subcontractor or materials vendor involved with the activity may be erected on the construction site upon the issuance of a building permit, or when work begins if no building permit is required, and shall be removed within thirty (30) days following the issuance of a certificate of occupancy (CO), or completion of work if no CO is required. Construction signs shall not exceed a maximum sign area of twenty (20) square feet in residential districts or thirty-two (32) square feet in nonresidential districts and shall not require the issuance of a sign permit.

(c) Signs advertising real estate for sale or for rent for a term of one (1) year or more shall comply with the following requirements:

1) No more than one (1) sign advertising real estate for sale and one (1) sign advertising real estate for rent shall be allowed per parcel of land. Provided, however that no temporary for rent sign is allowed on a property which has a permanent real estate sign displayed. No off-premises signs advertising real estate for sale or for rent are allowed except that one (1) open house sign may be placed on the shoulder of a street right-of-way between the hours of 1:00 p.m. to 5:00 p.m. on Saturdays, Sundays, and City legal holidays.

2) No sign shall exceed a maximum surface area of five (5) square feet in any zoning district.

3) No on-premises sign shall be located closer than five feet (5') to the boundary of the right-of-way of any abutting street, road or alley.

4) No sign located in any zoning district shall have a height greater than five feet (5').

5) Any such signs shall be removed from view within fourteen (14) days from the date of the closing of the sale or the renting of the property, as applicable.

6) The Zoning Administrator shall give one (1) written warning to the owner of any sign placed in violation of this subsection (c).

7) Any person violating any provision of this subsection (c) at any property after written warning from the Zoning Administrator shall be guilty of a misdemeanor and punished as follows:

a) For a first offense, by a fine of \$20.00.

b) For a second and each subsequent offense, by a fine of \$50.00.

c) Each day of such violation shall constitute a separate offense.

d) Any violation hereunder, with or without warning, shall result in the immediate confiscation of all signs placed in violation hereof.

8) No City business license shall be issued or renewed until all fines outstanding against the applicant are paid in full.

(e) Signs announcing civic, recreational, philanthropic, educational, or religious events and not exceeding thirty-two (32) square feet of sign area, may be erected no more than fourteen (14) days prior to the announced event and shall be removed within two (2) days following the event.

(f) Height. The maximum height of freestanding temporary signs shall not exceed eight feet (8'), while the lower edge shall not exceed four feet (4') in height.

Sec. 5-4-141. Prohibited signs.

Except as may be specifically authorized by the City and any other government agency having jurisdiction over the subject area,, it shall be unlawful for any person to erect, place or use within the City, when visible from any public way or beach, any of the following signs:

- (1) Off-premises signs, outdoor advertising signs and billboards.
- (2) Any signs within the CO conservation district unless authorized by the City or any agency of the State.
- (3) Signs which contain any moving, flashing, or animated lights, visible moving or movable parts, or give the appearance of animation.
- (4) Neon signs, except for "Open" and "Closed" signs.
- (5) Inflatable signs.
- (6) Roof signs. Signs erected upon, against, or directly above a roof or roof eaves, or on top of above the parapet.
- (7) Vehicle signs. A permanent or temporary sign affixed to, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view under circumstances which indicate that the primary purpose of said display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for said vehicle.
- (8) Any sign which emits a sound, odor or visible matter.
- (9) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
- (10) Any sign or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic sign.
- (11) Signs using the words "stop," "danger" or any other word, phrase, symbol or character in a manner that misleads, confuses or distracts a vehicle driver.
- (12) Electronic message boards. An electrical sign which utilizes lights or other electronic devices to form a message or messages capable of being electronically programmed or modified by electric processes.
- (13) Moving message boards.
- (14) Signs within a public right-of-way, public beach or public beach access.

(15) Signs painted on or attached to trees, rocks or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.

(16) Abandoned or dilapidated signs.

(17) Any sign which exhibits statements, words or pictures of obscene or pornographic subjects.

(18) Portable signs, except for sandwich board signs which comply with the requirements in section 5-4-137(e).

(19) Banner signs.

(20) Political campaign signs promoting a political candidate or party within a public right-of-way.

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by City Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE ISLE OF PALMS ON THE 27 DAY OF July, 2024.

[Signature]
Phillip Pounds, Mayor

(Seal)

Attest:

[Signature]
Nicole DeNeane, City Clerk

First Reading: April 23, 2024
Public Hearing: July 23, 2024
Second Reading: July 23, 2024
Ratification: July 23, 2024

