

ORDINANCE NO. 1045

An Interim Ordinance Adopted As An Urgency Measure Prohibiting The Erection And Maintenance Of New Permanent Signs, Including Murals and Billboards, In The Town Of San Anselmo.

THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:

SECTION 1: Findings

The Town's zoning regulations have historically attempted to regulate signs, including murals and billboards, in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the Town and its citizens and visitors from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs and images within the Town has had a positive impact on traffic safety and the appearance of the Town.

Chapter 9 of the San Anselmo Municipal Code, commonly known as "The Sign Ordinance" is undergoing review for possible changes and updating to conform to the latest court rulings. Therefore it is imperative, immediately, to institute a moratorium prohibiting the erection and maintenance of new permanent signs, including murals and billboards, while the Town Staff, Planning Commission and Town Council consider, comprehensively, changes that need to be made to Chapter 9 in order to protect the public safety, health and welfare.

SECTION 2: Authority

The authority for this urgency interim Ordinance is Government Code Section 65858; see also Government Code Section 36937.

SECTION 3: Scope of the Ordinance

The erection and maintenance of new permanent signs, including murals and billboards, is prohibited. This prohibition includes all pending applications under Chapter 9.

SECTION 4: Definitions

"Sign": for the purpose of this ordinance, "Sign" means any device, fixture, placard, or structure, including its component parts, which by display of a visual image communicates a message or information regarding an object, product, place, activity, opinion, idea, person, institution, organization or place of business, or which identifies or promotes the interests of any person, and which is visible from any public street, road, highway, right-of-way or parking area.

"Temporary Sign": for the purpose of this ordinance, "Temporary Sign" means a sign which qualifies under any of these criteria: 1) by virtue of its construction from lightweight or flimsy materials, and/or because it is easily mounted, moved, or removed, is not suitable for long term display; 2. the sign does not qualify as a "structure" requiring a building permit; or 3. the message on the sign concerns an event not more than 90 days in the future.

"Mural": for the purpose of this ordinance, a "Mural" consists of a picture or decoration painted on or affixed directly to a wall.

"Billboard": for the purpose of this ordinance, "Billboard" means a sign which meets any of the following criteria: 1. a permanent structure sign which is used for the display of offsite commercial messages; 2. a permanent structure sign which constitutes a separate or secondary use, as opposed to an accessory use, of the parcel on which it is located; 3. an outdoor sign on which display space is made available to parties, other than the owner or operator of the sign or occupant of the parcel, in exchange for a rent, fee or other consideration; or 4. a sign which is used for general advertising purposes.

This Ordinance is not intended to and does not prohibit or restrict temporary signs or applications to the Town to alter or change the face or graphic image of any legally existing sign (but not including replacing an onsite commercial message with an offsite commercial message).

SECTION 5: Adoption

This interim ordinance is effective immediately on a 4/5ths vote of the Town Council.

SECTION 6: Length of Ordinance

This ordinance will be of no further force and effect four months from its date of adoption unless, pursuant to Government Code Section 65858, the Town Council extends the ordinance.

PASSED AND ADOPTED AT A REGULAR TOWN COUNCIL MEETING HELD ON September 27, 2005.

Ayes: Breen, Chignell, Cooper, Kroot, Thornton

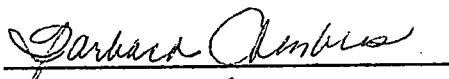
Noes: (None)

Absent: (None)

Abstain: (None)



Mayor Peter Breen



TOWN CLERK