

**CITY OF REXBURG
ORDINANCE 1304 - SIGN PURPOSES**

NOW THEREFORE, be it ordained by the Council of the City of Rexburg, in the State of Idaho, as follows:

SECTION 1: **AMENDMENT** “3.05.010 Purpose And Objectives” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.010 Purpose And Objectives

Signs are a ~~necessary means of visual communication for the public’s convenience, and businesses and individuals have the right to identify themselves and convey messages by using signs. Signs are accessory and incidental to the use of the premises where they are located.~~ means of identifying and conveying messages visually for businesses and individuals. The Sign Code establishes standards for the use of signs and sign structures including the placement, size, height, illumination, maintenance, and number of signs.

A: Objectives:

- ~~1. **Balance.** To provide a reasonable balance between the right of an individual or a business to identify itself and to convey its message, and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs.~~
- ~~2. **Compatibility and Economic Health.** To insure signs are compatible with adjacent land uses and with the total visual environment of the community, and the value of nearby property and economic health of the community, as a whole are protected; and~~
- ~~3. **Create a Standard.** To provide minimum standards for regulating the size, height, structural materials/requirements and the duration of all signs, including temporary signs and displays on the outsides of buildings visible from the public rights-of-way; and~~
- ~~4. **Consistent Enforcement.** To enable the fair and consistent enforcement of these sign regulations; by regulating the location, construction, duration, number and maintenance of signs in order to enhance the aesthetic environment; and by promoting public safety, health and general welfare, and providing for the greater good of the community.~~

SECTION 2: **AMENDMENT** “3.05.020 Record Keeping” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.020 Record Keeping

~~Three (3) copies of the sign code will be kept on file, in the offices of the City Clerk and the Building Department, duly certified by the Clerk, for use and examination by the public.~~

SECTION 3: AMENDMENT “3.05.030 Definitions” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.030 Definitions

~~The following terms are defined in Chapter 2: **Architectural Blade Awning Banner Billboard Blanketing Canopy Sign Changeable Copy Panel (Readerboard) Construction Signs Copy Sign, Directional Sign, Free Standing, Detached, or Ground Sign, Height Sign, Illuminated Sign, Indirect or Internal Lighting Sign, Off Premise Sign, Portable Sign, Projecting Sign, Public Service Information Sign, Real Estate or Property for Sale, Rent, or Lease Sign, Super Graphics Sign, Swinging Sign, Temporary Sign, Under Canopy or Marquee Sign, Wall**~~

SECTION 4: AMENDMENT “3.05.040 Permit Required” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.040 Permit Required

Except as otherwise provided in this Code, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in this the City, ~~or cause the same to be done~~, without first obtaining a Sign Permit. If a permit has been previously issued, an additional permit shall not be required for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure. A review will be required for any change of face or business name update.

The permit application requires:

- A. Written consent from the property owner or authorized representative of the owner.
- B. Submittal of any applicable sign specifications, site plans (including dimensions, pins and property lines), engineering documents, and/or lighting plans.
 1. Verifiable property pins must be identifiable on site.
- C. Any applicable fees to be paid.

D.

Review and approval by the City of Rexburg.

SECTION 5: AMENDMENT “3.05.050 No Permit Required” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.050 No Permit Required

~~A permit shall not be required for a change of copy of any sign, nor for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued in accordance with this Code, provided that the sign or sign structure is not altered in any way.~~

SECTION 6: AMENDMENT “3.05.060 Permit Fee” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.060 Permit Fee

~~An application fee shall be paid in accordance with the current fee schedule maintained by the City Clerk, as approved by the City Council.~~

SECTION 7: AMENDMENT “3.05.070 Permissions To Install” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.070 Permissions To Install

~~No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or authorized representative of the owner.~~

SECTION 8: AMENDMENT “3.05.080 Conditional Use Permit” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.080 Conditional Use Permit

~~An application for any sign or advertising display or structure for which no specific regulation in this Ordinance is applicable shall be considered by the Planning and Zoning Commission under the Conditional Use Permit procedure as outlined in the Planning and Zoning Ordinance, and such application shall be approved or denied in harmony with the intent of these regulations.~~

SECTION 9: AMENDMENT “3.05.090 Noncompliance” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.090 Noncompliance

Any person, firm or corporation violating any provision of this Ordinance shall be guilty of an infraction, and be subject to the following civil penalties or remedies:

- A. If a sign is placed in or projects into any public right-of-way, or has been deemed unsafe by the ~~B~~building department Official, and/or City Engineer, or Zoning Administrator, it may be immediately removed by the City at the expense of the owner, sign company and/or responsible party. ~~owner's, sign company's and/or responsible person's expense.~~
- B. If in violation of some other provision of this Ordinance, the City may cause a written notice to be given requiring that the violation be corrected within fourteen (14) days.
- C. If the owner, sign company and/or responsible person for the violation fails to comply, then the violator(s) shall be liable for civil penalties (See subsection 1.01.090.) The City shall have the right to remove the sign at the violator's expense in addition to the aforementioned penalties for each day of violation.

SECTION 10: AMENDMENT “3.05.100 Sign Application” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.100 Sign Application

- ~~A. **Applications.** Applications shall be submitted to the Building Department.~~
 - ~~1. **Lighting Plan.** Sign applications shall include a detailed Lighting Plan that will be approved as part of the sign application approval.~~

SECTION 11: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 12: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

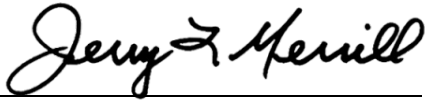
SECTION 13: **EFFECTIVE DATE** This Ordinance (Case #23-00565) shall be in full force and effect from December 20, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL DECEMBER 20, 2023.

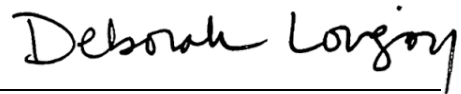
	AYE	NAY	ABSENT	ABSTAIN
Council President Jordan Busby	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Robert Chambers	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Tisha Flora	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Colin Erickson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Mikel Walker	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Councilmember Bryanna Johnson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Jerry L Merrill, Rexburg Mayor, City
of Rexburg



Deborah Lovejoy, Rexburg City Clerk,
City of Rexburg

