



## COMMISSION STAFF REPORT

**DEPARTMENT:** Commission

**SUBJECT:** Discussion on a review and update of Chapter 25 Article II Signs of the City Code- **Commissioner Pulcini**

**RECOMMENDATION:**

- Commissioner Pulcini is requesting a discussion on reviewing and updating Chapter 25 Article II Signs of the City Code of Ordinances.

**BACKGROUND OF ITEM:**

- A review of the City's Sign Code may be needed to address window sign requirements in the context of holiday displays. Section 25-27(a) requires a permit for the installation or alteration of any sign within the City limits, subject to certain exceptions and exemptions. For instance, Section 25-27(f)(9) exempts " free expression signs" from the City's permit requirements. Pursuant to Section 25-20 of the Code, a "free expression sign" is "a noncommercial sign communicating information or views of concern to the owner of the sign, or containing any other noncommercial message that is otherwise lawful." Section 25-20 further defines "signs," in general, as " a device or representation for visual communication other than a display that is used for the purpose of bringing the subject thereof to the attention of others. Signs include, but are not limited to, figures, letters, logos, devices, flags, pennants, emblems, pictures, statuary, sculptures or other objects which are used for identification." "Window signs" are also defined as "a sign located on a window or within a building or other enclosed structure, within four (4) feet of the window casement, which is visible from the exterior through a window or other opening; provided, however, that this definition shall not include chandeliers or similar lighting fixtures within the business establishment." Section 25-26(a)(4) expressly exempts holiday decorations from the window sign requirements of the City Code. Arguably this exemption only applies to decorations for the "holiday season" (October 15 through January 5); however, based on the definitions set forth in Section 25-20, holiday decorations may not fall within the definition of "signs" or, at a minimum, may be considered "free expression signs." As such, they would continue to be exempt from certain code requirements.

**ANALYSIS:**

- A review of the City's Sign Code is needed to address window sign requirements in the context of holiday displays.

**ALTERNATIVES:**

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**ATTACHMENTS/BACKUP:**

1. Chapter 25 Article II of the City Code