

**CITY OF DEADWOOD
ORDINANCE 1442**

NOW THEREFORE, be it ordained by the City Commission of the City of Deadwood, in the State of South Dakota, as follows:

SECTION 1: **AMENDMENT** “15.32.130 Disallowed Signs” of the Deadwood Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.32.130 Disallowed Signs

The following signs are disallowed:

- A. Structurally unsafe signs shall not be allowed.
- B. Signs that obscure the vision of motorists shall not be allowed.
- C. Signs that obscure necessary traffic signs and warning signs shall not be allowed.
- D. Plastic signs shall not be allowed within the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)), unless the historical evidence for the location of the sign indicates that plastic is appropriate, pursuant to specific findings as set forth in section 15.32.210. Otherwise, plastic signs may be permitted pursuant to section 15.32.150.
- E. Off-premises advertising signs shall not be allowed, with the exception of billboards constructed outside the historic district as established by Ordinance No. 777 prior to January 1, 1992, which shall be permitted to remain. As an alternative to removal of billboards located within the historic district erected prior to January 1, 1992, such signs may be modified to comply with standards established by the sign review commission.
- F. Signs shall not be allowed that have visible moving, revolving, or rotating parts or visible mechanical movements of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, or are designed to move upon being subject to wind or breeze; nor shall any sign have an optical illusion of movement by means of a design that presents an illusion of motion or changing of copy. Traditional barber poles and clocks shall not be subject to this requirement; however, such devices shall be included in determining the allowable sign area for a building or use.
- G. No sign shall have lights or illumination that flashes, moves, rotates, scintillates, blinks, flickers, varies intensity of color or uses intermittent electrical or electronic pulsation.
- H. Within the local historic district as established by Ordinance No. 777 and any amendment thereto, no internally illuminated signs shall be allowed. Outside the local historic district, opaque letters or designs set out from a building or sign face and lit by soft white illumination from behind the letters as well as internal illumination may be

allowed within the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)). All types of internally illuminated signs may be allowed outside of the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)).

- I. Signs shall not be so illuminated by direct illumination such that light spills over onto adjacent properties.
- J. Beacons and search lights shall not be allowed.
- K. Continuous strings of pennants, flags, fringe or other similar decorations shall not be allowed. Such decorations may, however, be provided in association with the Fourth of July or other such state and local holidays as may be designated by the sign commission on request, and may not be put in place prior to ten (10) days nor remain in place after ten (10) days from the holiday. In particular, the flag of the United States of America represents a living country and is itself considered a living thing. No disrespect should be shown to the flag of the United States of America, which includes being used solely for advertising purposes. The flag of the United States of America shall not be placed to call attention to, decorate, mark, or distinguish the building on which it is placed. One flag of the United States of America is considered patriotic, while a string of flags of the United States of America is considered advertising and disrespectful, unless displayed according to the Fourth of July exception noted above, or pursuant to section 15.32.140(A)(14), below. Please also see United States Code, Title 4, Chapter 1 for a full explanation of the Flag Code.
- L. No signs shall incorporate projected images, any sound that is intended to attract attention, or involve the use of live animals, fish or fowl.
- M. No signs shall in any way obstruct the view of, be confused with or purport to be, an official traffic sign, signal or device or any other official sign.
- N. No sign shall use any words, phrases, symbols or characters implying the existence of danger, or the need for stopping or maneuvering of motor vehicles or create in any other way an unsafe distraction of motor vehicle operators.
- O. No signs shall obstruct the view of motor vehicle operators entering a public roadway from any parking area, service drive or private driveway, alley or other thoroughfare.
- P. No sign shall obstruct free ingress to or egress from required door, window, fire escape or other required exit.
- Q. No sign shall remain beyond thirty (30) days after the activity, product, business, service or other use that is being advertised has ceased or vacated the premises. This provision shall not apply to signs that are physically designated as landmarks, or to permanent signs to businesses that are open only on a seasonal basis, providing that there is clear intent to continue operation of the business.
- R. Roof signs shall not be allowed.
- S. Parked vehicles, including but not limited to automobiles, trucks, buses semitrailers, (attached or detached) trailers, mobile homes, boats, vans, etc., shall not be used as signs or sign structures. They shall not be placed where visible from a public right-of-way except when used in accordance with paragraph twelve (12) of 15.32.140.
- T. Any ~~exterior signs located outside of a store front that are~~ portable, freestanding or unattached ~~signs to the building, such as including~~, but not limited to, a sidewalk signs

or sandwich board signs ~~is~~ are prohibited on ~~a public sidewalk, roadway, or all public~~ rights-of-way ~~at the time of this ordinance~~ in the local historic district, as defined under Title 17 of Deadwood Municipal Ordinances, without first obtaining a permit and sign from the City of Deadwood. Any unauthorized or unpermitted signs placed into the public right-of-way may be removed by the City. ~~All exterior, portable, freestanding or unattached signs shall be removed from public sidewalks, roadways, or right-of-ways.~~

1. Portable signs shall be obtained from the City of Deadwood upon approval of a permit application.
2. A permit application must be reviewed and approved by the Deadwood Sign Commission. Permit applications shall be submitted to the Planning and Zoning Office.
3. The permit fee under this section, which is set and amended by resolution of the Deadwood City Commission, shall be payable in advance for each sign. Sign permits run for a calendar year and expire on December 31 annually.
4. Permit applicants shall provide a liability insurance certificate naming the City of Deadwood are additionally insured in an amount of not less than one million dollars (\$1,000,000).
5. Permit holders agree to indemnify and hold the City harmless from any injuries caused by signs under this ordinance as part of the application process.
6. A maximum of one (1) portable sign is permitted per store front. Each portable sign must be located at least twenty-five (25) feet from the nearest permitted sign. If multiple businesses share a store front, only one portable sign may be issued.
7. Portable signs shall be placed within 6" of the exterior wall of the building that obtained the sign and permit from the City of Deadwood.
8. Portable signs may be displayed during business hours only and shall be removed at the close of business each day.
9. No illumination, electronics, balloons, streamers, pennants or similar adornments may be attached to a portable sign.
10. Store front shall be defined as the facade or entryway on the ground floor or street level of a commercial building.
11. Building shall be defined as a roofed independent free-standing structure usually enclosed within external walls or dividing walls that extend from the foundations to the roof and comprises one or more rooms or other space within which goods or services are being offered for sale.
12. This ordinance shall not apply to portable signs required for elections under State Statute.

U. Murals or supergraphics shall not be allowed.

V. Signs exhibiting phosphorescent or reflective paint shall not be allowed.

W. Signs exhibiting the word "casino" shall not be allowed.

X. Wind signs shall not be allowed.

Y. Neon shall not be used to frame any window above the first story. Where used in the first story, the light tube must be shielded from exterior view.

(Ord. 1291 (part), 2019; Ord. 1242, 2016; Ord. 1237, 2015; Ord. 1175 (part), 2012; Ord. 1170

(part), 2012; Ord. 1126, 2009; Ord. 992 (part), 2002; prior code § 26-300)

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from February 11, 2026 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF DEADWOOD CITY COMMISSION

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Presiding Officer

Attest

Charlie Struble-Mook, Mayor, City of
Deadwood

Jessica McKeown, Finance Officer,
City of Deadwood