

**CITY OF DEADWOOD
ORDINANCE 1402**

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** “15.32.140 Allowed Signs Not Subject To Permit” of the Deadwood Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.32.140 Allowed Signs Not Subject To Permit

- A. The following signs are allowed within the city boundaries without being required to have a permit. All applicable provisions of this chapter shall apply other than the requirement for the sign permit and the sign permit fee. These signs shall not be counted against the total allowable sign area or total number of signs permitted for the premises.
1. Temporary, nonilluminated signs indicating the availability for sale, rent or lease of the specific lot, building or portion of a building on which the sign is displayed, provided that such signs do not exceed five square feet in area and four feet in height, and are limited to one such sign per lot, building, dwelling or business unit are allowed without a permit. Such signs shall not remain in place more than seven days after sale or rental of the subject property.
 2. Signs required or specifically authorized for a public purpose by any law, statute or ordinance are allowed without a permit; such signs may be of any type, number, area, height above grade, location or illumination required or authorized by law, statute or ordinance under which such signs are required. No such sign shall be placed in a public right-of-way unless specifically required or authorized by law, statute or ordinance, and except for warning or informational signs or barricades of a temporary nature, such signs shall be permanently affixed to the ground, a building or other structure. Such signs shall not exceed the minimum number required to accomplish the purpose.
 3. Signs commonly associated with and limited to information and directions related to the permitted use on the lot on which the sign is located are allowed without a permit provided that each such sign does not exceed one square foot in total area, is not directly illuminated, and contains no advertising.

This category shall be interpreted to include such signs as “no smoking,” “rest rooms,” “no solicitors,” “self-service,” “vacancy,” “fire exit,” and similar information signs.

4. Credit card advertisements or trade association emblems that are displayed together are allowed without permit, provided that the total area of all such

- signs combined does not exceed one square foot; such signs shall be displayed floating on window or door surfaces.
5. Signs erected by a federal, state, or local government agency directing persons to a building site or activity of historical significance are allowed without permit, provided that each such sign shall not exceed four square feet in area and shall not exceed six feet above grade in height. Such signs may be erected in a public right-of-way, with approval of the code official, or on private property, with the permission of the property owner.
 6. An alarm device sign used to identify the company, person, representative, or agency to be contacted in case of activation is allowed without permit provided the area of each such sign shall be limited to one square foot.
 7. Private traffic directional signs guiding or directing vehicular or pedestrian traffic onto or off a lot or within a lot are allowed without permit, provided that the area of each such sign does not exceed three square feet per sign face in area and six feet above grade in height, the sign does not contain any advertising or trade name identification and the sign is not illuminated or is indirectly illuminated. The erector of such signs shall be certain to consider pedestrian and vehicular clearances in placement of all signs.
 8. No permit shall be required for text or copy changes on conforming or legal nonconforming signs specially designed to permit changes of text or copy thereof, provided that no structural changes are made to the sign, and provided that the name of the business, letter style, colors and materials are not changed.
 9. Signs that are not visible beyond the boundaries of the lot or parcel on which they are located or from any public thoroughfare or right-of-way are allowed without permit, except that such signs shall be subject to the regulations of the Building Code adopted by the city and the Electrical Code adopted by the South Dakota Electrical Commission.
 10. Official government notices and notices posted by government officers in the performance of their duties, and government signs to control traffic, identify streets, warn of danger or perform other regulatory purposes are allowed without permit. Identification or bulletin board signs accessory to government buildings or other facilities shall not be exempt from the provisions of this chapter.
 11. Temporary or permanent signs erected by the city, public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices are allowed without permit.
 12. Signs displayed on motor vehicles that are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business, which are located on delivery trucks, rental trucks and the like are allowed without permit, provided that the vehicles are parked or stored in areas appropriate to their use as vehicles. Stored vehicles cannot be illuminated.
 13. Cornerstones, commemorative tablets, and the like, when carved into stone, concrete, bronze, or other permanent material and made an integral part of a

building or structure, provided that such markers have been approved by the historic preservation commission are allowed without permit.

14. Flags, when the following criteria are met:
- a. One flag per each twenty-five (25) lineal feet of primary frontage. Corner buildings shall count one, not both, street frontages;
 - b. There shall be a maximum of one flag per pole unless allowed per US Flag Code;
 - c. Flags for commercial use require a permit.
 - d. Flagpoles may be mounted on fronts of buildings as an outrigger pole, not to exceed a forty-five (45) degree angle from vertical (pointed upward), and ten (10) feet in length, with a maximum flag size of four feet in width and six feet in length;

Flagpoles may, as an alternative to an outrigger pole, be mounted on a roof or parapet-mounted flagpole. Such flagpole shall not be greater in length than twenty (20) feet or two-thirds the height of the building as measured from sidewalk to roof, whichever is less. Flag size shall follow the chart below.

Ground-mounted flagpoles shall not exceed the length as indicated in the chart below, nor shall flag size.

Height of Building	Height of Pole	Size of Flag
1 to 2 stories	20'-0"	4' wide, 6' long
3 to 5 stories	25'-0"	4' wide, 6' long

- e. Publicly owned properties shall be exempt from the provisions of this subsection.
15. Signs advertising a candidate for public office, or signs advertising issues in a public election are allowed without a permit providing that the sign be displayed no sooner than ~~thirty (30)~~ ten (10) days before ~~the election~~ the day absentee voting begins and the sign shall be removed seven days following the election. Signs may not be displayed on public property and shall be compliant with City of Deadwood Ordinance 1244, codified as Section 2.04.015, Campaign Finance Requirements. A sign shall not exceed three square feet in area, and shall not exceed four feet in height. The materials for the sign may be wood, pasteboard, metal or other like materials. Neon, light strings, pennants, reflective paint or anything disallowed in Section 15.32.130 may not be used for such signs.
16. Temporary Sign, Construction. A temporary sign indicating the name of architects, engineers, contractors and similar persons or firms involved in the design, construction, or repair of a structure or project, provided that such signs do not exceed five (5) square feet in the area and four (4) feet in height,

and are limited to one (1) such sign per lot, building, dwelling or business unit are allowed without a permit. Such signs shall not remain in place more than seven (7) days after completion of the project on the subject property.

(Ord. 1291 (part), 2019; Ord. 1285 (part), 2019; Ord. 1170 (part), 2012; Ord. 1105 (part), 2008; Ord. 1082 (part), 2007; Ord. 992 (part), 2002; Ord. 964, 2000; prior code § 26-301)

SECTION 2: EFFECTIVE DATE This Ordinance shall be in full force and effect from August 28, 2024 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

David Ruth Jr., Mayor, City of
Deadwood

Jessica McKeown, Finance Officer,
City of Deadwood