

**DRAFT - UNAUTHORIZED TEMPORARY ADVERTISING AND PROMOTIONAL SIGN
ORDINANCE NO. [TBD]**

AN ORDINANCE OF THE CITY OF STAR, IDAHO, REGULATING THE PLACEMENT OF TEMPORARY SIGNS ON PUBLIC AND PRIVATE PROPERTY, REQUIRING IDENTIFICATION AND PERMISSION FOR TEMPORARY SIGNAGE, PROHIBITING CERTAIN TYPES OF MOBILE SIGNAGE, ESTABLISHING PENALTIES FOR VIOLATIONS, ~~AND~~ PROTECTING PROPERTY OWNERS FROM LIABILITY FOR REMOVAL OF UNAUTHORIZED TEMPORARY SIGNS, PROVIDING FOR SEVERABILITY, ~~AND~~ PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Star recognizes the need to maintain public rights-of-way, promote aesthetic quality, ensure traffic safety, and uphold private property rights; and

WHEREAS, the proliferation of unauthorized signs, banners, flags, and similar displays has negatively impacted the city's visual environment and created enforcement challenges; and

WHEREAS, the City of Star finds that the use of vehicles and trailers as off-premises advertising devices creates visual clutter, undermines the existing sign regulations, and presents enforcement challenges;

NOW, THEREFORE, be it ordained by the Mayor and City Council of the City of Star, Idaho:

SECTION 1. DEFINITIONS

For purposes of this ordinance:

- "Temporary Sign" ~~shall include means~~ -any temporary ~~or permanent outdoor~~ display, corrugated plastic sign, stake sign, banner, flag, placard, or similar device ~~poster~~ displayed outdoors as a freestanding or portable sign for the purpose of advertising, promoting, directing attention to, or identifying a business, service, product, event, or subdivision. ~~intended to advertise, promote, or attract attention.~~ The term does not include garage, estate, lemonade, or political signs regulated by state law.
- "Right-of-Way" means land owned or maintained by the City, Ada County Highway District, Highway District No. 4, Idaho Transportation Department, or other public agency for streets, sidewalks, waterways, or utilities.



- "Responsible Party" means the individual or entity that places or causes a temporary sign to be placed.
- "Mobile Sign" means ~~any~~ sign attached to or displayed on a vehicle, ~~or~~ trailer, ~~or~~ equipment that is ~~not actively in motion and is used primarily to advertise or attract attention from a fixed or semi-fixed location~~ parked or positioned primarily for the purpose of Off-Premises Advertising.
- "Off-Premises Advertising" means advertising a business, product, service, event, or activity that is not actively in motion and is used primarily to advertise or attract attention from a fixed or semi-fixed location, located or occurring on the property where the sign is displayed.

SECTION 2. APPLICABILITY

1. Relationship to Existing Regulations. This ordinance supplements the requirements of Title 8A, including Chapter 8A-8 (SIGN STANDARDS), and all other applicable provisions of the Star City Code regulating signs. Compliance with this ordinance does not relieve any person from complying with other applicable sign regulations, permit requirements, or approvals.
2. Conflicting Provisions. Where this ordinance and another provision of the Star City Code both apply to a sign, each applicable provision shall apply unless expressly provided otherwise.

SECTION 23. TEMPORARY SIGN IDENTIFICATION AND PLACEMENT AUTHORIZATION

1. Identification Required. Every temporary sign ~~must~~ shall clearly display the name of the Responsible Party and a telephone number or other contact information for the Responsible Party, ~~against a contrasting background and in at least 12-point font:~~
 - ~~1. The name and contact information of the Responsible Party, and~~
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 - ~~o The name and contact information of the Responsible Party, and~~
 - ~~o The name and contact information of the property owner or agency that authorized the placement of the sign, or a citation to the statute or ordinance that permits its placement without consent.~~



2. Exemptions. Signs authorized by the City through a sign permit, special event permit, park reservation, vendor agreement, concession agreement, or other governmental approval are exempt from the identification requirements of this subsection. Proof of such authorization shall be provided to the City upon request.

2.3. Placement Restrictions.

- o No temporary sign shall be placed:
 - On or within any public property or right-of-way without express written or statutory permission from the jurisdictional agency.
 - On any private property without the written consent of the property owner or lawful occupant. Upon request by the City, the Responsible Party shall provide proof of such consent.

SECTION ~~2A~~4. MOBILE SIGNAGE AND VEHICULAR ADVERTISING

1. The provisions of this section do not apply to vehicles or trailers displaying advertising for a business lawfully operating on the property where the vehicle or trailer is parked.

1.2. Prohibited Use of Vehicles or Trailers for Signage.

- o It shall be unlawful to park or place any vehicle, ~~or~~ trailer, ~~or wheeled equipment in a manner primarily intended to display a sign visible from a public right-of-way or adjacent property,~~ on public or private property for the primary purpose of Off-Premises Advertising, except:
 - When parked at the primary residence ~~or place of business~~ of the vehicle's owner or operator.
 - ~~When the vehicle is being actively used in the normal course of business, such as a contractor working onsite. This exception does not apply if the normal course of business involves the vehicle, trailer, or equipment being parked for the primary purpose of displaying signage.~~

□

—Prohibited Zones.



3.

- Mobile signage ~~as described above~~ is prohibited in all residential zones unless parked at the home of the Responsible Party or used for normal residential or business purposes.
- ~~Temporary commercial signage on vehicles or trailers~~ Mobile signage is prohibited in all non-residential zones when parked on public streets, medians, or public parking lots, unless the vehicle or trailer is actively used in business operations, or is lawfully parked for a short-term purpose not primarily intended for advertising.

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2. Exceptions.

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- Delivery trucks, service vehicles, and contractor vehicles actively engaged in service at a location are not considered in violation.
- ~~Vehicles~~ Vehicles temporarily parked at a permitted event, market, or festival under City approval may display commercial signage for the duration of the event.

3.5. Presumption of Violation.

- Any ~~sign-bearing~~ vehicle or trailer displaying Off-Premises Advertising that remains parked in the same location for more than 48 consecutive hours, and not actively engaged in business activity, ~~shall be~~ is presumed to be operating as a prohibited mobile sign unless ~~proven~~ demonstrated otherwise.

SECTION 3.5. PENALTIES AND ENFORCEMENT

1. First Violation: Any Responsible Party found in violation of this ordinance shall be guilty of an infraction, punishable by a fine of up to \$100 per sign per day of violation.
2. Repeat Violations: A second or subsequent violation within a 12-month period shall constitute a misdemeanor, punishable by a fine of up to \$1,000.



- 3. Daily Violations: Each day a sign remains in violation shall constitute a separate offense.
- 4. Enforcement Authority: Law enforcement officers, code enforcement officials, or other agents authorized by the City shall have authority to issue citations and/or remove unauthorized signs.
- 5. Criminal Conduct: Nothing in this ordinance shall be construed to limit or preclude prosecution under any applicable federal, state, or local law for conduct involving the placement of a sign when such conduct constitutes trespass, vandalism, property damage, intimidation, harassment, or any other criminal offense. In such cases, criminal penalties including incarceration may apply as authorized by law.

SECTION 46. REMOVAL AND LIABILITY

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- 1.—Any temporary sign placed in violation of this ordinance may be removed and disposed of by:
 - 1.
 - ~~o~~ City personnel,
 - ~~o~~ Property owners or authorized occupants of affected private property, or
 - ~~o~~ Public agencies within their respective jurisdictions.
- 2. Nothing in this ordinance shall prevent the rightful owner or lawful occupant of a property from removing a temporary sign unlawfully placed on that property. Citizens are encouraged to report temporary signs unlawfully placed on public or third-party property to the City for enforcement action.
- 3. The Responsible Party shall not be entitled to damages for removal, disposal, or destruction of any unauthorized temporary sign, nor may they pursue any legal remedy against a person or agency for such removal.

SECTION 57. SEVERABILITY

If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.



SECTION ~~6~~8. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

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