

ORDINANCE NO. 2785

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING
Chapter 12.55. OF THE REDLANDS MUNICIPAL CODE TO ESTABLISH REGULATIONS
FOR VERTICAL POLE BANNER SIGNS AND TO EXPAND THE PERMITTED
LOCATIONS FOR "A-FRAME SIGNS"

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS
FOLLOWS:

Section 1. Section 12.55.070 of the Redlands Municipal Code, presently entitled
"Permits for A-Frame Signs in Redlands Downtown Business Districts," is hereby amended to
read as follows:

"12.55.070: PERMITS FOR A-FRAME AND VERTICAL POLE BANNER SIGNS:

- A. The public right of way areas and display sign times regulated by this section are designated to constitute a limited access, public forum which is strictly limited and open only to those persons and entities described in this section, and on the terms stated in this section.
- B. An "A-frame" or a "freestanding vertical pole banner" sign may be placed in the public right of way, on the public sidewalk directly in front of the store or other establishment displaying the sign. Such signs may have no more than two (2) display faces, and each display face shall be a flat, smooth surface, and remain completely free of dangerous protrusions such as tacks, nails or wires; however, cutouts of any shape are allowed. Sign faces shall be back to back. No ribbons, streamers, balloons or attachments of any kind may be affixed to the sign. Signs may not consist of any moving parts or include a display face which is hinged, or which otherwise swings or hangs from the "A-frame," and must be stretched taut on the "freestanding vertical pole banner." No glass, breakable materials or illumination is allowed for such signs. Signs shall be physically stable and balanced flat on the sidewalk, and must be self-supporting, stable and weighted, and constructed to withstand overturning by wind or contact.
- C. An "A-frame" or a "freestanding vertical pole banner" sign may be located within the following zoning districts and specific plans:
- Neighborhood Stores District (C-1);
 - Neighborhood Convenience Center District (C-2);
 - General Commercial District (C-3);
 - Highway Commercial District (C-4);
 - Commercial Industrial District (C-M);
 - Transitional District (T);
 - Administrative and Professional Office District (AP);
 - Administrative-Professional-Commercial District (APC);
 - Town Center (TC), Service Commercial (SC), and Town Center-Historic (TC-H) land use districts within Specific Plan 45;

- General Commercial (CG), Commercial Industrial (IC), Administrative Professional (AP), Regional Commercial (CR), and Commercial Transition (TC) land use districts within the East Valley Corridor Specific Plan;
 - Specific Plan No. 25; and
 - Specific Plan No. 33.
- D. An "A-frame" or a "freestanding vertical pole banner" sign may be placed in the public right of way only when the business establishment for which such sign is permitted is open. The sign must be placed on the public sidewalk, directly in front of such business.
- E. Each display face shall have a maximum area of six (6) square feet. An "A-frame" sign shall not exceed three feet (3') in height or two feet (2') in width. A "freestanding vertical pole banner" sign shall not exceed six feet (6') in height at its highest point, including structural mechanism, or two feet (2') in width. Changeable copy area of the sign is permitted for one hundred percent (100%) of the display face. No such sign may have special illumination and the display portion may have no parts which move, flash, blink or fluoresce. Fluorescent or "Day-Glo" colors are not allowed. No paper or nonrigid changeable copy areas are allowed.
- F. An "A-frame" or a "freestanding vertical pole banner" sign shall not be permanently affixed to any object, structure or the ground, including utility poles, light poles, trees or other plants, or any merchandise or products displayed outside buildings. At no time shall a sign be placed in the street or in any position which impedes the smooth and safe flow of vehicular and pedestrian traffic, or which interferes with driver or pedestrian sight lines or corner clear zone requirements as specified by the city. No sign shall be placed in such a manner as to obstruct access to a public sidewalk, public street, driveway, parking space, fire door, fire escape or handicapped person access. A clear area of at least six feet (6') in width shall be maintained for pedestrian use over the entire length of the sidewalk in front of the business, and no sign shall be placed within eight feet (8') of a permanent pedestrian seating structure or area, or placed within a city parkway.
- G. Signs shall not obscure or interfere with the effectiveness of any official notice or public safety device. Signs shall not simulate in color or design a traffic sign or signal, or make use of words, symbols or characters in such a manner as may confuse pedestrians or drivers.
- H. Every sign and all parts thereof shall be kept in good repair. The display surface shall be kept clean, neatly painted and free from dust, rust and corrosion. Any cracked, broken surfaces, missing sign copy or other unmaintained or damaged portion of a sign shall be repaired or replaced or removed within twenty (20) days following notice by the city.
- I. The "A-frame" and "freestanding vertical pole banner" signs allowed by this section may be displayed only by business establishments with ground floor frontage on streets, whose business is not already identified on a multiple-tenant street sign, who hold a currently valid city business license, who are not currently in violation of, or nonconformance with, any of the zoning, land use, environmental or business laws of the city, and who do not have a freestanding sign.


- J. An application (in a form to be supplied by the City) and application fee (as established by resolution of the City Council) will be required prior to the issuance of permit to allow a sign on the sidewalk in the public right of way. The permit will be issued by the City of Redlands Municipal Utilities and Engineering Department. The permit attaches to the business at the location specified. If the business is sold or transferred, and remains at the same location, then the permit shall automatically transfer to the new owner or transferee, who shall be bound to the terms and conditions of the original permit. However, if the business which first obtained the permit moves to a different location, or if the location is then taken by a new business, a new application and permit shall be required.
- K. A permit is issued for one year, but may be revoked or canceled at will by the city. Any permit may be revoked for noncompliance, thirty (30) calendar days after notice of noncompliance remains uncured, or in the case where the sign constitutes a threat to the public health, safety or welfare. When a permit is revoked, the owner of the sign must physically remove it from the public right of way within twenty four (24) hours of notice of revocation. Upon failure to do so, the city may summarily remove the sign and hold it in storage for a maximum of thirty (30) days, during which time the owner may reclaim the sign upon payment of costs of removal and storage.
- L. There is no guarantee that the city will continue the program stated herein. Permittees hold no expectation of renewal of any given permit, acquire no vested right to continue displaying the sign on public property, and waive all claims of uncompensated taking of private property as to the permitted sign when they submit an application for such sign. Each permittee must apply for permit renewal within sixty (60) days before the annual date of original issuance. Renewal may be sought on a form prepared by the city for that purpose with a fee as established by resolution of the City Council. The city has no duty to remind or notify any permittee of the need to renew. Failure to timely seek renewal means that a new application must be submitted, with the new application fee. At the city's option, any given permit may be renewed by a stamp, sticker or official notation on the original permit, or by an entirely new permit, or by a letter indicating renewal.
- M. The city may give notice, by any reasonable means, that consent to display an "A-frame" and "freestanding vertical pole banner" sign is or shall be withdrawn temporarily so as to serve a more urgent or more important public need, such as, without limitation, dealing with a natural disaster, a traffic emergency, a temporary need to make more space available on the public right of way, a civil disturbance, a parade, an election or other special event. In urgent situations, the city may summarily remove a permitted sign without notice, for a time sufficient to deal with the urgency. All permittees shall comply with all notices to temporarily remove the permitted signs, and to return them to display only in accordance with the city's directions.
- N. A business issued a permit under this section shall obtain public liability insurance from an insurance company licensed to do business in the state of California which provides "occurrence" coverage against liability for death, personal injury or property damage arising out of or in any way connected with such event. Such insurance shall be in the amount of at least one million dollars (\$1,000,000.00), combined single limit, and shall name the city and

the city's elected officials, employees and agents as additional insureds under the coverage afforded. In addition, such insurance shall be primary and noncontributing with respect to any other insurance available to city. Proof of such insurance with endorsements, in a form approved by the city's risk manager, shall be filed with the City prior to the issuance of the permit, and such insurance shall be maintained in full force and effect as long as the "A-frame" or "freestanding vertical pole banner" is displayed.

O. The city may, at any time and for any reason, cancel or modify this program allowing "A-frame" and "freestanding vertical pole banner" signs in the public right of way."

Section 2. The provisions of this ordinance are severable, and if any sentence, section or other part of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

Section 3. The Mayor shall sign this ordinance and the City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter, this ordinance shall take effect in accordance with law.



Pete Aguilar, Mayor


ATTEST:



Sam Irwin, City Clerk

I, Sam Irwin, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was adopted by the City Council at a regular meeting thereof held on the 5th day of February, 2013, by the following vote:

AYES: Councilmembers Harrison, Foster, Gilbreath; Mayor Aguilar
NOES: None
ABSENT: Councilmember Gardner
ABSTAIN: None



Sam Irwin, City Clerk

