

ORDINANCE 2019-3

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE BELLE MEADE MUNICIPAL CODE AND ZONING CODE TO CLARIFY RESTRICTIONS CONCERNING SIGNS

WHEREAS, the City of Belle Meade Zoning Ordinance, Title 14-201 *et seq* of its Code, governs land use and the construction and improvement of structures within the City, including temporary and permanent signs; and

WHEREAS, the City of Belle Meade in Title 16 of the Municipal Code also regulates signs and banners connected with parades; and

WHEREAS, the purpose of the current ordinances and this amendment is to protect the natural beauty of residential neighborhoods from obtrusive and unsightly signage; and

WHEREAS, both the current ordinances and this amendment are intended to enforce reasonable time, place, and manner restrictions by regulating the height, size, and design of signs in a way that is narrowly tailored to serve a significant governmental interest and to remain content neutral; and

NOW, THEREFORE:

SECTION ONE: BE IT ORDAINED BY THE BOARD OF COMMISISONERS OF THE CITY OF BELLE MEADE that Title 14, Section 201(2) of the Zoning Code, Terms and Definitions, shall be amended to add the following new definitions, with all current sub-parts to be re-ordered alphabetically as appropriate:

14-201. Definitions.

- * * *
- (2) Terms and definitions . . .
- (s) “Permanent Sign.” Any sign that is intended for other than temporary use or a limited period. A permanent sign is generally affixed or attached to a pole or other structure or is characterized by construction materials, a foundation or anchoring indicative of an intent to display the sign for more than a limited period.
...
- (z) “Sign.” Any device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol, or writing to advertise, announce or identify a person or entity, or to communicate information of any kind.” . .
...
- (aa) “Temporary Sign.” Any sign constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other materials that appears to be intended for temporary use and display for a limited time period. “Temporary sign” includes a banner and may also mean a sign

made of more durable materials such as metal, wood or hard plastic, but lacking a foundation or anchoring indicative of an intent to display the sign for more than a limited period.” . . .

SECTION TWO: BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that Title 14, Section 211 of the Zoning Code, which is currently captioned Special event signs shall be deleted in its entirety and the following substituted therefor:

14-211. Temporary Signs.

- (1) Except as otherwise restricted in this chapter or elsewhere in the Municipal Code, temporary, freestanding, non-commercial signs may be placed or erected on any lot in any zoning district at any time. This category includes, but is not limited to: real estate signs, political signs, garage sale signs, estate sale signs, baby announcements, lost pet signs, special event signs, banners used for parades, and any other non-commercial messages. Home occupation or contractor signs shall be considered commercial signs and are not allowed in any district.
- (2) No temporary sign shall be placed in the public right-of-way.
- (3) Temporary signs may not be illuminated and shall not exceed eight (8) square feet in area.

SECTION THREE: BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that Title 16, Section 110 of the Belle Meade Municipal Code, shall be amended to delete Section 16-110 (3)(c) (v) thereof in its entirety and to substitute the following provisions therefore:

16-110. Parades, etc., regulated. . . .

* * *

(3) Application. . . .

(c) (The application for a parade permit shall set forth the following information . . .)

(v) A description of any temporary signs, including any banner, to be used on the day of the parade, including the location of any such signage.

SECTION FOUR: BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that Title 16, Section 110 of the

Belle Meade Municipal Code, shall be amended to delete Section 16-110 (6)(d) thereof in its entirety and to substitute the following provisions therefore:

16-110. Parades, etc., regulated. . . .

* * *

(6) Duties of permittee . . .

(d) The parade chair or other person heading or leading such activity is personally responsible for strict compliance with all other provisions of the Belle Meade Municipal Code or Zoning Ordinance, including without limitation all provisions concerning signs.

SECTION FIVE: BE IT FINALLY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE THAT THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS REQUIRING IT.

Passed on first reading:

April 17, 2019

Reviewed and Recommended by Planning Commission:

May 15, 2019

Passed on Second Reading after Public Hearing:

June , 2019

James V. Hunt, Mayor

Charlotte Hunter, City Recorder