

WITHDRAWN

FILED

JUL 12 2016

CITY CLERK

GENERAL ORDINANCE NO. 11, 2016

AN ORDINANCE AMENDING *TERRE HAUTE CITY CODE* CHAPTER 10, SIGN REGULATIONS.

WHEREAS the Common Council of the City of Terre Haute seeks to promote competitive business practices for the benefit and wellbeing of its citizens.

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute as follows:

SECTION 1. *Terre Haute City Code* Sec. 10-141, is hereby amended with the insertion of the underlined text as follows:

...

Sec. 10-141 Signs, General Provisions.

...

(7) **Legal Non-Conforming Sign.** Any sign which does not conform to the specifications of this *Code* but was erected before the effective date of this Article or any sign that was erected after the effective date of this Article, with appropriate permits specifically designating it as a Legal Non-Conforming Sign, in the exact, or near-exact, manner with regard to placement, dimensions, height, direction, design, lighting and color, as determined by the City Engineering Department and with exception to necessary changes with regard to safety design, as a sign which did not conform to the specifications of this *Code* but was erected before the effective date of this Article and is fully erected within three hundred sixty-five (365) days of the removal of the previously erected Legal Non-Conforming Sign.

...

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and publication as required by law.

WITHDRAWN

Introduced by: Don Morris Don Morris, Councilman

Passed in open Council this _____ day of _____, 2016.

_____ Todd Nation, President

ATTEST: _____ Charles P. Hanley, City Clerk

Presented by me to the Mayor this _____ day of _____, 2016.

_____ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2016.

_____ Duke A. Bennett, Mayor

ATTEST: _____ Charles P. Hanley, City Clerk



Area Planning Department For Vigo County

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August 4, 2016

REPORT TO THE CITY COUNCIL ON GENERAL ORDINANCE NO. 11-16

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES

**CERTIFICATION TO GENERAL ORDINANCE NO. 11-16, AN ORDINANCE AMENDING TERRE HAUTE CITY CODE
CHAPTER 10, SIGN REGULATIONS**

CERTIFICATION DATE: August 3, 2016

TO: The Honorable Common Council of the City of Terre Haute

Dear Members:

The Vigo County Area Plan Commission offers you the following report and certification on General Ordinance Number 11, 2016. This General Ordinance is Amending Terre Haute City Code, Chapter 10, Sign Regulations. This General Ordinance was published in the Tribune Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance.

The Area Plan Commission considered General Ordinance Number 11, 2016 at a public meeting and hearing held Wednesday, August 3, 2016. Remonstrators WERE present. At this meeting a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on General Ordinance Number 11, 2016 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to General Ordinance Number 11, 2016 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on General Ordinance Number 11, 2016 was NO RECOMMENDATION in a 9-3 Roll Call vote.



Fred L. Wilson, President



Jared Bayler, Interim Director

Received this 4th day of August, 2016



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INDIANA

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Staff Review of General Ordinance No. 11, 2016

General Ordinance No. 11, 2016 is an amendment to Sec 10-141 Signs, General Provisions of the City Code of Terre Haute. Within the amendment is the legalization of any sign built prior to the effective date of the amendment. Also, it allows for the replacement of any sign constructed prior to the effective date in the exact, or near-exact, manner with regard to placement, dimensions, height, direction, design, lighting, and color as determined by the City Engineering Department as long as it is fully constructed within one year of the removal of the previously constructed legal non-conforming sign.

Staff offers a Favorable Recommendation.