



**City of Wilmington
Ordinance & Licensing Committee
Tuesday, March 8, 2016 at 6:00 p.m.**

Location & Time

Council Chamber
Wilmington City Hall
1165 S. Water Street
6:00 p.m. 03/08/2016

**Ordinance & Licensing
Committee Members**

Steve Evans, Co-Chair
Kirby Hall, Co-Chair
Larry Hall
Fran Tutor
Kevin Kirwin

Agenda

1. Call to Order
2. Approval of the February 9, 2016 Meeting Minutes
3. Old Business
 - a. Review/Establish a Fee for Retail Sale of City Potable Water for Ice & Water Vending Machines
4. New Business
 - a. Review/Discuss Amendment to Sign Ordinance
5. Adjournment

*Posting Date
3/4/2016 1:51 PM jjz*

**CITY OF WILMINGTON
ORDINANCE & LICENSING COMMITTEE
Tuesday, February 9, 2016, 6:00 p.m.
Wilmington City Hall, Council Chambers
1165 S. Water Street**

In Attendance

Committee Members

Co-Chair, Alderman Kirby Hall
Co-Chair, Alderman Steve Evans
Alderman Larry Hall
Alderman Kevin Kirwin
Alderman Fran Tutor

City Officials

City Administrator Tony Graff
Executive Secretary Joie Ziller

The meeting of the Ordinance & Licensing Committee was called to order at 6:10 p.m. by Alderman Evans.

Previous Meeting Minutes – January 12, 2016

The minutes were reviewed. Alderman Tutor made a motion and Alderman L. Hall seconded to accept the January 12, 2016 Committee meeting minutes as written and have them placed on file.

Upon voice vote, **THE MOTION CARRIED, 5 yes**

Old Business

1. Review/Approve *An Ordinance Adding Provision to Chapter 96 of the Wilmington Code of Ordinances Relating to Sandwich Board Signs*

Alderman L. Hall made a motion and Alderman Tutor seconded to approve *An Ordinance Adding Provision to Chapter 96 of the Wilmington Code of Ordinances Relating to Sandwich Board Signs* and bring it City Council for full vote at the February 16, 2016 City Council meeting.

Upon voice vote, **THE MOTION CARRIED, 5 yes**

New Business

1. Review/Discuss Retail Sale of City Potable Water Fee

City Administrator Graff explained to the Committee that a business has approached the City to construct a free standing self-serve ice and water vending machine. The question is whether or not to establish an additional water fee for this type of vending. The Committee was in favor of this and would like to see what other communities do and charge. More discussion at the next meeting.

2. Review/Approve *An Ordinance Establishing Cost Reimbursements for Contractual Police Services Including Hazardous Material Responses and A Resolution Determining the 2016 Hourly Police Officer Reimbursement Costs for Contractual Police Services*

The Committee reviewed and discussed these documents. The Committee is in favor of adopting these documents; however they would like the entire Council to review them and suggested that they come before the Finance Committee for review and approval at the February 16, 2016 meeting.

Adjournment

With no further business before the Committee, Alderman Tutor made a motion and it was seconded by Alderman Kirwin to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting was adjourned at 6:26 p.m.

Respectfully submitted,

Joie Ziller
Executive Secretary

ORDINANCE NO. 16-02-16-01

**AN ORDINANCE ADDING A PROVISION TO CHAPTER 96 OF THE WILMINGTON
CODE OF ORDINANCES RELATING TO SANDWICH BOARD SIGNS**

WHEREAS, state law authorizes the City of Wilmington to adopt such laws and ordinances as are necessary to protect and conserve the taxable value of land and buildings throughout the municipality, to ensure that congestion in the public streets may be lessened or avoided, and that the public health, safety, comfort, morals, and welfare may otherwise be promoted, and to ensure and facilitate the preservation of sites, areas, and structures of historical, architectural and aesthetic importance; and

WHEREAS, for the ends so cited above the City of Wilmington has enacted an ordinance addressing signage within the City; and

WHEREAS, the current City of Wilmington sign ordinance does not address sandwich board type signs; and

WHEREAS, the City of Wilmington Ordinance and Licensing Committee has considered a proposal to amend the City of Wilmington's Code of Ordinances to add provisions related to sandwich board type signs; and

WHEREAS, the City Council of the City of Wilmington believes that it is in the best interests of the City of Wilmington and its residents that the following provisions be added to the sign ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMINGTON, WILL COUNTY, AS FOLLOWS:

SECTION 1: That Section 96.09 of Chapter 96 of the Wilmington Code of Ordinances be amended to read as follows:

96.09 - Permits for temporary signs.

- (A) No temporary sign shall be placed or erected until a permit has been issued by the building department. A temporary sign permit shall entitle the holder thereof to display such a sign for the time period specified within that zoning district as further stated therein.
- (B) An application for a permit for a temporary sign shall be made on a form provided by the city and be accompanied by written consent of the property owner. Permits for temporary signs must be kept on the premises where signs are displayed.
- (C) Duration of Temporary Signs:
 - (1) Residential marketing signs, on- and off-site: 12 months, renewable on a six-month basis thereafter.
 - (2) Commercial or industrial marketing real estate signs: 12 months, renewable on a six- month basis thereafter.
 - (3) Temporary commercial or mobile signs including banner flags: advertising a special sale or event, not to exceed 30 days and not more than four times per calendar year with at least 30 days in between such advertising periods. No more than two temporary signs shall be allowed per multi-tenant building.

(D) Every applicant for a temporary sign shall pay a fee of \$50 per sign (to include both sides of double faced signs). No fee shall be charged for temporary sign permits for not-for-profit activities or organizations. Penalty, see Section 96.99.

(E) Notwithstanding the above, one sandwich board sign not exceeding 2 feet wide by 4 feet high advertising goods and services that are offered by the business whose frontage the sign occupies and is only displayed during the hours that that business is open for business shall not require a permit provided that the sign, whether on a public or private way, does not block, nor pose a hazard to, pedestrian or vehicular traffic nor hinder exit from or entry to any building. A variance to the size limitations hereof may be granted upon the written approval of the City Administrator, City Engineer, and Building Department.

SECTION 2: SEVERABILITY

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: EFFECTIVE DATE

This Ordinance shall be in full force and effect upon its passage and approval in the manner required by law.

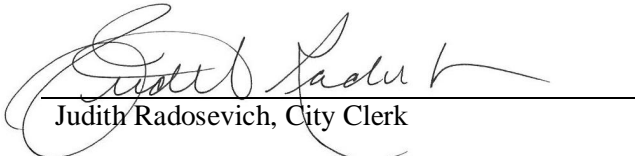
PASSED this 16th day of February, 2016 with 8 members voting aye, 0 members voting nay, the Mayor N/A voting, with 0 members abstaining or passing and said vote being:

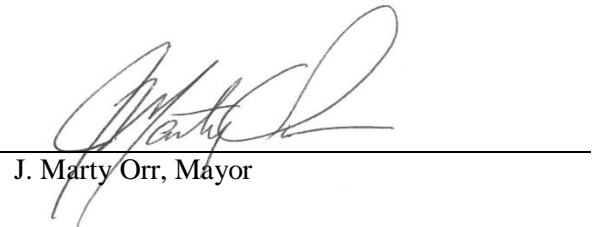
John Persic, Jr.	<u>aye</u>	Kevin Kirwin	<u>aye</u>
Larry Hall	<u>aye</u>	Kirby Hall	<u>aye</u>
Fran Tutor	<u>aye</u>	Joe VanDuynes	<u>aye</u>
Steve Evans	<u>aye</u>	Frank Studer	<u>aye</u>

Approved this 16th day of February, 2016



Attest:


Judith Radosevich, City Clerk


J. Marty Orr, Mayor