

# Ordinance #24 Revised

## FOR THE PLACEMENT OF

# SIGNS AND BILLBOARDS

*Revised October 6, 2004*  
*2<sup>nd</sup> Revision July 6th, 2006*

## **Article I. ESTABLISHMENT OF AUTHORITY AND JURISDICTION**

### **Section 1.00 Authority**

**Section 2.00** Meade County's authority to regulate signs, billboards and other advertising structures is specified in South Dakota State Codified Law 31-29-68, **31-29-69 and 31-29-70**. *(Revised July 6th, 2006)*

### **Section 3.00 Purpose**

The purpose of this Section shall be to establish effective local regulation of outdoor advertising. It is intended to provide for the convenience of the traveling public, for the promotion of locally available facilities, goods, and services, to minimize any negative impact on adjacent properties, and preserve the natural aesthetics of the Black Hills area. It is also attempting to pursue a reasonable number of and placement of signs and billboards.

### **Section 4.00 Jurisdiction**

These regulations shall govern all billboards and signs under the jurisdiction of the County of Meade. Billboards and signs governed are hereinafter defined under Article II.

## Article II. DEFINITIONS

**ABANDONED SIGN/BILLBOARD:** Any Billboard or Sign, which for a period of 90 days, is any one of the following:

1. Not properly maintained.
2. Declared unlawful by Meade County.
3. Displays no advertising message or public service announcement.

**If a sign or billboard is considered abandoned, any new sign or billboard, whether re-constructed or painted on any structure or object, must comply with the current definitions and regulations of this Sign and Billboard Ordinance.** (Revised July 6th, 2006)

**ADVERTISING:** Any writing, painting, display, emblem, drawing, sign, or other device designed, used, or intended to be used for display or any type of publicity for the purpose of making anything known or attracting attention to a place, product, goods, services, idea or statement. (Revised July 6th, 2006)

**AGGREGATE SIGN AREA:** The total square footage of all business and outdoor advertising signs on any specific lot. (Revised July 6th, 2006)

**ALTERATION:** Any change of copy, sign face, color, size, shape, illumination, location, construction, or supporting structure of any sign.

**ANIMATED SIGN:** A sign that uses movement, lighting or special materials to depict action or create a special effect to imitate movement. (Revised July 6th, 2006)

**AREA IDENTIFICATION SIGN:** A sign to identify a common area containing a group of structures, or a single structure on a minimum of five acres, such as a residential subdivision, apartment complex, industrial park, or shopping center, located at the entrance or entrances of the area will be considered as an On-Premise Business Sign per this ordinance. (Revised July 6th, 2006)

**ASSOCIATION IDENTIFICATION SIGN:** A sign identifying the name of a residential, commercial, educational, or industrial complex, or development will be considered as an On-Premise Business Sign per this Ordinance. (Revised July 6th, 2006)

**ATTENTION-ATTRACTING DEVICE:** Any streamer, pennant, propeller, inflatable sign, tethered balloon,(10 feet in diameter or larger), bunting or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated or still, that is intended to attract attention to the use or business being conducted on the site. (Revised July 6th, 2006)

**AWNING:** A roof-like cover, often of fabric or metal designed and intended to provide protection from the weather or as a decorative embellishment, and which projects from a wall or roof over a window, walk, or door. Awning Sign must maintain a minimum vertical clearance of 9.0' (feet). (Revised July 6th, 2006)

**BANNER:** A sign composed of lightweight material enclosed or unenclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.

**BEACON/SEARCH BEACON:** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move. Limited use, 30 days maximum, must meet all State and Federal Laws for usage. (Revised July 6th, 2006)

**BENCH SIGN:** A sign which is affixed to a bench not to include memorial dedications in park or recreational areas. (Revised July 6th, 2006)

**BILLBOARD:** A sign usually large, that directs attention to a business, profession, product, service, or entertainment mainly not sold or offered upon the premises where such sign is located. (Revised July 6th, 2006)

**BUILDING FRONTAGE:** That building elevation that fronts on a public street. (Revised July 6th, 2006)

**BUILDING INSPECTOR or BUILDING OFFICIAL:** As used in this chapter shall mean a county official appointed by the Director of Equalization and Planning to provide for the enforcement of the adopted 1997 Uniform Building Code, this ordinance, Ordinance No. 24 and Ordinance No. 20.

**BUILDING MARKER:** Any sign or stone indicating the name of a building date or incidental information about its construction. (Revised July 6th, 2006)

**BUILDING SIGN:** Any sign attached to, or constructed against the wall or painted on the surface of the wall of a building, with the exposed face of the sign in a plane parallel with the plane of the wall. (Revised July 6th, 2006)

**BUSINESS/TENANT FRONTAGE:** That portion of a building frontage occupied by a single tenant space having a public entrance within the building frontage. For businesses located on the interior of a building without building frontage, the building elevation providing customer access shall be considered the business frontage. (Revised July 6th, 2006)

**CANOPY:** A permanently roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area, which shelter may be supported by a building or columns, poles, or braces extending from the ground. A Canopy Sign must maintain a minimum vertical clearance of 9.0' (feet). (Revised July 6th, 2006)

**CANOPY SIGN:** A sign that is a part of or attached to any awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance window, or outdoor service area. A Canopy must maintain a minimum vertical clearance of 9.0' (feet). (Revised July 6th, 2006)

**CHANGEABLE COPY:** A sign or portion thereof with characters, letters, or illustrations that can be changed. (Revised July 6th, 2006)

**CHANNEL LETTERS:** Three dimensional individually cut letters or figures, affixed to a structure. (Revised July 6th, 2006)

**COPY:** Words, letters, logos, numbers, figures, symbols, illustrations, or symbolic representations that form a message or otherwise call attention to a business, product service, or activity, or to the sign itself. (Revised July 6th, 2006)

**CONSTRUCT:** To build, create, attach, hang, place, suspend, or affix, and shall include the painting of wall signs. (Revised July 6th, 2006)

**CONSTRUCTION/DEVELOPEMENT SIGNS:** on a lot, signs not more than 12 (twelve) square feet in area, stating the names of contractors, engineers or architects, but only during the time that construction or development is actively underway. (Revised July 6th, 2006)

**CONTROLLED ACCESS PRIMARY HIGHWAY:** a primary highway of four or more lanes with a raised, sunken, signed, marked, or striped dividing line separating traffic flowing in opposite directions, except at designated points where at-grade crossovers are provided or signs, markers, stripes, or other devices permit crossings. I-90 shall be considered a "controlled access primary highway".

**DIRECTIONAL SIGNS:** used to give directions to or location of a specific place. Messages on a directional sign shall be limited to **the proper** name of the site and the mileage or distance, route numbers, and exit numbers. Sign blade and copy size shall meet those standards adopted by Meade County Highway or Planning Departments.

**DIRECTORY SIGN:** A sign for listing the tenants, occupants, floor plan, addresses or suite numbers of a building, center or residential building complex. (Revised July 6th, 2006)

**DOUBLE-FACED SIGN:** A sign constructed to display its message on the outer surfaces of two identical and opposite planes at an angle of forty-five degrees or less. (Revised July 6th, 2006)

**DRIVE-THROUGH FACILITY:** An establishment that by design, physical facilities, service or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles. (Revised July 6th, 2006)

**ELECTRONIC READER BOARD:** A sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a commercial message or an electronic reader board sign for purposes of this Chapter. (Revised July 6th, 2006)

**EXPOSED NEON:** Signage such that the neon tubing is visible to the eye. This shall not include neon signs located within building windows, or behind opaque sign faces. (Revised July 6th, 2006)

**FLAG:** Any fabric containing distinctive colors, patterns or symbols used as a symbol of a Government, political subdivision or private entity. (Revised July 6th, 2006)

**FLASHING SIGN:** An illuminated sign on which artificial light is not maintained stationary and/or constant in intensity and color. (Revised July 6th, 2006)

**FREESTANDING SIGN:** A sign which is supported by one or more uprights, poles, or braces in or upon the ground. (Revised July 6th, 2006)

**FRONTAGE, ROAD:** A roadway with an alignment adjacent to and generally parallel with a limited access highway whose purpose is to serve commercial, institutional, industrial or typically medium- to high-density residential use. (Revised July 6th, 2006)

**FRONTAGE, STREET:** The length of a lot line that abuts public street right-of-way. (Revised July 6th, 2006)

**FUTURE TENANT SIGN:** A temporary sign that identifies the names of future businesses. (Revised July 6th, 2006)

**GARAGE/YARD SALE:** A private sale of personal property used to dispose of personal household possessions; not for the use of any commercial venture. (Revised July 6th, 2006)

**GOVERNING BOARD:** Meade County Board of Commissioners.

**GRAND OPENING:** A one-time promotional activity not exceeding thirty calendar days used by newly established businesses within two months after occupancy to inform the public of their location and service available to the community. (Revised July 6th, 2006)

**INFORMATIONAL SIGN:** A sign with a purpose secondary to the use of the lot on which it is located that provides directives and/or identifying messages. (Revised July 6th, 2006)

**ILLUMINATED SIGN:** A sign where artificial light projects from within or onto the sign copy. Interior illumination shall mean signs where the artificial light source is located within the sign and is not viewable from the exterior of the sign. Exterior illumination is a light source that is visible exterior to the sign. (Revised July 6th, 2006)

**INFLATABLE DEVICE:** An object that is inflated with air or gas. (Revised July 6th, 2006)

**LOT:** Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended as a unit for the purpose of transfer of ownership.

**MAINTENANCE:** The repair or replacement in kind of individual sign components including paper, fabric or plastic copy panels, electrical wiring and bulbs, or paint, stucco or other exterior finishes. (Revised July 6th, 2006)

**MARQUEE:** A hood or permanent construction that projects from the wall of a building, usually above the entrance. (Revised July 6th, 2006)

**MARQUEE SIGN:** A projecting sign attached to, in any manner, or made a part of a marquee. A Marquee Sign must maintain a minimum vertical clearance of 9.0' (feet). (Revised July 6th, 2006)

**MEADE COUNTY GOVERNING PLANNING BOARD:** ~~appointed by~~ the Meade County Board of Commissioners (Governing Board) to interpret and administer the procedures and principles of this ordinance.

**MULTIPLE-TENANT BUILDING:** A development consisting of two (2) or more separate uses or tenancies that share either the same lot or structure and use common access and/or parking facilities. (Revised July 6th, 2006)

**MULTI-FACED:** A two-sided sign which is the same on both sides. The single structural component is counted as one sign. (Revised July 6th, 2006)

**MONUMENT SIGN:** A freestanding sign that does not have exposed pole or pylon, and is attached to a single columnar base for at least seventy-five (75) percent of the entire width of the sign. Monument sign bases include material consistent with the principle structure, including brick, block, and concrete, but excluding metal. (Revised July 6th, 2006)

**NONCONFORMING SIGN OR BILLBOARD:** A sign lawfully erected and maintained prior to the adopting of this ordinance that does not conform with the requirements of this ordinance. (Revised July 6th, 2006)

**OFF PREMISE SIGN:** a sign, including the supporting sign structure, which is visible from the street or highway and advertises goods or services not usually located on the premises and/or property upon which the sign is located; also called a "billboard." The following shall ***not*** be considered an off-premise sign for the purposes of this ordinance:

- 1) Direction or official signs authorized by law or ordinance;
- 2) Real Estate Signs;
- 3) On-premise signs.

**ON PREMISE SIGN** a sign that advertises goods or services available at the site of the billboard or advertising sign. On premise signs **can** be allowed in areas of scenic beauty and historical interest with proper permits. (revised Sept. 8, 2004) On Premise sign size can be a maximum of 64 sq/ft. On-premise signs greater than 64 sq/ft will be considered an on-premise billboard, and will not be permitted in designated areas of scenic beauty and historical interest locations. (Revised July 6th, 2006)

**ON PREMISE BILLBOARD/SIGNS:** a sign greater than 64 sq/ft used as an on-premise business sign for a business and placed on a property owned by the same individual(s), the rules for placing a billboard apply. (Revised July 6th, 2006)

**PARAPET WALL:** The vertical extension of the exterior building wall above the plate line. (Revised July 6th, 2006)

**PENNANT:** Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind. (Revised July 6th, 2006)

**PLANNING OFFICIAL:** also known as the Planning Director and his/her assignees, and/or other appointed or designated authorities charged with the administration and enforcement of this ordinance.

**POLE SIGN:** A freestanding sign which is erected upon one or more posts directly in or upon the ground and not attached to, braced by, any other structure. (Revised July 6th, 2006)

**POLITICAL SIGN:** A sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election. (Revised July 6th, 2006)

**PORTABLE SIGN:** A sign designed to be movable from one place to another, which is not affixed to the ground or structure; also called a "mobile sign." (Revised July 6th, 2006)

**PROJECTING SIGN:** A sign which is affixed to a wall of a building and extends outward from the building wall with a minimum vertical clearance on 9.0' (feet).

**PROJECT IDENTIFICATION SIGN:** A temporary non-illuminated sign placed on a site during construction or remodeling, which identifies the development, contractor, builder, developer, and/or financial institution for the development. Similar to Construction Development Signs. (Revised July 6th, 2006)

**PROPERTY FRONTAGE:** The side of a lot or development site abutting on any public street. (Revised July 6th, 2006)

**REAL ESTATE SIGN:** A sign offering property (land and/or buildings) for sale, lease, or rent, (16 sq/ft or less).

**REAL ESTATE SIGN BOARD:** A real estate sign on a board greater than five square feet but not exceeding thirty-two square feet in area. (Revised July 6th, 2006)

**REPAIR:** The replacement of metal or wood cabinets, structural faces, supporting structural members, primary uprights, posts and poles, or the sign in its entirety. (Revised July 6th, 2006)

**RIGHT-OF-WAY/EASEMENT:** The land opened, reserved or dedicated for a street, sewer, water line, walk, drainage course or other public purpose. (Revised July 6th, 2006)

**ROOF SIGN:** A sign erected or attached in whole or in part upon the roof of a building. (Revised July 6th, 2006)

**SCENIC BEAUTY / HISTORICAL INTEREST AREAS:** Those designated areas approved by the Meade County Governing Board as areas of scenic beauty or historical interest on which no billboards shall be allowed. This applies to locally controlled roads in or near the Black Hills and other areas designated by the Governing Board. Selected areas shall be identified and listed by either name, legal description or a map attached to or amended to this ordinance or passed by resolution by the Governing Board of County Commissioners. Advocates for the proposed areas to be considered must make an evidentiary presentation entered into the record of the Commissioner's minutes listing such salient facts as to why an area should be protected by this ordinance and listed as either "scenic beauty", "natural attraction" or of "historical interest". (Revised July 6th 04, 2006)

This section does not apply to South Dakota State Highways or Roads and commercial lots with an approved ON PREMISE SIGN. Commercially platted lots within scenic or historical areas may have an ON PREMISE SIGN advertising goods or services available on that commercial lot, if the On Premise Sign is approved. **ON PREMISE BILLBOARDS (signs greater than 64 square feet) are prohibited in these areas.** (Revised July 6th , 2006)

**SEMI-TRAILER SIGNS:** Semi-Trailer units that are used as a sign, (sign with axels), can only be used as a temporary sign only and must meet the definition of a temporary sign. (Revised July 6th, 2006)

**SERVICE SIGN:** Signs identifying parking and handicapped parking, restrooms, public telephone facilities, first aid stations, fallout shelters, and other similar public service facilities. (Revised July 6th, 2006)

**SETBACK:** The minimum horizontal distance between the line of the building or structure (excluding steps, unroofed porches and overhangs) and the property line (unless specifically designated otherwise). (Revised July 6th, 2006)

**SIGNS /BILLBOARDS:** Any identification, description, illustration, or device illuminated or non-illuminated, which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise, or any emblem, painting, banner, pennant, place card or temporary sign designed to advise, identify, or convey information, with exceptions of window displays. Other descriptive sign or billboard definitions are:

- 1) Back-to-Back Sign: an off-premise sign consisting of two sign facings oriented in opposite directions with not more than two faces per sign facing.
- 2) Directional Sign: a sign erected for the convenience of the public, such as for directing traffic movement, parking, identifying restrooms, public telephones, walkways and other similar features or facilities, and bearing no advertising message. Messages on a directional sign shall be limited to name of the site and the mileage or distance, route numbers, and exit numbers.

- 3) Double Faced Sign: an off-premise sign with two adjacent faces oriented in the same direction and not more than 10 feet apart at the nearest point between the two faces.
- 4) Facing: that portion of a sign upon which advertising is affixed or painted and visible in one direction at one time.
- 5) Freestanding Sign: a sign erected on a freestanding framework supported and affixed by one or more uprights or braces in or upon the ground.
- 6) Multiple-faced sign: a sign comprised of sections which rotate to display a series of advertisement, each advertisement being displayed for at least six (6) seconds continuously without movement; the duration of movement of sections between advertisements not to exceed two (2) seconds.
- 7) Official Sign: a sign erected by a government agency or its designee, setting forth information pursuant to law and/or ordinance.
- 8) Real Estate Sign: a sign which advertises the sale or lease of the property upon which the sign is located.
- 9) Roof Mounted Sign: An on premise sign erected upon, against, or directly above the roof of a commercially classed or industrial building, or on top of or above a parapet of such structure.
- 10) V Type Sign: a sign structure which consists of multiple sign facing placed at angles to each other, oriented in different directions and not exceeding ten (10) feet apart at the nearest point to each other.
- 11) Wall Sign: a sign attached to the wall of a building or structure.
- 12) On-premise store-front sign: a sign attached the store-front of a commercial building advertising that business located within. (revised Sept. 8, 2004)
- 13) Billboards placed on two (2) lane roads within Meade County shall not exceed 160 square feet in surface area and shall not be placed greater than 25' (feet) in height, from the road surface. (Revised July 6th, 2006)**
- 14) Billboards place off of a four (4) lane highway or a Controlled Access Primary Highway such as I-90 shall not exceed 480 square feet in surface area. (Revised July 6th, 2006)**
- 15) Electronic Reader Boards or Animated Signs, which have moving characters or figures and that do not give a static message for a minimum of 6 seconds, shall not be allowed off of a four (4) lane highway or a Controlled Access Primary Highway such as I-90. (Revised July 6th, 2006)**

**SIGN/BILLBOARD LOT:** An approved lot for the placement of an OFF PREMISE billboard or sign. Such lot shall be an industrial or commercial classed property **and** a platted lot of one (1) acre or greater in size and have a depth of greater than two hundred (200) linear feet and a width greater than two hundred (200) linear feet. The lot configuration is to be as such as to create a lot that is 43,560 square feet or greater in size. The Meade County Planning Official shall have the authority to determine what a proper lot configuration is. **ON PREMISE signs are exempt by definition from this requirement. (revised Oct. 06, 2004), (Revised July 6th, 2006)**

**SIGN/BILBOARD LOCTION:** an exact location of the sign/billboard by means of either platted lot specified as such, or a GPS location in the NAD 1983 South Dakota State Plane map datum format or other Meade County approved map datum. (revised Oct. 06, 2004)

**SIGN STRUCTURE:** Any structure which supports, has supported, or is capable of supporting a sign.

**TEMPORARY SIGNS:** Signs and sign structure that is temporary in nature, used in conjunction with a specific event, that is placed, moved, or erected in such a manner so that it may be easily removed from the property and is not permanently affixed. **Temporary signs must be placed, built, erected, or moved on to site location in such a manner as to be easily removed. Temporary signs are only allowed 30 days prior to any lawful event and must be removed from premise within 10 day of conclusion of the event.** (Revised July 6th, 2006).

**TIME AND TEMPERATURE UNIT:** A sign or portion of a sign displaying only current time and temperature in an electronic, digital fashion. (Revised July 6th, 2006)

**VEHICLE SIGN:** A sign placed, painted, attached, or displayed on a vehicle advertising a company, store, or service.

**WINDOW SIGN:** A sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or upon the window.

(Revised July 6th, 2006)

## Article III. SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES

In any area where advertising signs are permitted, all applicable state and federal regulations shall apply. **In addition, any business sign or advertising sign erected within areas referred to as natural or scenic beauty, areas of historical interest, or other areas within Meade County referenced within this ordinance or attachments, or resolutions to this ordinance, not including South Dakota State Highways or Roads and commercial lots with an approved On-Premise Business sign shall be required to conform to the following regulations:** (Revised July 6th, 2006)

- 1) **No advertising sign shall be located in any area designated by the governing board as one of Natural or Scenic Beauty or Historical Interest. Exemption on “Natural Attractions” is for directional purposes only, provided prior approval from the governing board is obtained.** (Revised July 6th , 2006)
  
- 2) **Scenic Beauty, Natural Attractions or Historical Interest areas shall be approved by the governing board and listed or illustrated by an attached map and/or described by common name. This registry, list, or map may be reviewed at any time by the governing board at which time areas under review may be added to or deleted from the natural, scenic or historical area designation. These areas shall be limited to a sparse number of Governing Board approved directional signs for “natural attractions”.**  
(Revised July 6th , 2006)
  
- 3) OFF PREMISE Billboards may only be placed on approved Sign/Billboard Lots which meet the requirements of this ordinance. (revised Oct. 06, 2004)
  
- 4) **OFF PREMISE** billboards and signs may be placed anywhere on the entire legal description of an approved sign/billboard lot as long as setbacks, sign spacing, sign density and other pertinent restrictions are met.  
(revised Oct. 06, 2004)
  
- 5) **No off premise advertising sign or billboard may be erected or placed closer than 1,500 (one thousand five hundred) foot radius from any residential areas or dwelling lots.** (Revised July 6<sup>th</sup>, 2006)
  
- 6) All illuminated OFF and ON premise signs or billboards shall be equipped with lighting fixtures designed and mounted in such a manner to only illuminate the sign or billboard face. At no time shall the light source be allowed to shine or reflect into or on any residential dwellings within 250 (two hundred and fifty) feet of the sign or billboard. **Illuminated Off Premise signs or billboards located in Meade County, except for along a Controlled Access Primary Highway (I-90), must have all illumination (lights) shut off at midnight and remain off until the next evening.** All effort must be made to avoid illuminating the ground, other objects, and the sky, **and must not adversely impact adjacent properties or streets.** (revised Oct. 06, 2004), (Revised July 6th, 2006)
  
- 7) No billboard or ground sign structure shall be erected to exceed an industry standard billboard size as determined by the improved Federal, State, or County roadway within the adjoining Right of Way.
  - A. **A Controlled Access Primary Highway (I-90), and other roads in Meade County may have billboards or ground signs with a maximum of 14 (fourteen) feet in height and a maximum of ~~48 (forty eight)~~ 40 (forty) feet in width, with an overall height not to exceed 35 (thirty-five) feet (from the nearest road surface). This will be referred to as “bulletin size”. ~~(672 sq. ft.)~~ (480 sq/ft). Billboards proposed off of a Controlled Access Primary Highway or any State or Local Roads, must first be approved by the Governing Board.**(revised Oct. 06, 2004), (Revised July 6th, 2006)
  - B. **On premise roof signs shall not exceed the maximum overall height limit of ~~45 (forty five)~~ 40 (forty) feet.** (Revised July 6th, 2006)
  
- 8) Any outdoor advertising structure or business sign shall be placed or erected in conformity with the side and rear yard setback requirements for structures in which such sign is to be located. There shall be no minimum front yard setback requirement for business signs. **However, no sign structure of any type shall be constructed, placed or erected at or near any intersection such that it would violate a 25 (twenty-five) foot sight triangle at intersections or ~~within 33 (thirty three) feet of centerline~~ within a 25 foot setback from a public right-of-way of any county road.**

9) Business signs which direct attention to a home occupation, where such is permitted, shall not exceed 16 (sixteen) square feet in area, and shall be limited to one such sign per approved home occupation use. Such sign shall be either a wall sign or a ground sign and shall not be located closer than 25 (twenty-five) feet to the nearest street right-of-way line.

10) Sign & Billboard structures shall be painted and maintained in muted flat earth tone colors as to blend into the natural surroundings. Colors must be approved by a Meade County Planning Official prior to application. At no time shall bright or neon colors be used.

11) Sign & Billboard density for 4 lane roads or highways and controlled access primary highways shall be set at a minimum of ~~750'~~ 1,500' (one thousand five hundred) foot radius of separation between signs or sign structures per each side of road. Measurements from sign face to sign face will be calculated along the nearest edge of the road surface between points directly opposite the center of the signs along each side of the road. Any sign constructed within ~~750'~~ 1,500' (one thousand five hundred) foot radius of a nearby sign will be deemed in violation of this ordinance and shall be removed as per Article IV (Unsafe and Unlawful Signs). (Revised July 6th, 2006)

12) Sign & Billboard density for two (2) lane roads located in Meade County shall be set at a minimum of 2500' (two thousand, five hundred feet), of separation between signs or sign structures per each side of road. Measurements from sign face to sign face will be calculated along the nearest edge of the road surface between points directly opposite the center of the signs along each side of the road. Any sign constructed within 2,500' (two thousand five hundred) feet of a nearby sign on a two (2) lane road will be deemed in violation of this ordinance and shall be removed as per Article IV (Unsafe and Unlawful Signs).  
(Revised July 6th, 2006)

13) In any area in Meade County, the following signs shall be allowed:

a) For each permitted or required parking area that has a capacity of more than four cars: one sign not more than four square feet in area, designating each entrance to or exit from such parking area; and one sign, not more than nine square feet in area, identifying or designating the conditions of use of such parking area.

b) One non-illuminated "For Sale" or "For Rent" sign not exceeding 16 (sixteen) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located. Sign may not exceed 48" (forty-eight inches) in width or height.

c) For each real estate subdivision that has been approved in accordance with the regulations of Meade County Ordinance, one sign per entrance, not over 100 (one hundred) square feet in area, advertising the sale of property in such subdivision. Permits for such signs shall be issued for a two year period and may be renewed for additional two year periods.

d) For construction on or development of a lot, signs not more than 12 (twelve) square feet in area, stating the names of contractors, engineers or architects, but only during the time that construction or development is actively underway.

e) For residential locator or E-911 signs, rural and Ag residence location signs.  
Small home based business signs, not to exceed 3 sq/ft in High to Moderate Density Subdivisions, not to exceed 5 sq/ft in Medium Density Subdivisions and not to exceed 8 sq/ft in Rural Density Subdivisions. (Revised July 6th, 2006)

f) On premise advertising signs, for agricultural products raised and/or cultivated on Ag land

g) Commercially platted on-premise signs advertising the business on that specific site.

h) Temporary political or campaign signs.

i) Temporary special event signs also to include seasonal business.

j) Small directional signs, SDDOT Standard Size. (Revised July 6th, 2006)

k) Political Signs shall not be erected more than 90 days before an election in which the sign is intended to influence. Any political sign must be removed within 30 days following such election, unless the candidate is involved with on-going subsequent elections in which the sign is intended to influence.

n) On all advertising signs, an imprint of the sign owner and sign erector or a permanently attached label must be located in plain and public view.

14) Temporary signs must be placed, built, erected, or moved on to site location in such a manner as to be easily removed. Temporary signs are only allowed 30 days prior to any lawful event and must be removed from premise within 10 day of conclusion of the event **Failure to promptly remove the sign will result in fines and penalties.** Temporary signs **may** be approved by the Planning Official for size and location and must substantially conform to the regulations within this ordinance. One temporary sign permit per location per year will be allowed. Consideration may be given to temporary political and campaign signs as this ordinance pertains to location, and frequency of sign site use. **Temporary Signs less than 33 (thirty-three) square feet, shall not require prior Meade County approval.**

a.) The following items shall be considered on all temporary signs:

1. Banners which hang on or across public property shall have prior approval from Meade County.
2. All signs, whether attached to vehicle, pole, or other structures must be in such manner that it will not endanger life or safety of others
3. May not be attached to any public property, traffic signs, power poles, or fire hydrants
4. May not create visibility problems or interfere with line of sight with any traffic sign or official Meade County signs.
5. Must substantially adhere to this ordinance except where noted otherwise.
6. Attention-Attracting Device must be approved by the Planning Official after submittal of the type of device, location and time duration proposed along with any other information required by the Planning Official.
7. Freestanding Portable Signs (mobile signs), and electronic signs that will be used for grand openings or special events, must be pre-approved by the Planning Official.
8. Garage/Yard Sale signs and real-estate signs do not require a permit

15) No off-premise sign shall be constructed which resembles any official marker erected by a governmental entity, or which by reason of position, shape, or color would conflict with the proper functioning of any official traffic control device, sign, or marker.

16) In no case shall any portion of any sign overhang into or be placed in the dedicated public right-of-way, unless allowed by the public entity.

17) In no case shall any portion of any sign overhang into or over adjoining property, without proof of written approval by that adjoining property owner.

## **Article IV. Construction of Billboards**

Billboards shall be securely built, constructed at a depth below ground to ensure the billboard and structure can withstand 125% of the Maximum Wind Load in the area the Billboard is placed. Materials used for the construction of the billboards shall be of quality material and grade and must be built in accordance with Meade County's adoption of the 1997 Uniform Building Code. Billboard Support Structures must be constructed of quality steel and in accordance with the 1997 Uniform Building Code. (Revised July 6th, 2006)

## **Article V. Unsafe and Unlawful Signs**

The following regulations shall apply to unsafe and unlawful signs and for the maintenance of signs:

### **Section 1.00 Unsafe or in violation**

Whenever it shall be determined by the Planning Official that any sign **or billboard** has been constructed or erected or is being maintained in violation of the terms of this section, or is unsafe, insecure or deteriorated, such sign shall either be made to conform with all sign regulations as provided by this section or shall be removed within thirty (30) calendar days after written notification thereof by the Planning Official. Such sign shall be removed at the expense of the owner or lessee thereof. If Meade County Building Inspector finds that any Billboard or Sign has deteriorated more than 50% (percent) of its replacement value (to be determined by the Meade County Building Inspector), or is not repaired within the time specified in the Notice of Violation, the Building Inspector shall notify the owner of the

sign or billboard and the owner of the real property on which the sign or billboard is located, to remove the sign or billboard from the property at the sign or billboard owners expense within a specified period of time stated on the Notice of Violation. (revised July 6th 04, 2006)

## **Section 2.00 Removal of signs.**

The Governing Board or any Meade County Planning Official may cause to be removed any abandoned or unlawful sign. Meade County shall prepare a written notice and order which shall describe the sign and specify the violation involved and shall state that if the sign is not removed or the violation is not corrected within (30) thirty calendar days, the sign shall be removed in accordance with the provisions of this chapter at cost to the owner of the building, structure, premises or sign.

- ( ) Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the Planning Department Officials. If no address of any such person so appears or is known to the building official, then a copy of the notice and order shall be mailed, addressed to such person, at the address of the premises involved in the proceedings. The failure of any such person to receive such notice and order shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on receipt of mailing.
  
- (i) Signs which advertise an activity, business or service which has been out of business for ninety days (90), must remove the sign at **within or by the end of** the ninety day (90) period. (Revised July 6th, 2006)

## **Article VI. Application and Permitting**

### **Section 1.00 Application**

Application for an on or off premise sign/building permit shall be made in writing with forms furnished by the Meade County Planning Office.

#### **) OFF PREMISE** (revised Oct. 06, 2004)

No permit for an off premise sign shall be issued unless the applicant has obtained approval for each advertising sign from the Meade County Board of Commissioners. The following information shall be provided to the county:

- 1) Name and address of owner of the sign and contractor;
- 2) Name and address of owner or the person in possession of the premises where the sign is located or to be located;
- 3) Signature of property owner giving permission or a copy of current lease allowing signs or billboards,
- 4) Clear and legible drawings to scale with description, showing precise location of the sign which is the subject of the permit and all other signs whose construction would require permits;
- 5) Site plan of premises, including the **1,500 foot radius (One thousand Five Hundred)** foot radii of surrounding property labeled with ownership,
- 6) Evidence of return receipt of certified mail of property owners within **1,500 (One thousand Five Hundred)** foot radii of legal description of property applied for billboard or sign permit,
- 7) Other such data and information deemed necessary by the Meade County Planning Official,
- 8) **GPS coordinates for the proposed Off Premise sign or billboard.** (Revised July 6th, 2006)

#### **) ON PREMISE** (revised Oct. 06, 2004)

No permit for an on premise sign shall be issued unless the applicant has obtained approval for each advertising sign from the Meade County Planning Official. The following information shall be provided to the county:

1. Name and address of the contractor;
2. Name and address of owner or the person in possession of the premises where the sign is located or to be located;

3. Clear and legible drawings to scale with description, showing precise location of the sign which is the subject of the permit and all other signs whose construction would require permits;
4. Other such data and information deemed necessary by the Meade County Planning Official.
5. On Premise Business Signs including Parapet Wall Signs greater than 64sq/ft will be considered an On Premise Billboard and all Sections of this Ordinance which references billboard requirements will apply. (Revised July 6th, 2006)

) ***OTHER SIGNS*** (Revised July 6th, 2006)

1. Marquee signs and Flashing Signs will require a site map of the proposed location and a picture or graphic of what the sign will look like must be submitted. Time and Temperature Signs are included in this sub-section. Additional requirements may apply at the discretion of the Meade County Planning Official. Electronic Reader Boards or Animated Signs, which have moving characters or figures, and that do not give a static message for a minimum of 6 seconds, shall not be allowed off of a four (4) lane highway or a controlled access primary highway such as I-90. (Revised July 6th, 2006)
2. Awning or Canopy Signs may be used as an On Premise Business sign and may be used as a Home Business Sign with pre-approval of the Meade County Planning Official. (Revised July 6th, 2006)
3. Bench Signs must have the approval of the Meade County Planning Official. (Revised July 6th, 2006)
4. Changeable Copy Signs or signs with Channel Letters will be considered as an On-Premise Business Sign. (Revised July 6th, 2006)
5. Strip Malls or Strip Centers may have an On-Premise Business Sign collective for all of the businesses within the Strip Mall or Center. Each business may have a wall sign, canopy or awning sign however each sign for each business will be considered a separate sign unit as an On-Premise Business Sign. (Revised July 6th, 2006)
6. Electronic Reader Board Signs and Animated Signs that use movement, lighting or special materials to depict action or create special effects to imitate movement must be pre-approved by the Meade County Planning Official. Complete details of the sign including a graphic representation of the sign, a sight map must be submitted and will also require the approval of the Meade County Governing Board. Electronic Reader Boards or Animated Signs, which have moving characters or figures, and that do not give a static message for a minimum of 6 seconds, shall not be allowed off of a four (4) lane highway or a controlled access primary highway such as I-90. (Revised July 6th, 2006)
7. Large Air Balloons 10' (feet) in diameter or greater, Zeppelins or Beacon/Search Beacons which may be used for special events will require the approval of the Meade County Governing Board. (Revised July 6th, 2006)
8. Attention-Attracting Devices, Building Markers, Directory Signs, Flags, Hazardous Signs, Parking Signs, Pennants, Street Signs, Service Signs, Vehicle Signs, and also Temporary Grand Opening Signs and Temporary Future Tenant Signs, Window Signs less than 33 square feet will not require a permit. (Revised July 6th, 2006)

**Section 2.00      *Billboard Inventory***

**Meade County Equalization and Planning will conduct a Billboard Inventory. It shall be the responsibility of each billboard owner to provide Meade County Equalization and Planning a good faith estimate of the actual value of the billboard including GPS location coordinates if available.** (Revised July 6th, 2006)

**Section 3.00      *Official Advertisement of Off Premise Application or Large On Premise Signs***

Application must be filled out in entirety in a neat and legible fashion and submitted to the Meade County Planning Official. **The applicant shall, for a period of 14 (fourteen) days prior to the regularly scheduled hearing** of the Governing Board advertise in two Official Meade County Papers. The official advertisement shall include:

1. Legal description and/or the legal business name of the proposed sign/billboard location.
2. Names, addresses, and phone numbers of sign owners and the owners of the premises where the sign/billboard is to be located.
3. Time and location of the hearing to review the application for approval.

#### **Section 4.00 Mail Notification to Adjoining Property Owners**

Written notification shall be mailed 14 (fourteen) calendar days prior to Governing Board hearing scheduled to review the application. The applicant shall notify all property owners within **1,500 (One Thousand Five Hundred) foot** radius of the legal description of property requesting the permit. Those real property owners shall, by virtue of this ordinance, be considered an interested party in the sign or billboard application. The written notification to the area land owners shall be reviewed and approved by the Meade County Planning Official prior to being mailed. The notification shall be mailed by certified mail with return receipt requested. The notification shall include;

1. Legal description and/or the legal business name of the proposed sign/billboard location,
2. Names, addresses, and phone numbers of sign owners and the owners of the premises where the sign/billboard is to be located,
3. Time and location of the hearing to review the application for approval
4. Proof of notification must be presented to the Governing Board prior to any board action

#### **Section 5.00 Governing Board Hearing on all Off Premise Applications.** *(revised Oct. 06, 2004)*

The Governing Board shall hear all applications for OFF PREMISE sign and billboard permits during a regular public meeting. The applicant shall bring a copy of the application, proof of mailings, and copies of official county newspapers showing dates of published notification. The Governing Board shall consider all things pertinent. Upon approval of the application, the Planning Official shall issue the necessary permits within 3 working days. All other signs may be approved within 30days of receipt of completed application by the Meade County Planning Official.

#### **Section 6.00 Fees**

One time application fee per permit shall be regulated by County Commissioners and may be adjusted annually or when deemed appropriate. Base level for applications shall be as follows:

- 1) On-premise: \$125.00
  - 2) Electronic Reader Board or Animation Signs: \$250.00
  - 3) On-premise Billboard Signs (greater than 64 sq/ft): \$500.00
  - 4) Off-premise Bill Boards or Signs: \$850.00
  - 5) Beacon or Search Beacon (Temporary Use): \$85.00
  - 6) Temporary Signs greater than 33sq/ft **and less than 64 sq/ft**: \$50.00
  - 7) Temporary Signs greater than 64 sq/ft: \$125.00  
(All Revised July 6th, 2006)
- 1) Temporary political or campaign signs, Ag residence, and rural residence locator signs, ~~on premise store front, wall or roof mounted signs~~ are exempt from fees. (revised Oct. 06, 2004), (Revised July 6th, 2006)

#### **Section 7.00 Inspections**

All off premise signs and billboards shall be inspected annually or when deemed necessary by a Meade County Planning Official or a duly appointed agent thereof. Annual inspection fee ~~shall~~ **may** be set by the Meade County Commissioners on an annual basis at a maximum of ~~\$25~~ **85.00** per year. Inspections will determine if proper maintenance has been done, or determine what changes or modifications are necessary to remain compliant to this ordinance. (Revised July 6th, 2006)

Items found out of compliance shall be repaired, replaced, or removed as determined by the Meade County Planning Official within in 30 (thirty) days of written notification. Determination of the Planning Official may be appealed as outlined in Section 7.02 Appeal Process

### **i) Routine Maintenance, Modifications and Alterations**

The Planning Director shall make a determination as to which changes and modifications shall be considered either “routine maintenance” or “substantial alteration”.

A.) The following shall be considered routine\* sign maintenance:

- |                                 |                                   |
|---------------------------------|-----------------------------------|
| a) Changing advertising message | Replacing light bulbs             |
| l) Painting structures          | Replacing broken or rotted lumber |
| m) Spot welding                 | Replacing loose or worn wiring    |

\*Routine maintenance may not exceed more than 50% of sign cost or 50% of sign structure.

(Revised July 6<sup>th</sup>, 2006)

1) The following shall be considered **substantial alteration or modification** or otherwise non-routine maintenance:

- a) More than 50% of the sign altered or modified
- n) The cost of alteration or modification exceeds 50% of the sign cost
- o) Increasing the sign face display area over 10% of original size
- p) New additional components (Revised July 6th, 2006)

2) **A nonconforming sign or billboard which has been blown down, removed or otherwise destroyed or where 60% of the sign/billboard and structure has been damaged by wind, fire or other damages from any other source and/or if the estimated cost of reconstruction exceeds 50% of the appraised full fair market value, (full fair market value to be determined by Meade County Building Inspector with the Meade County Director of Equalization), must be removed and a new application must be made for a new conforming sign or billboard and must meet the complete requirements of this ordinance.** (Revised July 6th, 2006)

## **Article VII. Grandfather Clause**

Any compliant sign or billboard erected prior to ~~February 1, 2002~~ **the initial adoption of this Ordinance or any subsequent revision thereof** shall hereby be grandfathered. However, any alteration or modification determined to be substantial by a Meade County Planning Official, will constitute a new structure and the provisions of this ordinance shall apply in totality. Changes in sign face or message for off premise signs will not be considered as an alteration or modification. Determination and guidelines for maintenance or alterations will be determined as per Section 5.03 (a) & (b). The Governing Board, at its discretion, may adopt a less stringent requirement for those signs erected prior to May 22, 1982 if, in their discretion, doing so will promote commerce for the betterment of the community. (revised Oct. 06, 2004)

(Revised July 6th, 2006)

## **Article VIII. Exceptions for the downsizing of height, width, or number of signs.**

In the event the Grandfather Clause has created an unforeseen detriment from the stated purpose of this ordinance, the Governing Board may depart only if the best interest of the public is served by doing so. This provision shall only apply to signs or billboards erected or placed on or before February 1, 2002. The net result of enacting this departure must drastically be in the favor of Meade County and all other provisions of this ordinance must be strictly adhered to. The following factors must be considered for departure:

- 1. The total net size of the sign/billboard face is substantially reduced (greater than 10%).
- 2. The total height of the sign/billboard is substantially reduced.
- 3. The total number of signs or billboards is reduced.
- 4. All permits, applications and fees are current.

This section is intended to entice the billboard owners to improve sign quality by upgrading and substantially improving the structure by offering to remove, reduce, or downsizing other existing signs without falling victim to the grandfather clause.

## **Article II. Remedies, Appeals & Variances**

### **Section 2.01 Penalties for Erecting an Unapproved Billboard / Sign or Failure to Remove Temporary Signs**

- (i) Any person or persons, being the owner or agent of any billboard or sign located within Meade County being found in violation of any of the regulations of this ordinance, shall be subject to an action for injunctive relief brought by Meade County and signs erected or maintained in violation of this Ordinance are declared unlawful.
- (ii) Violation of this ordinance shall be a Class 2 misdemeanor.
- (iii) In addition to the criminal penalty set forth above, the Governing Board may immediately suspend all of the building permits for sign placement which do not meet the requirements of the Meade County Ordinance which were in force at the time the application was made and approved. If a suspension occurs, the reasons for such suspension shall be clearly stated by the Governing Board.

### **Section 2.02 Penalties for Failure to Remove Temporary Signs**

- (i) Any person or persons, being the owner or agent of any billboard or sign located within Meade County being found in violation of any of the regulations of this ordinance, shall be subject to an action for injunctive relief brought by Meade County and signs erected or maintained in violation of this Ordinance are declared unlawful.
- (ii) Violation of this ordinance shall be a Class 2-~~temporary~~ misdemeanor.
- (iii) In addition to the criminal penalty set forth above, the Governing Board may immediately suspend all of the building permits for sign placement which do not meet the requirements of the Meade County Ordinance which were in force at the time the application was made and approved. If a suspension occurs, the reasons for such suspension shall be clearly stated by the Governing Board.

### **Section 2.03 Appeal Process**

Any person having an interest in an Off Premise sign or the location on which a sign is situated may appeal a determination of the Planning Official made pursuant to this ordinance, by filing a written notice of appeal to the Governing Board within fourteen days of receipt of the notice. Failure by any person to appeal the notice and order within that time period shall constitute a waiver of right to further appeal. (revised Oct. 06, 2004)

### **Section 2.04 Variances**

The County Commission shall have the authority to give a Variance. The person claiming the Variance has the burden of showing:

- (a) That the granting of the Variance will not be contrary to the public interest;
- (b) That the literal enforcement of the Ordinance will result in unnecessary hardship;
- (c) That by granting the Variance contrary to the provisions of the Ordinance the spirit of the ordinance will be observed; and
- (d) That by granting the Variance, justice will be done. (Revised July 6, 2006)

## Article III. SEVERABILITY AND SEPARABILITY

### Section 3.01

Should any Article, Section, Sub-section or Provision of these Billboard or Sign Placement Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional. Any portion of this ordinance stricken by a court of competent jurisdiction shall be immediately regarded as having been modified in accordance with any limitations imposed by the court.

### Section 3.02 *FIRST AMENDMENT PROTECTION*

Any sign display or device allowed under this ordinance may contain, in lieu of any other copy, any otherwise lawful non-commercial message that does not direct attention to a business operated for profit, or a commodity or service for sale, and that complies with all other requirements of this ordinance.

## Article IV. EFFECTIVE DATE

Billboards and Signs Ordinance No. 24 Revised shall take effect and be in force from and after 20 days from the date of completed publication. Billboard and sign regulations heretofore adopted are hereby repealed. Adopted this **6th day of July, 2006**.

- (i) Dated at Sturgis, South Dakota, this **6th day of July, 2006**.

Chairman Bob Mallow \_\_\_\_\_  
Meade County Commissioner

Attested: \_\_\_\_\_  
Lisa Hunt-Schieffer, Meade County Auditor

#### **First Revision**

First Revision: October 6<sup>th</sup>, 2004

First Reading:

Second Reading:

Adopted:

Effective date:

#### **Second Revision**

Second Revision: July 6<sup>th</sup>, 2006

First Reading: June 9<sup>th</sup>, 2006

Second Reading: July 6<sup>th</sup>, 2006

Adopted: July 6<sup>th</sup>, 2006

Published: July, 2006

Effective date: July 26, 2006

**Ordinance #24 Revised** ..... - 1 -  
**FOR THE PLACEMENT OF** ..... - 1 -  
**SIGNS AND BILLBOARDS** ..... - 1 -

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    Section 1.01 Authority ..... - 1 -  
    Section 1.02 Meade County’s authority to regulate signs, billboards and other advertising structures is specified in South Dakota State Codified Law 31-29-68, 31-29-69 and 31-29-70. (Revised July 6th, 2006) ..... - 1 -  
    Section 1.03 Purpose ..... - 1 -  
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Article IV. Construction of Billboards ..... - 11 -

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    Section 5.01 Unsafe or in violation ..... - 11 -  
    Section 5.02 Removal of signs ..... - 12 -  
        (i) Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the Planning Department Officials. If no address of any such person so appears or is known to the building official, then a copy of the notice and order shall be mailed, addressed to such person, at the address of the premises involved in the proceedings. The failure of any such person to receive such notice and order shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on receipt of mailing. .... - 12 -  
        (ii) Signs which advertise an activity, business or service which has been out of business for ninety days (90), must remove the sign ~~at~~ **within or by the end of** the ninety day (90) period. (Revised July 6th, 2006)..... - 12 -

Article VI. Application and Permitting ..... - 12 -  
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    Section 6.06 Fees ..... - 14 -  
        1) On-premise: \$125.00..... - 14 -  
        4) Off-premise Bill Boards or Signs: \$850.00..... - 14 -  
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    Section 6.07 Inspections..... - 14 -  
        i) The following shall be considered routine\* sign maintenance: ..... - 15 -  
        ii) The following shall be considered **substantial alteration or modification** or otherwise non-routine maintenance: ..... - 15 -

Article VII. Grandfather Clause ..... - 15 -

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        (i) Any person or persons, being the owner or agent of any billboard or sign located within Meade County being found in violation of any of the regulations of this ordinance, shall be subject to an action for injunctive relief brought by Meade County and signs erected or maintained in violation of this Ordinance are declared unlawful. - 16 -  
        (ii) Violation of this ordinance shall be a Class 2 misdemeanor..... - 16 -  
        (iii) In addition to the criminal penalty set forth above, the Governing Board may immediately suspend all of the building permits for sign placement which do not meet the requirements of the Meade County Ordinance which

were in force at the time the application was made and approved. If a suspension occurs, the reasons for such suspension shall be clearly stated by the Governing Board. .... - 16 -

Section 9.02 Penalties for Failure to Remove Temporary Signs..... - 16 -

(i) Any person or persons, being the owner or agent of any billboard or sign located within Meade County being found in violation of any of the regulations of this ordinance, shall be subject to an action for injunctive relief brought by Meade County and signs erected or maintained in violation of this Ordinance are declared unlawful. - 16 -

(ii) Violation of this ordinance shall be a Class 2 ~~temporary~~ misdemeanor. .... - 16 -

(iii) In addition to the criminal penalty set forth above, the Governing Board may immediately suspend all of the building permits for sign placement which do not meet the requirements of the Meade County Ordinance which were in force at the time the application was made and approved. If a suspension occurs, the reasons for such suspension shall be clearly stated by the Governing Board. .... - 16 -

Section 9.03 Appeal Process ..... - 16 -

Section 9.04 Variances..... - 16 -

(a) That the granting of the Variance will not be contrary to the public interest;..... - 16 -

(b) That the literal enforcement of the Ordinance will result in unnecessary hardship; ..... - 16 -

(c) That by granting the Variance contrary to the provisions of the Ordinance the spirit of the ordinance will be observed; and..... - 16 -

(d) That by granting the Variance, justice will be done. (Revised July 6, 2006)..... - 16 -

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Section 10.01 ..... - 17 -

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Article XI. EFFECTIVE DATE..... - 17 -

(i) Dated at Sturgis, South Dakota, this 6th day of July, 2006..... - 17 -

Chairman Bob Mallow..... - 17 -

Meade County Commissioner ..... - 17 -

Attested: ..... - 17 -

First Reading: ..... - 17 -

Adopted: ..... - 17 -

