

**AN ORDINANCE AMENDING THE HOPE MILLS ZONING ORDINANCE
TO ALLOW SIGNS WITHIN PUBLIC RIGHTS-OF-WAY UNDER
LIMITED CIRCUMSTANCES**

WHEREAS, it has recently come to the attention of the Hope Mills Board of Commissioners that some existing subdivisions in the Town have road median strips that were never shown on the final plats for those subdivisions; and

WHEREAS, the Town Attorney has determined that some of these median strips belong to the Town of Hope Mills; and

WHEREAS, the Board of Commissioners desires to allow the erection of large scale residential signs in the same manner as such signs are currently allowed in other subdivisions;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF HOPE MILLS:

Section 1. Hope Mills Zoning Ordinance Sec. 102A-1408 is amended to read as follows:

Sec. 102A-1408. Signs prohibited.

Erection or maintenance of signs having any of the following characteristics is prohibited: . . .

[Subsection a. is not amended.]

b. Signs erected on public streets.

1. No sign shall be erected or maintained within any public street right-of-way nor be allowed to extend over into any public street.

2. ~~provided that this~~ This section shall not apply to public signs necessary in the performance of a governmental function or required to be posted by law.

3. This section shall not apply to large scale residential signs approved by the Board of Commissioners pursuant to this subsection.

a. The Board of Commissioners may, but is not required to, approve the location of up to two such signs per subdivision entrance, provided that the Board makes the following findings of fact:

(i) The primary or final plat for the subdivision in which the sign(s) will be located was approved prior to the effective date of this ordinance;

(ii) The sign(s) will be located upon a public right-of-way median(s) that is owned, maintained or otherwise controlled by the Town;

(iii) The sign(s) will comply with the requirements of Sec. 102A-1406(a)(2);

(iv) The proposed sign location(s) is outside the line of sight for vehicles on the road;

and

(v) The proposed sign location(s) will not otherwise impair the safety of the general travelling public.

b. Signs approved pursuant to this subsection shall comply, to the extent reasonably possible, with all setback requirements for public rights-of-way and other applicable setbacks.

c. Unless other arrangements are made by the board of commissioners, any sign approved pursuant to this subdivision shall be maintained in good condition by the person, persons, or entity requesting the sign, or their successors or assigns. The town may at any time, with or without notice, remove signs approved pursuant to this subdivision that are not adequately maintained or are allowed to deteriorate.

[The remaining subsections are not amended.]

Section 2. All provisions of any town ordinance or resolution in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____, 2012.

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Jackie Warner, Mayor

Attest:

Melissa P. Adams, Town Clerk