

(Ordinance Summary published in The Mulvane News on October 10, 2024 and the full text of the Ordinance made available at www.mulvanekansas.com for a minimum of one (1) week from the date of publication.)

ORDINANCE NO. 1591

AN ORDINANCE AMENDING ORDINANCE NO. 1432 OF THE CITY OF MULVANE, KANSAS AND APPROVING REVISED SIGN REGULATIONS GOVERNING THE USE OF SIGNS IN SAID CITY IN THE CITY'S EXTRATERRITORIAL JURISDICTION IN SUMNER COUNTY.

WHEREAS, the governing body of the City of Mulvane, Kansas (the "City") has adopted Zoning Regulations by its Ordinance No. 1432, as amended previously by its Ordinance No. 1476 (the "Zoning Regulations") which include regulations governing the use of signs; and

WHEREAS, pursuant to K.S.A. 12-715(b), under certain conditions, the City is authorized to adopt Zoning Regulations affecting land located within three miles of the City, in an extraterritorial jurisdiction. The City's extraterritorial jurisdiction is in Sumner County, Kansas and its legal description includes the following land (excluding the City):

In Belle Plaine Township (Township 30 South / Range 1 East) — All of Sections 1, 2, 11, 12, and 13; plus the E 1/2 and the E 1/2 of the W 1/2 of Section 3; the NE 1/4 and the SE 1/4 except the SW 1/4 of the SE 1/4 of Section 10; and the N 1/2 and the SE 1/4 of Section 14.

In Gore Township (Township 30 South / Range 2 East) — All of Sections 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, and 18; plus the NW 1/4 of Section 15; and

WHEREAS, as required by K.S.A. 12-743(a), written notification of the City's intent to adopt revised Zoning Regulations for an extraterritorial jurisdiction was provided to the Sumner County Board of County Commissioners, as well as the Belle Plaine and Gore Township Trustees; and

WHEREAS, as required by K.S.A. 12-715b, any land in excess of three acres under one ownership which is used only for agricultural purposes, and which is outside the City, is exempt from the City's Zoning Regulations, including any revised sign regulations; and

WHEREAS, in accordance with K.S.A. 12-756(b), the Mulvane Planning Commission provided all necessary notice and held a public hearing on August 8, 2024, to consider adoption of revised Sign Regulations, making an accurate written summary of the proceedings. A majority of the members of the Mulvane Planning Commission voted to adopt the proposed revisions, and recommend them to the governing body for approval, the same to be reincorporated into the City Zoning Regulations by this ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS:

Section 1. Revised Sign Regulations. Article 7 of the Zoning Regulations entitled “*Signs*” is hereby deleted in its entirety and replaced by Exhibit A to this Ordinance.

Section 2. Table of Contents to Zoning Regulations. The Table of Contents to the Zoning Regulations for “Article 7. Signs” is hereby deleted and replaced by the “Table of Contents” for Article 7 attached hereto as Exhibit B.

Section 3. Previous Definition Deleted. The previous definition of “*SIGNS*” in Article 2 of the Zoning Regulations at *Section 2-102, Definitions* is hereby deleted.

Section 4. Correction of Appendix Index. The *Selected Index by Subject and Section* terms set forth in Appendix A of the Zoning Regulations is hereby amended by deleting all existing references to signs and replacing them with the terms used in “*Article 7. Signs*” of the Zoning Regulations, as amended hereby.

Section 5. Amendments. The Zoning Regulations (including the cover page) will be revised to reflect the effective date, and the number of this Ordinance, in addition to any previous amendments.

Section 6. Regulations Effective Date. Article 12 of the Zoning Regulations at Section 12-101 shall be deleted and replaced by the following:

101 **Effective Date.** These regulations (as amended) shall be in full force an effect from and after their approval by the Planning Commission and their adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney. (*Ordinance No. 1432 - eff. 07/10/2014; as amended by Ordinance No. 1476 eff. 09/22/2016; as amended by Ordinance No. 1591 - eff. 10/10/2024*).

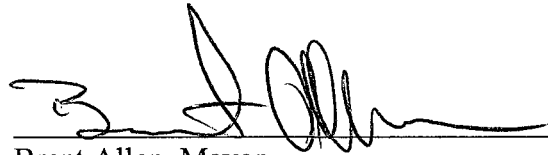
Section 7. Ordinance Effective Date. This Ordinance shall take effect on and be in full force after its adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

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PASSED, ADOPTED AND APPROVED by the governing body of the City of Mulvane, Kansas this 7th day of October, 2024.

CITY OF MULVANE, KANSAS




Brent Allen, Mayor

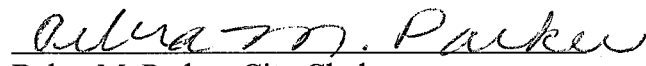

Debra M. Parker, City Clerk

EXHIBIT A

The revisions establish permissible sign types, exempt sign types, and prohibited sign types, and define various terms used in the regulations. They apply to the construction, installation, structural alteration, relocation, and maintenance of all outdoor signs, including signs painted on or applied to a building's exterior, as well as window signs visible from a public way. They establish limits to the size, height, location, number, setback, and total sign message area of permissible sign types, and regulate brightness levels and transition methods of electronic message centers. They establish a sign permit system, provide for penalties for violation of their provisions, and a means of enforcement.

EXHIBIT B

Mulvane Zoning Regulations – Article 7

This Article contains regulations regarding Zoning requirements for signs in the City of Mulvane.

Zoning Regulations are organized by Article and Section.

In the following Table of Contents, Section numbers are shown on the left, and corresponding page numbers are shown on the right. Clicking on the page number will take you directly to the Section.

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ARTICLE 7. SIGNS

100 Purpose

A. **Purpose.** The purpose of these sign regulations is to provide reasonable time, place and manner restrictions on the installation and maintenance of signs, in order to allow communication through signs while protecting public safety, preserving the City's appearance and property values, and upholding the right of free speech and expression.

1. These regulations are intended to:

- a. Safeguard the public when using streets and sidewalks near signs.
- b. Allow governmental entities, railroads, and utilities to erect official signs to help protect public safety and welfare.
- c. Allow signs that identify premises, in order to aid first responders in emergency situations.
- d. Reduce visual clutter and avoid distractions that are potentially harmful to traffic and pedestrian safety.
- e. Support clear and efficient wayfinding, as a factor contributing to both public safety and the local economy.
- f. Allow reasonable advertising, as a factor contributing to the local economy.
- g. Recognize local history, in order to enhance Mulvane's sense of community.
- h. Enhance community appearance, in order to preserve and promote property values, augment quality of life, and support citizen satisfaction with the environment in which they live, work, learn and play.