

ORDINANCE 2022-05-01

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE REPLACING 601 SIGNS AND FLAGS IN THE CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that section 601. SIGNS AND FLAGS of the Municipal Code of the City of Birchwood Village, previously repealed, is hereby replaced with the following:

601. Signs

601.01 FINDINGS, PURPOSE, AND EFFECT

1. Findings. The City Council hereby finds as follows:
 - (a) Signs provide important mediums through which individuals may convey a variety of messages.
 - (b) Signs can create safety hazards by distracting traffic.
 - (c) Exterior signs may have a substantial impact on the aesthetics and character of the City and thereby affect property values.
 - (d) The City seeks to regulate signs in an effort to provide adequate means of expression while at the same time protecting the City and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact the aesthetics of the community, distract traffic thereby creating a safety hazard, and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.
2. Purpose and intent. The purpose and intent of this article is to:
 - (a) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare.
 - (b) Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
 - (c) Improve the visual appearance of the City while providing for effective means of communication, consistent with Constitutional guarantees and the City's goals of public safety and aesthetics.
 - (d) Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the City.

601.015 SEVERABILITY If any section, subsection, sentence, clause, or phrase of this article is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this article. The City Council hereby declares that it would have adopted this article in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

601.020 DEFINITIONS

1. *Sign* means any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, other than a “flag” as defined in this section, whether painted, posted, printed, affixed, engraved, or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed for informational or communicative purposes.
2. *Non-permanently mounted sign* means a sign whose face and support structures are easily removable from the ground.

601.030. POSTING SIGNS. It shall be unlawful for any person to post or display or to permit to be posted or displayed upon his or her property any sign **EXCEPT** non-permanently mounted signs that do not exceed, in the aggregate, a total of 9 square feet. No part of the sign may exceed eight feet in height from the ground. Signs may not be placed upon a roof of a residence, and may not contain audio features, pyrotechnics, motion aspects, video displays, or lighting.

601.040 EXCEPTION. Notwithstanding any of the other provisions of this section, noncommercial signs of any size may be posted in any number and location during the period specified in MN. STAT. §211B.045.

601.040 SIGN SETBACK REQUIREMENTS

1. STREET SETBACKS: To prevent distractions to traffic and impingements of the City right-of-way, all signs, with the exception of street, warning, or traffic control signs must be a minimum of 5 feet from a property line facing a street.
2. ALL OTHER SETBACKS: All signs must be a minimum of 5 feet from other lot lines.

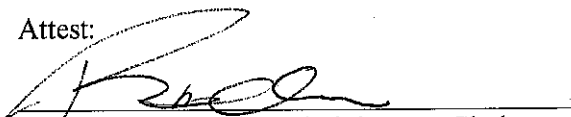
EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council on this 14th day of June 2022.



Mary Wingfield, Mayor

Attest:



Rebecca Kellen, City Administrator-Clerk