

From: [Korine Land](#)
To: [Melissa Sonnek](#)
Cc: [Jim Hartshorn](#); [Ryan Schroeder](#)
Subject: Signs
Date: Sunday, January 17, 2021 5:01:49 PM
Attachments: [ordinance amending 153.433 - size of signs without a permit.docx](#)

Jim and Melissa –

Last week we talked about the sign ordinance and tried to identify appropriate changes to address Council’s concerns but also to assist with ease of enforcement of the ordinance. To summarize, this is what we discussed:

The definition of a sign is clear and it does not imply that a sign can be confused with *art*. Signs are intended to promote a message as defined below. Section 153.431 provides the definition of a sign:

SIGN. Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services, ideas or interests.

While art can also promote an idea, art is usually a one-of-a-kind picture and is much different than words, a recognized logo, or common symbol that is intended to promote a specific message to the public. We do want to define *art* in our code thus inserting city staff into the position of using an objective definition to define a subjective media.

As far as what could be changed in the code to make enforcement easier.

1. The code states there can be no more than one sign per lot (153.435 (D)). The rule is easy to enforce and should not be changed. No counting of signs is required or cumulative square footage on multiple signs, which would require a tape measure.
2. The code states no signs on fences (153.434(M)). The rule is easy to enforce and should not be changed. In addition, City Code 153.381(C) requires fences to be uniform and not contain pictures or letters: (*when attorney Land said you could paint a flower on your fence, it turns out she was wrong*)

C) Appearance and location. Fences shall not contain pictures or lettering and shall be one uniform color. Fences shall be located inside of property lines and cannot be located on the property line, a neighbor’s land or on public property (boulevards, sidewalks, etc.). It is the responsibility of the permittee to ensure that it is constructed on the permittee’s property. Structural supports of the fence shall be on the interior side of the fence.

To be more flexible as to how much signage is allowed on residential properties, we could increase the size of signs in residential districts (the types of signs that don’t require a permit or a licensed contractor to install it) from 6 square feet to 16 square feet. That rule is still easy to enforce because there is only one sign per lot, but it allows for a bigger message. If someone wants to have more than one sign, they can rotate their signage throughout the year. One sign per lot is fair, uniform, avoids visual clutter and keeps sight lines clear.

I understand that the Council might be looking for recommendations/explanations from Staff so I hope this helps. I attached a draft ordinance amendment for you too.

Let me know if you have any questions.
Thanks

Korine L. Land
Attorney
LeVander, Gillen & Miller, P.A.
633 South Concord Street
Suite 400
South St. Paul, MN 55075
Phone: (651) 451-1831
Direct Dial: (651) 361-8582
Fax: (651) 450-7384
E-mail: kland@levander.com

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**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 21-_____

**AN ORDINANCE AMENDING SECTION 153.433(D) OF THE WEST ST. PAUL CITY
CODE REGARDING SIGNS**

The City of West Saint Paul does ordain:

SECTION 1. West St. Paul City Code Section 153.433(D) relating to Signs is hereby adopted as follows:

153.433 EXCEPTIONS.

The following signs shall not be required to obtain a license or permit for the installation of the sign pursuant to §§ 150.105 through 150.110, and shall be permissible in all zoning districts; these exceptions shall not be construed so as to excuse the installer of the sign, or the owner of the property upon which the sign is located, from conforming to the other provisions of this chapter, or the city code.

- (A) Building markers;
- (B) Noncommercial flags;
- (C) Official or public notices issued by a court or governmental agency;
- (D) Signs ~~six~~ twelve square feet or less in gross area located on property used as residential use and located in an R District;
- (E) Directional signs that are six square feet or less; and
- (F) Signs on bus shelters.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The Ordinance amendment increases the size of a sign on residential property from 6 square feet to 12 square feet before a permit or licensed contractor is required to install it.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this _____ day of _____, 2021.

Attest:

David J. Napier, Mayor

Shirley R Buecksler, City Clerk