

STATE OF KANSAS
RENO COUNTY
CITY OF THE HIGHLANDS

ORDINANCE NUMBER 2024-33

AN ORDINANCE TO PROTECT THE SAFETY AND ORDERLY DEVELOPMENT AND COMMUNICATIONS WITHIN THE CITY OF THE HIGHLANDS, KANSAS THROUGH THE REGULATION OF SIGNS AND SIGNS STRUCTURES.

WHEREAS, the City of The Highlands, Kansas is zoned for low-density residential as provided for in Ordinance 2024-31; and

WHEREAS, the City of The Highlands, Kansas is limited in size, with no purposed land for future use or development other than for residential; and

WHEREAS, since its inception, the City of The Highlands, Kansas has prohibited the establishment of a business location within the city limits; and

WHEREAS, the Governing Body of the City wishes to maintain a quiet and peaceful community, preserving the original concept of residential life around a golf course; and

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

ARTICLE I. GENERAL PROVISIONS

SECTION 1. DEFINITIONS

Attention-Attracting Device. Any device intended to attract the attention of the public to an establishment, location, product or service.

Banner. A flexible substrate on which copy or graphics may be displayed.

Banner Sign. A sign utilizing a banner as its display surface.

Community Signs. Temporary, on-or off-premises signs, generally made of a woven material or durable synthetic materials. These signs are solely of a decorative, festive and/or informative nature announcing activities, promotions or events with seasonal or traditional themes having broad community interest.

Off-Premises Sign. A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located.

On-Premises Sign. A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

Portable Sign. Any sign or signs mounted on any frame, trailer, or moveable portable object.

Sign. Any device that is sufficiently visible to attract the attention of such persons or to communicate information to them.

Temporary Sign. A sign that either (1) is used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (2) is intended to remain on the location where it is erected or placed for a period of not more than 15 days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

Vehicular Sign. A sign which is attached to or placed upon a parked motor vehicle and placed in a position or location for the sole purpose of displaying the same to the public.

SECTION 2. GENERAL SIGN REGULATIONS

- a. No signs shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device.
- b. No sign shall be attached to a tree or to a publicly-or privately owned utility pole on either public or private property.
- c. One (1) temporary sign for sale of a building or premises upon which the sign is located.
- d. All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept in a state of good repair.
- e. The area within ten feet (10) in all directions of any part of a freestanding sign shall be kept clear of all debris and all undergrowth more than nine (9) inches in height.
- f. Signs in rights-of-way. No sign other than an official traffic sign or similar sign shall be erected within two (2) feet of the lines of any street, or within any public way, unless specifically authorized by other ordinances or regulations of this jurisdiction or by specific authorization.
- g. Signs advertising garage sales, yard sales, lemonade stands, Girl Scout Cookies, etc, shall be erected no more than five (5) days prior to the event and shall be removed within two (2) days after the event.

SECTION 3. SIGNS EXCLUDED FROM REGULATIONS

The following signs when located on land in incorporated areas are exempt from regulation under this Article.

- a. Signs not exceeding four (4) square feet in an area that are customarily associated with residential use and that are not of a commercial nature, such as (1) signs giving property identification names or numbers or names of occupants, (2) signs on mailboxes or newspaper tubes, and (3) signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- b. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs,
- c. Official signs of a noncommercial nature erected by public utilities.
- d. Flags, pennants, or insignias of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
- e. The flag of a government or noncommercial institution, such as a school.

SECTION 4. SIGNS PROHIBITED

It shall be a violation of these regulations to erect, install, place, or maintain the following signs on land within the city limits.

- a. Any sign or advertising structure which, in the determination of the Zoning Coordinator, constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or signs that obstruct or detract from the visibility of traffic control devices or emergency vehicles.
- b. Any sign or sign structure erected to advertise a fee for service business.
- c. Any sign or advertising structure with words, scenes or graphics which are obscene, indecent and prurient (K.S.A. 21-4301).
- d. Any sign or advertising structure erected on city or county property other than signs erected by the governmental entity itself.

SECTION 5. POLITICAL SIGNS

Political signs shall be permitted subject to the following limitations for signs placed on city property or in the right-of ways:

- a. Such signs shall not exceed a height of four (4) feet nor an area of five (5) square feet.
- b. Such signs for election candidates shall be displayed only for a period of 45 days preceding the election and shall be removed within two (2) days after the election. (K.S.A. 25-2711).
- c. Signs for a successful candidate in a primary election may remain displayed until not more than two (2) days after the general election.

- d. Signs dealing with voting in special elections for specific causes such as funding a school bond or a city bond shall be displayed only for a period of 45 days preceding the election and shall be removed within two (2) days after the election.
- e. Such signs shall not be erected or placed within two (2) feet of the lines of any street or within any public way or obstruct traffic.

ARTICLE II. VIOLATIONS AND PENALTIES

The City is authorized to remedy any violations of the Ordinance in accordance with K.S.A. 12-761 as applicable and as otherwise shall be deemed necessary by the Governing Body.

Each act of violation and each day a violation exists, whether by failure, refusal, or neglect to comply with the provisions of this ordinance, will constitute a separate offense, punishable pursuant to this section and applicable laws of the State of Kansas.

ARTICLE III. EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

THIS ORDINANCE IS ADOPTED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF THE HIGHLANDS, KANSAS THIS _____ DAY OF _____ 2024.

Carol Moore, Mayor

ATTEST

Zane Jackson, City Clerk

Approved as to form: _____
Mark Tremaine