

ORDINANCE #5, SERIES 1997

AN ORDINANCE REGULATING THE DISPLAY OF ADVERTISING OR SIGNS WITHIN THE TOWN

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF JAMESTOWN, COLORADO:

Section 1. Purpose: The purpose of this ordinance is to provide a consistent and reasonable allocation of advertising and signage to all property owners within the Town, assure that all businesses and residents have equal opportunity to identify the use or uses of their property, and to encourage signs which are well designed and compatible with their surroundings.

Section 2. Authority and Applicability: This ordinance is authorized by Section 31-15-401, C.R.S., which provides that the Town Board shall have the power to provide for the protection of the health, safety and welfare of the community.

Section 3. Exemptions: The following types of signs are exempted from the provisions of this ordinance:

- 1.) Official governmental traffic control devices, governmental informational signs, street identification signs, and other governmental placed for public needs.
- 2.) Temporary signs advertising or identifying a property for rent, lease or sale, political and ideological signs, garage sale signs and Town authorized event signs.
- 3.) Temporary signs advertising special sales or events.

Section 4. Prohibited Signs: No person shall erect, install or maintain animated or flashing signs, signs that project into or over a public right of way, or signs not permanently attached to the ground or a structure.

Any lighting used for the illumination of a sign shall be shielded such that the light will not shine directly onto adjoining properties or rights of way. Sign lighting shall not flash, flutter or turn on and off for any period of time less than sixty seconds.

This prohibition does not extend to advertising or signs placed on any interior opaque wall or interior window, mirror or shelf. The potential for viewing any prohibited sign or advertisement through an exterior window does not constitute a violation.

Section 5. Violation: Any person who violates any provision of this Ordinance shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment for not to exceed ten (10) days or both such fine and imprisonment. Each day during any portion of which any violation of any provision of this Ordinance is committed, continued or permitted by any such person shall be deemed a separate offense.

Section 6. Severability: If any portion of this Ordinance, or application thereof to any person or circumstances, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this Ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 7. No Impairment: The repeal or modification of any provision of the Municipal Code of the Town of Jamestown by this Ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining all proper actions, suits, proceedings and prosecutions for the enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings or prosecutions.

Section 8. Repeal: All ordinances or parts of ordinances, of the Town of Jamestown, Colorado in conflict herewith are hereby repealed.

INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED IN FULL THIS 5TH DAY OF MAY, 1997.

S/ James Argenio
JAMES ARGENIO, MAYOR

Attest: s/Mary Ellen Burch
MARY ELLEN BURCH, TOWN CLERK