

COMPARED VERSION  
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. [R-2012-00184]

Amending Section 88-445-15.C, Nonconforming Signs, to provide for the relocation of signs in the public interest.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 88-445-15-C, Nonconforming Signs, and enacting in lieu thereof a new section of like number and subject matter, said section to read as follows:

**88-445-15.C. NONCONFORMING SIGNS**

1. **CONTINUANCE AND MAINTENANCE OF NONCONFORMING SIGNS**

Subject to the restrictions of this section, nonconforming signs that were otherwise lawful at the time of installation may be continued. Routine maintenance of nonconforming signs is allowed, including changing sign copy and “re-facing” of existing signs when the re-facing does not result in any structural alterations, additional signs or additional sign appendages.

2. **ALTERATIONS AND EXPANSIONS OF NONCONFORMING SIGNS**

No structural alteration, enlargement, or expansion may be made to a nonconforming sign unless the alteration, enlargement, or expansion will result in elimination of the nonconforming aspects of the sign. Illumination may not be added to any nonconforming sign, and no electrical permits may be issued for a nonconforming sign.

3. **RELOCATION -- GENERALLY**

A nonconforming sign may not be moved to another location unless doing so would bring the sign into complete conformity with the provisions of this chapter.

4. **RELOCATION FOR PUBLIC PURPOSE**

Notwithstanding the specific provision in 3, above, or any other provision in this Chapter concerning signs, a nonconforming sign may be moved to another location without conforming to the provisions of this chapter under the following conditions:

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the nonconforming sign is on property owned or controlled by an entity having the power of eminent domain, or if the property is privately owned, an eminent domain action has been filed in court by the State of Missouri or the City to effect the removal of the sign;

- b. the relocation of the sign is necessary to accommodate a public purpose in the construction or improvement of facilities of public interest;
- c. the sign will be relocated not more than 100 feet from the existing current site as necessary to resolve any public purpose concerns;
- d. the relocation of the sign must be in conjunction with the removal of a second nonconforming, two-sided, freestanding outdoor advertising sign (including its structure) that is at least the same size (or larger) and contains the same number and size (or larger) of sign faces as the sign being relocated, or the removal of smaller signs whose cumulative sign face square footage equals or exceeds the sign being relocated, and that is/are located
  - 1. within one of the following aesthetic improvement corridors:
    - (a) within 660 feet of the right-of-way for the Broadway Bridge, Broadway Extension, or US Highway 169 in the area between 5th Street on the south and Briarcliff Parkway/Extension on the north or
    - (b) within 660 feet of the right-of-way of I-35 between 12th Street on the north and the state line on the south, or
  - 2. elsewhere in Kansas City, and the location(s) has been determined by the Director of City Planning and Development to be in compliance with one of the following requirements:
    - (a) the area in which the sign is located, or any area within one thousand feet of the sign's location, has been determined by the City Council to be blighted, and a redevelopment plan has been approved for the area in the last ten years; or

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- (b) significant public facilities are located within one thousand feet of the sign's location.
  - e. the sign will not be upgraded, enlarged, or improved in any respect during or after its relocation, except for minor structural alterations required for the safe relocation and installation of the sign.
5. **ABANDONMENT OF NONCONFORMING SIGN**  
Nonconforming signs will be deemed abandoned if they are not maintained in good structural condition and in compliance with all city codes. Nonconforming signs that are structurally unsound, rotted, excessively weathered or faded, contain inoperable electrical equipment, or are otherwise in an obvious state of disrepair will also be deemed abandoned. Once a nonconforming sign is deemed abandoned, it must be removed within 30 days by the sign owner, owner of the property where the sign is located, or other person having control over the sign.

Section B. That the Council finds and declares that before taking any action on the proposed area plan amendment hereinabove, all public notices have been given and hearings have been held as required by law.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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M. Margaret Sheahan Moran  
Assistant City Attorney