PUBLIC NOTICE OF A REGULAR MEETING
OF THE INDUSTRIAL AUTHORITY
TUESDAY, AUGUST 18, 2009 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Roland Youngberg, First Methodist Church
3. Consent Agenda
    A. Consider Approval of Minutes of Regular Meeting on August 4, 2009
4. Action Items:
    A. Reject bids on Frisco Center Vehicle
    B. Request authorization to expend funds for vehicle for Frisco Center
    C. Request authorization to go to bid for Agricultural Lease
    D. Consider and Discuss the Purchase, Sale or Appraisal of Real Property including an Executive Session Authorized by 25 O.S. ss 307B(3)
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 14th Day of August, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on August 14, 2009 at 1:30 p.m.

_____

Not recorded

IA080409

MINUTES OF THE CLINTON INDUSTRIAL AUTHORITY, AUGUST 4, 2009

Minutes of a regular meeting of the Chairman and Trustees of the Clinton Industrial Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, August 4, 2009 at 5:30 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on July 31, 2009.

Chairman Bryson called the meeting to order with the following present;

CHAIRMAN: Allen Bryson
TRUSTEES, Terry Wheeler, Mark Hendrickson, Bob Marcy, John Jordan
CITY MANAGER: Grayson Bottom
CITY CLERK: Lisa Anders
CITY TREASURER: Absent
DEPUTY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Arnold Adams, Gene McCullough, Charles Fry, David Crabtree, Wade Anders, Luther Newman, Mary Helen Jones, Alan Burgtorf, and others.

Dale Nease of the Cumberland Presbyterian Church opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of July 21, 2009 meeting
B. Consider Claims

Moved by Trustee Marcy and seconded by Trustee Wheeler that Consent Agenda Item No. 3 (a-b) be approved.

Chairman put the motion to a roll call vote:

Aye: Marcy, Wheeler, Hendrickson, Jordan, Bryson
Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

None

AGENDA ITEM NO .5: CITY MANAGER'S REPORT

None

AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Marcy and seconded by Trustee Hendrickson that the meeting adjourn.

Chairman put the motion to a roll call vote

Aye: Marcy, Hendrickson, Wheeler, Jordan, Bryson
Nay: None

Chairman declared the meeting adjourned at 5:43 pm.

Memorandum

To: City Manager Grayson Bottom

CC:

From: Lisa Anders, City Clerk Lisa

Date: 8/13/2009

Re: Agricultural Lease

The Clinton Industrial Authority purchased approximately 110 acres of land adjacent to the Clinton Cemetery in September 2006. It had been planned to use dirt from this location for the construction of the access road. Now it appears that project will not be in the near future.

We have been contacted by various individuals who expressed interest in leasing the property. Staff request authorization to go to bid for the lease of the 110 acres of land for agricultural purposes.

PUBLIC NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
TUESDAY, AUGUST 18, 2009 AT 5:30 PM
CLINTON CITY HALL

AGENDA

Meeting status: Completed

1. Call to Order
2. Opening Prayer Roland Youngberg, First Methodist Church
3. Consent Agenda
    A. Consider Approval of Minutes on August 4, 2009
4. Action Items:
    A. Consider request of James Thompson for Lump Sum Payment for Retirement Benefits from Oklahoma Municipal Retirement Fund
    B. Request Authorization to go to bid for Two Police Units including equipment
    C. Consider Expenditure of Funds for purchase of Christmas Decorations (Lighted Christmas Decorations)
    D. Review and Discuss Sign Ordinance
5. City Managers Report
6. Audience Participation
7. Adjournment

Filed this 14th Day of August, 2009. Posted on the bulletin board in the lobby of the Clinton City Hall on August 14, 2009 at 1:30 p.m.

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Not recorded

MINUTES OF THE CLINTON CITY COUNCIL
AUGUST 4, 2009

Minutes of the regular meeting of the Mayor and City Council of the City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, August 4, 2009 at 5:30 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on July 31, 2009.

Mayor Allen Bryson called the meeting to order with the following present;

MAYOR: Allen Bryson
COUNCIL: Mark Hendrickson, Bob Marcy, John Jordan, Terry Wheeler
CITY MANAGER: Grayson Bottom
CITY CLERK: Lisa Anders
CITY TREASURER: Absent
DEPUTY CITY CLERK: Absent
CITY ATTORNEY: Ryan Meacham
NEWS MEDIA: Gerald Green and Mike Smith
OTHERS: Arnold Adams, David Crabtree, Charles Fry, Gene McCullough, Wade Anders, Luther Newman, Mary Helen Jones and others.

Dale Nease of the Cumberland Presbyterian Church opened the meeting with prayer and Councilman Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of Regular Meeting of July 21, 2009
B. Consider Claims

Moved by Councilman Marcy and seconded Councilman Jordan, that Consent Agenda Item No. 3 (a-b) be approved.

Mayor put the motion to a roll call vote:

Aye: Marcy, Jordan, Hendrickson, Wheeler, Bryson
Nay: None

Mayor declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. CONSIDER RESOLUTION NO. 788 REGARDING ELECTION OF TRUSTEES FOR THE OKLAHOMA MUNICIPAL RETIREMENT FUND

City Manager Grayson Bottom explained that as a member of the OMRF we get to vote for the trustees who serve on the board. There are currently three candidates. Bottom recommended the City of Clinton to cast their vote for Jim Luckett, Jr.

Motion was made by Councilman Wheeler and seconded by Councilman Jordan to approve Resolution No. 788 voting for Jim Luckett, Jr. as a trustee for the Oklahoma Municipal Retirement Fund Board.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Jordan, Marcy, Hendrickson, Bryson
Nay: None

Mayor declared the motion carried.

4B. CONSIDER AUTHORIZING CONTRACT WITH BLACKBOARD CONNECT INC. FOR REVERSE 911 TO INCLUDE DISCUSSION AND CONSIDERATION OF FUNDING MECHANISM

City Manager Grayson Bottom explained the process of Reverse 911 in that messages would come from the dispatch center and be sent to the public. He said this would include messages such as storm warnings, school closings, and water issues and could be geographic specific or city wide. He said that each account could have up to three contract numbers at a cost of $.20 per month. City Manager Bottom recommended adding this fee to each utility bill but said another option would be for the City to absorb the expense in the General Fund. He said the average cost per month to the City would be $1,000.00 for a total of $12,000 for the year. He said this company has been in discussion with surrounding cities and the county regarding providing this service.

Councilman Marcy asked how long it would take to setup this type of service

City Manager Grayson Bottom said it would like approximately 45 days and that the system is user friendly.

Councilman Hendrickson asked who would have the authority to issue alert notices.

City Manager Grayson Bottom said it would depend on the type of alert. He said Wade Anders is the City's Emergency Management Officer and would make the recommendation regarding weather situations, David Crabtree would make recommendations regarding law enforcement issues and the Superintendent of Schools would make recommendations regarding school issues. He said this would be a cooperative effort between the various departments and the City Manager.

Fire Chief Wade Anders said this system would be supplemental to the City's current storm warning system. He said that sirens are for outside warnings and the new system would be via telephones.

Mayor Bryson asked about the funding for the program.

Councilman Marcy recommended the city absorb the cost this year and reevaluate during the budget work sessions for the upcoming fiscal year.

Councilman Hendrickson said that would never work. He said people will not be willing to pay for something later when the city had not charged for it originally.

Mayor Bryson suggested trying to get the funding from the General Fund and review the situation later.

Councilman Hendrickson said that is $12,000 that was not included in the 2009-2010 budget. He said it might be easier to pay for the service this year but harder to change in later years.

Motion was made by Councilman Marcy and seconded by Councilman Jordan to authorize contracting with Blackboard Connect Inc. for Reverse 911 and incorporate the funding for the service from the General Fund.

Mayor put the motion to a roll call vote:

Aye: Marcy, Jordan, Wheeler, Bryson
Nay: Hendrickson

Mayor declared the motion carried.

4C. CONSIDER EXPENDITURE OF FUNDS FOR PAVING AT ACME BRICK PARK TO ALLOW MAINTENANCE VEHICLES ACCESS TO THE BALL FIELDS AND FROM THE RECREATIONAL FACILITY TO THE WALKING TRAIL FOR ACCESS TO THE NATURE TRAIL

City Manager Grayson Bottom explained that several things are scheduled for the fall for Acme Brick Park. He said plantings such as thickets and native grass are scheduled for planting in the fall. He said a sign designating the funding/grant for the project would be erected. He said ADA compliant paths need to be poured at two different areas at the park. Access to the ball fields and access to the nature Trail are needed. The estimate from Circle S Paving for these two areas total $3,136.00. The estimate also included the paving of the parking lot at the Clinton Municipal Pool. Bottom said he did not recommend the parking lot until next spring but did want to plan on the project for this year.

Motion was made by Councilman Hendrickson and seconded by Councilman Wheeler to authorize the expenditure of funds for paving at Acme Brick Park to allow maintenance vehicle access to the ball fields and from the recreational facility to the walking trail for access to the nature trail.

Mayor put the motion to a roll call vote:

Aye: Hendrickson, Wheeler, Marcy, Jordan, Bryson
Nay: None

Mayor declared the motion carried.

4D. CONSIDER EXPENDITURE OF FUNDS FOR PAVING CART TRAIL #10 AT RIVERSIDE GOLF COURSE

City Manager Grayson Bottom presented pictures of Cart Trail #10. He said the budget included $10,000 for this project but the actual project covers more area than anticipated. The estimated cost is $24,034.00. He said the proposed path would be eight feet wide. He said this would be the last item to complete Phase I of the golf course project. He said Phase II would not start for some time.

Councilman Marcy asked about the time frame for the project.

City Manager Bottom said that currently Circle S Paving is at the airport on a project.

Motion was made by Councilman Jordan and seconded by Councilman Hendrickson to authorize the expenditure of funds for paving Cart Trail #10 at Riverside Golf Course.

Mayor put the motion to a roll call vote:

Aye: Jordan, Hendrickson, Marcy, Wheeler, Bryson
Nay: None

Mayor declared the motion carried.

Councilman Marcy asked about the projected opening date for Riverside Golf Course.

City Manager Bottom said he would not be making that decision alone. He said Tripp Davis and Kelly Somner would be consulted before a date is announced. He said Tripp Davis had already said that the course would not be ready for the Labor Day Tournament. He said the earliest possible date would be September 15th but that Davis would return August 25th for a final evaluation. Bottom said that if the opening date is determined to be after October 1st he would recommend not opening it until next spring.

5. CITY MANAGER'S REPORT

City Manager Grayson Bottom explained that a public notice has been posted on the city's website regarding cars parking on grass. He said this notice would be available for print in the newspaper, included as information with water bills and released to the radio stations.

City Manager Bottom asked Council members to notify him if they were available to attend the Chamber of Commerce Banquet on August 14th. He said if necessary, an agenda would be posted for the meeting.

Public Works Director Arnold Adams said the final stages of collecting information for the northeast waterline project are underway. He anticipated that the application permit would be submitted in the next two weeks. He estimated the project to last one year.

6. AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Councilman Wheeler and seconded Councilman Hendrickson, to adjourn the meeting.

Mayor put the motion to a roll call vote:

Aye: Wheeler, Hendrickson, Jordan, Marcy, Bryson
Nay: None

Mayor declared the meeting adjourned at 6:35 P.M.

RESOLUTION NO. 788

OFFICIAL BALLOT

A RESOLUTION OF Clinton, OKLAHOMA, CASTING A VOTE FOR ONE TRUSTEE OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND TO FILL THE EXPIRING TERM OF THE TRUSTEE AT-LARGE.

WHEREAS, Clinton, Oklahoma, participates in the Oklahoma Municipal Retirement Fund and is eligible to cast one vote for the Trustee's office of the Oklahoma Municipal Retirement Fund to fill the expiring term for Trustee- at- Large.

NOW, THEREFORE, BE IT RESOLVED by Clinton, Oklahoma, that its vote for the Trustee shall be cast for the following nominee (fill in name of nominee):

1. Jim Luckett, Jr.

END

The undersigned hereby certifies that the foregoing Resolution was introduced before the Council of Clinton, Oklahoma, and was duly adopted and approved on the 4th day of August, 2009.

MAYOR, PRESIDENT OR CHAIRMAN

ATTEST:

Lisa Anders

CLERK OR SECRETARY

(SEAL)

Memorandum

To: Grayson Bottom, City Manager

CC:

From: Lisa Anders, City Clerk Lisa

Date: 8/12/2009

Re: Oklahoma Municipal Retirement Fund

James Thompson has submitted his application for retirement benefits from Oklahoma Municipal Retirement Fund. Mr. Thompson has requested to receive his benefit as a lump sum payment. OMRF requires that the Retirement Committee, which has been designated as the Clinton City Council, make the determination regarding the payment.

Allen Bryson, Mayor
Mark Hendrickson, Ward 1
Terry Wheeler, Ward 2
Bob Marcy, Ward 3
John Jordan, Ward 4

Police Department

D.E. Crabtree, Police Chief
City of Clinton, Oklahoma

To: Grayson Bottom , City Manager
From: D.E. Crabtree, Chief of Police
Subject : Police Vehicles w / equipment
Date: 08/11/09

Sir , I would like to request the authorization to go to bid for two police package units , along with their equipment. The two cars w/ equipment are budgeted for fiscal year 2009 – 2010.

Respectfully ,

D.E. Crabtree
Chief of Police

SALES ORDER

WAYNE MANUFACTURING COMPANY, L.C.

116 E. ALBIA RD. - CHARITON, IA 50049-9778
1-800-448-9627 - FAX 641-774-2542

SEND REMITTANCES TO:
P.O. Box 30039 - Des Moines, IA 50310-9401

Date	Date Required	Customer P.O. No.
8/12/09	F/O	

SOLD TO:
CITY OF CLINTON
ATTN: GRAYSON BOTTOM
PO BOX 1177
CLINTON, OK 73601

SHIP TO: (if other than SOLD TO)
SHIPPED VIA WAYNE MFG.

580-323-0261
580-323-0346 FAX

Terms: 50% DOWN PAYMENT, BALANCE NET 30 DAYS AFTER SHIPMENT

Sales Person		Shipped Via	F.O.B.	
SALES		WAYNE MFG.	PREPAID	

Qty Ordered	Description	Unit Price	Amount
16	#LA-906-I - 5' WREATH AROUND GLOBE	390.00	6,240.00
	12' LEAD CORD - 2 - 20" BOWS - LIST PRICE $558.00		
317'	LIGHTED BRANCH GARLAND SWAGS ON ANGLE IRON WITH		5,236.00
	INTERMEDIATE EAGLE SOCKETS ON 6" SPACING - TO MATCH		
	EXISTING SWAGS - SOUTHSIDE & BACKSIDE WITH PARAPET		
	HANGERS - LIST PRICE $7,655.00		
1	#LA-97-105 - 20' X 8' TRAIN (4 PC SET)	3,697.00	3,697.00
	ANIMATED WHEELS & SMOKE - LIST PRICE $5,282.00		
1	#LA-99-216 - 7' X 16' HORSE & CARRIAGE (2 PC SET)	3,335.00	3,335.00
	ANIMATED WHEELS, ARMS, HAT, AND LEGS ON HORSE		
	LIST PRICE $4,765.00		
			18,508.00
	DOWN PAYMENT CHECK #_____ DATED _____		9,254.00
			9,254.00
	SALES ORDER MUST BE SIGNED & RETURNED WITH DOWN PAYMENT		
	BY AUGUST 31 TO QUALIFY FOR THE ABOVE DISCOUNT.		
	DROP DOWN PAYMENT IN MAIL TO: PO BOX 30039, DES MOINES, IA 50310		
	THANK YOU FOR THE ORDER!		
	Delivery deemed made upon consignment to carrier. No deductions allowed goods taken back unless claims are made within 5 days after receipt of goods. A Service Charge of 1 1/2% per month (annual percentage rate 18%) will be added to all past due accounts.		

ORDERED BY	SPECIAL INSTRUCTIONS	TAX	
X		TOTAL	

ORDINANCE NO. _____

AN ORDINANCE CHANGING SIGN REGULATIONS CONTAINED IN CHAPTER EIGHT (8); CHAPTER 10, SECTIONS 1-1, 8-1, 8-2, AND 8-3; AND CHAPTER 11, SECTION 10-3 AND DECLAIRING AN EMERGENCY.

ARTICLE 1

Definitions

1. "A-Frame Sign" means a stationary outdoor sign with two (2) faces attached at one surface on each face to form a triangle with one side parallel to the grade.

2. "Advertising Sign" means an outdoor structure, object, display, lighting device, figure, painting, drawing, message, pictorial picture, plaque, poster, billboard, or other thing which is used to advertise, identify, display, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

3. "Average Grade" means the grade of the finished ground level at the midpoint of each exterior surface of a sign, or a structure, in the event that the sign is attached to the structure.

4. "Awning, Canopy, or Marquee Sign" means a projecting sign attached to, hung from, or painted on a canopy or covered structure which extends beyond the building line or property line.

5. "Back-to-Back Sign" means a structure with two (2) parallel signs with their faces oriented in opposite directions located not more than ten (10) feet apart. **A** back-to-back sign shall constitute one (1) off-premise sign.

6. "Billboard" means any freestanding sign or a sign that is attached to or part of a building and is an off-premise sign.

7. "Board" means the Planning and Zoning Board of the City of Clinton, Oklahoma.

8. "Building/Electrical Inspector" means the designated authority for enforcement of this Ordinance.

9. "City" means the City of Clinton, Custer County, Oklahoma.

10. "Community Service Sign" means any sign which solicits support for or advertises a non-profit community use or social institution. Such signs may include, but shall not be limited to seasonal holidays, such as Christmas or Easter, school activities, charitable

programs or religious activities.

11. "Cultural Facilities" means establishments such as museums, art galleries, public libraries, botanical and zoological gardens and theaters of the performing arts, which, although they may charge an admission fee, are essentially non-profit and principally funded through public expenditures, grants and donations.

12. "Erect" means to construct, build, raise, assemble, replace, affix, attach, create, paint, draw or in any way bring into being or establish.

13. "Floodway" means the channel of a stream and adjacent land areas which are required to carry and discharge the flood waters and flood flows of any river or stream associated with the regulatory flood.

14. "Free-standing Sign" means any sign which is not attached to or on the walls, face, or exterior of a building, except as provided in the definition of a standard roof sign.

15. "Hanging Sign" means a sign which is suspended over a sidewalk, street, or other public right-of-way. An overhanging sign may or may not be a projecting sign.

16. "Historic Building/Structure" means any building/structure which is officially designated as historically or architecturally significant by a unit of local, state or federal government.

17. "Home Occupation Sign" means any non-illuminated name plate sign not exceeding one (1) square foot in area.

18. "Official Sign" means any sign erected by or at the direction of any governmental body.

19. "Off-premise Sign" means any sign other than on-premise sign.

20. "On-premise Sign" means any sign which advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic on the premises.

21. "Outdoor Advertising Sign" see advertising sign.

22. "Political Sign" means a temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.

23. "Portable Sign" means any sign designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted on a trailer, wheeled carrier, or other non-motorized mobile structure.

24. "Premises" means any lot or unplatted tract, or any combination of contiguous lots or unplatted tracts held under single ownership.

25. "Projecting Sign" means a sign affixed to any building, wall, roof, marquee or other structural element which extends or projects more than twelve (12) inches from such wall, roof, marquee or other structural element.

26. "Public Information Sign" means any sign which is intended to identify community, civic, or social events and is not any of the following signs: commercial, political, official, or real estate.

27. "Real Estate Sign" means a temporary sign (a) displayed during and in connection with construction operations, (b) pertaining to the lease or sale of a lot or building upon which placed and not exceeding sixty-four (64) square feet, and (c) pertaining to the sale of an addition or a sub-division, the area of which sub-division exceeds one (1) acre of land for a period not to exceed two (2) years.

28. "Residential Name Plate Sign" means a sign permitted for the sole purpose of identifying the inhabitant residing therein, the house name, or identifying the address of the house. The sign may contain no advertising of any kind and may not exceed two (2) square feet in area.

29. "Roof Sign" means a sign attached to a roof extending more than three (3) feet above the ridge line.

30. "Sloping Roof Sign" means a sign affixed to the roof of any building, which does not project more than twenty-four (24) inches from the roof or extend more than five (5) feet above the ridge line of the roof to which it is attached.

31. "Temporary Sign" means a sign that is not permanently affixed to a building, structure or the ground.

32. "Traffic Control Sign" means a permitted sign for the purpose of identifying parking areas and directing the flow of traffic on private property.

33. "Wall Sign" means a sign affixed to a wall, marquee, or other structural element of any building, which does not project more than twenty-four (24) inches from the wall, marquee or other structural element, or extend more than five (5) feet above the wall, marquee or other structural element to which it is attached.

ARTICLE 2

Administrative Provisions

Enforcement: The provisions of this Ordinance shall be enforced and administered by the City Building Inspector and the City Code Enforcement Officer. The Building Inspector and the Code Enforcement Officer shall have the authority to order the painting, repair, or removal of a sign.

Violations & Penalties:	Any person, firm or corporation violating or failing to comply with any of the terms or provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars ($50.00). Each day such violation shall be continued or shall be allowed to exist, shall constitute a separate offense.
Licenses:	Any person, firm or corporation engaged in the business of constructing, erecting, repairing, altering, installing, or relocating commercial signs within the corporate limits of the City of Clinton, Oklahoma, shall obtain a Commercial Sign Contractor's License therefore, which license shall be in the sum of fifty dollars ($50.00).
Permits:	No person, firm or corporation shall erect, construct, install or relocate any sign within the incorporated city limits without a permit first having been obtained.
Duration:	When a permit is issued, it shall be valid and need not be re-issued so long as the sign for which it is issued is left in its original location and is maintained in accordance with this Ordinance.
Permit Fees:	A permit of forty dollars ($40.00) shall be paid on all signs requiring a permit. No permit fee shall be required for a sign fifteen (15) square feet or less over a show window or door of a store or business establishment, containing only the name of the proprietor and nature of the business; nor shall a permit be required for ground signs, provided such signs are not over fifteen (15) square feet in area.

ARTICLE 3

Variance Procedure

The Clinton Board of Adjustment shall have the authority to grant a variance to the height, spacing and setback requirements of this Ordinance in cases where it is determined that strict compliance with the provisions herein will inflict unusual and practical difficulties. The Clinton Board of Adjustment may grant a variance only to those height, spacing and setback requirements established in this Ordinance.

When application for a variance is made to the Clinton Board of Adjustments, a public hearing on the request shall be held. Written notice of all public hearings on variance requests shall be given to all owners of property, or to persons rendering the property for City taxes, affected by such variances, located within two hundred (200) feet of any property, within not less than ten (10) days before any such hearing shall be published in a newspaper of general circulation, not

less than ten (1 0) days before any such hearing is held.

No notices of any application for a variance shall be given, and no hearings shall be held by the Clinton Board of Adjustment until a filing fee accompanying such application is paid. The filing fee (payable in cash, certified check or cashier's check), shall be fifty dollars ($50.00).

ARTICLE 4

Classification of Signs

This section concerns the categories of permanent and temporary signs governed by the provisions of this Ordinance.

Signs requiring a permit under the provisions of this Ordinance are as follows:

1. Back-to-Back Signs
2. Billboard Signs
3. Canopy Signs
4. Hanging Signs
5. Marquee Signs
6. Portable Signs
7. Projecting Signs
8. Roof Signs
9. Sloping Roof Signs
10. Wall Signs

Signs not requiring a permit under the provisions of this Ordinance are as follows:

1. A-Frame Signs
2. Community Service Signs
3. Home Occupation Signs
4. Official Signs
5. Political Signs (temporary)
6. Public Information Signs (temporary)
7. Residential Name Plate Signs
8. Traffic Control Signs (on private property)
9. Real Estate Signs (temporary)

ARTICLE 5

General Sign Regulations

This section concerns general regulations pertaining to signs.

1. Identification of Signs: Every outdoor advertising display sign hereafter erected, constructed, or maintained, for which a permit is required, shall be plainly marked with

the name of the person, firm or corporation erecting and maintaining such sign.

2. Location Restriction: It shall be unlawful for any person, firm or corporation to place, erect, construct or use any signs in R-1, R-2, or R-3 Zoning Districts, except residential name plates, lease or sale signs, and temporary signs displayed during construction and in connections with construction operations, and temporary signs pertaining to the sale of an addition or sub-division.

    a. No outdoor advertising display shall be erected, constructed or maintained so as to obstruct any fire escape, any window or door, or opening used as a means of egress,

    b. No sign shall be attached to a fire escape, nor be placed in such a manner as to interfere with any opening required for legal ventilation.

    c. No sign shall be erected on or over public property in a manner which interferes with any fire hydrant, traffic light, or street light, or which hampers the functions of the Fire Department.

    d. No person shall place or maintain a flashing light or flashing electric light of any kind or color within five hundred (500) feet of the center line of any Federal or State maintained street of highway unless a permit is granted by the State Highway Commission for such flashing light or flashing electric sign.

    e. No sign will be permitted in those areas identified as floodway or the 100 year-flood plain without compliance with the requirements for a special development permit.

3. Fastening and Anchoring: All signs shall be securely fastened or anchored to a building wall, structural framing, or other foundation with a sufficient number of bolts or anchors to resist stress resulting from dead weight of the sign and wind loads.

    a. Trees, rocks, bridges, fences, windmills, towers, utility poles and dilapidated buildings shall not be used for sign supports.

4. Materials: All signs shall be constructed of durable and securely attached to framework and supports made of wood, metal, or other material of equivalent strength.

5. Electric Wiring: Electrically illuminated signs, or signs which are equipped in any way with electrical devices or appliances shall conform to the provisions of the City Electrical Code.

6. Sign Inspections: The City Building Inspector shall have the right to visit any site where a sign is being erected, or enter any building where a sign is being constructed for installation within the City for the purpose of making any inspection necessary.

7. Public Right-Of-Way: Signs projecting from a building or extending over public right-of-way in industrial or commercial business district(s) shall maintain a clear height of nine (9) feet above the sidewalk grade and all such signs shall not extend more than two (2) feet of the curb-line. Freestanding signs shall maintain a ten (10) feet setback from the curb- line or zero (0) feet from the property line, whichever is greater. A maximum height of thirty-five (35) feet shall be allowed at the property line.

    a. In no instance shall a sign extend into the right-of-way of any State maintained street or highway.

    b. No pole, post or standard use to support any sign or floodlight shall be set in or upon any sidewalk, street, or other public property.

8. Maintenance of Area Beneath Signs: For all freestanding signs, a one hundred (100) square feet sign area beneath the sign shall be mowed and maintained in a neat and clean condition.

9. Sign Area Calculation: In calculating the area of a sign, the perimeter of the area shall be a line including the outer extremities of all letters, figures, characters and delineations or a line including the outer extremities or the framework of background upon which sign is placed, whichever line includes the larger area.

10. Free-standing Billboard Signs in Downtown Clinton: Effective with the passage of this Sign Ordinance, free-standing billboard signs and roof signs will no longer be allowed in the downtown area bounded by Gary Boulevard. (North boundary), 4th Street (East boundary), Avant (South boundary), and 13th Street (West boundary).

ARTICLE 6

Specific Regulations

1. A-Frame Signs

Location:	Allowed in commercial and industrial districts
Size:	Eight (8) square feet per sign
Number:	One (1) sign per location Two (2) signs per corner location
Setback:	Behind property line; minimum of six (6) feet behind curb

2. Back-to-Back Signs (see Billboard Signs)

3. Billboard Signs

Location:	Allowed in commercial and industrial districts, except where otherwise restricted herein
Size:	Not to exceed four hundred (400) square feet per sign face in industrial districts and in commercial districts
Height:	Shall maintain a clearance from grade of nine (9) feet, except ground signs with the base of the sign within three (3) feet of average grade. Maximum overall height of thirty-five (35) feet
Setback:	Behind property line
General Requirements:	Light fixtures and catwalks may overhang the setback lines no more than six (6) feet; however, no part of the face or its support structure shall overhang the setback lines. All billboards shall maintain a minimum set back distance of one hundred (100) feet from any residentially zoned district.
Additional Setbacks:	City Parks – three hundred (300) feet from the park boundary Cultural Facilities – three hundred (300) feet from the facility boundary Historic Building/Structure – three hundred (300) feet from the building structure All bill boards shall be setback a distance of not less than fifteen (15) feet from the railing of any overpass of bridge on any road, street or highway
Spacing:	Bill board signs shall not be erected along major thoroughfares closer than five hundred (500) feet apart along the same side of the street or road

3. Canopy Signs

Signs on free-standing canopy or detached accessory island canopy may be placed at any location on the canopy, provided that such signs shall not project beyond the width or length thereof.

4. Hanging Signs

All permanent signs shall be erected so as not to overhang any street or alley.

Location: May be hung perpendicular to, suspended from, or attached to buildings, walls, or canopies. Signs may also be suspended under a marquee.

Height: Shall maintain a clear height of nine (9) feet above the sidewalk grade and shall not extend more than two (2) feet of the curb-line

5. Marquee Signs

Marquee signs not more than four (4) feet tall, excluding any top ornament supported directly by the marquee or awning, may extend around three (3) sides of a marquee or awning

6. Political Signs

Political signs shall be subject to the following restrictions:

a. Shall not exceed thirty-two (32) square feet on each of a maximum two (2) sides, in residential districts

b. Shall not be placed on a right-of-way, traffic sign, dumpsters, or signal or utility pole in any district

c. Shall be placed only on private property after obtaining the permission of the property owner

d. Shall not be displayed prior to thirty (30) days before an election

e. Shall not block or interfere with the view of drivers of vehicles at intersections of streets or streets and alleys

f. Shall be "temporary" and "free-standing" only

g. Shall be removed from all zoning districts within seventy-two (72) hours after the polls close in an election

7. Portable (or wheeled) Signs

Portable signs shall be permitted in commercial and industrial districts subject to the following regulations:

a. Sign shall be secured to the ground at a minimum off our (4) separate points.

b. Illuminated portable signs may be white or yellow, maximum of sixty (60) watts and shall meet all requirements of the City Electrical Code.

c. Sign shall be set back ten (10) feet from the curb or zero (0) feet from the property line, whichever is the greater. Any location not meeting this setback requirement will not be allowed to use a portable sign.

9. Projecting Signs

See requirements for hanging signs.

10. Public Information Signs

Location: Subject to approval of the City Council

Number: Subject to approval of the City Council

Size: Shall be a maximum of six (6) square feet

Height: Bottom of sign not to exceed nine (9) feet above average grade

Residential Name Plate Signs

Purposes: To indicate the address and/or name of the occupant

Size: Shall not exceed two (2) square feet per single family and duplex structure or one-half (1/2) foot per each multi-family unit

Height: No part of the sign shall extend above eight (8) feet from average grade

Roof Signs

a. Roof signs shall be subject to the following restrictions:

b. Shall not exceed thirty-two (32) feet in total height above that portion of the roof over which they are erected.

c. All such signs shall be constructed entirely of steel, including the upright supports and braces, except that only the ornamental molding and battens behind the steel facing and the decorative lattice work may be of wood construction.

d. An open space of not less than three (3) feet shall be maintained below the bottom of the sign and the roof, except for necessary vertical supports.

e. All metal parts shall be grounded as a protection against lightening.

f. No roof sign shall be allowed to extend over a sidewalk, street, or other public property.

g. Sloping roof signs shall not project horizontally beyond the perimeters of the roof. Not more than twenty-five percent (25%) of any sloping roof area shall be devoted to this type sign.

Traffic Control Signs (on private property)

Traffic control signs are subject to the following restrictions:

a. All traffic control signs shall be of uniform design and shall conform to the overall sign program for the entire site

b. No Traffic control sign shall contain advertising

c. Such signs may be either free standing or wall mounted

d. If lighted, the light shall be indirect.

Size: Shall be of uniform size(s) recommended in the "Oklahoma Manual on Uniform Traffic Control Devices for Streets and Highways"

Height: No part of such sign shall extend above seven (7) feet from average grade

14. Wall Signs:

Wall signs are attached, on-premises signs and shall be governed by the following restrictions:

a. Shall not project horizontally beyond the perimeters of the wall or extend more than five feet (5') above the wall to which it is attached.

b. Shall not project more than twenty-four inches (24") from the wall.

ARTICLE 7

Prohibited Sign Locations and Types

The following signs shall be prohibited in all districts:

1. Search lights, except that they may be permitted for a period not to exceed ten (10) days for grand openings or other special occasions.

2. Hand Painted

3. Any sign which resemble official traffic signs or signals, or which bear the word "Stop," "Go Slow," "Caution," "Danger," "Warning," or similar words or any sign which by reason of size, color, location, movement, or manner of illumination, may be confused with a traffic control sign, signal or device.

4. No lighted sign shall be permitted within one hundred (100) feet of a residential district unless lighting is shielded from view in the direction of the residential district.

5. No sign shall be erected nearer than six (6) feet to any telephone cable, power line or street light standard.

6. Signs containing statements, words or pictures of an obscene, indecent or immoral nature

7. Double-Decker Type Signs

ARTICLE 8

Exempted Signs

1. The provisions of this ordinance shall apply to the following signs, except that no license, bond, or permit will be required for:

2. A legal sign in existence, or for which a permit has been issued, before the effective date of this ordinance.

3. Holiday displays - temporary displays, commonly associated with any national, local or religious holiday or celebration.

4. Home occupation signs - two (2) non-illuminated name plate not exceeding two (2) square feet in area which is used to identify legal home occupations.

5. Official signs - federal, state or local government traffic, directional and informational signs and notices issued by any court, person or officer in performance of a public duty.

6. Political signs - see Section 21-14 (7) of this ordinance.

7. Public Utility signs - signs giving information about the location of underground electric transmission lines, telegraph or telephone properties and facilities, pipelines, public sewers or water lines.

8. Real estate signs - temporary signs advertising the sale, lease, or development

of the property on which it is located. Such signs shall not exceed sixty-four (64) square feet.

9. Residential name plate signs -signs indicating the name and/or address of the occupants of the residence, not to exceed two (2) square feet in area.

10. Safety, warning and directional signs -signs warning of construction, excavation, or similar hazards, and parking lot and other private traffic directional signs, each not to exceed the uniform sizes recommended by the State of Oklahoma.

11. Such signs are limited to directing pedestrian and vehicular traffic within the premises on which they are located and are not intended to advertise a product or service.

ARTICLE 9

Non-Conforming Signs

Any sign which existed and/or was permitted or erected prior to effective date of this ordinance and which does not conform to the intent and specifications of this ordinance is a non-conforming sign. A non-conforming sign may remain in place so long as it is kept in good repair and maintained in safe condition.

ARTICLE 10

Maintenance and Removal of Signs

Maintenance: All signs shall be maintained in a safe, presentable or structurally sound condition at all times, including replacement of defective parts. All pennants, banners, streamers, spinning or similar moving devices shall be kept in presentable condition at all times. The owner of any property on which a sign is located and those responsible for maintenance of the sign shall be equally responsible for the condition of the sign and for the condition of the area in the immediate vicinity of the sign and shall be required to keep this area clean, sanitary and free from noxious or offensive substances, rubbish, and flammable waste materials.

Removal of signs: The Building Official may order the removal of any sign that is not maintained in accordance with the provisions of this ordinance. If any sign is installed, erected, or constructed in violation of the terms of this ordinance, the Building Official shall notify, by registered mail or written notice served personally, the owner or lessee thereof to alter such sign so as to comply with this ordinance and to secure necessary permit therefore, or to remove the sign. If such order is not complied with within ten (10) days, the Building Official shall remove the sign at the expense of the owner or lessee thereof.

Abandoned Signs: All abandoned sign and their supports shall be removed within ninety (90) days from the date of abandonment.

Damaged Signs: All damaged signs shall be removed within ninety (90) days from the date of such damage except in times of natural disaster. The Building Official shall have the authority to grant a one time extension, not to exceed ninety (90) days, for abandoned, non-damaged signs, provided such extension is requested in writing.

ARTICLE 11

Penalty

Any person, firm or corporation who shall violate any provision of this Chapter shall be guilty of any offense and, upon conviction thereof, shall be punished by fine and costs as provided for in Section 1-40 of this Code, unless a separate and distinct penalty is otherwise specifically set forth in this Chapter. Each day's continuation of any such violation shall constitute a separate offense.