

CITY OF EAST LANSING

POLICY RESOLUTION NO. 2018-3

A RESOLUTION EXTENDING THE TEMPORARY MORATORIUM ON THE ISSUANCE OF CERTAIN SIGN PERMITS AND DIRECTING THE ADMINISTRATION OF THE SIGN CODE.

WHEREAS, the City of East Lansing has, since the mid 1970s, regulated signs through the City of East Lansing Sign Code, as part of the City Code of the City of East Lansing, due to the visual blight, traffic concerns and other health safety and welfare issues that emerged with unregulated signs; and

WHEREAS, the United States Supreme Court, with the decision of *Reed v Town of Gilbert, Arizona* has ruled that any content based sign regulations need to survive a strict scrutiny analysis in order to be Constitutional; and

WHEREAS, the City staff has been administering the City's Sign Code in accordance with the decision of *Reed v Town of Gilbert, Arizona* and the intent of the Sign Code; and

WHEREAS, the City Council is in the process of considering amendments to the City's Sign Code to ensure compliance with the United States Constitution as set forth in the decision of *Reed v Town of Gilbert, Arizona*; and

WHEREAS, enforcing the Sign Code in conformity with the decision of *Reed v Town of Gilbert, Arizona* has potentially left certain signs unregulated that would have otherwise been regulated to prevent visual blight, traffic concerns and other health safety and welfare issues.

WHEREAS, larger signs unattached to buildings, such as ground signs and freestanding signs over 50 square feet, by their nature, increase the hazard of visual blight, traffic concerns, aesthetics and other health safety and welfare concerns; and

WHEREAS, the City Council adopted a moratorium directing the City Manager and the City Staff to not accept or process, after October 24, 2017, and throughout the duration of the term of this moratorium and any extensions thereto, any applications for new sign permits for ground signs larger than 50 square feet or freestanding signs larger than 50 square feet while the code revisions are being drafted and are under consideration; and

WHEREAS, the code revisions are still in the process of being drafted; and


WHEREAS, the City Council desires that no new sign permits for signs above certain sizes be issued while the City's Sign Code is being revised and that the current Sign Code continue to be administered in accordance with the United States Constitution as set forth in

*Reed v Town of Gilbert, Arizona* and its progeny and the intent of the Sign Code and, as such, finds it necessary to extend the moratorium.

NOW THEREFORE, IT IS RESOLVED that the City Council of the City of East Lansing directs the City Manager and the City Staff to not accept or process, after October 24, 2017, and throughout the duration of the term of this moratorium and any extensions thereto, any applications for new sign permits for ground signs larger than 50 square feet or freestanding signs larger than 50 square feet; and

BE IT FURTHER RESOLVED that the City Council directs, in the meantime, that the City Manager and City Staff continue to enforce the current Sign Code in conformity with the intent of the Sign Code and the United States Constitution as set forth in *Reed v Town of Gilbert, Arizona* and its progeny.

BE IT FURTHER RESOLVED that this limited moratorium on the issuance of certain new sign permits shall take effect as of January 24, 2018 and continue in effect through April 10, 2018.

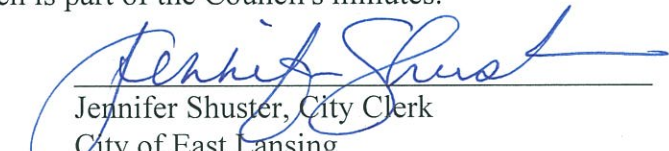
  
Mark S. Meadows, Mayor  
Dated: January 30, 2018

Moved by Council member: Altmann

Supported by Council member: Stephens

ADOPTED: Yeas: 5  
Nays: 0  
Absent: 0

CLERKS CERTIFICATION: I hereby certify that the foregoing is a true and complete copy of a Policy Resolution adopted by the East Lansing City Council at its meeting held on Tuesday, January 30, 2018, the original of which is part of the Council's minutes.

  
Jennifer Shuster, City Clerk  
City of East Lansing  
Ingham County, Michigan

Drafted by:  
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