

Minutes
Building Codes Committee
April 6, 2015
6:00 PM
4th committee meeting

Members present were Chairman Scott Crosby, Committee members Dale Black and Larry Goodson. Business and Development Services Director Kim Hamel and City Administrator Trey Eubanks were also present.

1. Call to order – Chairman Crosby
2. Public comment

Wade Leonard: I am here on behalf of the sign ordinance. Currently an amendment is being proposed in regards to places of worship not having to adhere to all of the standards. There are some things I would like to address.

Chairman Crosby: We can get an explanation of what we are talking about tonight so we will all be on the same page. Ms. Hamel, could you do that?

Kim Hamel: Currently the sign code has a provision under exemptions which is called non-commercial messages. This allows political, religious, ideological social, government to be able to have signage that is limited to four square feet. Your church and others expressed interest in a 32 foot sign for sermons. What we did was took the initial code and split it into two sections. One is freedom of speech things and one allows non-commercial religious messages. Those signs are limited to sermon messages and wouldn't cover day care signups or sports activities. That is what we are proposing. The sign will still have to be maintained.

Wade Leonard: Is this approved?

Kim Hamel: This is what we are discussing tonight.

Wade Leonard You mentioned as long as it is not advertising day care or something. We also have events for the community. We offer a celebrate recovery course and we advertised the egg drop. Could we do this?

Kim Hamel: We exempt the special events with the city altogether. As long as it is a community event, they don't fall under this provision. We just don't want to infringe on free speech.

Wade Leonard: I also understand that this ordinance was written to allow temporary banners that can be put up for two two week periods every three months.

Kim Hamel: That is what is on the books now and it applies to everybody.

Wade Leonard: So what I am asking is the sermon signs, would that be restricted to the same time period as the banners? Are we excluded?

Kim Hamel: No, this allows you to have them up. If you are advertising day care, bible school, that would fall under the two two week period.

Chairman Crosby: The committee tonight could approve this for review by council. Then we have two readings at council.

Wade Leonard: We hope this does pass. We want to partner with the community and the City of Mauldin to help advertise community events. We don't see this as just something for our church.

Robbie Kellett: What do you consider the difference between a local business and a non-profit? How does that work? Would the city be able to advertise something they would make money off of?

Kim Hamel: We are trying to do this to comply with the Freedom of Speech Act. It allows places of worship to convey religious messages. This has nothing to do with baseball signups.

Robbie Kellett: Non-profits and churches?

Kim Hamel: Sponsorship and fundraiser banners. This reads religious messages are permitted as long as they do not exceed 32 feet in face area and 6 feet in height. They are limited to one sign. This excludes events hosted by the church.

Robbie Kellett: The original sign ordinance was that banners were not allowed in the City. They were an eyesore. Now we are saying they are an eyesore here, but not here. Why are we spending so much on an ordinance for this? Why are we getting down to such small things as you can make money here but not there? We need to be able to run it all year long everywhere. Without the businesses, you have no money to buy parks, do egg drops, anything. You are telling the businesses you can't advertise your products and make a profit. Is there another option? To me, it seems so confusing and convoluted. Most businesses will say forget about it.

Kim Hamel: One of the main goals was to clean up the streets and find ways to identify a business that has a sale. If everyone has a banner up at the same time, we are adding clutter, and there has been a big effort to get the place to look better. If you allow this to be intermittently instead of all the time, it puts the focus on that business for period of time rather than saying banner after banner after banner. We have a good allowance for free standing signs, which is the first way to advertise your business. We allow A-frames on the sidewalks.

Signage is always going to be a rub between the City and business and it is a balance to meet your needs and the City goals to grow economic development.

Robbie Kellett: It is important for a sermon series. Isn't that better to put that up every two weeks?

Trey Eubanks: I think striking a balance is the challenge. Robbie, I appreciate your input two years ago on the development of the sign ordinance. We had 21 revisions on that from you and other businesses. These are additional steps, taking input from the church, businesses down East Butler, and staff as they have talked to businesses. I think any suggestions you have, will be heard by council. The things that are happening now are relaxing standards, increasing the ability for signage, further relaxing what churches are able to do. Any specific suggestions you have are welcome. This code is not the easiest thing. It now includes some diagrams and schematics. To make it more user friendly, if you have something you want to do, our staff will meet and discuss it with you.

Robbie Kellett: We just want equality. The businesses want what the church can do. They want to put something up if they need to. It is all of the up and down and they don't understand it. Every business I go to I ask about the sign ordinance all have horror stories about it. I just want it to work for everyone around.

Chairman Crosby: Your last comment about making it fair. We may not all agree but I think that is true.

Councilman Cook: Back in 2009, we passed an ordinance to require the businesses and churches to pay a \$15 fee for one year. I don't see banners now. We have an ordinance that was passed in 2009 where everyone could do the same thing. I don't know why we are doing something else when what we had was really working. Nobody complained. Another one, the churches and businesses in this ordinance, as I understand it, we can put our signs up, and I

don't understand why we are bringing all this up when we had an ordinance that was working.

Chairman Crosby: The cultural center and senior center have to comply with this too. Maybe they didn't always in the past, but they do now.

Councilman Cook: The ordinance is working. We need to look at ordinances that are not working. Thank you. I will not support this new ordinance.

Councilman Merritt: Could we compromise somewhere where everyone gets the same square footage? We could put a time frame on it and the third part would be exempt sponsorships and community events. If I am Chick-fil-A and I am sponsoring a baseball team, there is a banner there. There are sponsorship signs that are outside the fence at the high school. That is not where that should be. They should be inside.

For city sponsored events, we all use city hall. It is owned by the city and it is private property. Do you think the recreation department makes money? We are going through the budget now. I think there is a compromise. We can work up the square footage and other things.

Councilman Cook: I don't understand why we want to change.

Robbie Kellett: The church still has the same thing it had.

Councilman Cook: The car wash had the nicest one. I just don't understand this.

3. Reading and approval of minutes- Councilman Goodson made a motion to approve the minutes with Councilman Black seconding. The vote was unanimous (3-0).
4. Reports or communications from city officers
 - a. Budget Review- The software will be an expenditure coming up, but other than that, the budget looks good.
 - b. Department report- The business license postcards have gone out. Having an extra staff person has been very nice. The staff will stay an extra hour for a couple of weeks to help business owners. There will be a chamber lunch and learn with Anderson law firm regarding what businesses need to do when they come to the City.
5. Unfinished business
 - a. Sign amendment- Councilman Goodson asked about the ordinance Councilman Cook is referencing. This has been replaced when the new sign ordinance was adopted. Councilman Black said if it worked, it should be

reinstated. Councilman Goodson said if you go to Greenridge, they have a frame with Swoozie's on it. It is permanent with four sides. When you put a banner in that, it looks like a sign. Someone can rent the sign. Mauldin First Baptist sign is readable. Janice has data to support that the blinking sign doesn't work, but the banner does. Councilman Goodson said something like the Shoppes at Greenridge has would work here and look nice if it was pulled tight. Councilman Black said it had to be attached. Councilman Goodson said we need to look at a frame and making it available similar to what we did in the past. Wade Leonard said that they would work with whatever they need to. Councilman Black said the banner had to be attached and not flapping in the breeze. Greenridge is similar to the way the frame looks that we have. Councilman Goodson said if you did a frame with two sides and a bottom and a top, that would make it consistent. Councilman Black asked why we want to make the business change what they already have? They could do it the new way with new banners, but not the old ones. Councilman Goodson said that would make the city look consistent and be equal for everyone.

Chairman Crosby said Councilman Black would like them grandfathered, but new ones could be a four-sided frame. He asked committee's thoughts on the time frame for banners.

Councilman Black said if the subject matter changes, what does it matter? Councilman Goodson said could banners be seasonal? Councilman Black said churches shouldn't be treated differently. Everyone should be able to have their signs just like the churches. Councilman Black said he thinks the three sided banner frames work fine now.

Kim said there are two things on this ordinance the sponsorship/fundraising banners and the church signs, which are totally separate.

Councilman Black said the frames now are good. Some are PVC and some are galvanized pipe, but they all work.

Councilman Goodson said their church sign is two sides and a top. The Methodist Church's sign is two sides and a top. Councilman Black said that is all the ordinance requires. Councilman Goodson said two sides, a bottom and a top would be consistent. Councilman Black asked if he wants to go

back and require a bottom for all signs. He said he could see that if the business buys a new one, but all the banners as they are now are compliant with the current ordinance. Councilman Goodson just thinks a four sided frame is consistent city-wide. Chairman Crosby asked if committee wants to allow banners to be up all the time. Councilman Black said if it is going to change the subject matter, it doesn't make a difference. Things change and different events take place. Councilman Black said it is up to the Building Codes to enforce what council implements. Councilman Black doesn't understand why churches are being treated differently. Churches don't pay business license or taxes. Chairman Crosby asked how this fit with shopping centers or strip malls.

Kim said strip malls have different tenants and the ordinance limits them. Under the old ordinance, one sign was allowed at the front. Under the new ordinance, it depends on the number of tenants. Up to four tenants are allowed two signs, and so forth.

Under the current ordinance, a banner is allowed 28 days per quarter, this proposal will allow 30 days per quarter and an additional 10 days in the year at the owner's discretion. During tax season, an owner may want another 10 days during his most profitable time. A one \$15.00 fee is paid and it is put into the system what days the banners will be up. The amendment simply gives more time. Councilman Goodson said right now banners are only temporary use. Kim Hamel said the frame structure has not changed, only a time increase is proposed.

If a church wants to advertise a day care, they are still under the banner restrictions like other businesses. The church would only be allowed to advertise sermon subjects all the time. It will be a different sign with a different message.

Councilman Black made a motion to send this item to council. We can always table the issue if need be. Councilman Goodson seconded the

motion and the vote was unanimous (3-0). Councilman Black asked that the business owners be notified of the council meeting so they can attend.

6. New business

7. Public comment

Councilman Cook: Please put in on public safety an extra Code Enforcement Officer because we have to go check all the signs. This is ridiculous that we sit here for four or five hours and talk about something that is working fine for just a few changes. Why are we going to give them 30 days and then an extra ten days? Why are we putting that kind of pressure on businesses? I am old and I just don't understand it. We need to look at this and quit coming up with this stuff. The businesses shouldn't have to do this. Now the strip malls used to be able to have one sign, but now they can have several. Is that not clutter? Am I missing something? Thank you.

Councilman Merritt: Amendment 8, Section 2, the wording says religious messages, not necessarily sermons, even though Wade's sermons are normally religious in nature.

Councilman Black: He tries anyway.

8. Committee concerns

9. Adjournment- Chairman Crosby adjourned the meeting.

Respectfully Submitted,

Cindy Miller

Municipal Clerk

NOTICE: A majority or quorum of City Council may attend a committee meeting.