

Proposed by:	Historic District Commission
Historic Dist. Com.	11/16/2009
Planning & Zoning Com.	12/10/2009
First Reading:	12/17/2009
Attorney Review:	04/13/2010
Second Reading:	01/07/2010
Third Reading:	04/15/2010
Vote:	6 Aye 0 Nay 0 Absent

MUNICIPALITY OF SKAGWAY, ALASKA ORDINANCE NO. 09-23

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING HISTORIC DISTRICT REGULATIONS REGARDING SIGNAGE.

WHEREAS, the Historic District Commission has concerns with the proliferation of sale signs that go up when a business opens for the summer season and do not come down until the business closes at the end of the summer season; and

WHEREAS, the Historic District Commission proposes the following amendments to clarify the language rather than removing the language;

NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Chapters 19.08.012, Sign standards by district, and 19.10.005 Definitions to clarify and address concerns with sale signs in the Historic District. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from, and (**bold underscore**) indicates text added to the current code.

Section 3. Amendment. Chapters 19.08.012, Sign Standards by District and 19.10.005, Definitions are hereby amended as follows:

- 19.08.012 Sign standards by district.
- A. Historic District (BH). All exterior signs must have an appearance, ...
 4. Prohibited signs
 - a. ~~Banners displayed for commercial purposes.~~
 - b. Wind signs or devices and balloons.
 - c. Internally lighted signs.
 - d. Dolls or mannequins on public property.
 - e. Portable signs, including sandwich signs on public property.
 - f. Off premises signs.
 - g. Signs meant to be read from the public right-of-way that violate Alaska Statute AS 45.50.471 – AS 45.50.537 regarding Alaska’s Unfair Trade Practices and Consumer Protection Act or are otherwise illegal or misleading. ~~For example signs advertising unsubstantiated discounts on merchandise.~~
 - h. Signs meant to be read from the public right-of-way that advertise “end of season” sales displayed before Labor Day. **Skagway’s tourism season generally begins in the 1st week of May and ends in the 4th week of September. Labor Day allows at least a 3 week period for “end of season” sales and puts all businesses on an equal footing for “end of season” sales advertising.**

19.08.025 Alaska’s Unfair Trade Practices and Consumer Protection Act
The Permitting Official will take pictures of signs and compile business contact information of these signs that appear to violate AS 45.50.471 – AS 45.40.573, Alaska’s

Unfair Trade Practices and Consumer Protection Act. The Permitting Official will send this information to the Attorney General for their review. Copies of this information will also be sent to the business operator as well as the property owner.

- 19.10.005 Definitions
111. "Scale Drawings." Construction drawings whose dimensions are scaled or measured according to certain criteria.
- 112. "Seasonal Business" A business who's premises is open to the public in Skagway, Alaska in fewer than four (4) quarters during a calendar year.**
113. "Set back." The distance of a building from the boardwalk on the front facade or the distance from a building to the property line on the side or rear facade.

Numbers shall be renumbered to reflect the addition.

Section 4. Severability. If any provision of this ordinance or any application of the ordinance to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.


Section 5. Effective Date. This ordinance shall become effective upon adoption of the Borough Assembly.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 15th day of April 2010.



Thomas D. Cochran, Mayor

ATTEST:



Marjorie D. Harris, CMC
Borough Clerk

(SEAL)

