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City of Conway, Arkansas
Ordinance No. O-19-124



L201919683
CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$25.00
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CRYSTAL TAYLOR
CIRCUIT CLERK
BY: LIZ BAUMGARTNER, D.C.
ORDINANCE
3 Pages

AN ORDINANCE AMENDING SECTION 1301 OF THE CONWAY ZONING CODE KNOWN AS THE SIGN ORDINANCE CONCERNING LOSS OF LEGAL NONCONFORMING STATUS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

Whereas; a conflict of language exists within Section 1301 of the Conway Zoning Code pertaining to the loss of nonconforming status, and the City of Conway seeks to remedy this conflict;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1. That Section 1301 of the Conway Zoning Code, Signs, Section 4.02 Loss of Legal Nonconforming Status be amended as follows:

Remove the phrase, "except in the case of street relocation." from item (6) as shown below.

Section 4.02- Loss of Legal Nonconforming Status

A legal nonconforming sign shall lose this designation:

- (1) Existing signs outside the interstate zone:
 - (a) If the sign face is damaged or destroyed, the face may be replaced. The sign face supporting structure may be temporarily placed on the ground in order to immediately replace the sign face or service the structure.
 - (b) If the structural components of the sign including the face structure is damaged or destroyed, the structure and face may be replaced with a new face and structure of no more than sixty four (64) square feet in area. In no case, may a sign face be replaced with a face larger than the damaged face.
 - (c) If the sign is damaged to the extent of more than fifty percent (50%) of the replacement cost. The determination for this percent of damage shall be based on the average of three (3) estimates from three (3) separate sign companies.
- (2) Interstate signs: Existing on-premise, freestanding pole signs previously allowed up to 672 square feet in area will be allowed replacement as follows:
 - (a) If the sign face is damaged or destroyed, the face may be replaced. The sign face supporting structure may be temporarily placed on the ground in order to immediately replace the sign face or service the structure.
 - (b) If the structural components of the sign including the face structure is damaged or destroyed, the structure and face may be replaced with a new face and structure of no more than 300 square feet in area. In no case, may a sign face be replaced with a face larger than the damaged face.
- (3) If the size of the sign is altered in any way except toward compliance with this ordinance. This does not refer to change of copy, face of the sign, or normal maintenance. Normal maintenance does not include the replacement of structural elements.
- (4) If the sign(s) advertising a building/development contains the majority of the businesses/tenants and the building/development undergoes major redevelopment such as demolition or expansion requiring a building permit.

Exceptions:

- (a) A remodel of an existing building will not cause the loss of legal non-conformity.
- (b) The construction of an additional building on the same property shall not cause the loss of legal non-conformity.

(5) A billboard is allowed to change the advertising copy without loss of legal non-conforming status.

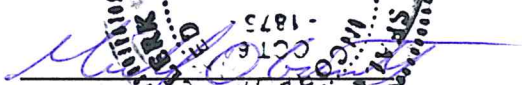
(6) The sign is relocated, ~~except in the case of street relocation.~~

Section 2: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.


Section 3: That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

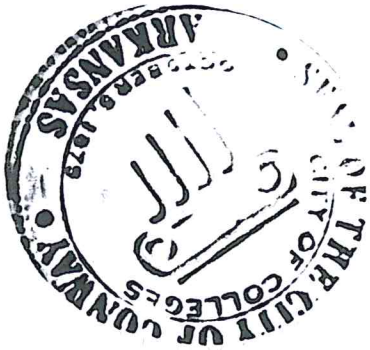
PASSED this 26th day of November, 2019.

Attest:


Michael O. Garrett
City Clerk/Treasurer

Approved:


Mayor Bart Castle



CERTIFICATE

**STATE OF ARKANSAS
COUNTY OF FAULKNER
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 26th day of November, 2019 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 10th day of December, 2019.


CITY CLERK-TREASURER

