Legislation Details (With Text)

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			In control:	City Council	
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Title: Amending section 106.01 of the Legislative Code to permit sidewalk signs on the public sidewalk and boulevard.

Sponsors: Rebecca Noecker, Amy Brendmoen

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/2/2019	1	Mayor's Office	Signed	
4/24/2019	1	City Council	Adopted	Pass
4/17/2019	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
4/10/2019	1	City Council	Laid Over to Third Reading/Public Hearing	
4/3/2019	1	City Council	Laid Over to Second Reading	

Amending section 106.01 of the Legislative Code to permit sidewalk signs on the public sidewalk and boulevard.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

SECTION 1

WHEREAS, section 106.01 of the Saint Paul Legislative Code prohibits a person from placing a sign on the public sidewalk; and

WHEREAS, businesses in Saint Paul want to place sidewalk signs on the public sidewalk to direct customers to their business; and

WHEREAS, the Council supports the businesses request; and

WHEREAS, the Saint Paul zoning codes prohibits advertising signs and will require that the signs only contain information about the adjacent business; and

WHEREAS, the City wants to ensure that the public and the public’s access to the right of way is protected; now, therefore be it

RESOLVED, that the Council of the City of Saint Paul does hereby ordain:

SECTION 2

The Saint Paul Legislative Code section 106.01 is hereby amended to read as follows:

Sec. 106.01. - Obstruction.

(a) Encumbrances or obstructions prohibited.

1. Purpose: The primary purpose of a public sidewalk or other right-of-way is to provide safe access to the public to travel from place to place. It is the intent of this ordinance to maintain that primary purpose at all times.

2. No person shall encumber or obstruct any sidewalk, lane, alley, public ground, public landing, wharf or pier, or other public place by placing thereon or therein any building materials, carriages, carts, wagons, sleighs, boxes, lumber, firewood, posts, awnings, signs, or any other materials or substance whatever. No person shall operate a sidewalk café without a license and a right-of-way obstruction permit issued by City of Saint Paul. A sidewalk sign in compliance with subsection (d) may be placed upon the public sidewalk.

3. A minimum width of forty-eight (48) inches of clear, unobstructed pedestrian walk-through zone, exclusive of the curb, shall be maintained on the public sidewalk at all times.

. ... .;

(d) Sidewalk Signs Exemption. A business or institution may place a sidewalk sign on the public sidewalk or boulevard directly abutting the business or institution. Sidewalk signs must be placed so that a minimum width of forty-eight (48) inches of clear, unobstructed pedestrian walk-through zone, exclusive of the curb, must be maintained on the public sidewalk at all times. Sidewalk signs may not be attached to public infrastructure.

1. For the purpose of the zoning code, a sidewalk sign is a portable sign as defined in St. Paul Legislative Code Section 64.118.

2. Sidewalk signs must only contain information about the business, profession, commodity, service, or entertainment which is conducted, sold or manufactured on the premises adjacent to sidewalk or boulevard upon which the sign is placed. Sidewalk signs may not be 'advertising signs' as that term is defined in St. Paul Legislative Code Section 64.103.

3. A sidewalk sign must be either an A-frame or a T-frame design. Sidewalk signs may not exceed thirty (30) inches in width and forty-eight (48) inches in height, may not be illuminated, and must be of sufficient weight to prevent movement by wind. Sidewalk signs must be constructed of an appropriate material resistant to damage from being placed outdoors.

4. A sidewalk sign must have a detectable edge for long canes. Detectable edges shall be continuous and 6 in. min high above the walkway surface and have color or markings contrasting with the walkway surface.

5. A sidewalk sign must be free of sharp or rough edges, and fasteners (bolts) shall be rounded to prevent harm to hands, arms or clothing of pedestrians.

6. A sidewalk sign may not obstruct pedestrian or handicap accessibility to buildings, emergency exits, transit stops or parking spaces.

7. Every business or institution may place a sidewalk sign on the public sidewalk or boulevard. No business or institution may place more than 1 sign on the public sidewalk per street frontage of

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the business or institution.

8. Sidewalk signs must only remain on the public sidewalk during the operating hours of the business or institution.

9. The use of a portion of the public sidewalk or boulevard for a sidewalk sign is not an exclusive use. All public improvements including, but not limited to, trees, light poles, traffic signals, pull boxes or manholes, or any public-initiated maintenance procedures or work, take precedence over use of the public sidewalk or boulevard for a sidewalk sign. The sign must be removed from the public sidewalk or boulevard immediately to permit such public-initiated maintenance procedures or work.

10. No business or institution may place a sign in the public right-of-way under this subsection until it has first obtained liability insurance or an amendment or rider to an existing liability insurance policy insuring said business or institution and the city and its officers and employees against liability which might arise out of the placement of a sign upon the public sidewalk or boulevard, in an amount at least equal to the maximum statutory liability of the city, its officers and employees. The City, together with its officers and employees must be named as additional insureds in the liability insurance policy.

11. The City is not responsible or liable for any claims resulting from the placement or movement of a sidewalk sign.

12. Failure to comply with the provisions of this subsection is a misdemeanor, and is grounds for adverse action against any license held by the business or institution.

SECTION 3

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval, and publication.

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