

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 405 ZONING REGULATIONS SECTION 405.380 3 (A) WITHIN SIGN REGULATIONS – NON-RESIDENTIAL USES.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS:

Section 1. Within Chapter 405, Article V adding to Section 405.380 3 (a) Sign Regulations -Non-Residential Uses. are hereby enacted with amendments as set forth below with new material set out in red as follows: Adoption is hereby enacted to read as follows:

Section 405.380 Sign Regulations — Non-Residential Uses.

3. Secondary signs. Signs authorized by this Section are not to be included in calculating the allowable gross area for primary signs. Except for temporary promotional displays, the total gross sign area of all secondary signs shall not exceed sixty percent (60%) of the allowable gross sign area for primary signs.

a. Bulletin boards, message centers and reader boards. No more than one (1) bulletin board, message center or reader board not exceeding thirty-two (32) square feet in area, shall be permitted for each street frontage **for properties that do not meet specific criteria defined by “Article V” of Chapter 405. A commercial or retail development, that has a minimum development area of five (5) acres and at least twenty thousand (20,000) square feet of commercial facility, will be allowed no more than one (1) Electronic message center sign, not exceeding sixty-four (64) square feet in area, on each free-standing primary sign permitted for the development. The Electronic message center sign shall display only commercial messages for the occupants of the commercial facility or public or community service announcements as determined by the owner or manager of the development.** Electronic message center signs shall not scroll or display a running message of continuous vertical or horizontal movement. Individually illuminated words used to form complete thoughts or advertising messages shall not exceed a maximum of five (5) seconds to complete for each complete message.

Section 2. Severability

The chapter, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 4. Repeal of ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified, shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine, or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but

may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 5. The Mayor of the City of Osage Beach is hereby authorized to take all actions which may be necessary to fully enact this Ordinance.

Section 6. That this Ordinance shall be in full force and effect on June 17, 2022.

READ FIRST TIME: June 2, 2022

READ SECOND TIME: June 16, 2022

I hereby certify that the above Ordinance No. 22.38 was duly passed on June 16, 2022, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6

Nays: 0

Abstain: 0

Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

June 16, 2022  
Date

Tara Berreth  
Tara Berreth City Clerk

Approved as to form:

Edward Rucker  
Edward Rucker, City Attorney

I hereby approve Ordinance No. 22.38

June 16, 2022  
Date

Michael Harmison  
Michael Harmison, Mayor

ATTEST:

Tara Berreth  
Tara Berreth, City Clerk