

RESOLUTION NO. 06-2009

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIBURON
ESTABLISHING AN ADDITIONAL DISPLAY TIME FOR TEMPORARY OFF-SITE
SIGNS PURSUANT TO CHAPTER 16A OF THE TIBURON MUNICIPAL CODE AND
RESCINDING RESOLUTION NO. 22-2002**

Section I. Findings.

WHEREAS, the Town Council recently adopted an updated sign ordinance to be codified as Title IV, Chapter 16A of the Tiburon Municipal Code; and

WHEREAS, Section 16A.800(d) establishes Sundays from 12:30 p.m. to 5:30 p.m. as a time when temporary off-site signs may be displayed without first obtaining a permit, and further states that the Town Council may, by Resolution, establish one additional day upon which temporary off-site signs may be displayed without first obtaining a permit; and

WHEREAS, this Resolution will replace similar regulations set forth in Town Council Resolution No. 22-2002, which shall be rescinded upon the effective date of this Resolution; and

WHEREAS, the Town Council finds that the adoption of this resolution has no potential to result in an adverse impact on the environment and is exempt from CEQA, and further finds that an exemption under CEQA has previously been adopted for these same regulations as set forth in Town Council Resolution No. 03-2009, and that no further CEQA review is required; and

WHEREAS, the Town Council finds that the adoption of this Resolution is consistent with the goals and policies of the Tiburon General Plan and the Tiburon Municipal Code and will further their objectives.

Section II. Resolution No. 22-2002 Rescinded.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Tiburon hereby rescinds Resolution No. 22-2002, effective March 20, 2009.

Section III. Adoption.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Town Council of the Town of Tiburon hereby establishes an additional day and time for the placement of temporary off-site signs pursuant to Tiburon Municipal Code Title IV, Chapter 16A, Article VIII, Section 16A.800(d) as follows:

Temporary off-site signs (including portable signs) are allowed to be displayed without a permit on Wednesdays between the hours of 10:00 a.m. and 4:00 p.m. provided that they meet the following criteria:

- (1) No such sign shall be placed in the Downtown Tiburon commercial area.
- (2) Such signs may be placed on private property with the permission of the property owner.

- (3) A maximum of three (3) signs per parcel may be displayed and no more than three (3) square feet of sign area is allowed per sign.
- (4) No illumination (other than ambient light) is permitted.
- (5) No sign may be placed so as to obstruct pedestrians or vehicles or render any sidewalk or other pedestrian pathway impassible to persons using wheelchairs or walkers. For purposes of this Resolution, a sidewalk or pathway is presumed to be impassible to persons using wheelchairs or walkers if the sign causes the sidewalk or pathway to be less wide than required by applicable state and federal accessibility laws.
- (6) No sign may be placed so as to cause damage or create safety hazards.

Section IV. Effective Date.

NOW, THEREFORE BE IT FURTHER RESOLVED that this Resolution shall become effective on March 20, 2009.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Tiburon on March 18, 2009, by the following vote:

AYES:	COUNCILMEMBERS:	Berger, Collins, Fredericks, Gram, Slavitz
NOES:	COUNCILMEMBERS:	None

ALICE FREDERICKS, MAYOR
TOWN OF TIBURON

ATTEST:

DIANE CRANE IACOPI, TOWN CLERK