

**COMMONWEALTH OF KENTUCKY
COUNTY OF KENTON
CITY OF ERLANGER
ORDINANCE NO. 2461**

**AN ORDINANCE AMENDING THE ERLANGER ZONING
ORDINANCE AMENDING SIGN REGULATIONS**

WHEREAS, a request for a text amendment to the Erlanger Zoning Ordinance was submitted to the Kenton County Planning Commission by the City of Erlanger through PDS, updating and amending sign regulations pursuant to Reed v. Town of Gilbert; and

WHEREAS, the PDS staff reviewed the application and recommended that the proposed text amendment be approved; and

WHEREAS, the Kenton County Planning Commission, upon reviewing the PDS staff recommendations and after holding a public hearing, voted to approve the text amendment on the basis that the text amendment and amended sign regulations are “content neutral” as necessitated by the United States Supreme Court decision in Reed v. Gilbert, as authorized by Kentucky Revised Statute (KRS) 100.203(1).

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ERLANGER,
COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY:**

Section I

That the Erlanger City Council hereby approves said text amendment, attached hereto as Exhibit “A” and incorporated reference herein. The amendment to the Erlanger Zoning Ordinance is based on the following:

- (1) The proposed text amendment complies with the “content neutral” requirements of the United States Supreme Court decision in Reed v. Gilbert, Arizona.
- (2) The proposed text amendment clarifies several sections of the sign regulations based upon past interpretations and administration; updating out of date cross references; adding provisions and adding provisions for messages on small detached signs and drive-thru canopies.
- (3) Based on testimony provided during the public hearing held on October 5, 2017.

Section II

That should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

Section III

That this Ordinance shall take effect and be in full force when passed, published and recorded according to the law.

Adopted this 2nd day of January, 2018.

1st Reading - December 5, 2017

2nd Reading - January 2, 2018

Vote: 11 Yes, 0 No

City of ERLANGER,
Kenton County, Kentucky

By: _____
Tyson Hermes
Mayor

Attest:

Sherry Hoffman
Clerk