

ORDINANCE NO. 3356  
AN ORDINANCE OF THE COMMON COUNCIL  
OF THE CITY OF NEW CASTLE, INDIANA  
SUPPLEMENTING AND AMENDING ORDINANCE NO. 3265  
AN ORDINANCE AMENDING CERTAIN REGULATIONS REGARDING  
OUTDOOR ADVERTISING SIGNS BY AMENDMENTS  
TO THE NEW CASTLE ZONING CODE

WHEREAS, on May 29, 2001, the Common Council (the "Common Council") of the City of New Castle, Indiana (the "City") adopted its Ordinance No. 3265 entitled "An Ordinance Amending Certain Regulations Regarding the Outdoor Placement of Outdoor Advertising Signs by Amendments to the New Castle Zoning Code" ("the Ordinance") for the purpose of regulating the location, size, height, construction, and placement of outdoor signs in the various zoning districts of the City of New Castle, and

WHEREAS, the New Castle Plan Commission after due deliberation and consideration did at its regular meeting, after public hearing and notice on March 27, 2003, approve said recommendations, and

WHEREAS, on March 31, 2003, the New Castle Plan Commission certified those changes to the Common Council to the City of New Castle recommending to it that it favorably consider the amendments to Ordinance No. 3265 being changes and amendments to the Outdoor Sign Regulations as contained therein and adopted by the Council on or about May 29, 2001, and

WHEREAS, based upon further review of the application of that Ordinance to the placement of signs within the City it has been determined that amendments to that Ordinance are required in order to meet the purposes set forth therein.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE AS FOLLOWS:

1. That Exhibit "1" attached to Ordinance No. 3265 entitled "Outdoor Advertising Sign Regulations for the City of New Castle, Indiana" (hereinafter "Regulations") is at Section VI which is entitled "Permitted Sign Provisions for Residential Districts R-1, R-2, R-3, RS, and MHP Zoning Districts:" is hereby amended and changed to the following: "Signs in residential zoning districts (R-1, R-2, R-3, RS, and MHP Zoning Districts) are not permitted unless otherwise provided for herein. One on premises non-illuminated sign is permitted for each dwelling unit. Such sign shall not exceed one square foot in area, and may be used to identify the name(s) of the premises or occupants thereof, or to provide similar information. Additional signs are allowed under IX(A), IX(B), IX(C), IX(D), and X.

2. Section VII of the Regulations entitled "Permitted Sign Provisions for Business Districts C-1, C-2, C-3, C-4 Zoning Districts:" is amended by changing rhetorical paragraph IV B as follows: "Off-premises signs not exceeding 100 square feet in total area per direction are permitted in zoning districts C-1, C-2, C-3 and C-4 except in the Central Business Districts (downtown area). Downtown area being the area between 11th Street on the west, Indiana Avenue on the south, 15th Street on the east, and Vine Street on the north."



3. Paragraph VI(B) number 4 of the Regulations shall be amended and changed to the following: "Such sign shall be spaced at least 600 lineal feet from any other off-premises sign as measured along the principal road that the off-premises sign is visible from in both directions along both sides of the road."

4. Paragraph VI(B) number 5 of the Regulations shall be amended and changed to the following: "Such off-premises signs shall not be located within a 300 foot radius nor within 600 lineal feet from any City or county residential district or from any church, school, health care facility, historic district (or property eligible for historical designation) or from any building owned or leased by a unit of federal, state, or local government."

5. Paragraph VIII entitled "Permit Sign Provisions for Industrial Districts I-1, I-2, and I-R Zoning Districts" at paragraph B-1(d) shall be amended and changed as follows: Such sign shall be spaced at least 600 lineal feet from any other off-premises sign as measured along the principal road that the off-premises sign is visible from in both directions along both sides of the road."

6. Paragraph VIII B-1(e) shall be amended and changed to the following: "Such off-premises signs shall not be located within 300 foot radius nor within 600 lineal feet from any City or county residential district or from any church, school, health care facility, historic district, or from any building owned or leased by the city, county, state or federal government."

7. That further rhetorical paragraph VII B-6 shall be omitted.

8. That the expanded statement of purpose as set forth on the attached Exhibit "1" shall amend Exhibit "1" of Ordinance No. 3265.

9. That attached hereto and incorporated herein as Exhibit "1" is a complete revised and amended version of the Outdoor Advertising Sign Regulations for the City of New Castle, Indiana. That certain scrivener's errors have been corrected therein and the amendments set forth above have been made thereto. That said exhibit reflects the amendments and changes adopted by this Ordinance. That where the original Exhibit "1" to Ordinance No. 3265 has not been changed, amended, or corrected, same shall remain in full force and effect and those unchanged provisions are incorporated in Exhibit "1" attached hereto.

Said Exhibit "1" is attached hereto, incorporated herein and made a part of this Ordinance. These changes are attached hereto, incorporated herein and made a part of this Ordinance. These changes are made pursuant to the New Castle City Code Section 152.05 and Indiana Code Section 36-7-4-607 et seq.

This Amending Ordinance is adopted by the Common Council for the purpose of amending, supplementing and changing the original Sign Regulations Ordinance No. 3265 and the provisions of the regulations contained in Exhibit "1" thereto,



to the extent not inconsistent with the provisions of this Ordinance, the original Ordinance shall remain in full force and effect. In the event a conflict arises between the provisions of the amending ordinance and the original ordinance number 3252, the provisions of this amending ordinance shall govern.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS 2<sup>ND</sup> DAY OF JUNE, 2003.

Sherman Boles  
Sherman Boles, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

AYE

NAY

John York  
Betty Love  
Paul H. Brown  
Mark Sutherland  
Tom Fiss

ATTEST:

Janice Lavarney  
Janice Lavarney,  
Clerk-Treasurer

APPROVED BY ME THIS 2<sup>ND</sup> DAY OF JUNE, 2003.

Sherman Boles  
Sherman Boles, Mayor of the City  
Of New Castle, Indiana