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Sign ban battle lines drawn

COMPANIES OPPOSE VOTE: Supporters of proposed measure to ban new digital billboards in Rapid City circulate petitions.

By Emilie Rusch
Journal staff

Supporters of proposed ballot measures to ban new digital billboards in Rapid City and further limit other off-premise signs are readying themselves for a fight against the city's billboard companies.

Scenic Rapid City, a coalition of local

residents, business owners and former city officials, has started circulating petitions for the two initiated measures, which they hope to get on the June 7 city ballot. Their goal is to turn in at least 3,000 signatures, or about 900 more than the 5 percent of registered voters required by state law, by the end of March.

"Each one of these signatures will be

challenged," said Jim Petersen, chairman of Scenic Rapid City. "We need a buffer!"

The city's major billboard companies, not surprisingly, oppose the proposed vote and questioned Tuesday why any group would circulate petitions before the city's Sign Code Revision Task Force has had a chance to finish its work.

The 12-member task force, which was appointed by Mayor Alan Hanks and the Rapid City Council, has until April 18 to present its recommendations

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Billboard control initiatives

Scenic Rapid City volunteers are collecting signatures to put two initiated measures on the ballot June 7.

Proposed changes to the city's billboard rules would:

- 1 Prohibit new and converted billboards from being "internally illuminated," or digital.
- 1 Triple required distance between new and existing billboards to 1,500 feet from 500 feet;
- 1 Set maximum size of billboards at 250 square feet per face, or 500 feet per structure;
- 1 Establish a 20-year expiration date on sign credits used to put up new signs

BILLBOARDS: Group seeks to get issue on the June 7 ballot.

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for changes to the sign code to council.

"This committee has worked diligently to bring forth some reasonable amendments to the sign code for council consideration very soon," said Doug Rumpca, general manager of Lamar Advertising in Rapid City and a task force member.

Brendan Casey, president of Epic Outdoor Advertising, said he will campaign against both measures if enough signatures are collected to get them on the ballot.

"Both petitions, in my opinion, run afoul of state and federal law in that they both endorse the banning of a legally permitted business, advocate governmental and regulatory takings without compensation, and endorse amortization which courts have routinely rejected," Casey said in an e-mail.

But supporters argue the two measures abide by state law, making it more difficult to build new billboards without banning them entirely. State law does not allow the "blanket prohibition" of outdoor advertising, but communities can regulate the size, lighting, and spacing of signs within their borders.

"We are not advocating zero billboards. There may be people who wish there were none, but that's not the point of this organization," said Jim Shaw, a former mayor and Scenic Rapid City supporter. "It's limiting the number, the size, the scope of billboards not just today but for the future."

The first petition would ban new or converted digital billboards, triple the required distance between new and existing billboards to 1,500 feet and fix the maximum size at 250 square feet.

The second petition

would establish a 20-year expiration date on sign credits, the city's currency for new billboards.

A city ordinance now grants one sign credit for every billboard taken down and requires two sign credits be surrendered for every new billboard that goes up.

City Attorney Jason Green said once the city receives the petitions, his office will review the ballot questions and make a recommendation to the Rapid City Council on whether they are within the authority of city government. If so, they must be put on the ballot.

"The city council will make the ultimate determination," Green said. "The same limitations that apply to the city council apply to initiative petitions."

Mayor Alan Hanks stopped short of endorsing the petitions Tuesday but said if taking the issue to a public vote decides it once and for all, that would not be a bad thing.

"Whenever there is an issue that doesn't seem to be able to be resolved through the normal process of city government, I think the citizens have every right to take it to a vote of the people," Hanks said.

"The controversy and debate over billboards goes

back decades."

Supporters said more than anything, they doubt the city task force will be able to find a solution to the city's billboard issues. In 2010, one such task force had its recommendations for digital billboards rejected by the city council.

"They have had multiple task forces working on the sign code," said Mike Quasney, a member of Scenic

Rapid City. "It seems the industry keeps intervening and they get what they want — bigger, brighter, more. It doesn't feel like they're accomplishing what the public wants — billboard control."

Shaw said Scenic Rapid City is relying on volunteers to circulate the petitions and likely won't have the same financial means as the billboard companies to

campaign. For now, though, they are focusing on getting signatures.

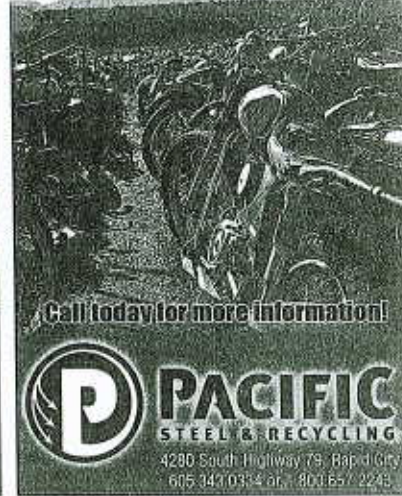
"Every sign, every billboard that's approved through this current process will be here not only for us to look at, but for our

children and our grandchildren. They're grandfathered in forever," Petersen said.

"We've got to nip this in the bud. We've got to stop this now!"

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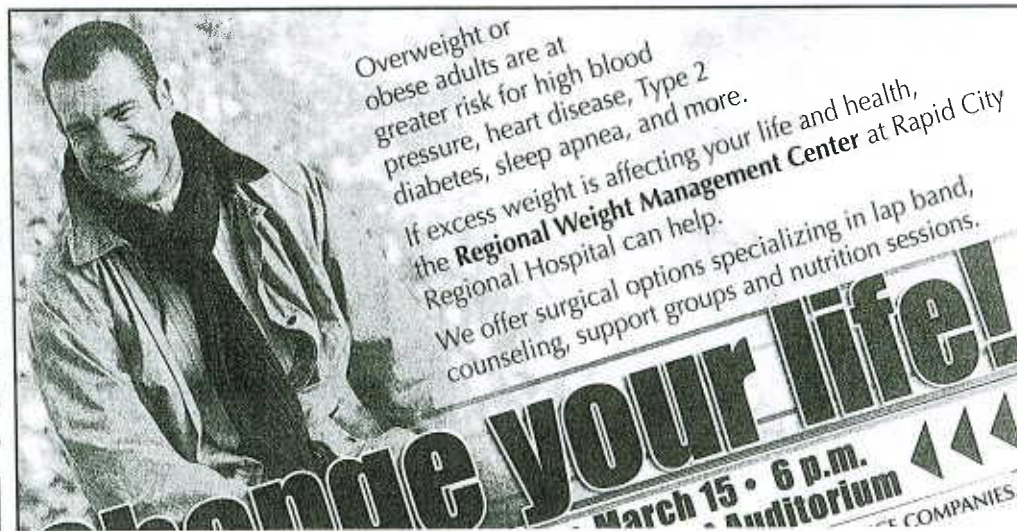
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