



Sedgwick County...
working for you

Sedgwick County

525 North Main Street 3rd
Floor
Wichita, KS 67203

Legislation Text

File #: 17-630, **Version:** 1

RESOLUTION TO REPEAL AND REPLACE THE SEDGWICK COUNTY SIGN CODE.

Presented by: Chris W. Labrum, Director of Metropolitan Area Building and Construction Department.

RECOMMENDED ACTION: Adopt the resolution.

In *Reed v. Town of Gilbert*, 576 U.S. _____, 135 S. Ct. 2218 (2015), the Supreme Court of the United States held, in pertinent part, that content-based restrictions for the treatment of signs did not survive strict scrutiny, meaning that such content-based restrictions were unconstitutional in that they violated the First Amendment.

Like the majority of municipal sign codes prior to *Reed v. Town of Gilbert*, the Sedgwick County Sign Code has classifications based upon content. As a result, County staff has amended the County's sign code to remove content-based classifications so that the sign code would not run afoul of the Supreme Court's holding in *Reed v. Town of Gilbert*.

The proposed resolution would repeal and replace the County's existing sign code.

Alternatives: (1) Take the recommended action;
(2) take no action; or
(3) adopt a modified version of the resolution.

Financial Considerations: n/a

Legal Considerations: The Sedgwick County Sign Code needs to be modified to comply with the *Reed v. Town of Gilbert* decision, as portions of the current sign code are unconstitutional, in light of the Supreme Court's ruling. Authority is contained within K.S.A. 19-101 et seq. Approval is by simple majority vote.

Policy Considerations: n/a

Outside Attendees: Unknown

Multimedia Presentation: n/a