

MAY 13 2010

ORDINANCE NO. 4209

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING SECTIONS 39-2 AND 39-3 OF CHAPTER 39, CODE OF THE CITY OF CHANDLER; RELATING TO SIGN REGULATIONS.

WHEREAS, in accordance with A.R.S. 9-462 *et seq.*, the legislative body may adopt by ordinance, any change or amendment to the regulations and provisions as set forth in the Chandler Zoning Code and/or the Chandler Sign Code; and,

WHEREAS, this amendment, including the draft text, has been published as an 1/8-page display ad in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, date and place of public hearing; and,

WHEREAS, a required public hearing was held by the Planning and Zoning Commission on April 7, 2010;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION 1. Section 39-2, Chapter 39 of the Chandler City Code is hereby amended by adding new subsections C and D, to read as follows:

C. Any sign permitted by this chapter may contain a non-commercial message in lieu of any other message.

D. Any provision of this Sign Code that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of this Sign Code that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from this Sign Code in a manner that preserves the Sign Code and protects freedom of speech.

SECTION 2. Section 39-3, Chapter 39 of the Chandler City Code is hereby amended by adding a new definition of "non-commercial message", to read as follows:

Non-commercial message: A message that does not propose a commercial transaction.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2010.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day of _____, 2010.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4209 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2010, and that a quorum was present thereat.

CITY CLERK

Approved as to form:

CITY ATTORNEY *GAB*

Published: