

ORDINANCE NO. 7,538-N.S

AMENDING SECTION 20.16.090 OF THE BERKELEY MUNICIPAL CODE RELATING TO SIGNS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Section 20.16.090 of the Berkeley Municipal Code is amended to read as follows:

**20.16.090 Exempt signs.**

A. Subject to subdivisions D and E, signs placed on bus shelters that are sponsored or contracted by AC Transit pursuant to and in compliance with the contract between AC Transit and the City of Berkeley, and with its consent are exempt from this Title.

B. Subject to subdivisions D and E, signs placed on and associated with bike share stations installed pursuant to a contract between the Metropolitan Transportation Commission and the City of Berkeley are exempt from this Title.

C. Subject to subdivisions D and E, non-illuminated signs for Community and Institutional Uses as defined in section 23F.04.010, provided they do not exceed the sign area limitations in Section 20.24.040.

D. Signs that are otherwise exempt from this Title under subdivisions A and B are not exempt from the following provisions:

- 1. 20.16.020 (Clearance requirements);
- 2. 20.16.040 (Obstructing certain areas or facilities prohibited); and
- 3. 20.16.120 (Moving signs).

E. Signs that are otherwise exempt from this Title under subdivisions A and B may not be wind signs; rotate, flash, blink, dispense bubbles, or emit sounds; or include strings of pennants, streamers, banners, twirlers, propellers, inflatable devices, or any similar attention-attracting devices.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on March 28, 2017, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Maio, Wengraf, Worthington and Arreguin.

Noes: None.

Absent: None.

