



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

July 23, 2024

SUBJECT: Request for Direction to Commence Action for Removal of Advertising Sign Erected on State Route 65 Near Main Street

PREPARED BY: Bill Zenoni, City Manager

Recommendation

Staff recommends that the Wheatland City Council direct staff to commence action for the abatement and removal of an advertising sign that is in violation of Title 19 of the Wheatland Municipal Code.

Discussion

City of Wheatland Municipal Code, Chapter 19.25.010 (Off-site signs-General) prohibits off-site advertising signs unless the sign designates, identifies or indicates the name or business of the owner or occupant of the premises upon which the sign is located or advertises the business conducted, services available or goods produced or available for sale upon the premises where the sign is located. Prior to adoption of Ordinance No. 405 in 2007, a sign advertising the Kids Country Careland Pre-School was erected on the west side of State Highway 65, south of Main Street and north of Grasshopper Slough. The City allowed this advertising sign to remain in place because it had been constructed prior to enactment of the sign ordinance.

The Kids Country Careland Pre-School sign was abandoned by the Pre-School and has ceased to exist. In June 2024, Zenith Billboards of Stockton, California, erected an advertising sign in the proximity of the past Kids Country Careland Pre-School sign. City staff has determined that 1) the newly erected sign has been placed in a different location than the original Kids Country Careland Pre-School sign and 2) the sign has been altered from its original form. Wheatland Municipal Code Section 19.65.030 (Abatement as nuisance) provides that "any sign erected, installed, moved, expanded, altered or maintained contrary to the provision of this title is unlawful and a public nuisance. The planning director and building official or his or her appointee shall, upon order of the City Council, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law." As the original Kids Country Careland Pre-School sign has been replaced with a Zenith Billboards advertising sign that has been altered from the Pre-School sign's original form, Zenith's sign is in violation of Title 19 of the Wheatland Municipal Code and City Council direction is required in order for City staff to proceed with the removal of the sign.

Zenith Billboards was contacted in June and advised that their advertising sign was in violation of the City's municipal code and that it needed to be removed. The City's request was ignored. Staff also contacted the California Department of Transportation (Caltrans) and requested that the advertising permit issued to Zenith Billboards in April 2024 be revoked as this sign was not

in compliance with the Wheatland Municipal Code. Caltrans is in the process of sending a staff member out to review the sign.

A photo of the Kids Country Careland sign which was 'grandfathered' by the City and allowed to remain in place is provided below.



A photo of the sign that Zenith Billboards placed in this location in June 2024 is provided below.



After City staff notified Zenith Billboards that their sign needed to be removed, the sign was further modified.



If the City Council provides direction to commence action for the abatement and removal of this off-site sign that is in violation of Title 19 of the Wheatland Municipal Code, City staff will contact Zenith Billboards and provide a second notice that the sign must be removed. If Zenith Billboards does not comply with this request, the City will remove the sign and bill Zenith Billboards for the cost of removal.

Fiscal Impact

There is no fiscal impact associated with this item.

Attachment

None