

ORDINANCE _____

**AN ORDINANCE AMENDING SECTION 7.28.05 AND SECTION 14.04.09 OF
THE GENTRY MUNICIPAL CODE REGARDING SIGNS
AND FOR OTHER PURPOSES**

WHEREAS, it has come to the attention of the City of Gentry that there is a need to amend the Gentry Municipal Code with respect to signs allowed within the City limits of the City of Gentry, Arkansas.

NOW, therefore, be it ordained by the City Council of the City of Gentry, Arkansas;

Section 1. **Gentry Code Section 7.28.05 is repealed.**

Section 2. **Gentry Code Section 14.04.09. Signs is amended by adding the following provisions.**

C. No Discrimination against Non-Commercial Signs or Speech. The owner of any sign which is otherwise allowed within the City of Gentry may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision shall prevail over any more specific provision to the contrary. This provision does not create a right to increase the total amount of signage on a parcel or to allow the substitution of an off-site commercial message in place of an on-site commercial message.

D. Severability. If any portion of the Gentry Municipal Code or any regulation contained therein is held to be invalid or unconstitutional by a court of competent jurisdiction, it is the City of Gentry's specific legislative intent that such provision or regulation is deemed severed from the City of Gentry's Municipal Code and such provision should in no way affect or diminish the validity of the remainder of the City Code or any other sign regulation set forth therein.

PASSED and APPROVED this ____ day of _____ 2016.

Kevin D. Johnston, Mayor

Attest:

Tonya Carney, Director of Finance