

# **City of Pocatello Sign Code**



## **Ordinance #2349**

**Effective Date: February 12, 1991**

**With 2005 and 2007 Amendments**

## Chapter 15.20 SIGN CODE

### 15.20.010 Statement Of Purpose:

The purpose of this chapter is to promote the public health, safety, and general welfare by regulating existing and proposed signage. It is intended to protect and enhance the physical appearance of the community, reserve the scenic and natural beauty, provide an enjoyable and pleasing community, protect property values, and create an attractive economic and business climate. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over the public right of way, provide more open space, and curb the deterioration of natural beauty and the community environment. (Ord. 2349, 1991)

### 15.20.020 Scope:

The regulations of this section shall govern and control the erection, enlargement, expansion, alteration, painting/repainting, operation, maintenance, and relocation of any sign or display within the city which is visible from any street, sidewalk, or public or private open space. These regulations shall also govern the removal of signs determined to be physically unsafe or which create a safety hazard to the public. These regulations shall also govern the licensing of contractors who perform the work outlined in these regulations. The regulations of this section dictate the types, location, and physical standards of signs that are permissible within specified zoning districts and set forth permit procedures. The regulations of this section shall be in addition to any applicable provisions of the uniform building and sign codes regarding the construction and maintenance of signs. (Ord. 2349, 1991)

### 15.20.030 Definitions:

The following definitions are adopted in addition to the definitions in the uniform sign code, as amended herein:

1. Animation: The presentation of pictorials and/or graphics on signs displayed in a progression of frames which give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light.
2. Applicant: For the purpose of this chapter, "applicant" shall be an individual or licensed sign contractor in the city.
3. Awning: A cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use.
4. Awning Sign: A sign that is painted on or attached to an awning or otherwise incorporated into the fabric of an awning.
5. Banner: A strip of cloth, canvas, or other flexible material on which a sign is painted and may be suspended between two (2) structures or hung on the face of a single structure.

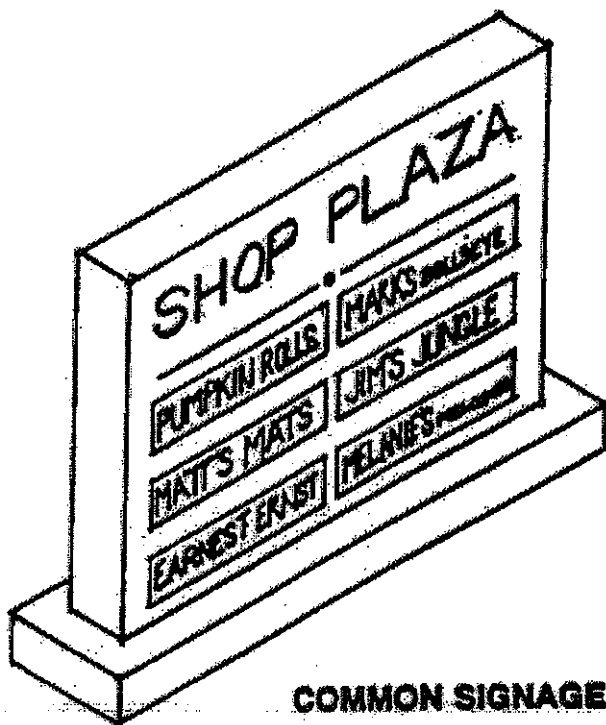
6. **Billboard Or Outdoor Advertising:** See definition of Off Premises Sign.

7. **Building Department:** The department responsible for the administration of the uniform sign code as adopted.

8. **Business Sign:** An advertising or business identification sign that directs attention to a business, profession, corporation, service or entertainment sold or offered upon the premises where such a sign is located or to which it is attached.

9. **Commercial/Professional Plaza:** A complex (i.e., strip mall, shopping center) housing two (2) or more tenants in a one-story building/buildings. Such a plaza can be defined by common architectural elements, shared street frontages/entrances/parking lots, and/or common ownership. Plazas usually have direct customer access from parking areas.

10. **Common Signage:** Signage which identifies the name of a mall, plaza, professional building, or other multiuse facility as well as collectively advertising individual businesses/tenants located within the complex. These signs commonly feature a "directory style" listing.



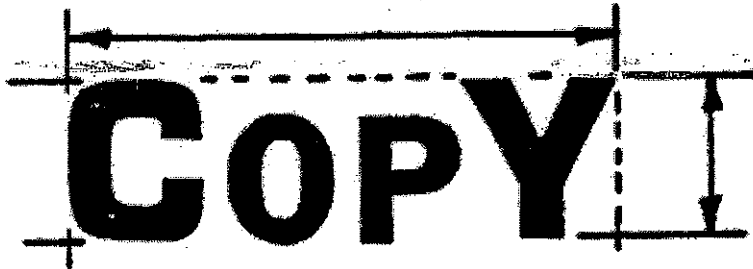
**COMMON SIGNAGE**

11. **Construction Sign:** A temporary sign identifying an architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.

12. **Copy:** The wording of a sign surface in either permanent or removable letter form.

13. **Copy Area:** The actual area of a sign face or, in the case of individually applied lettering

on walls or awnings, the area computed by drawing straight lines to enclose the extremities of the letters or numbers.



14. **Directional Sign:** A sign which warns or directs the viewer of action to be taken on private property such as, but not limited to, "no trespassing", "beware of dog", "enter or exit" signs.

15. **Display:** Attractions (such as graphic exterior paint treatments, searchlights, flags, murals, balloons, statues, sculptures, fountains, or other features) which do not clearly fall within the definition of a "sign", but which for commercial or noncommercial purposes direct attention to an institution, organization, or business.

16. **Downtown Historic District:** An area designated by ordinance that contains unique visual or historic characteristics or whose natural beauty requires special sign regulations to ensure that signs displayed within the area are compatible.

17. **Erect:** To construct or allow to be constructed, but not including any activity when performed as an incident to the change of advertising message or normal maintenance of a sign or sign structure.

18. **Externally Lit Sign:** A sign structure that is illuminated with outside fixtures (i.e., floodlights or externally mounted fluorescent or neon lighting).

19. **Face:** The area made available by the sign structure for the purpose of displaying an advertising message.

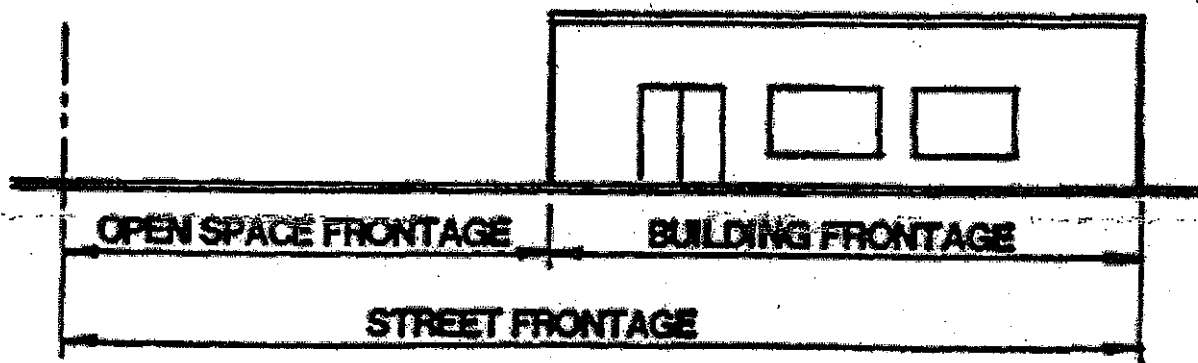
20. **Face Change:** Reuse of an existing cabinet which does not involve changes in structure.

21. **Festoon:** A string of ribbons, tinsel, small flags, pinwheels, or like material.

22. **Flag:** Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, restaurant, franchise, or other entity.

23. **Freestanding Sign:** See definitions of Pole Sign and Ground Sign.

24. **Frontage:** A linear distance used in determining the allowable size and location of signs.



a. **Building Frontage:** The linear distance which equals the horizontal length of any side of a building which faces and is parallel to the street frontage.

b. **Open Space Frontage:** The linear distance of any parcel along a single street derived by subtracting the building frontage from the street frontage of the property.

c. **Street Frontage:** The linear distance along a single street measured between property lines of any parcel which abuts that street.

d. **Business Frontage:** That portion of the total building frontage which is occupied by the front of any individual business derived by measuring the linear frontage of whichever wall of the business contains the main entrance(s).

25. **General Information Sign:** A sign that identifies public facilities and services or gives information to travelers (i.e., hospitals and airports).

26. **Grade:** The average ground elevation within fifty feet (50') of a sign. In the case of signs located within a sight triangle, the curb height is considered to be grade.

27. **Ground Sign:** A sign which is supported by one or more uprights, poles, braces, or columns in or upon the ground and not attached to any building and has nominal clearance to grade.

28. **Height Of A Sign:** The height of a sign shall be measured from grade to the highest point on the sign or supporting frame.

29. **Identification Sign:** A sign that identifies the name of the building, owner and/or street address, rather than a business within that building. It may also indicate the date of establishment as in a memorial tablet, but sets forth no other advertisement.

30. **Illegal Sign:** A sign unlawfully erected either before or after the effective date hereof. See also definition of Nonconforming Sign.

31. **Illuminated Sign:** A sign in which a source of light is used in order to make the message readable. This definition includes internally and externally lighted signs.

32. **Individual Business:** An establishment located on either a separate site or within a

multiuse commercial/professional plaza.

33. Internally Lit Sign: A sign that is illuminated from within the structure.

34. Licensed Sign Contractor: A person or business duly licensed under ordinance and regulations of the city to construct, paint, and/or install signs within the city limits.

35. Line Of Travel: Repealed.

36. Multifaced Sign: A spherical or other sign with more than two (2) faces.

37. Multiuse Buildings/Signage: See definitions of Commercial/Professional Plaza, Professional Office Building, mall, and Common Signage.

38. Mural: A drawing or picture painted on a wall which contains no printed words and which depicts no logo or other business symbol.

39. Nonconforming Sign: A sign lawfully erected before the effective date hereof which does not fully comply with provisions of this chapter.

40. Off Premises Sign: A sign advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured, or furnished at the site on which the sign is located (i.e., billboards or outdoor advertising).

41. On Premises Sign: A sign which carries advertisements incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, name of the person, firm or corporation occupying the premises or site.

42. Painted Wall Sign: A sign painted directly on the exterior wall of a building or structure.

43. Pennant: A flag or banner which tapers to a point.

44. Pole Sign: A detached sign erected and maintained on a freestanding mast or pole and not attached to any building with a minimum height of eight feet (8'). This does not include a "ground sign".

45. Portable Sign: A freestanding sign, easily movable from place to place, not permanently bolted, cemented, or otherwise anchored or secured to either a building, a concrete pad, or the ground, including, but not limited to, A-frame (menu and sandwich boards), "T" shape, and inverted "T" shape sign structures, wheel mounted signs, and signs mounted or placed on or in vehicles. Exception: Business identification copy, whether painted on vehicles or on magnetic signs attached to the sides, hood or back of vehicles does not constitute a portable sign.

46. Professional Office Building: A structure designed for professional offices (rather than commercial space). Such buildings generally have more than one floor and have shared entrances for their clientele.

47. Projecting Sign: Any sign, other than a wall sign, which projects from and is supported

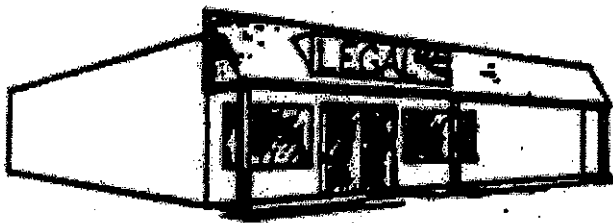
by the wall of a building or structure, excluding awnings.

48. **Public Service Sign:** A sign which announces public activities or charitable events to take place, or gives information of value to all citizens.

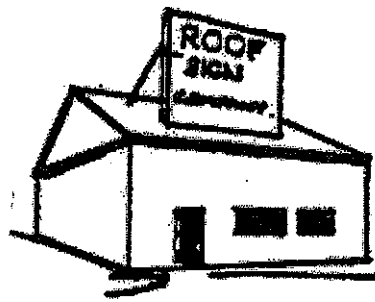
49. **Reader Board:** A sign on which different messages can be displayed. A manual reader board includes messages which are changed by use of removable letters that must be physically placed and arranged on the sign. Messages are usually displayed for periods of twenty four (24) hours or longer. Electronic reader boards may be programmed to change messages at different intervals, different colors, and different levels of brightness. Electronic reader boards may also have the capability to display moving text and/or images.

50. **Real Estate Sign:** Any sign pertaining to the sale, lease, or rental of land or buildings located on the parcel of land or building which is being offered.

51. **Roof Sign:** Any sign erected upon, against, or directly above a roof or roof eave, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eave which exceeds the highest point of a roof or parapet wall.

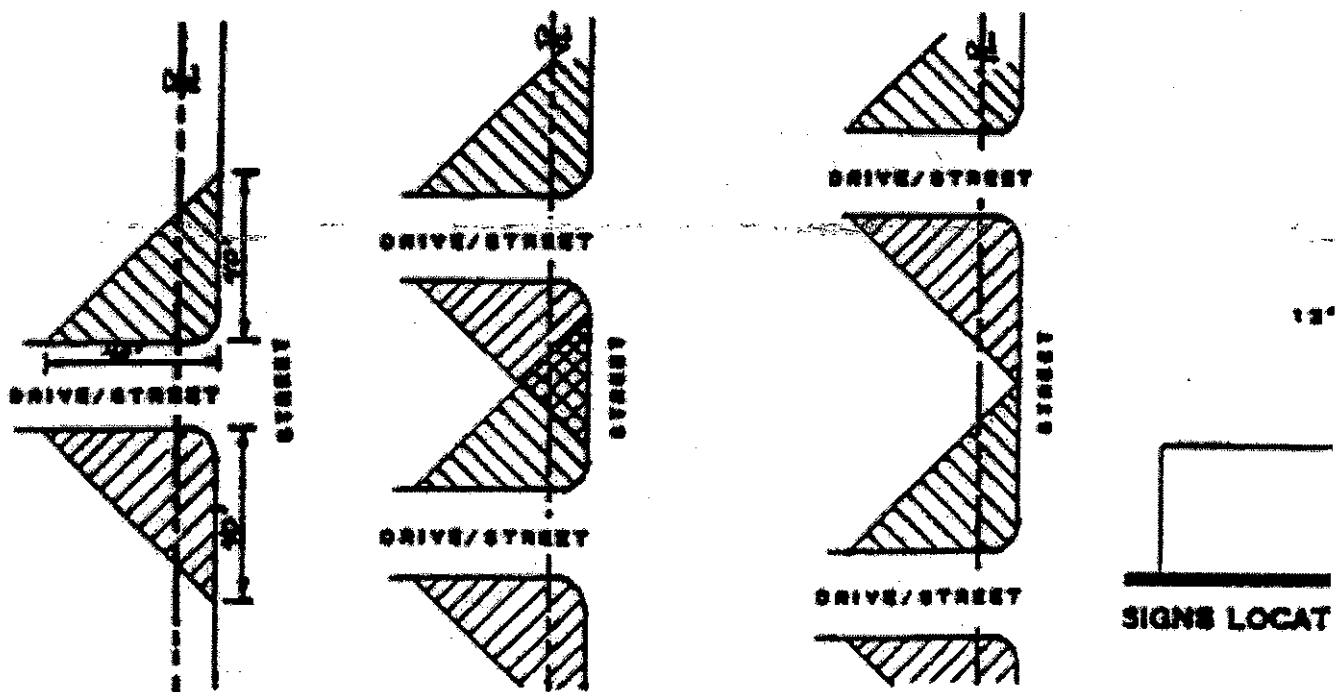


**LEGAL ROOF SIGNAGE**



**ILLEGAL ROOF SIG**

52. **Sight Triangle:** The sight triangle is a forty foot by forty foot (40' x 40') triangular section which shall be kept clear in order to avoid conflicting with the line of sight for drivers at street or driveway intersections.



### TYPICAL SIGHT TRIANGLES AT STREET/DRIVEWAY INTERSECTIONS

53. Sign: Any material, structure, or device or part thereof, composed of lettered or pictorial matter upon which lettered or pictorial matter is placed in such a manner as to be viewed by persons out of doors, including window display of an advertisement, announcement, notice, directional matter, or name, and including sign frames, billboards, signboards, painted wall signs, hanging signs, illuminated signs, pennants, festoons, banners, projecting signs, or ground signs, and shall also include any announcement, declaration, demonstration, display, illustration, or insignia used to advertise or promote the interests of any person or business when the same is placed in view of the general public.

54. Site And/Or Premises: Contiguous land under the same ownership which is not divided by any public street or alley or the entire area used as one commercial/professional plaza, including parking lots, or the entire area operated as one business regardless of ownership.

55. Snipe Sign: A temporary sign or poster affixed to a tree, fence, utility pole, etc., including, but not limited to, garage/yard sale signs, auction signs, etc.

56. Streaming Video: Electronic video displays utilizing content in motion picture form similar to or otherwise depicting a television screen.

57. Structure: Any material/device which supports or is capable of supporting any "sign" as defined herein.

58. Suspended Sign: A small scale sign which hangs from rather than being firmly attached to a support structure. Typically such signs are used below a canopy awning primarily to identify a business for pedestrian traffic in the downtown historic district.

59. Temporary Sign: A sign which is intended to advertise community or civic projects,

construction projects, real estate for sale or lease, other special commercial events, political candidates or public issues to be voted upon at an official election.

60. **Wall Sign:** A sign attached to or erected upon the wall of a building or structure. A wall sign shall project no farther than eighteen inches (18") from the building or structure and shall not exceed the highest point of the roof, wall, or parapet structure.

61. **Window Sign:** A sign applied, painted or affixed to or in the window of a building. Legal window signs shall occupy no more than fifty percent (50%) of the total window area.

62. **Zoning District:** An area designated by ordinance for which there exist regulations governing the use of buildings and premises or the height and area of buildings are uniform. Such district shall also regulate signage within a specific area. (Ord. 2813 §§ 1, 2, 2007; Ord. 2702 § 1, 2002; Ord. 2501 § 6, 1995; Ord. 2349, 1991)

#### **15.20.040 License Required:**

Any individual, firm, partnership, corporation, or association shall be required to secure a license from the city prior to engaging in the painting, installation, erection, or construction of signs or sign display structures for which permits are required under this chapter. For individuals owning their own property and wishing to paint/repaint or erect a sign, he/she may do so provided that a sign application is filed; that said sign does not exceed six (6) square feet; that the sign does not extend over a public right of way or provide any danger to the general public; that no more than three (3) such signs are erected at one site; and that the sign is securely attached to the structure. Electrified sign installations may require the services of a licensed electrical contractor. (Ord. 2349, 1991)

#### **15.20.050 License--Application--Fees--Insurance:**

- A. A person, firm, partnership, corporation or association of individuals desiring a license to engage in erecting, painting, constructing, or installing off premises or on premises signage shall make application to the city, accompanied by an annual fee as provided in chapter 15.03 of this title and casualty insurance policy covering both personal injury and/or property damage in the amount as provided in chapter 15.03 of this title, to be approved by the city attorney.
- B. The insurance policy shall be further conditioned to indemnify and hold harmless the city for all losses, costs, damages, expenses, and liabilities of any kind which may accrue against, be charged against, or recovered from the city by reason of anything done or omitted by the insured person or entity or by any agent or employee of the insured person or entity to the legal limits of the policy. The city shall be notified in writing by the insured of any cancellation of coverage thirty (30) days prior to the effective date of cancellation.
- C. An applicant shall also tender with the application for such license an affidavit to the effect that the applicant is a bona fide member or stockholder of any applicant firm or corporation, or that he is the sole proprietor of the applicant business. (Ord. 2749, 2004; Ord. 2349, 1991)

#### **15.20.060 Use Of License By Another:**

No duly licensed person, partnership, corporation, or association of individuals shall allow their licensed business to be used by any person, directly or indirectly, either to obtain a permit for the erection, placement, or installation of an on or off premises sign or display structure, or to do any work under such license. (Ord. 2349, 1991)

### **15.20.070 Revocation:**

Licenses granted as provided in this chapter may, at any time, be revoked for incompetence, dereliction of duties, misrepresentation, abuse of discretion, or any other similar impropriety, after a full and fair hearing is given the licensee by the city council. In the event the license is revoked, the licensee shall be ineligible to apply for a license under this chapter for a period of one year from the date of revocation. Action taken with regard to any entity not in compliance with this chapter may be initiated by the mayor or such other administrative personnel they may designate. (Ord. 2349 (part), 1991)

### **15.20.080 Signs prohibited in all zoning districts.**

The following signs specifically shall not be permitted, erected or retained in any district:

- A. Portable signs;
- B. Nonconforming signs as indicated in Section 15.20.280(C);
- C. Roof-mounted signs which exceed the highest point of a roof or parapet;
- D. Snipe signs; signs attached to trees, telephone poles or streetlights;
- E. Signs which incorporate moving lights (i.e. flashing or chasing);
- F. Signs which make use of words such as "Stop", "Look", "Danger", or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic;
- G. Any sign which obstructs free ingress to or egress from door, window, fire escape, other exit way, or standpipe;
- H. Any sign or other advertising structure containing any obscene, indecent or immoral matter;
- I. Any sign which, by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing, or detracting from the visibility of any traffic sign or control device on public streets and road;
- J. Any sign or sign structure which:
  1. Is structurally unsafe, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment, or
  2. Is capable of causing electrical shock to persons likely to come in contact with it;

K. No sign shall incorporate banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or similarly fixed or moving devices unless in accordance with Sections 15.20.140 and 15.20.150. (Ord. 2385 §1, 1991; Ord. 2349 (part), 1991)

### **15.20.090 Signs not subject to permits.**

No permit shall be required under this chapter for the following:

#### **A. Residential Districts.**

1. One on-premise, nonilluminated sign shall be permitted for each home occupation, provided that such sign be nonilluminated and no more than two square feet in area, and affixed to the surface of the building. Signs placed on business vehicles, regardless of their storage location, shall not display the address of the home occupation.
2. Real estate signs shall be limited to one per lot (except two shall be permitted on corner lots with one facing each street). Such signs shall not exceed nine square feet in area, be higher than six feet above grade, or project beyond the property line.
3. Temporary general information signs including but not limited to "For Sale" signs "Sale," etc., shall not be in excess of six square feet per sign face.
4. Temporary noncommercial signs, such as those bearing political, religious, nonprofit, and ideological messages, may be displayed for up to sixty days between January 1st and June 30th and for up to sixty days between July 1st and December 31st of any year. Such signs shall comply with sight triangle standards where deemed necessary and shall not exceed thirty-two square feet per sign face.
5. Signs for public safety and convenience may be authorized by the city's community development and research department. Such signs shall not exceed six square feet per sign face and shall serve the public safety or convenience, such as entrance signs, exit signs, office signs, parking signs.

#### **B. Neighborhood-Commercial-Professional, Commercial Warehouse and Industrial Districts.**

1. Temporary signs painted or attached to either surface of windows or visible there from but not obscuring more than fifty percent of the total square footage of such windows, shall be permitted up to sixty days (i.e. Christmas decorations).
2. General information signs (i.e. hospital, airport, library) shall be permitted if not in excess of six square feet in size. Such a sign shall be approved by the community development and research department and shall be designed and installed in conformance with the Manual on Uniform Traffic Control devices.
3. Signs for public safety and convenience may be authorized by the community development and research department. Such signs shall not exceed six square feet per sign face and shall serve the public safety or convenience, such as entrance signs, exit signs, office signs, parking signs.
4. Temporary noncommercial signs, such as those bearing political, religious, nonprofit,

and ideological messages, may be displayed for up to sixty days between January 1st and June 30th and for up to sixty days between July 1st and December 31st of any year. Such signs shall comply with sight triangle standards where deemed necessary and shall not exceed square feet per sign face.

5. Real estate signs (sale or rent) attached to the main building shall not exceed sixty-four square feet of surface area, shall pertain only to the sale, lease or rental of the particular building, property or premise upon which they are displayed.

6. Building identification signs which are incorporated into a structure's original architectural design shall be no larger than point five (.5) square feet per linear foot of building frontage. There shall be no more than one per building face.

7. Awnings which do not contain a message shall be allowed provided they do not project over a property line or the public right of way.

8. Any sign or sign structure located within a building which is not intended to be visible from outside the building.

9. Flags made of cloth, canvas, or flexible fabric material representing the United States, the state of Idaho, or general purpose unit of government shall not be a sign regulated by this chapter.

10. Gravestones, the display of street numbers, or any display or construction not defined herein as a sign or sign structure.

11. Official traffic or governmental signs.

12. Construction Signs. One temporary sign, not to exceed fifty square feet in area, may be affixed to each lot or parcel of property to designate that same is to be occupied at future date by a business or concern designated thereon. Upon such a sign may appear the name of the general contractor and all subcontractors. Such signs may remain for a period not to exceed six months or one month prior to start of construction and continuing until construction is complete. Sight triangle regulations must be followed. (Ord. 2349 (part), 1991)

### **15.20.100 Permit required.**

Except as otherwise provided in this chapter, no signage shall be painted/repainted, erected, altered, rebuilt or relocated until a permit for the sign(s) has been obtained. All signs for which sign permits are required (with the exception of banners, pennants, and festoons being displayed for less than ninety days) shall be erected by sign contractors who are licensed by the city building department pursuant to the provisions of this chapter. For permit procedures see Section 15.20.120. A separate permit may be required for electrical work. (Ord. 2349 (part), 1991)

### **15.20.110 Permit fees.**

Sign permit fees are set by resolution of the city council. Fees for governmental entities and

organizations with official nonprofit status may be waived by the Community Development and Research Department. Permits for face-changes only will not require permit fees. Fees are not refundable. (Ord. 2349 (part), 1991)

### **15.20.120 Permit procedures.**

- A. No person shall erect, paint/repaint, or alter any sign within the corporate limits of the city without first securing a permit for such, except as identified in Section 15.20.090.
- B. Applications for a sign permit, a sign exception, or a sign face change shall be obtained from the community development and research department. The application for permission to erect or maintain any sign shall be in writing signed by the owner, occupant of the property or structure to which such sign is attached, or licensed sign contractor authorized to act as the owner's representative. The signers of such application shall also state and agree with the city therein that they shall indemnify, protect, and save the city harmless from all costs, loss or damage which the City may sustain by reason of the erection, maintenance, use or removal of the sign, and that the sign may be removed as provided in this chapter. Every application for sign approval shall be accompanied by:
1. The street name and street number of the building of the structure to which the sign is to be erected;
  2. Names, addresses and telephone numbers of the applicant, owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the licensed contractor erecting or affixing the sign;
  3. A scaled site plan indicating the proposed location of the sign, an outline of the principal building showing the amount of building frontage and open space, the location and size of any existing signage at the site, and colors and type of illumination, if applicable, shall be indicated on the plan;
  4. Two inked, scaled drawings of the plans and specifications of the sign to be erected or affixed. Such details shall include accurate dimensions, materials, copy, and size of the proposed sign;
  5. Color photographs of the property in question, showing all existing signs on the property. For proposed wall signs a color photograph of the entire facade of the building on which the sign is to be erected shall be submitted;
  6. Applications for permits for off-premises signs, in addition to the aforementioned information, shall contain a survey showing the location of any off-premise sign within a one thousand foot radius and on-premise signs within thirty feet of the proposed location of such sign.
- C. Upon receipt of an application, community development and research department staff shall evaluate the request based on the information provided by the applicant and the requirements of this chapter. If the CD&R department denies or rejects an application, the applicant may appeal the decision to the sign design review committee as outlined in Section 15.20.250. Following CD&R review and approval, the application will then be forwarded to the city's building department for collection of fees, related records

management, and issuance of the appropriate permits.

D. Upon completion of the work and a call for inspection, a building official of the city shall then examine the work for structural compliance with the uniform sign code as amended and adopted.

E. A sign permit shall expire (unless otherwise requested in the original application) if installation/alterations are not completed within ninety (90) days. This period may be extended by CD&R staff for another ninety (90) days provided the applicant applies for the extension at least two (2) weeks before the end of the initial ninety (90) days. (Ord. 2349, 1991)

### **15.20.130 General Sign Regulations:**

In addition to the requirements of the uniform sign code as herein adopted and amended, signs in all zoning districts shall also conform to the following:

A. The following apply to all signs regardless of zoning district:

1. **Maintenance:** The owner of a sign and the owner of the premises on which such sign is located shall be jointly liable to maintain such sign including its illumination sources in compliance with this chapter and all other applicable laws in a safe and secure condition and in a neat and orderly condition and in good working order at all times and to prevent the development of any rust, corrosion, rotting, or other deterioration in the physical appearance or safety of such sign. The person controlling the property on which a sign or sign structure is located shall remove all weeds/litter and cut the grass within a radius of ten feet (10') of the outer limits of a sign or sign structure.

2. **Relocation Of Business Establishment:** In the case of a business establishment relocating to another location, the owner, manager, or sign contractor shall be responsible for removal of any signage on the previous site, including, but not limited to, sign cabinets on ground signs, wall signs, painted on wall signs, and unpermitted roof signs prior to installation of the new signage.

3. **Structural Requirements:** All signs shall be constructed of metal, wood, or comparable weather resistant material and shall be enclosed and subject to the following:

a. Signs and sign structures shall meet the applicable requirements in the uniform building and sign codes.

b. Illuminated signage shall be directed away from adjacent properties and public rights of way.

4. **Placement:** The following standards apply:

a. A wall sign shall be attached flat against the wall and project no further than eighteen inches (18") from the building and shall not extend above the top of the wall to which it is attached. Painted wall signs are calculated into the total sign area allowed per site. Flags with advertising copy which are displayed permanently on a building shall also be considered as wall signs.

b. A projecting sign shall not extend beyond the top of the wall on which it is placed. A minimum eight foot (8') clearance from grade is required.

c. Awnings shall not project above the roofline, or be located over a public right of way without a right of way use license. A minimum clearance of seven feet (7') to the valance and eight feet (8') to the frame above grade is required. Sign area for awnings shall be calculated on the copy area only.

d. Roof signs shall not exceed the highest point of a roof or parapet wall and shall not project farther than eighteen inches (18") from the building.

e. No signs may project over property lines or into public rights of way without a right of way use license.

5. Window Signs: Window signs intended for display over sixty (60) days shall require a permit, shall not consume over fifty percent (50%) of the glass area, and shall be calculated into the total sign area.

6. Pole/Ground Signs:

a. The maximum height of a pole/ground sign shall be thirty feet (30').

b. Any individual on premises pole/ground sign structure shall not contain in excess of two hundred (200) square feet of signage when located within twenty five feet (25') of any property line.

c. Signage is limited to no more than three (3) sign faces/cabinets separated by more than two inches (2") of open space. All wiring serving pole/ground signs shall be underground.

d. Freestanding flags with advertising copy shall be considered as pole signs.

e. No pole/ground sign shall be located on or over public property or within thirty feet (30') of another such sign.

f. In cases where a proposed signs would be situated on a corner lot possessing two (2) street frontages, any signage locate on or within thirty feet (30') of the corner may only contain signage based on the larger of the two (2) frontages. In other words, both frontage allocations may not be combined into the same sign.

g. For the public's health, safety, and general welfare, ground/pole signs within the area defined as a forty foot (40') sight triangle shall not be over three feet (3') or less than eight feet (8') in height from grade and support posts shall be not greater than twelve inches (12") in diameter. Low profile ground signs between three feet (3') and eight feet (8') in height shall meet the bulk and placement standards of the zoning ordinance (i.e., setbacks). See the illustration accompanying the definition of "sight triangle" in section 15.20.030 of this chapter. (Ord. 2702 § 2, 2002; Ord. 2349, 1991)

**15.20.140 Displays:**

Displays as defined in this code shall not be permitted in residential districts. Displays must meet all placement standards and the CD&R department has the power to disallow any display which may inhibit the public's health, safety, and general welfare. Requests for temporary displays should specify the location of the display; the type, size, number, and location of devices in the display; and the intended starting and ending dates. All permanent displays (those over 90 days) shall be reviewed by the sign design review committee prior to the issuance of a permit. (Ord. 2349, 1991)

### **15.20.150 Banners, Pennants:**

Banners, pennants, and festoons may be displayed for up to ninety (90) days between January 1 and June 30 and for up to ninety (90) days between July 1 and December 31 of any year without a permit being required. Such signs may in no case be strung between utility poles, overhang the right of way, or violate sight triangle requirements without approval by the community development and research department. In such case, only banners advertising special events may be permitted. (Ord. 2349, 1991)

### **15.20.160 Reader Boards:**

Manual and electronic reader boards are permitted in neighborhood commercial and professional, commercial general, warehouse and wholesale, and industrial districts. Electronic reader boards shall not be permitted if the proposed sign location is within two hundred feet (200') measured in any direction from a residential zoning district.

All elementary, middle level and senior high schools, public and private, shall be allowed one manual or electronic reader board regardless of the zoning district in which they are located; however if the school is located within a residential zoning district, the sign shall not be illuminated between nine thirty o'clock (9:30) P.M. and six thirty o'clock (6:30) A.M.

#### **A. Size And Height:**

1. The reader board shall be counted into the total sign area allowed.
2. The maximum size for an electronic reader board is fifty (50) square feet, with no more than fifty percent (50%) of the total allowed sign area to be dedicated to electronic reader boards.
3. Reader boards may be incorporated into permitted wall signage, ground signs or pole signs.

#### **B. Restrictions: Electronic reader boards are subject to the following restrictions on sign programming:**

1. Messages advertising on premises business services and products may be displayed. Messages with noncommercial advertising for community activities and events may also be displayed. Off premises commercial messages are not permitted unless they meet spacing standards for off premises signs and an off premises sign permit has been obtained.
2. No chasing, blinking, rotating or flashing shall be employed in displaying a message or

image, or during the change from one message or image to another.

3. Text messages that are longer than the display area and do not contain any nontext graphics shall scroll in a consistent and predictable manner.

4. No streaming video shall be displayed.

5. Light intensity shall be limited as follows:

#### INTENSITY LEVELS (NITS)

Color	Daytime 1	Nighttime 2
Red only	2,250	450
Green only	4,500	900
Amber only	3,350	675
Full color	5,000	1,000

#### Notes:

1. 1/2 hour after sunrise

2. 1/2 hour after sunset

(Ord. 2813 § 3, 2007; Ord. 2349, 1991)

### 15.20.170 Signs Permitted And Conditions Thereto In Residential Districts:

The following types, locations, and sizes of nonilluminated signs are permitted in residential districts. Signs shall be permitted under the following conditions:

- A. **Nonconforming Uses:** Legal nonconforming uses located within a residential district may retain existing legal signage. Any new signage for existing nonconforming uses shall be in conformance with the requirements of signage within a neighborhood commercial and professional (NCP) district.
- B. **Subdivision Identification Signs:** Such signs may be erected for the purpose of identifying a residential development of fifteen (15) or more dwelling units. Such signs shall be not larger than thirty six (36) square feet, nor higher than five feet (5') above grade. One sign may be erected at each entrance with no more than four (4) such signs for any project. Sight triangle regulations must be followed.
- C. **Real Estate Development Project Signs:** Real estate development project signs shall be permitted when erected for the purpose of selling or promoting a residential project of eight (8) or more dwelling units provided that such signs not exceed sixty four (64) square feet per sign face and are removed when the project is eighty percent (80%) complete, sold or leased. Sight triangle regulations must be followed. (Ord. 2349, 1991)

### **15.20.180 Signs Permitted And Conditions Thereto In Neighborhood Commercial And Professional Districts:**

The following types, locations and sizes of signs are permitted in NCP and NCP-LT districts:

#### **A. Individual Businesses:**

1. **Ground Sign:** One ground sign per site, no closer than five feet (5') from the property line, shall be permitted per street frontage providing that:
  - a. Such a ground sign shall not exceed thirty two (32) square feet in area, nor six feet (6') in height.
  - b. If constructed within a sight triangle, such signs may not exceed three feet (3') in height measured from top of curb.
2. **Wall Sign:** One wall sign per street frontage shall be permitted in addition to a ground sign. Such a sign shall not exceed thirty two (32) square feet in size.
3. **Awnings:** Awnings may be used in lieu of wall signs. Sign area for awnings shall be calculated on the copy area only and the copy area shall not exceed thirty two (32) square feet in size per street frontage.

#### **B. Common Signage (For Commercial/Professional Plazas With Two Or More Tenants):**

1. **Ground Sign:** One directory type sign shall be permitted per street frontage for the listing of all tenants who have offices/businesses within a premises. The sign shall not exceed thirty two (32) square feet and be no closer than five feet (5') to the property line, providing that:
  - a. The sign shall not exceed six feet (6') in height.
  - b. If constructed within a sight triangle, such sign shall not exceed three feet (3') in height. See definition of "sight triangle" in section 15.20.030 of this chapter.
2. **Wall Sign:** A wall directory sign, for listing all tenants who have offices/businesses within a premises, shall be permitted up to a maximum of thirty two (32) square feet.

**C. Lighting:** Lighting shall be internal or external. However, if internally lit, the background shall be opaque with only the message illuminated. (Ord. 2349, 1991)

### **15.20.190 Signs Permitted And Conditions Thereto In Commercial General, Warehouse And Wholesale, And Industrial Districts:**

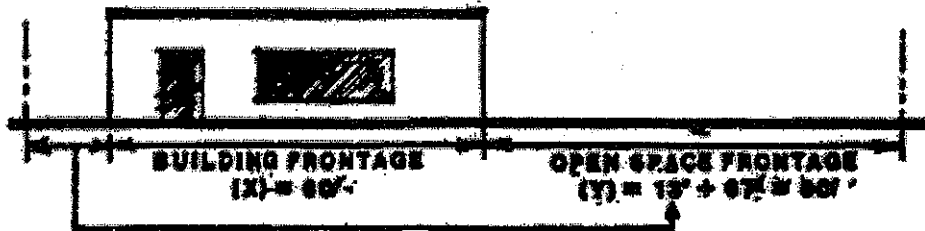
The following types, locations, and sizes of signs are permitted in CG, WW, and I districts for individual businesses not located in multiuse buildings:

- A. **Total Sign Area Allowed Per Individual Business Site:** For any given street frontage the total sign area allowed on said street frontage shall be determined by computing the sum of two

- (2) square feet for each linear foot of building frontage plus one square foot for each linear foot of open space frontage.

**FORMULA:  $2(X) + 1(Y) = \text{TOTAL SQUARE FEET ALLOWANCE}$**   
**(X) = BUILDING FRONTAGE (Y) = OPEN SPACE FRONTAGE**

**EXAMPLE:  $2 \times 50 + 1 \times 50 = 200 \text{ SQUARE FEET}$**

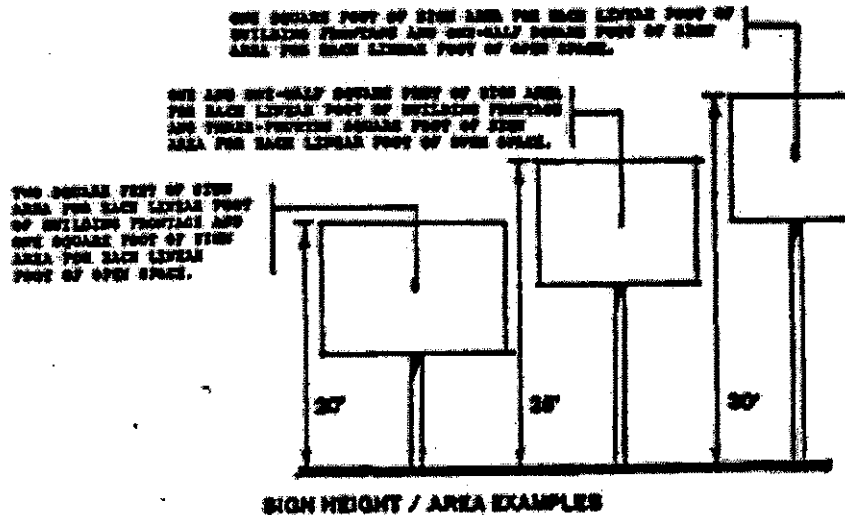


B. Combination Of Signs: This allowance may be utilized for any combination of the following signs:

1. Wall Signs: Wall signs shall be permitted.
2. Projecting Sign: One projecting sign shall be permitted. No part of a projecting sign or structure shall be permitted over a public right of way or property line.
3. Awning Signs: Awning signs shall be permitted.
4. Pole/Ground Sign: One pole/ground sign per site for each street frontage shall be permitted not exceeding thirty feet (30') in height from grade to the uppermost part of the sign or pole providing all general regulations are met in addition to the following standards:
  - a. In cases where the street frontage is one hundred eighty feet (180') or greater, one additional pole/ground sign per site may be permitted when all other general regulations are met. In no case shall more than two (2) ground signs per street frontage be permitted without an exception by the sign design review committee.
  - b. For pole signs three (3) to twenty feet (20') in height, up to two (2) square feet of the total sign area allowed may be utilized for each linear foot of building frontage and up to one square foot of the total sign area allowed may be utilized for each linear foot of open space frontage.
  - c. For pole signs greater than twenty feet (20') and up to thirty feet (30') in height, the following shall apply:
    - i. The allowable sign face area based on building frontage shall decrease by one-tenth (1/10) of a square foot of sign area for each one foot (1') above twenty feet (20') in height. The following table illustrates:

## PROPOSED SIGN HEIGHT

	20	21	22	23	24	25	26	27	28	29	30
x building frontage	2.0	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.1	1.0
x open space frontage	1.0	.95	.90	.85	.80	.75	.70	.65	.60	.55	.50



ii. This table is based on a formula which can also be utilized for signs with irregular heights:  $[2 - (\text{height over } 20' \times 0.1)] \times \text{linear feet building frontage} + [1 - (\text{height over } 20' \times 0.05)] \times \text{linear feet open space frontage} = \text{sign area}$ .

iii. A reduction in sign face area for signs between twenty (20) and thirty feet (30') in height does not reduce the total area allowed for the site as outlined in subsection A of this section.

5. Highway Pole Signs: One pole sign up to sixty feet (60') in height may be erected within one thousand feet (1,000') of an on/off interstate ramp intersection on any parcel of land if at least fifty percent (50%) of that parcel lies within that one thousand foot (1,000') radius. The sign must be set back at least twenty five feet (25') from any property line and at least fifty feet (50') from any residential, NCP, or NCP-LT zoning district boundary. No reduction in sign face size shall be required for these signs. (Ord. 2702 § 3, 2002; Ord. 2385 § 2, 1991; Ord. 2349, 1991)

### 15.20.200 Multiuse Commercial/Professional Plazas:

The following provisions shall apply to a complex containing two (2) or more businesses in a commercial general, warehouse and wholesale, or industrial district:

A. Individual Business: Each individual business within such a complex shall be permitted to have one wall sign or one awning sign with a maximum sign area of one and one-half (1 1/2) square feet for each linear foot of business frontage. Individual businesses may not have a pole/ground sign. In addition to the aforementioned permitted signage, each

business shall also be allowed one sign on a side or rear wall of that portion of the building occupied by the business with an allowed sign area of one square foot for each linear foot of business frontage up to a maximum of seventy five (75) square feet.

B. Common Signage: Such a complex may also share additional pole/ground signage which collectively advertises the name of the plaza and/or the names of the individual businesses. See also the definition of "common signage".

1. Total sign area allowed for common signage is calculated as follows: one-half (1/2) square foot of common sign area for each linear foot of building frontage and one square foot of common sign area for each linear foot of open space frontage.

2. Such a sign may be a ground sign not exceeding eight feet in height which meets sight triangle and setback requirements as governed by Section 15.20.130(A)(6)(g)

3. In no case may total common signage be less than sixty square feet nor more than two hundred square feet. (Ord. 2385 §3, 1991; Ord. 2349 (part), 1991)

### **15.20.210 Enclosed malls/shopping centers.**

Because of the design of such facilities, the following standards apply:

A. Common Signage. Such a complex may share a ground/pole sign for each street frontage which collectively advertises the name of the shopping center/mall or the names of the individual businesses. Such a sign may be a ground/pole sign which meets sight triangle and setback requirements as governed by 15.20.130(A)(6)(g) and meets all other general regulations.

1. Total sign area allowed for common signage is calculated as follows: one-half square foot of common sign area for each linear foot of building frontage and one square foot of common sign area for each linear foot of open space frontage.

2. Total common signage shall not be less than one hundred twenty square feet nor more than two hundred square feet.

B. Individual Businesses. Wall signs are permitted on exterior walls adjacent to a customer entrance which serves one particular establishment (i.e. an "anchor" store). Such signage is calculated as follows: one and one-half square foot of sign area for each linear foot of the building frontage on the wall where the sign would be mounted. Individual businesses with customer entrances inside the mall may not have individual signage on the exterior unless incorporated in the common signage. (Ord. 2349 (part), 1991)

### **15.20.220 Professional office buildings.**

Because of the nature of such buildings, the following standards apply:

A. Ground Sign. One directory-type sign shall be permitted per street frontage for building identification and/or a collective listing of all tenants who have offices/businesses on a common site.

1. The sign shall not exceed sixty-four square feet:
2. The sign shall not exceed eight feet in height.
3. If constructed within a defined sight triangle, such sign shall not exceed three feet in height.

**B. Wall Signs.** Wall signs are permitted as follows:

1. **Directory Sign.** A sign listing all tenants with offices/businesses within a premise shall be permitted up to thirty-two square feet in size near each main entrance to serve pedestrians.
2. **Building Identification Sign.** A wall-mounted sign identifying the building itself (i.e. City Hall) may be allowed on each side of a structure in accordance with the following: one-half square foot of signage for each linear foot of building frontage.



(Ord. 2349 (part), 1991)

**15.20.230 Downtown historic district.**

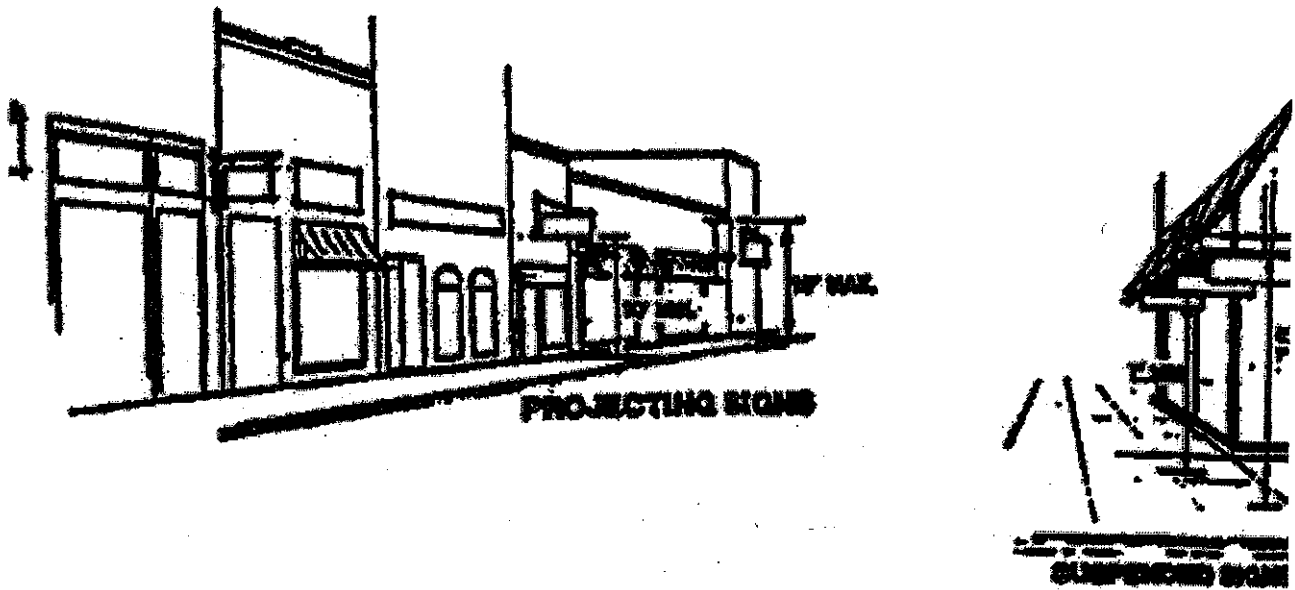
The following types, locations, and sizes of signs are permitted in the downtown historic district:

- A. Signs within the district shall be constructed of wood or metal and shall not be internally illuminated. Neon is acceptable upon review by the HPC.

B. **Total Sign Area Allowed.** One and one-half square feet of sign area shall be permitted for each of the first twenty-five feet of business frontage. An additional one-half square foot of sign area shall be permitted for each linear foot of business frontage over twenty-five feet. This allowance may be utilized for any combination of the following signs:

1. **Wall Signs.** Wall signs shall be architecturally compatible and integrated with the building, shall be flat against the wall to which they are mounted, and shall not extend above such wall.

\* 2. **Projecting Sign.** One projecting sign no more than sixteen square feet per sign face is permitted. The sign face shall require a ten foot clearance from the sidewalk and may not exceed an overall height from the sidewalk of fifteen feet. Projecting signs may overhang a public sidewalk up to five feet.



3. **Awning Signs:** Awning signs are permitted providing all general regulations are met and the awning is architecturally compatible with the structure(s) on which it is placed. The area of signage on awnings shall be calculated on the copy area only. A minimum clearance of seven feet (7') to the valance and eight feet (8') to the frame is required.

4. **Suspended/Hanging Signs:** Suspended/hanging signs may accessorize awning structures and may not exceed four (4) square feet in size and shall have a minimum clearance of seven feet (7') to the sidewalk. Such signs are intended for the information of pedestrians.

5. **Window Signs:** Window signs may be applied, painted or affixed to or in the window of a building as long as they occupy no more than fifty percent (50%) of the total window area and the area of such signage is calculated toward the total sign area allowed on site.

C. **Historic Preservation Commission Review Procedures:** Signs erected within the downtown historic district shall be reviewed and approved by the historic preservation commission or

its designated subcommittee prior to the granting of a sign permit. For purposes of this section, references to the commission contained herein shall be construed to include said designated subcommittee. The commission shall have the authority to review the following:

1. The historic preservation commission, in addition to ensuring conformity with other standards set forth in this chapter, shall evaluate the general appearance of the sign, and ensure compatibility of style, color, size and material with the building on which it is mounted, as well as with neighboring buildings.
2. The historic preservation commission may waive a particular standard in cases where it can be proven that application of the standard to a sign would reduce its historical significance and where it can be proven that relaxation of the standards will not lead to the decreased safety of the public.
3. The historic preservation commission shall make a decision within fifteen (15) days of an application unless the applicant and the HPC agree to table consideration of the sign until a later date.
4. Applicants may appeal the HPC's decision to the city council within thirty (30) days of official notice of the written decision. The appeal shall be filed at least seven (7) days before the next regularly scheduled city council meeting. The council shall review the findings of the HPC, hear the arguments of the appellant, and make a final determination on the issue. (Ord. 2385 § 4, 1991; Ord. 2349, 1991)

#### **15.20.240 Off Premises Signs:**

A. Off premises/billboard signs shall only be permitted in warehouse and wholesale, industrial, and commercial general districts. Permits for signs meeting the requirements below may be issued by staff. However, the following additional requirements shall apply in commercial general districts:

1. Applicants for signs in commercial general districts must provide a mailing list of property owners and tenants within a two hundred foot (200') radius of the proposed sign location to whom notice of the application will be sent by the city;
2. A twenty one (21) day waiting period shall be required prior to sign construction or erection, during which time period any aggrieved person so notified may make a written protest to the planning and development services department for a hearing before the community development commission. A decision of the CDC may be appealed to the city council within fifteen (15) days of the date of the CDC decision;
3. No construction or erection of signs shall be allowed pending the outcome of either hearing;
4. The decision of the city council shall be final;
5. The review criteria used by the city council and the CDC shall be as follows: The proposed sign must be designed to minimize adverse effects on adjoining land, and the proposed sign must be designed to be as compatible in appearance and layout with adjacent uses as is practical.

B. Any off premises sign which is moved or replaced must comply with current standards. All off premises signs shall meet the following standards:

1. **Sign Face:** The maximum area of a sign face shall not exceed three hundred (300) square feet including border and trim, but excluding base, supports, and other parts of the sign structure. Maximum height of the face shall be twelve feet (12') and maximum length shall be thirty six feet (36').

2. **Height:** Off premises signs shall be no more than thirty five feet (35') in height above ground level and have a minimum clearance of twenty feet (20'). Provided, however, that the staff of the planning and development services department is hereby authorized to grant variances up to five feet (5') for the minimum clearance and height requirements through the minor variance process as described in section 17.52.200 of this code.

3. **Cutouts:** Cutout attachments securely affixed to off premises signs shall be permitted, but shall not be allowed to project more than five feet (5') above, one foot (1') below, and not more than two feet (2') on either side of the sign to which they are attached.

4. **Placement:** No portion of an off premises/billboard sign may extend into or over an area defined as a structural setback in the applicable zoning district standards.

5. **Message:** No permits are required to change the message of an off premises/billboard sign. However, a new off premises sign permit is required to convert an existing billboard into a sign using trivision panels or electronically programmable changeable messages, and city staff shall evaluate electronic sign locations for potential impacts to traffic safety. If the sign is nonconforming in terms of placement or spacing requirements, the community development commission shall review the conversion of the sign using the following criteria: The proposed sign must be designed to minimize adverse effects on adjoining land, and the proposed sign must be designed to be as compatible in appearance and layout with adjacent uses as is practical. A public hearing regarding the conversion shall also be held in front of the community development commission with notice sent to all property owners and occupants within a two hundred foot (200') radius.

6. **Changing Messages:** Message display for new off premises signs or conversions of existing off premises signs to those using electronic means to change messages such as LED technology or trivision panels shall comply with the following standards:

a. Messages shall remain static for a minimum of eight (8) seconds.

b. An automated change of message or image must be accomplished within two (2) seconds or less and contain a default design that will freeze the sign face in one position should a malfunction occur.

c. The following brightness standards shall apply:

#### INTENSITY LEVELS (NITS)

<u>Color</u>	<u>Daytime 1</u>	<u>Nighttime 2</u>
Red only	2,250	450

Green only	4,500	900
Amber only	3,350	675
Full color	5,000	1,000

**Notes:**

1. 1/2 hour after sunrise

2. 1/2 hour after sunset

d. No electronic animation, moving text or streaming video shall be permitted.

**7. Spacing:**

a. Off premises signs located on the same side of a roadway or street shall be spaced at least one thousand feet (1,000') apart. Additionally, off premises signs shall be spaced at least one hundred fifty feet (150') from any other such sign located on the opposite side of the roadway or street (measured in a straight line between one sign and another along the line of sight of the roadway or street common to each sign). Provided, however, that adjustments of up to ten percent (10%) of the required distance may be approved by the planning and development services department staff through the minor variance process as described in section 17.52.200 of this code.

b. In no case shall off premises signs be located closer than two hundred fifty feet (250') to a residential zoning district, designated historic district, park, school, church, cemetery, or government facility, measured in any direction from said signs.

8. Unipole Construction: All off premises signs constructed after the effective date hereof shall be of unipole (i.e., 1 support pole) construction.

9. Lighting: Off premises signs shall not be internally illuminated or backlit. (Ord. 2813 § 4, 2007; Ord. 2501 §§ 1-5, 1995; Ord. 2349, 1991)

**15.20.250 Exception Procedures:**

Research department staff shall have the discretion of granting minor exceptions (up to 10 percent) from size and placement standards outlined in this chapter. Exceptions of greater than ten percent (10%) should be the result of unique physical characteristics of the site in question and must be judged in accordance with the standards set forth in section 15.20.260 of this chapter.

A. The sign design review committee, which shall be a subcommittee appointed from members of the community development commission, shall meet ten (10) times annually, on the fourth Wednesday of the months of January through October, to review applications. Completed applications shall be submitted at least two (2) weeks before the regular meeting. Applications shall include the signatures of both the sign contractor and the property owner, a narrative which describes the request and addresses each of the standards required for a sign exception as set forth in this chapter and the fee established

by resolution of the city council. Notices of the time and place of such meetings and the sign exception request to be considered shall be mailed to owners and occupants of any adjoining property which shares a common boundary line, also referred to as common property line, with the premises on which the sign is to be located.

- B. This committee has the authority to approve signs with or without special conditions concerning sign size, design, illumination, height, width, landscaping, placement on site, or any other condition it deems pertinent for sign enhancement. This committee shall only approve signs and sign structures that are consistent with the purpose set out in section 15.20.010 of this chapter and with the comprehensive plan of the city. This committee cannot overrule the historic preservation commission.
- C. A decision, in the form of written findings and conclusions, shall be issued by the committee and a copy sent by certified mail to the applicant. Copies to other participants in the hearing may be sent via regular mail. Any aggrieved party may, within thirty (30) days of the decision, appeal a decision to the city council which shall hold a public hearing on the matter. The council's final decision shall be in the form of written findings and conclusions and shall be issued within twenty one (21) days of its hearing with a copy mailed to the applicant via certified mail and a copy via regular mail sent to other participants in the hearing. An exception shall be denied, or a permit revoked, upon a showing that the applicant or his agent misrepresented facts or falsified information used in requesting or obtaining the permit, whether in writing upon the application form, or in oral testimony at any hearing or meeting.
- D. If the applicant is seeking a permit for a sign or sign structure within a designated historic district in the city, the application shall be reviewed by the historic preservation commission, as provided for in section 15.38.050 of this title.
- E. A sign exception permit shall expire if the alterations are not completed within ninety (90) days provided the applicant applies for the extension at least two (2) weeks before the end of the initial ninety (90) days.
- F. A sign exception request may not be resubmitted for the same general use at the same location for a period of twelve (12) months.
- G. Sign exceptions which have been considered by the sign design review committee are not transferable from one sign contractor to another. If the sign contractor applying for a sign permit does not do the work, then any new contractor shall reapply for the exception. (Ord. 2702 §§ 4, 5, 2002; Ord. 2399 §§ 1, 2, 3, 1992; Ord. 2349, 1991)

### **15.20.260 Standards--Exceptions:**

- A. An exception sought should be the result of unique physical characteristics of the site in question.
- B. The applicant shall have taken all reasonable steps to comply with the strict terms of the ordinance from which he or she requests an exception.
- C. The circumstances surrounding the request shall be extraordinary as related to the applicant's land and the reasonable use thereof.

- D. The applicant should show that, absent an exception, no reasonable identification of the subject land remains.
- E. The applicant for an exception shall show how the proposed exception has been designed to minimize adverse effects on adjoining land.
- F. The proposal must be in conformance with the purpose set forth in this chapter. (Ord. 2349, 1991)

### **15.20.270 Signs By Conditional Use Permits:**

Where a proposed use is permitted in a zoning district by CUP (or exists as a legal, nonconforming use), the regulations governing the next closest zoning district in intensity shall be utilized unless otherwise outlined in a conditional use permit or sought through the exception procedures outlined in section 15.20.250 of this chapter. (Ord. 2349, 1991)

### **15.20.280 Nonconforming Signs:**

- A. Changes which reduce the overall degree of nonconformity (i.e., cabinet or copy size/overall height reductions, sight triangle corrections, or encroachments on the public right of way) shall be permitted as long as the original structure has not become structurally unsound. Sign face changes and routine maintenance not involving structural alterations or cabinet removal shall be permitted, except under circumstances set out in the following subsection.
- B. Repealed.
- C. Legal nonconforming signs and sign structures shall be allowed to remain in place except under the following circumstances, any one of which will require the removal of the sign and compliance with this chapter for any other sign:
  1. If a sign cabinet, face, or structure is removed, refurbished, replaced, or relocated without prior approval by the planning and development services staff, or if the approved change(s) to the cabinet, face or structure have not been completed within ninety (90) days.
  2. If the sign copy has not correctly identified a site or business for over one hundred eighty (180) days. Any person contesting this determination by city staff must provide proof that the one hundred eighty (180) day maximum has not elapsed.
  3. If a new business or use has moved to the site and refurbishing the signage exceeds fifty percent (50%) of the replacement cost. Any person contesting this determination by city staff must provide proof of replacement cost in the form of a written estimate from a licensed sign contractor.
  4. If a sign has been improperly maintained or has become structurally unsound.
  5. If additional signage, of any type, is proposed for the site in question.
  6. If any change is made to window or painted wall signs. (Ord. 2702 §§ 6, 7, 8, 2002: Ord.

2349, 1991)

### **15.20.290 Removal Of Nonconforming Signs:**

Nonconforming sign structures shall be removed by the owner of the building or lot to which they are affixed within one hundred eighty (180) days after loss of conformity. If the sign(s) is not removed during this allotted period, the city shall remove them at the property owner's expense. (Ord. 2349, 1991)

### **15.20.300 Inspection, Responsibility For Unsafe And Unlawful Signs:**

If a city inspector shall find that any sign regulated in this chapter is unsafe or insecure, or has been constructed or erected in violation of the provisions of this chapter, he/she shall submit written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the herein set forth conditions within fifteen (15) days after such notice, such sign may be removed or altered by the city at the expense of the committee or owner of the property upon which the sign is located. (Ord. 2349, 1991)

### **15.20.310 Penalties:**

- A. A violation of any of the provisions of this chapter shall be a misdemeanor violation and upon conviction a defendant shall be punishable as provided in section 1.04.040 of this code.
- B. Each day on which the violation occurs shall be deemed a separate offense. (Ord. 2771 § 2, 2005; Ord. 2349, 1991)

### **15.20.320 Civil Enforcement:**

Appropriate actions and proceedings may be taken at law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, or to prevent illegal occupancy of a building, structure, or premises. These remedies shall be in addition to any other penalties described in this chapter. (Ord. 2349, 1991)