



AGENDA

November 24, 2015

6:00 p.m.

The Roy City Planning Commission regular meeting will be held in the Administrative Conference Room in the Roy City Municipal Building located at 5051 South 1900 West. The meeting will commence with the Pledge of Allegiance, which will be appointed by the Chair.

Agenda Items

1. Declaration of Conflicts
2. Approval of November 10, 2015 minutes
3. Continued discussion of the proposed Title 13 - Sign Ordinance
4. Commissioners Minute
5. Staff Update
6. Adjourn

In Compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1040 or by email: ced@royutah.org at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 23rd day of October, 2015. A copy was also provided to the Standard Examiner and posted on the Roy City Website on the 23rd day of October, 2015.

STEVE PARKINSON;
PLANNING & ZONING ADMINISTRATOR



1 ROY CITY PLANNING COMMISSION

2
3 November 10, 2015

4
5 Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy
6 City Municipal Building on November 10, 2015, at 6:00 p.m.

7
8 The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting
9 was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was
10 posted.

11
12 The following members were in attendance:

13
14 Gennie Kirch, Chairman Steve Parkinson, Planner
15 Bob Dandoy Michelle Drago, Secretary
16 Leland Karras
17 Doug Nandell
18 Lindsey Ohlin
19 Joe Paul
20 Claude Payne

21
22 Others present were: Loren Kay and Greg Sagen.

23
24 Pledge of Allegiance: Bob Dandoy

25
26 1. DECLARATIONS OF CONFLICT

27
28 There were none.

29
30 2. APPROVAL OF OCTOBER 27, 2015, MINUTES

31
32 **Commissioner Paul moved to approve the October 27, 2015, minutes as corrected.**
33 **Commissioner Nandell seconded the motion. Commission members Dandoy, Karras,**
34 **Kirch, Nandell, Ohlin, Paul, and Payne voted "aye." The motion carried.**

35
36 3. CONTINUED FROM SEPTEMBER 8, 2015 – REQUEST FOR PRELIMINARY
37 SUBDIVISION APPROVAL FOR SPENCER SUBDIVISION, A THREE (3) LOT
38 RESIDENTIAL SUBDIVISION LOCATED AT 2243 WEST 5200 SOUTH

39
40 Steve Parkinson stated that this subdivision was previously reviewed by the Planning Commission
41 on September 8th. The applicant wanted to use part of the City right-of-way as part of the lot area.
42 The Planning Commission recommended that the subdivision be denied. On October 16th, the
43 City Council told the applicant that he could not use the right-of-way. Prior to the Council voting
44 to deny the subdivision, the applicant withdrew his request. Since then, the applicant had revised
45 and resubmitted the subdivision.

46
47 Mr. Parkinson reminded the Commission that there was an existing home on the west side of the
48 subdivision owned by Sharon Spencer, and an existing home the east side owned by Loren Kay.
49 They wanted to subdivide the middle section and create a third lot between the two homes. A
50 dogleg had been added to the main body of the lot to make up the necessary 8,000 square feet.

51 The dogleg was created by taking a portion of Mr. Kay's property. It extended south from the new
52 lot.

53
54 Mr. Parkinson stated that Section 903 of the Subdivision Ordinance stated, "*Arrangement and*
55 *Design. The lot arrangement and design shall be such that lots will provide satisfactory and*
56 *desirable sites for building, and be properly related to topography and to existing and future*
57 *requirements.*" He said the Planning Commission would have to determine what was desirable
58 and satisfactory. With the dogleg, the lot met the size requirement of the Zoning Ordinance, but
59 the staff felt it was unusable property. The dogleg contained an easement to allow Loren Kay
60 access to his back yard. Without the easement, Mr. Kay would not be able to access his property.
61 Due to the easement, the dogleg could not be fenced. With a width of only ten feet, setback
62 requirements would make it extremely difficult to construct an accessory building on the dogleg.

63
64 Mr. Parkinson stated that the staff had found that the proposed subdivision did not meet all the
65 requirements of the Subdivision Ordinance. It recommended that the Planning Commission
66 recommend that the City Council deny the request for preliminary approval of the Spencer
67 Subdivision.

68
69 Commissioner Paul felt that whoever purchased the new lot would really be buying a smaller lot
70 with an unusable chunk of property.

71
72 Chairman Kirch asked about fire access. Mr. Parkinson stated that if Sharon Spencer fenced her
73 yard, Mr. Kay would not have access to his back yard

74
75 Commissioner Paul asked about property to the south. Steve Parkinson said the lot immediately
76 to the south was owned by the Parks family.

77
78 Chairman Kirch allowed the applicant, Loren Kay, to speak.

79
80 Chairman Kirch asked what size home would fit on the new lot.

81
82 Loren Kay, 2243 West 5200 South, stated that he was just trying to help a neighbor. Right now
83 the vacant property was a pretty good weed patch. He planned to build a two-story home with a
84 basement. He felt the lot would make a nice home and clean up this spot. Terry Spencer was
85 financing the home. This would probably be the last home he would build. If it was necessary, he
86 could add more of his property so that whoever purchased the new lot would have more room.

87
88 Chairman Kirch reminded the Planning Commission that the governing document was the
89 Subdivision Ordinance which the City had adopted. She felt the dogleg could become an issue
90 down the road. Without a fence, property lines became blurred.

91
92 Commissioner Dandoy asked if it would be possible to access the dogleg from adjoining
93 properties. Mr. Parkinson said not without going through homes and accessory buildings.

94
95 Commissioner Dandoy stated that there was a big strip of land in the middle of the block behind
96 some of the homes. Was the new lot in someone's back yard? Mr. Parkinson said it was in Sharon
97 Spencer's back yard and Loren Kay's side yard.

98

99 Loren Kay stated that this was the last lot available along the drought relief line. Mr. Parkinson
100 said this was not the last lot because it wasn't a lot.
101

102 Commissioner Dandoy asked if the Parks still lived south of Sharon Spencer. Mr. Kay said they
103 did. Commissioner Dandoy felt approving the subdivision would be a '*no brainer*' if the property
104 needed to make the new lot 8,000 square was directly to the south rather than in a dogleg. The
105 Planning Commission was concerned about the dogleg.
106

107 Chairman Kirch asked if Parks would be willing to sell or swap a portion of their property to Mr.
108 Kay.
109

110 Commissioner Paul stated that the Planning Commission was concerned about the usability of
111 the dogleg and Loren Kay's ability to get to his backyard.
112

113 Commissioner Dandoy felt there were two important issues. The applicant had to get creative to
114 acquire 8,000 square feet to meet the requirements of the ordinance. This was one of the most
115 unique lots he had seen since he had been on the Planning Commission, and it might have
116 problems complying with the Subdivision Ordinance. The Commission had to consider an unusual
117 lot versus putting a home on a lot with less than 8,000 square feet. It did not want to create
118 confusion, but he felt the unusual configuration of the lot would lead to confusion in the future.
119

120 Commissioner Paul said the City Council had already denied the applicant a waiver. Steve
121 Parkinson explained that the City Council could not grant a waiver. The Council told the applicant
122 he could not use the right-of-way as part of the lot area. The only body with power to grant a
123 waiver was the Board of Adjustment. In order to apply for a waiver, the applicant had to a hardship.
124 This property did not have a hardship.
125

126 Chairman Kirch stated that the DRC's comments from their November 5th review included a
127 statement that '*property lines shall be established so as to maintain the minimum fire separation*
128 *distances of five feet to detached structures on adjoining properties...*' There was also a comment
129 about the square footage of Lots 2 and 3 shown on the plat did not match the dimensions of the
130 property.
131

132 Commissioner Paul stated that all of the other lots in the area were long and rectangular. The
133 applicant was carving out a smaller, creative lot. It did not fit.
134

135 Chairman Kirch felt the applicant was proposing an R-1-7, or smaller, lot.
136

137 Commissioner Nandell stated that allowing this lot would require the removal of canopies and
138 concrete pads.
139

140 Chairman Kirch questioned whether the request complied with the Future Land Use Map. Mr.
141 Parkinson said the Future Land Use Map designated this area as Medium to Low Density
142 Residential. The applicant's request did comply with the Future Land Use Map and zoning
143 regulations. The staff did not feel it complied with the Subdivision Ordinance.
144

145 Commissioner Dandoy said the Planning Commission was struggling. If there was a way to add
146 square footage directly south of the property lot, the Planning Commission's decision would be
147 easy. It was struggling with the unusual configuration.
148

149 Loren Kay stated that the Parks, the adjacent property owner, were adamant about turning over
150 their total property to their daughter. He would try to acquire land from them, but he didn't feel he
151 would be successful.
152

153 Chairman Kirch stated that there overall was enough square footage for three lots, but Section
154 903 of the Subdivision Ordinance said the Planning Commission had to be forward thinking. The
155 Planning Commission didn't want to leave a lot that the City and owners would struggle with in
156 the future.
157

158 Chairman Kirch asked how much property Mr. Kay would have to acquire from the property owner
159 to the south to make 8,000 square feet. Mr. Parkinson did not know.
160

161 Commissioner Paul stated that the creative lot met the intent of the law, but it did not make the
162 lot usable.
163

164 **Commissioner Paul moved to recommend that the City Council deny preliminary**
165 **subdivision approval of the Spencer Subdivision, a three (3) lot subdivision located at 2243**
166 **West 5200 South, based on the staff's findings and recommendation. Commissioner**
167 **Karras seconded the motion. Commission members Dandoy, Karras, Kirch, Nandell, Ohlin,**
168 **Paul, and Payne voted "aye," The motion carried.**
169

170 4. COMMISSIONER'S COMMENTS

171
172 Commissioner Dandoy said it looked like Midland Drive was moving along. When would it be
173 finished? Steve Parkinson said the project was 89 days behind schedule. He did not know when
174 the project was supposed to be completed. It would probably be spring.
175

176 Commissioner Dandoy stated that the City had a discussion with the residents on 4000 South
177 about the roundabout landscaping. Was the City going to remove some of the landscaping?
178 Commissioner Paul stated that when the trees in the roundabout matured drivers would not be
179 able to see other drivers entering the roundabout. Steve Parkinson felt not being able to see other
180 drivers would encourage traffic in the roundabout to slow down. He had not been and was not
181 involved in the roundabout discussions. He did not know what the City planned to do.
182

183 Commissioner Dandoy asked about scheduling a joint work session between the City Council and
184 Planning Commission to discuss the Future Land Use Map. Steve Parkinson said the
185 administration was trying to figure out a date. Commissioner Paul asked about the possibility to
186 reviewing the map in a Development Review Committee meeting. Steve Parkinson said that when
187 the City looked at land uses the public needed to be involved. The City had applied for a grant for
188 a small area plan, in which the 4000 South area was identified. If the City received the grant,
189 Wasatch Front Regional Council would come in to help. Commissioner Dandoy felt that the City
190 property on 1900 west near North Park needed to be considered as well. He also felt there needed
191 to be conversations about development opportunities along Midland Drive. Steve Parkinson said

192 there had been a few attempts to update the General Plan, but nothing had come to fruition. The
193 General Plan was 15 years old. These areas could be put in an update.

194
195 Commissioner Paul asked about a time line for the Falcon Hill development. Commissioner
196 Dandoy said it was supposed to be finished by 2025. Roy was on the tail end of the development.
197 It was moving from the West Gate to the North Gate.

198
199 Commissioner Dandoy stated that UDOT did not have plans to change 5600 South until 2021 to
200 2030 other than the spur to 2200 West in 2016. The City needed to discuss 4000 South. UDOT
201 was dumping five lanes onto Roy's two lane road.

202
203 Chairman Kirch asked about signs. If a business had an attached box with changeable copy was
204 it a temporary sign? Mr. Parkinson said it would be a permanent sign.

205
206 Commissioner Paul asked about the status of the overlay zone on 2700 West between 4800
207 South and 5200 South. Chairman Kirch said the zoning had been left as it was. There had been
208 discussion about including the area in the master plan for the area between the tracks.

209
210 5. STAFF UPDATE

211
212 Steve Parkinson hoped to have the Sign Ordinance ready for the Planning Commission to review
213 on November 24th. The City Attorney was still reviewing it. The next big project would be reviewing
214 permitted and conditional uses in the Zoning Ordinance.

215
216 6. ADJOURN

217
218 **Commissioner Karras moved to adjourn at 6:50 p.m. Commissioner Payne seconded the**
219 **motion. Commission members Dandoy, Karras, Kirch, Nandell, Ohlin, Paul, and Payne**
220 **voted "aye." The motion carried.**

221
222
223

224
225 Attest:

Gennie Kirch
226 Chairman

227
228

229

Michelle Drago
230 Secretary
231 dc:pnov1015



COMMUNITY DEVELOPMENT DEPARTMENT

established 1937

MEMO

Date: 20 November 2015

To: Planning Commission

From: Steve Parkinson – Planning & Zoning Administrator 

Subject: Sign Ordinance – Window signs ordinances of surrounding communities

During the last work session you had ask for staff to research the surrounding City's as to what their ordinances say regarding Window Signs. The following table is for your review.

Clearfield	
11-15-7 C 3	Window signs shall be allowed, provided that no more than thirty percent (30%) of any window or group of windows is occupied by a sign or combination of signs.
Clinton	
24-4-1 (23)	Window signs which are painted on or temporarily affixed to the window surface shall cover no more than 25% of any single window or 25% of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances or to create a safety hazard. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eight (8) inches of the window surface.
Ogden	
18-3-8	No sign shall cover or obstruct windows, doorways or other openings providing light, ventilation or exit facilities which are required by the building code or which are deemed by the fire department to be necessary to give the fire department access to the building, or to afford fire protection in the event of a fire; provided.
Riverdale	
10-16-2 P	No sign shall cover a window, doorway or other opening providing light, ventilation or exit facilities which are required by the building code or which are deemed by the fire department to be necessary to give the fire department access to the building, or to afford fire protection in the event of a fire.
Layton	
20.04.140	Except in the "R" (residential) and "A" (agricultural) zones, for each ground floor occupancy of a building not more than two (2) permanent signs may be painted on or otherwise displayed from the inside surface of any window, showcase, or other similar facility. Said signs shall be in addition to those signs permitted under the other provisions of this Chapter. The total area of such signs, in combination with temporary window signs, shall not exceed thirty percent (30%) of the total window area.
20.05.060	Temporary window signs are allowed in all zoning districts. However, in all zoning districts other than "R" (residential) and "A" (agricultural) zones, temporary window signs, in combination with permanent window signs, shall not cover more than thirty percent (30%) of the total window area.



Bountiful	
	Window signs shall meet the following requirements:
14-19-112 8 C-G zone	<ul style="list-style-type: none"> a. Window signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five (25%) of the entire surface area of a group of windows and, b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard. c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within 18 inches of the window surface. No sign permit required. All window signs will be counted as part of the total allowed sign area for wall signs.
14-19-113 8 C-H zone	<ul style="list-style-type: none"> a. Window signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows. b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard. c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen (18) inches of the window surface. No sign permit required. d. All window signs will be counted as part of the total allowed sign area for wall signs.
14-19-114 7 C-N zone	<ul style="list-style-type: none"> a. Signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard. c. Neon and other illuminated signs are not permitted in windows.
14-19-115 9 DN Zone	<ul style="list-style-type: none"> a. Window signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows. b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard. c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen (18) inches of the window surface. d. No sign permit required. e. All window signs will be counted as part of the total allowed sign area for wall signs.

Woods Cross	
12-32-160 W	<ul style="list-style-type: none"> 1. No permit is required for a window sign. 2. Window signs shall not exceed twenty percent (20%) of the total transparent area of any window on which they are located. 3. Flashing lights, LED signs, or strobe lights placed on the interior of a window but intended to be seen from the exterior of the building is prohibited. 4. Window signs are permitted in the AP, C-1, C-2, S-1, I-1, I-1A, and I-2 zones.

Farmington	
15-3-106	No sign shall be installed, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.

West Haven	
Sec 7 C A	Window signs that are painted on or temporarily affixed to the window surface shall cover no more than 25% of any single window, or 25% of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances or to create a safety hazard. This applies also to inside illuminated signs (e.g., neon, etc.) that are within 18 inches of the window surface.



Syracuse		
10.45.050	Agriculture, residential	Two signs not to exceed four square feet each
	Commercial, industrial	50 percent of window area
South Ogden		
10-21C-9	No sign shall cover a window, doorway, or to the opening providing light, ventilation or exit facilities which are required by the building code or which are deemed by the fire department to be necessary to give the fire department access to the building, or to afford fire protection in the event of a fire; provided. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)	

I have also included the Sign Ordinances that Commissioner Dandoy sent out just after the last work-session



Bountiful City

CHAPTER 19

SIGN REGULATIONS

14-19-101 PURPOSE AND SCOPE

14-19-102 APPLICABILITY AND EFFECT

14-19-103 DEFINITIONS

14-19-104 INTERPRETATION

14-19-106 RIGHT OF APPEAL

14-19-107 NONCOMPLYING SIGNS

14-19-108 PROHIBITED SIGNS

14-19-109 SIGNS ALLOWED IN ALL ZONES WITHOUT A PERMIT

14-19-110 FLAGS AND FLAGPOLES

14-19-111 SIGNS PERMITTED IN PROFESSIONAL OFFICE (P-O) AND HOSPITAL (H) ZONES

14-19-112 SIGNS PERMITTED IN THE GENERAL COMMERCIAL (C-G) ZONE WITH A PERMIT

14-19-113 SIGNS PERMITTED IN THE HEAVY COMMERCIAL (C-H) ZONE WITH A PERMIT

14-19-114 SIGNS PERMITTED IN THE NEIGHBORHOOD COMMERCIAL (C-N) ZONE WITH A PERMIT

14-19-115 SIGNS PERMITTED IN THE DOWNTOWN (DN) ZONE WITH A PERMIT

14-19-116 SIGNS PERMITTED IN ALL RESIDENTIAL ZONES

14-19-117 TEMPORARY SIGNAGE

14-19-118 SIGN PERMIT PROCESS

14-19-119 SAFETY AND LOCATION STANDARDS FOR PERMANENT SIGNS

14-19-120 MEASUREMENT OF REGULATED SIGN AREA

14-19-121 ELECTRONIC MESSAGE CENTER STANDARDS

14-19-101 PURPOSE AND SCOPE

A. The type, location, and design of signs can either enhance or degrade a community, and therefore the City has a compelling interest to regulate the time, place, and manner in which signs are erected. The purpose of this sign ordinance is to:

1. Encourage the effective and innovative use and design of signs as a means of communication.
2. Maintain and enhance the aesthetic environment in order to attract sources of economic and business development and growth.
3. Coordinate the type, placement, scale, compatibility, and aesthetics of signs within the different zones by recognizing the commercial communication requirements of the business community.
4. Improve pedestrian and traffic safety through the prevention of visual obstructions and distractions.
5. Minimize the possible adverse effect of signs on nearby public and private property.
6. Promote both renovation and proper maintenance of signs.
7. Enable the fair and consistent enforcement of these sign regulations.

B. This ordinance does not regulate official traffic or government signs; the copy and message of permitted signs; window signs and displays not intended to be viewed from a public right-of-way; religious symbols; commemorative plaques; display of street numbers; or any display or construction not defined as a sign.

C. It is not the intent of this ordinance to regulate the content of political speech.

14-19-102 APPLICABILITY AND EFFECT

A. A sign shall be erected, placed, established, painted, created, or maintained in Bountiful City only in conformance with the standards, procedures, exemptions, and other requirements of this Chapter.

B. The effect of this Chapter as more specifically set forth herein, is:

1. To establish a regulatory process addressing the time, place, and manner in which signs are permitted.
2. To provide standards for temporary signs.
3. To prohibit all signs not expressly permitted by this Chapter.
4. To provide for enforcement of the provisions of this Chapter.

14-19-103 DEFINITIONS

All definitions have been moved to Chapter 3

14-19-104 INTERPRETATION

When interpreting and applying the provisions of this chapter, the sign regulations contained herein are declared to be the maximum allowable for the purposes set forth.

14-19-105 ENFORCEMENT

- A. Any sign not expressly allowed by this ordinance is prohibited.
- B. The erection of a prohibited sign, or permitting the continued existence of a prohibited sign in violation of this ordinance, is a class C misdemeanor. Each day of violation is a separate offense.
- C. There are certain situations where a sign poses or may pose an immediate public safety hazard. The following signs shall be deemed unlawful and hazardous to the public safety, and are declared to be a public nuisance. Any employee of the City is authorized to immediately abate, remove, or otherwise remedy the following signs:
1. Any sign or related structure which interferes with the safe view of drivers entering a public right-of-way from any driveway or property.
 2. Any sign that extends over any pedestrian or vehicular travel area, unless specifically authorized by the City.
 3. Any sign which interferes with the use of any fire escape, exit, required stairway, door ventilator, or window.
 4. Any sign which has less horizontal or vertical clearance from communication lines and/or energized electrical power lines than required by adopted safety standards, according to the provisions of City Code and the Bountiful Light and Power Department.
 5. Any sign that is located on or that encroaches upon publicly owned land, a public right-of-way, or a public easement, except signs owned and erected by permission of an authorized public agency or that are specifically authorized herein.
- D. Any sign placed in the public right-of-way without City approval is declared to be a public nuisance and may be summarily removed by any employee of the City.
- E. The Planning Director and any designated representatives shall be vested with the duty of enforcing this title, and in performance of such duty shall be empowered and directed to:
1. Issue a permit to construct, alter, or repair a sign which conforms to the provisions of this Chapter. The expiration date of such permit shall be one hundred eighty (180) days.
 2. Ascertain that a sign is constructed and maintained in conformance with the provisions of this Title, which includes the following actions:
 - a. Initial Inspection After Construction. The Planning Director or the Building Official may make an initial inspection upon the completion of construction, erection, re-erection, or remodeling of any sign for which a permit has been issued and an inspection request is made. This shall include the inspection of temporary signs using electrical connection.
 - b. Re-Inspection (when necessary). The Planning Director or an authorized representative may re-inspect any sign for which a permit was issued but which did not pass a previous inspection.
 3. Institute any appropriate action or proceeding where any sign is unlawfully erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of this Title or any other City Ordinance. Such actions include, but are not limited to, the following:
 - a. Issuance of Notices of Violations and Information. The Planning Director or authorized representative may issue a written notice of violation to the person having charge or control over, or that benefit from any sign found to be unsafe or dangerous or in violation of this Chapter. Such official may swear to information against violators.
 - b. Abatement and Removal of Unsafe or Dangerous Signs. If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after giving said notice, the Planning Director may at once abate and remove said sign, or in the alternative, use all available legal means to have the sign removed. If the City or its agent removes the sign, the person having charge or control over, or that benefits from the sign shall pay to Bountiful City the costs incurred in such removal within 30 calendar days after written notice is provided.

c. Abatement and Removal of Unlawful Signs.

i. If a permanent sign is installed without a permit or is otherwise unlawful or prohibited as defined by this chapter, and is not made conforming within thirty (30) calendar days after written notice has been given, the Planning Director may at once abate and remove said sign, or in the alternative, use all available legal means to have the sign removed, including but not limited to criminal or civil court action with the appropriate court. The person responsible for and/or property owner allowing any such unlawful posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost from them.

ii. If a temporary sign posted upon private property has been installed without a permit or is otherwise unlawful as defined by this Title, it shall be removed or made conforming within seventy two (72) hours of written notice of the violation. If it has not been made conforming within seventy two (72) hours, either through removal of the temporary sign or by obtaining a temporary sign permit, the Planning Director may at once abate and remove said temporary sign, or in the alternative, use all available legal means to have the sign removed, including but not limited to criminal or civil court action with the appropriate court. The person responsible for and/or property owner allowing any such unlawful posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost from them.

iii. Any sign that the City removes for encroachment into a public right-of-way or easement, or that is located on public property without the City's permission shall be held for a maximum period of fourteen (14) days before being destroyed. In no case shall the failure to remove a sign constitute an approval by the City of the unlawful placement of the sign.

d. Legal Action. Initiate legal action through the City Attorney's Office.

4. Abate and Remove Non-Maintained or Abandoned Sign or Sign Identifying a Discontinued Use. The Planning Director may require that each non-maintained or abandoned sign, or sign identifying a discontinued use be removed from the building or premises within forty-five (45) calendar days after providing written notice to the owner or persons benefiting from the sign.

14-19-106 RIGHT OF APPEAL

Any person who has been ordered to alter or remove any permanent sign, or any person whose application for a sign permit has been denied because of a conflict with any regulation stated herein, may appeal the decision as set forth in section 14-2-106 of this Title.

14-19-107 NONCOMPLYING SIGNS

A. Regulation, containment, and elimination. In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy the current sign ordinance standards, the City intends to apply firm regulation of existing nonconforming signs with a goal of their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, and restoration. Excluding normal maintenance and repair, a noncomplying sign shall not be moved, altered, or enlarged unless it is brought into compliance with this Chapter.

The following exceptions shall be permitted:

1. A face change in a noncomplying sign that does not encroach onto a public right of-way or easement, and that is not deemed a public safety hazard by the Planning Director or City Engineer.
2. A copy change in a noncomplying permanent sign which was originally approved by the City with a changeable copy feature.

B. Abandonment. Within forty-five (45) calendar days after vacation of an existing business, a noncomplying sign shall be removed unless the property owner informs the City in writing of his intention to re-use the sign. The property owner shall be allowed one (1) year to establish a new use on the site. If the property owner does not take action within fourteen (14) days of written notice of violation, or if the signs are not reused within the one (1) year period, the City may abate the signs and recover any and all costs. An abandoned sign shall not regain any legal noncomplying status later, even if the original business reoccupies the property.

14-19-108 PROHIBITED SIGNS

A. Prohibited Sign Devices. Any sign not specifically allowed by this Chapter is prohibited. In addition, the following sign devices are prohibited anywhere in the City, unless specifically permitted herein:

1. A hot or cold air balloon, or inflatable, with the following exceptions:
 - a. Temporary signs, as allowed by this Title,
 - b. As part of a grand opening period, not to exceed thirty (30) days.
 2. Animated signs are prohibited throughout the City, except in the Heavy Commercial (C-H) Subzone where they are allowed subject to the restrictions set forth in Section 14-19-113.
 3. Any statuary bearing the likeness or suggestion of any product or logo.
 4. Any roof sign.
 5. Any snipe sign.
 6. Any temporary sign except as allowed in this Title.
 7. Any bus bench sign.
 8. Any truck, trailer, or other vehicle, conspicuously, or regularly parked on premises or off-premises with an advertising message or logo displayed to attract attention to a business, product or promotion. The Planning Director or representative may require a business to remove such truck, trailer, or other vehicle if in his opinion the vehicle is being utilized for advertising purposes.
 9. Any Graffiti.
 10. Any beacon or spotlight directed into the night sky except as part of an approved promotional period as a temporary sign.
 11. Any off-premises sign (includes billboards), off-premises directional sign, or off premises development sign, except as allowed herein.
- B. Hand-bills, signs on public places and objects.
1. No person shall place or maintain any hand-bill, sign, or other depiction in or upon any City owned real or personal property.
 2. Any hand-bill, sign, or other depiction found posted upon any public property contrary to the provisions of this section is hereby declared to be a public nuisance and may be summarily removed by the City. The person responsible for any such unlawful posting shall be liable for the cost incurred in the removal thereof and the City is authorized to recover said cost by any legal means.
 3. Nothing in this section shall apply to the installation of a sign for which the City has granted a written permit.
- C. Unsafe Signs. No sign shall be permitted which is for any reason a threat to public safety in the reasonable opinion of the City Engineer, or which by its location impairs the view of a driver traveling on, exiting from, or entering upon, a public street, or which is otherwise unsafe for vehicular or pedestrian traffic. Any such sign is hereby declared to be a public nuisance and may be summarily removed by the City.

14-19-109 SIGNS ALLOWED IN ALL ZONES WITHOUT A PERMIT

The following signs are allowed in any zone, except on public property, without a sign permit:

- A. One (1) on-premises directional sign whose sole purpose is to provide direction or instruction, and which does not exceed five (5) square feet in area or four (4) feet in height.
- B. The flag of any nation or political subdivision. No flag shall exceed thirty two (32) square feet in size. Not more than one (1) flag of each entity shall be flown at a time. Large flags flown in high wind may be deemed a noise and/or public safety nuisance and are subject to removal.
- C. Any regulatory sign.
- D. Any sign of twelve (12) square feet or less located in a residential single-family zone, located in accordance with the provisions of the particular zone.
- E. Any sign of twenty-four (24) square feet or less located in a residential multi-family zone, located in accordance with the provisions of the particular zone.
- F. Any holiday decoration that does not bear any commercial logo or message shall not be considered a sign.
- G. An approved sign with changeable copy area shall not require a permit to change the copy area.
- H. A political sign may be posted on any private property at any time, in accordance with provisions of this section and the temporary sign provisions of this Title.

14-19-110 FLAGS AND FLAGPOLES

1. Flags greater than 32 square feet in size, and flagpoles greater than 50 feet in height, are prohibited in all zones except as provided in this section.

2. In Commercial-General (C-G) and Commercial-Heavy (C-H) zones only, and on municipal property in all zones, flags more than 32 square feet and up to 1800 square feet in size, and flagpoles more than 50 feet and up to 120 feet in height, may be granted as a conditional use.

- a. A conditional use permit under subsection (b) may be granted if the following conditions are met:
 - i. The property or business where it is located must be three acres or greater in size;
 - ii. The property or business where it is located must have a minimum total street frontage of at least five hundred (500) feet; and
 - iii. A second flagpole cannot be located within one thousand feet (1,000) feet of an existing flagpole.
- b. Every conditional use permit granted hereunder is subject to the following regulations:
 - i. only be the flag of the United States shall be flown except that a second flag up to 375 square feet in size may be flown on the same pole, subordinate to the American Flag;
 - ii. the flag must be maintained in good condition or it cannot be flown;
 - iii. in the event of a high wind the City Engineer may, in the reasonable exercise of discretion, order that the flag be taken down immediately until the wind subsides;
 - iv. the flagpole is subject to the abandoned sign ordinance of Title 14;
 - v. The second flag authorized herein shall not be flown without the flag of the United States. The second flag shall be only the Utah state flag or an on-premise business identification flag. If the American flag is flown at half staff the second flag shall not be flown.
 - vi. There may only be one flagpole per property or business;
 - vii. Lighting shall be restricted as much as possible and shall not create a light problem for traffic, other businesses, or residents;
 - viii. The flagpole shall be maintained in such a manner that it does not create an unreasonable noise from the flag, chain, rope or other mechanisms or parts.

3. Additional conditions may be imposed to mitigate any adverse effects relating to the view scape, noise, location upon the property, lighting, traffic, visibility, and other issues related to the flag and flagpole.

4. A sign permit and a building permit are required for any such flagpole.

14-19-111 SIGNS PERMITTED IN PROFESSIONAL OFFICE (P-O) AND HOSPITAL (H) ZONES

A. The following sign types are permitted in Professional Office (P-O) and Hospital (H)

Zones with a permit:

- 1. Signs allowed. Each lot or parcel shall be allowed a permit for one (1) monument sign per street frontage, and any wall and accessory signs as permitted.
- 2. Monument Sign. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
- 3. Freestanding or Pole Sign. A pole sign or other free-standing sign shall be expressly prohibited.
- 4. Wall signs. Sign area of up to ten percent (10%) of the primary facade with a maximum of sixty-four (64) square feet, with secondary signs allowed on two (2) additional faces not to exceed five percent (5%) of that wall surface with a maximum of thirty-two (32) square feet. No sign shall extend above the roof line of the building. Sign permit required.
- 5. Canopy or awning signs. Sign copy, including logo, shall not exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less. No flashing or intermittent illumination permitted. Awning signs shall be considered wall signs for area calculation and location purposes.
- 6. Changeable copy signs. Any changeable copy sign is expressly prohibited except on parcels of ground three (3) acres or larger within the Hospital (H) zone.
Where permitted, one (1) changeable copy sign, not to exceed thirty-two (32) square feet, shall be allowed along each frontage of one hundred (100) linear feet or greater.

7. On-Premises Development Identification Signs. Each lot or parcel of commercial or industrial property shall have not more than one (1) sign per public or private street frontage identifying future site development. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:

Less than Two (2) acres: Sixty four (64) square feet.

Two (2) acres or larger: One hundred twenty eight (128) square feet.

B. Other Approvals.

1. Any site plan application for a new multi-tenant center or building shall include a proposal for all on-premises signs.
2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

14-19-112 SIGNS PERMITTED IN THE GENERAL COMMERCIAL (C-G) ZONE

A. The following sign types are allowed in the General Commercial (C-G) Zones with a permit:

1. Each parcel of property shall be allowed either monument signs or one (1) freestanding (pole) sign on each street frontage, and any wall and accessory signs as permitted.
2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.
 - b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one (1) monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal to or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
3. Freestanding or Pole Signs. Freestanding or pole signs shall meet the following requirements:
 - a. Minimum one hundred (100) linear feet of street frontage for pole signs.
 - b. Maximum height of fifteen (15) feet.
 - c. Minimum ground clearance of eight (8) feet from street grade to bottom of sign.
 - d. Minimum setback of five (5) feet from any public right-of-way or any property line.
 - e. Maximum pole width of two (2) feet.
 - f. Minimum setback of ten (10) feet from any residential use or zone.
 - g. Signs shall be engineered to withstand one hundred (100) mph wind loads.
 - h. Sign structure, excluding pole and base, shall not exceed sixty four (64) sq ft for each side of a double faced sign, or sixty four (64) sq ft total sign area on multi-faced signs.
4. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of twenty percent (20%) of the primary facade of the building. Secondary signs allowed on three (3) additional facades not to exceed five percent (5%) of those facades.
 - b. No sign, nor part of any sign, shall extend more than two (2) feet above the highest point of a flat roof or mansard roof.
 - c. Corner parcels may have a maximum of twenty percent (20%) sign area on both facades facing a public street.
5. Canopy or awning signs. Canopy or awning signs shall meet the following requirements:
 - a. Sign copy, including logo, not to exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less.
 - b. No flashing or intermittent illumination permitted.

- c. Awning signs are considered wall signs for area calculation and location purposes.
 - 6. Projecting signs. Projecting signs shall meet the following requirements:
 - a. Project not more than two (2) feet from the face of a wall and shall not project over any public right of way.
 - b. Mounted no higher than fifteen (15) feet above the finished grade and allow no less than Ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - c. The area of the sign shall be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted.
 - 7. Changeable copy signs. Changeable copy signs shall meet the following requirements:
 - a. Manual changeable copy signs are allowed but are limited to not more than fifty percent (50%) of any sign area.
 - b. Electronic reader boards and panels are prohibited.
 - 8. Window Signs. Window signs shall meet the following requirements:
 - a. Window signs which are intended to be visible from the public right-of way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five (25%) of the entire surface area of a group of windows and,
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within 18 inches of the window surface. No sign permit required. All window signs will be counted as part of the total allowed sign area for wall signs.
 - 10. Gas Stations Signs. Signs for canopies over gas islands are allowed and shall meet the following requirements:
 - a. Sign copy shall be a maximum of thirty (30%) of the face of the canopy.
 - b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
 - c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.
 - 11. Menu Boards. Menu boards shall meet the following requirements:
 - a. For drive-in restaurants, they shall be reviewed and approved by the Planning Department. The following shall apply although the Planning Commission may approve them at different locations depending upon circumstances:
 - b. Only two (2) menu boards are allowed per site and must be located outside of the front landscaped setback area.
 - c. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
 - 12. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:
 - a. Each lot or parcel of commercial or industrial property shall have no more than one (1) sign per public or private street frontage identifying future site development.
 - b. The sign shall not be erected before the proposed development has been submitted for site plan review
 - c. The sign shall be removed before final inspection or before permanent signs are installed.
 - d. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:
 - Less than two (2) acres: Sixty four (64) square feet
 - Two (2) acres or larger: One hundred twenty eight (128) square feet
- B. Other Approvals.
- 1. All new multi-tenant centers/ buildings must submit a proposal for all on-premises signs to the Planning Commission for design and placement approval.
 - 2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title, rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

14-19-113 SIGNS PERMITTED IN THE HEAVY COMMERCIAL (C-H) ZONE

A. The following sign types are allowed in the Heavy Commercial (C-H) Zones with a permit:

1. Each parcel of property shall be allowed either monument signs or one (1) freestanding (pole) sign on each street frontage, and any wall and accessory signs as permitted.
2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.
 - b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one (1) monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal to or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
3. Freestanding or Pole Signs. Freestanding or pole signs shall meet the following requirements:
 - a. A lot or parcel with at least one hundred (100) linear feet of frontage shall be allowed one (1) freestanding sign of up to Sixty (60) square feet for the first one hundred (100) feet of lineal street frontage plus one (1) square foot for each lineal foot of frontage over one hundred (100), to a maximum of one hundred twenty (120) square feet total.
 - b. Double faced signs shall be allowed the maximum area on each side.
 - c. Multi-faced signs shall be allowed only a combined sign face total equal to the maximum area allowed.
 - d. Maximum height of thirty (30) feet.
 - e. Minimum ground clearance of seven (7) feet from sign grade to bottom of sign.
 - f. Maximum pole width of two (2) feet.
 - g. Minimum setback of five (5) feet from any public right-of-way and/or street property line.
 - h. Minimum setback of ten (10) feet from any residential use or zone.
 - i. Signs shall be engineered to the standards of the adopted version of the International Building Code.
 - 1) Freestanding Freeway-Oriented Signs. A freestanding sign located immediately adjacent to the I-15 corridor or Frontage Road shall meet all the criteria of this section except that it shall not exceed forty (40) feet in height nor have a pole and/or pole cover that exceed four (4) feet in width.
4. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of twenty percent (20%) of the facade of the building facing the main public street with secondary signs allowed on two (2) additional faces not to exceed five percent (5%) of that wall surface.
 - b. No sign, nor part of any sign, shall extend more than two (2) feet above the highest point of a flat roof or mansard roof. Corner parcels may have a maximum of twenty percent (20%) sign area on both facades facing a public street.
5. Canopy or awning signs. Canopy or awning signs shall meet the following requirements:
 - a. Sign copy, including logo, not to exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less.
 - b. No flashing or intermittent illumination permitted.
 - c. Awning signs are considered wall signs for area calculation and location purposes.
6. Projecting signs. Projecting signs shall meet the following requirements:
 - a. Project not more than two (2) feet from the face of a wall and shall not project over a public right-of-way.
 - b. Be mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - c. Be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted as measured under Section 14-19-117 of this Chapter.
7. Changeable copy signs. Manual changeable copy signs shall meet the following requirements:
 - a. Manual changeable copy signs shall be limited to fifty (50%) of the total sign area.
 - b. Electronic changeable copy signs shall be limited to fifty (50%) or thirty two (32) square feet of the total sign area, whichever is less.
 - c. Electronic changeable copy signs located on properties immediately abutting the I-15 corridor or frontage road shall be limited to fifty (50%) or sixty four (64) square feet of the total sign area, whichever is less, and that

the sign shall be reduced in brightness by fifty percent (50%) between the hours of eleven (11) p.m. and six (6) a.m.

8. Window Signs. Window signs shall meet the following requirements:

- a. Window signs which are intended to be visible from the public right-of way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows.
- b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
- c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen (18) inches of the window surface. No sign permit required.
- d. All window signs will be counted as part of the total allowed sign area for wall signs.

9. Gas Stations Signs. Signs for canopies over gas islands are allowed as follows:

- a. Sign copy shall be a maximum of thirty percent (30%) of the face of the canopy.
- b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
- c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.

10. Menu Boards. Menu boards for drive-in restaurants shall be reviewed and approved by the Planning Department at site plan review. The following shall apply although the Planning Commission may approve them at different locations depending upon circumstances:

- a. Only two (2) menu boards are allowed per site and shall be located outside of the front landscaped setback area.
- b. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.

11. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:

- a. Each lot or parcel of commercial or industrial property shall have not more than one (1) sign per public or private street frontage identifying future site development.
- b. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed.
- c. The sign shall not exceed fifteen (15) feet in height, and d. The maximum size shall be determined by the lot or parcel size as follows:

Less than two (2) acres: Sixty four (64) square feet.

Two (2) acres or larger: One hundred twenty eight (128) square feet.

12. Animated Sign. The only type of animated sign permitted is an electronic reader board or panel, subject to the height, area, and other restrictions of this Chapter.

B. Other Approvals.

1. All new multi-tenant centers/ buildings shall submit a proposal for all on-premises signs to the Planning Commission for design and placement approval.
2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

14-19-114 SIGNS PERMITTED IN THE NEIGHBORHOOD COMMERCIAL (C-N) ZONE

A. The following sign types are allowed in the Neighborhood Commercial (C-N) Zones with a permit:

1. Each parcel of property shall be limited to monument signs and any wall and accessory signs as permitted.
2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.

- b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
3. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of fifteen (15%) of the primary facade of the building.
 - b. A corner property may have signs on the facade facing the secondary street, with a maximum sign area of five (5%) of that facade.
 - c. No portion of the sign shall extend more than two (2) feet above the highest point of a flat roof or mansard roof.
 4. Canopy or awning signs. Canopy or awning signs shall meet the following requirements:
 - a. Sign copy, including logo, not to exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less.
 - b. No flashing or intermittent illumination permitted.
 - c. Awning signs are considered wall signs for area calculation and location purposes.
 5. Projecting signs. Projecting signs shall meet the following requirements:
 - a. Project not more than Two (2) feet from the face of a wall and shall not project over any public right-of-way.
 - b. Mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - c. The area of the sign shall be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted.
 6. Changeable copy signs. Changeable copy or electric message center signs are not permitted.
 7. Window Signs. Window signs shall meet the following requirements:
 - a. Signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. Neon and other illuminated signs are not permitted in windows.
 8. Gas Stations Signs. Signs for canopies over gas islands are allowed as follows:
 - a. Sign copy shall be a maximum of thirty percent (30%) of the face of the canopy.
 - b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
 - c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.
 9. Menu Boards. Menu boards for drive-up windows are to be reviewed and approved by the Planning Department. The following shall apply:
 - a. Only two (2) menu boards are allowed per site and shall be located behind the front landscaped setback area.
 - b. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
 10. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:
 - a. Each lot or parcel of commercial or industrial property shall not have more than one (1) sign per public or private street frontage identifying future site development.
 - b. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed.
 - c. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:
 - Less than two (2) acres: Sixty four (64) square feet.
 - Two (2) acres or larger: One hundred twenty eight (128) square feet.

14-19-115 SIGNS PERMITTED IN THE DOWNTOWN (DN) ZONE

- A. The following sign types are allowed in the Downtown (DN) Zones with a permit:
1. Each parcel of property shall be allowed monument signs and any wall and accessory signs as permitted.
 2. Monument Sign. Monument signs shall meet the following requirements:
 - a. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet.
 - b. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet.
 - c. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
 3. Block Directory Signs.
 - a. The City may erect, or permit to be erected, a sign or sign structure at each corner of Main Street within the Downtown Zone that indicates the businesses located within the physical block on which the sign is located.
 - b. The design, size, and location of these signs shall be determined by the Planning Commission.
 - c. The City Council, or its agent, may charge a fee to recover only the cost of installing, maintaining, and updating the signs.
 4. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of twenty percent (20%) of the primary facade of the building with secondary signs allowed on two (2) additional facades not to exceed five percent (5%) of those facades.
 - b. No sign, nor part of any sign, shall extend more than two (2) feet above the highest point of a flat roof or mansard roof. Corner parcels may have a maximum of twenty percent (20%) sign area on both facades facing a public street.
 5. Canopy or awning signs. Canopy or awning signs shall meet the following requirements:
 - a. Sign copy, including logo, not to exceed fifty percent (50%) of the awning face area.
 - b. No flashing or intermittent illumination permitted.
 - c. Awning signs are considered wall signs for area calculation and location purposes.
 - d. Properties fronting on Main Street may have an awning and/or awning sign that projects up to six (6) feet over the Main Street right-of-way, as long as all of the following are met:
 - i. The awning is at least five (5) feet horizontally from the improved edge of any vehicle traffic lane or parking stall.
 - ii. There is a minimum clearance of at least seven (7) feet between the sidewalk and any part of the awning.
 6. Projecting signs on Main Street. Properties fronting on Main Street may have awnings and/or awning signs that project up to six (6) feet over the Main Street right-of-way, as long as all of the following are met:
 - a. Any part of the sign is at least five (5) feet horizontally from the improved edge of any vehicle traffic lane or parking stall
 - b. There is a minimum vertical clearance of at least ten (10) feet between the sidewalk and any part of the sign.
 - c. The awnings are maintained in a safe manner. Any awning that is deemed unsafe by the City Engineer is declared to be a public nuisance and may be summarily removed.
 7. Projecting signs not on Main Street. Projecting signs not along Main Street shall be allowed and shall meet the following requirements:
 - a. Project not more than four (4) feet from the face of a wall and shall not project over any public right of way.
 - b. Mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - c. The area of the sign shall be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted.
 8. Changeable copy signs. Manual changeable copy signs are allowed but are limited to not more than fifty percent (50%) of any sign area. Electronic reader boards and panels are prohibited.
 9. Window Signs. Window signs shall meet the following requirements:

- a. Window signs which are intended to be visible from the public right-of way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of the entire surface area of a group of windows.
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen (18) inches of the window surface.
 - d. No sign permit required.
 - e. All window signs will be counted as part of the total allowed sign area for wall signs.
10. Gas Stations Signs. Signs for canopies over gas islands are allowed as follows:
- a. Sign copy, corporate logos, etc. shall be a maximum of ten percent (10%) of one (1) face of the canopy.
 - b. The height to the top of the canopy fascia shall not exceed twenty (20) feet from grade, and no canopy fascia shall exceed four (4) feet in height.
 - c. Individual letters, logos, or symbols shall not exceed four (4) feet in height or project out from the fascia or wall more than six (6) inches.
11. Menu Boards. Menu boards for drive-up windows are to be reviewed and approved by the Planning Department. The following shall apply:
- a. Only two (2) menu boards are allowed per site and must be located behind the front landscaped setback area.
 - b. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
12. On-Premises Development Identification Signs. Each lot or parcel of commercial or industrial property shall have not more than one (1) sign per public or private street frontage identifying future site development. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:
- Less than two (2) acres: Sixty four (64) square feet.
 - Two (2) acres or larger: One hundred twenty eight (128) square feet.
- B. Other Approvals.
- 1. All new multi-tenant centers/buildings shall submit a proposal for all on-premises signs to the Planning Commission for design and placement approval.
 - 2. In cases with parcels of land of three (3) acres or larger, and with frontage of two hundred (200) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

14-19-116 SIGNS PERMITTED IN ALL RESIDENTIAL ZONES

Allowable Signs. The following signs are permitted in Residential Zones. Home occupation signs shall be in conformance with the standards set forth in section 14-17-105 Home Occupation Requirements.

- A. Temporary Sign: One temporary sign not to exceed twelve (12) square feet.
- B. Identification Signs for Institutional Uses such as Public Buildings, Private Schools and Churches: One monument or one wall mounted identification sign will be allowed for public buildings, private schools and churches. Monument identification signs shall not exceed 40 square feet in area and shall not exceed 6 feet in height including a maximum 3 foot high base (not included in the sign area). Monument signs shall be placed a minimum of 5 feet from all property lines on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb and shall not be located in a vision clearance area as defined in this title. There shall be at least 2 square feet of landscaped area for each square foot of sign area. Wall mounted signs shall not exceed 24 square feet and shall not be located higher than the eave of the building.
- C. Parks and Publicly Owned Golf Courses: May have signs as approved by the Bountiful City Council.

14-19-117 TEMPORARY SIGNAGE

A. PURPOSE. Permanent signs permitted by this Chapter are intended to allow adequate and reasonable location of signs for local businesses. However, the City realizes that from time to time it is necessary for a business to advertise special events and other commercial messages. To help businesses address this issue, the following regulations have been established for temporary banners and signs.

B. Any temporary sign shall be subject to the following:

1. A temporary sign shall be located on-premises only, except for an A-Frame sign which may be located in a park strip immediately in front of the premises in accordance with the provisions of this Title.
2. A temporary sign shall not be located within five (5) feet of any public sidewalk or any public right-of-way, except for an A-Frame sign which may be located in a park strip immediately in front of the premises in accordance with the provisions of this Title.
3. A temporary sign shall not be illuminated, flash, blink, spin, rotate, block traffic visibility of vehicles entering onto a public street, or cause a public nuisance of any kind.
4. A temporary sign shall not be located closer than twenty-five (25) feet to any residential zone or use.
5. A temporary sign shall not be located within a clear-view area as set forth in this Title.
6. For any single or two tenant property, the following shall apply:
 - a. Any tenant with less than ten thousand (10,000) sq ft of building area shall not display more than one (1) temporary sign at any time. The maximum area of any temporary sign shall be thirty-two (32) sq ft.
 - b. Any tenant with greater than ten thousand (10,000) sq ft of building area shall not display more than two (2) temporary signs at any time. The maximum combined area of the two (2) signs shall be forty-eight (48) sq ft.
 - c. Where a property abuts two (2) streets, one (1) additional sign, oriented to the other abutting street, shall be permitted.
7. For any multi-tenant property, the following shall apply:
 - a. Any business with less than ten thousand (10,000) sq ft of building area shall not display more than one temporary sign at any time. The maximum area of any sign shall be twenty-four (24) sq ft. However, in no instance shall there be displayed more than three (3) temporary signs per one hundred (100) linear feet of frontage.
8. A temporary sign shall be a banner, wall sign, A-Frame sign, or a pedestal type sign. No other type of sign is permitted.
9. The following items are not lawful temporary signs: a portable reader board, any type of electric sign, a sign attached to another sign or sign structure, a balloon, a streamer, an inflatable device, and/or a vehicle or trailer with any graphics or advertisements.
10. A temporary sign shall be substantially constructed and adequately weighted, anchored, or attached to the ground to protect the public and property.
11. No permit shall be required for a temporary A-Frame sign that is removed at the end of each business day.
12. An A-Frame sign shall be designed, constructed, and installed such that it will lay flat if it is contacted by any object.
13. Any temporary sign, other than an A-Frame sign, shall be posted not more than one (1) time each business quarter, for a maximum of thirty (30) concurrent days.
14. No temporary sign shall be taller than six (6) feet in height.
15. Zones
16. Permit required

14-19-118 SIGN PERMIT PROCESS

A. No person shall erect, install, or paint any sign, or change the face of any sign, whether it be temporary or permanent in nature, without obtaining a sign permit from the Planning Department except as outlined in this Ordinance. This includes new signs, signs to be added to existing buildings or uses, and existing signs that are to be enlarged, changed, or otherwise altered.

B. Any sign shall be constructed of low maintenance, weather resistant materials.

C. The approval for a sign or sign application shall be based on the following criteria and standards:

1. Conformance to the provisions of this Chapter and all other ordinances and standards of the City.
2. The impact upon the health, safety, and welfare, of community.

3. The effect of the sign upon ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas, and pedestrian ways.
 4. Compatibility with surrounding structures and signs.
 5. Concealment of all mechanical equipment, appurtenances, and utilities, from view. Electrical boxes, wires, or switches, and other related devices shall be an integral part to the sign design.
 6. The location of the sign upon the premises.
 7. The location of existing signs, if any, upon the premises, or in the immediate area.
- D. The Planning Department, Administrative Committee, Planning Commission, or City Council shall have the function, duty, and power to approve, disapprove, or approve a sign permit with conditions, as dictated by this Title.
- E. A sign permit shall be reviewed and approved as follows:
1. New Developments. Preliminary plans for signs in new developments must first be approved by the Planning Commission during the site plan approval process. A sign permit shall be issued only after it is determined that the proposed sign complies with the approved sign plan and with the provisions of this Chapter.
 2. Existing Developments. Issuance of any sign permit for an existing development or where ownership of a legal existing business changes and necessitates a new sign, the permit may be approved by the Planning Department provided that the sign meets the requirements of this Chapter.
- F. An application for a sign permit shall be filed with the Planning Department on a form provided. It shall include:
1. All required fees.
 2. Clear and complete graphics and written information adequate to show compliance with all applicable requirements of this Chapter.
- G. The Planning Director or his designee shall review any permit application submittal for compliance. If any part of the submittal requires review and/or approval by any land use authority other than the Planning Director, the applicant shall submit the plans to that body and receive its approval prior to the issuance of a sign permit. Any permit which meets the requirements and criteria of this Title shall be approved. A permit which does not meet the requirements and criteria of this Title shall be returned to the applicant.
- H. The decision of the Planning Director may be appealed as set forth in Section 14-2-106 of this Title.
- I. At least two (2) copies of the following specific information shall be provided in writing for the sign types indicated:
1. Monument and Freestanding or Pole Signs.
 - a. A site plan showing the location of any and all signs, including existing and proposed. The site plan shall include:
 - i. The location of any buildings on the property and within fifty (50) feet on adjacent properties,
 - ii. Property lines and dimensions,
 - iii. The required setback from property lines, public-rights-of-way, intersections, easements, and driveways,
 - iv. Any required landscaping.
 - b. An accurately dimensioned, scaled drawing showing height, color, square foot dimensions, landscaping, sign composition, type of illumination, and how the sign will appear from the street.
 - c. Details of sign construction including an electrical plan and foundation scheme. If the sign constitutes a structure or otherwise falls under the jurisdiction of the International Building Code, then the foundation plan shall be stamped and signed by a Licensed Utah Professional Engineer.
 2. Wall Signs.
 - a. A scaled drawing showing square foot dimensions of the building and the sign, the sign composition, and the type of illumination (if applicable).
 - b. A profile drawing of how the sign will appear from the street/parking area and on the building.
 - c. Details of sign construction and attachment, including an electrical plan (if applicable).
 3. Temporary signs requiring permits.
 - a. A site plan showing the location of any and all signs, including existing and proposed. The site plan shall include:
 - i. The location of any buildings on the property and within fifty (50) feet on adjacent properties,
 - ii. Property lines and dimensions,
 - iii. The required setback from property lines, public rights-of-way, intersections, easements, and driveways,
 - iv. Any required landscaping.
 - b. Length of period for display and the type of request.

J. ADDITIONAL INFORMATION REQUIRED. The following additional information shall be required with all sign permit applications:

1. A current Bountiful City business license or a completed business license application, where applicable.
2. Business address and phone number.
3. Property owner address of and phone number.
4. General and/or electrical contractor's license number.
5. Value of the sign.

14-19-119 SAFETY AND LOCATION STANDARDS FOR PERMANENT SIGNS

- A. Any sign erected in Bountiful City shall comply with the provisions of the current National Electrical Code, International Building Code, the Bountiful City Code, and this Ordinance effective at the time the permit is issued.
- B. Any permanent sign shall be engineered to demonstrate conformance with the applicable provisions of the current International Building Code and, where required by this ordinance or by the Chief Building Official, shall be accompanied by a drawing stamped by a structural engineer licensed by the State of Utah attesting to the adequacy of the proposed construction of the sign and any supporting device.
- C. No sign, fixture, or device involving electrical wiring or connections shall be erected or installed in Bountiful City except by a licensed and bonded contractor.
- D. All permanent signs must be built of durable and permanent materials.
- E. Permanent power sources for signs must be concealed underground or within a structure and away from public view and immediate access.
- F. No sign or other advertising structure shall be erected which in any manner may be confused with a public necessity sign, official traffic sign or signal, or which bears words normally used in such signs, i.e., stop, go slow, caution, danger, warning, turn here, turn, etc.
- G. No sign or any advertising structure shall be erected which by reason of its size, location, shape, content, coloring, or manner of illumination might be confused as a traffic control device.
- H. No sign shall have lighting which impairs the vision of anyone traveling upon a public right-of-way or distracts any driver or pedestrian so as to create a public nuisance.
- I. No sign, except for a regulatory sign, shall be located within a clear-view area, as set forth in section 14-16-108 of this Title.
- J. There are certain situations where a sign poses or may pose an immediate public safety hazard. The following signs are deemed unlawful and hazardous to the public safety, and any employee of the City is authorized to immediately abate, remove, or otherwise remedy them:
1. Any sign or related structure which interferes with the safe view of drivers entering a public right-of-way from any driveway or property.
 2. Any sign that extends over any pedestrian or vehicular access area, unless specifically authorized by the City.
 3. Any sign which interferes with the use of any fire escape, exit, required stairway, door ventilator, or window.
 4. Any sign which has less horizontal or vertical clearance from communication lines and/or energized electrical power lines, according the provisions of this Title and the standards of the Bountiful Light and Power Department.
 5. Any sign that is located on publicly owned land, inside street rights-of-way, or on public easements, except signs owned and erected by an authorized public agency or that are specifically authorized herein.
- K. Every sign shall be maintained and kept in good repair, including without limitation, the repair of glass, plastic, or other sign face material which is missing, broken, damaged, or deteriorated and the repair of any pole, frame, support, or similar structure which is broken, damaged, or deteriorated.
- L. Every sign shall be maintained as originally approved in its sign permit. This applies to all components of the sign including the sign copy, except:
1. Portions of changeable copy on approved signs.
 2. Changes of copy area only on legally conforming signs. All non-complying signs, and any change to the cabinet, pole, structure, or any other sign element requires a sign permit.
- M. The maintenance, renovation, or repair of a sign may require a building permit under the current International Building Code.

N. Whenever the use of any sign, as determined by the discontinuance of the permitted use for which the sign was used, or the use of the sign frame or sign supporting structure has been discontinued for a period of 45 consecutive days, such sign, sign frame, or sign supporting structure shall be removed immediately.

O. All free-standing or monument signs installed in Bountiful City must be incorporated into a landscape design or planter box. Exceptions to this rule must be approved by the Planning Commission.

P. All on-premises freestanding signs shall have the structural supports covered or concealed with pole covers (pylon covers). The actual structural supports shall not be exposed for the safety and welfare of any person near the said sign.

Q. All permanent signs shall be permanently mounted on foundations and footings which conform to the International Building Code.

R. The light from the illumination of any sign shall be carefully directed so that the light is not obtrusive or a nuisance to traffic or adjacent properties; particularly in residential neighborhoods.

S. All buildings shall be identified with a numbered or lettered street address in addition to optional business identification. The letters or numbers shall be at least four (4) inches in height as required by the Fire Marshall.

T. Any internally illuminated pole or wall sign, including any electronic reader board or panel, shall be installed with an automatic shutoff timer.

14-19-120 MEASUREMENT OF REGULATED SIGN AREA

A. Flat or Wall Signs

1. Sign copy mounted or painted on a background panel or area distinctively painted, textured, or constructed as background for the sign copy shall be measured as that area contained within the outside dimensions of the background panel or surface.
2. Sign area for copy mounted as individual letters and/or graphics against a wall or fascia of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as the area enclosed by the smallest single rectangle that will enclose all sign copy.
3. For sign copy mounted or painted on an illuminated sign or architectural element of a building, the entire illuminated surface or illuminated architectural element which contains sign copy shall be counted as sign area.

B. Monument Signs.

1. The regulated area of a monument sign shall include all parts of the sign or structure that contains identification (words or symbols) and information.
2. The height of a ground sign shall be the distance from the highest point of the sign to the height of the street or sidewalk.

C. Multiple Face Signs. (including but not limited to freestanding or monument signs):

1. Single Panel. Measure the area of the single face only.
2. Double Panel. If the interior angle between the top two (2) faces is thirty (30) degrees or less, the area to be measured will be the area of one face only. If the angle between the two sign faces is greater than thirty (30) degrees, the sign area to be measured will be the sum of the areas of the two (2) faces.

D. The regulated area of freestanding signs shall include all parts of the sign or structure that contains identification (words or symbols) and information.

1. The height of a freestanding sign shall be the vertical distance measured from the highest point of the sign to the grade of the adjacent street, curb, or sidewalk, or the crown of the street when there is no curb or sidewalk.
2. For spherical, freeform, sculptural, or other non-planer signs, the sign area shall be the sum of the areas of the four vertical sides of the smallest polyhedron that will encompass the sign structure.

14-19-121 ELECTRONIC MESSAGE CENTER STANDARDS

A. An electronic message center is not allowed in any zone except as set forth in this Chapter.

B. An electronic message center in any zone shall meet the following criteria:

1. An electronic message center shall not exceed thirty-two (32) square feet.
2. An electronic message center is prohibited if it exceeds more than 50% of the total sign area.
3. An electronic message center shall only be constructed as part of a permitted freestanding (pole), wall, or monument sign.
4. An electronic message center shall be located only on a single or double-sided planer sign, and not on a multiple face or other non-planer sign.

5. An electronic message center shall not be constructed in a location that interferes with a regulatory device, as determined by the City Engineer.
 6. An electronic message center shall be equipped with a sensor or other device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions.
 7. Where allowed as a conditional use, conditions may be imposed by the planning commission regarding hours of sign operation, sign height, sign size, and/or setbacks from property lines to mitigate impacts on nearby residential properties, to protect critical viewsheds as established in the General Plan, or to prevent potential traffic hazards.
 8. An electronic message center shall only be constructed in a location and in a manner permitted by this Title.
- C. An electronic message center in any zone, with the exception of an electronic message center located on Hwy 89, shall be operated at all times in accordance with the following:
1. An electronic message center shall only display static images or scrolling text.
 2. An electronic message center shall not display video images, or scintillating images.
 3. The minimum display duration shall be four (4) seconds.
 4. The maximum image transition duration shall be three (3) seconds.
 5. A transition shall be from one image to another either by fading or dissolving to the next image, without the use of flashing, animation, or movement.
 6. No image shall be shown on, or with, a white background.
 7. The illuminance of an electronic message center shall not increase ambient lighting conditions by more than 0.3 footcandles when measured perpendicular to the electronic message center face at a distance set forth below:

Area of Sign (Sg Ft)	Measurement Distance (In Ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100

8. An electronic message center shall not exceed 7,000 nits during daylight hours.
 9. An electronic message center shall not exceed 18,000 nits during evening and nighttime hours.
- D. An electronic message center is allowed only on a commercial property in the following locations within the Heavy Commercial (CH), General Commercial (CG), Mixed-Use (MXD), and Downtown (DN) zoning designations:

Table 14-19-121 D. Electronic Message Center Location, Style, and Approval Process

P = Permitted Use. C = Conditional Use. X = Not Allowed

Zone	Location	Pole	Monument	Wall
CH, CG	Hwy 89	P	P	P
CG, DN	500 South St – West of 100 East St	C	P	C

CH, CG, DN	400 North St – West of Main St	C	C	C
CH, CG	2600 South – West of 500 West St	C	P	C
CG, MXD	Orchard Drive	X	C	X

E. An electronic message center shall not be located on any property that does not directly front on a street or public right-of-way set forth in section D. above.

F. An electronic message center shall only be oriented toward a street or public right-of way set forth in Section D., above, and in no other direction.

G. An electronic message center, and any sign containing an electronic message center, shall be constructed or modified without a permit, unless specifically exempted by this title.

H. A temporary sign of any kind is not allowed on any parcel or lot with an electronic message center.

I. If otherwise permitted under §14-19-121, and subject to such conditions that may be established in the conditional use permit process, pole signs legally existing in the Downtown (DN) zone on November 30, 2011, may incorporate an electronic message center, if the entire sign and supporting structure are brought into compliance with the standards for a pole sig within the General Commercial (CG) zone

LAYTON CITY

20.01 - General Provisions

20.01.010 - Purpose and intent

The purpose of the sign regulations set forth in this Title shall be to eliminate potential hazards to motorists and pedestrians; to encourage signs, which, by their good design, are aesthetically pleasing and integrated with and harmonious to the buildings and sites which they occupy, and which eliminate excessive and confusing sign displays; to preserve and improve the appearance of the City as a place in which to live and work and as an attraction to nonresidents who come to visit or trade; to effectively index the environment; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; to eventually eliminate nonconforming signs (see definition under "Sign, nonconforming"); to supplement and be a part of the regulations imposed and the plan set forth under the zoning ordinance of the City of Layton; to implement those portions of the City's General Plan relating to signage; and to promote the public health, safety, and general welfare.

It is also the intent of this Title to govern the number, size, type, location, and other provisions relating to signs within the various zones of the City as the zones are established and designated by the zoning ordinance of the City of Layton. No signs shall be allowed in these zones unless exempt under this Title or expressly permitted by the zoning ordinance, or unless said signs comply with the regulations established in Section 20.03.010 of this Title relating to legal nonconforming uses.

20.01.020 - Definitions

The following words and phrases when used in this Title shall be construed as defined in this Section: "Alter" means any change to a sign other than general maintenance or altering of changeable copy.

"Architectural projection" means a marquee, porch, canopy, or other similar architectural projection.

"Average grade of front property line" means the average elevation or average of the finish grade at the front property line.

"Balloon" means any inflated object, tethered or untethered, over four (4) square feet in area, as measured within a single continuous perimeter composed of squares or rectangles which encloses the extreme limits of the balloon. Inflatable entertainment structures shall also be considered balloons.

"Canopy" means a structure that is partially supported by the building and partially by pipe columns or other structure separate from the building. A canopy may also be self-supporting, separate, and apart from any building.

"Clear view area" means an area bounded by lines drawn from a point on the centerline of the driveway, set back fifteen feet (15') from the front property line to points at the property line in front of the property, thirty feet (30') either side of the centerline of the driveway for local collectors, and fifty feet (50') on collectors and arterials. Within this area no view obstructing object may be located with a height over two feet (2') from average grade at property line.

"Commercial zoning district" means any B-RP, PB, CP-1, CP-2, CP-3, and C-H zoning district as defined in the zoning ordinance of Layton City.

"Community Use" means the uses which have the primary purpose of serving the educational, recreational, religious, or governmental needs of the community in general. Such uses may include churches, public and private educational institutions, private non-profit recreation grounds, public parks, public buildings, public facilities, cemeteries, and other similar uses. This definition shall not include such uses as detention facilities, half-way houses, alcohol rehabilitation centers, and other similar uses.

"Convert or Conversion" means to change a sign or billboard face from its existing, non-digital surface to a digitally controlled surface. Convert or conversion does not include "maintenance" of the sign.

"Curfew" means the time between twelve o'clock (12:00) midnight and six o'clock (6:00) AM where within certain digital billboards are required to be shut off.

"Dwell time" means the length of time that elapses between changes in text, images, or graphics on an electronic or digital sign.

"Flag, banners" means a flag or banner made of flexible materials.

"Foot candle" means the English unit of measurement for luminance, which is equal to one lumen, incident upon an

area of one square foot.

"Freeway" means a highway, in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands, or in respect to which such owners have only a limited or restricted right or easement of access, the precise route for which has been determined and designed as a freeway by an authorized agency of the State or a political subdivision thereof. The term includes the main traveled portion of the traffic way, all land situated within the right-of-way, and all ramps and appurtenant land and structures.

"Freeway sign corridor" means an area of the City where, due to the proximity to major highways and the intensity of retail uses, free standing signs are allowed to be a maximum height of forty-five feet (45') (see map appendix A).

"Front footage of building occupancy" means a single lineal dimension measured horizontally along the front major entrance of a building which defines the limits of a particular occupancy at that location.

"Frontage" means the distance between the two (2) side lot lines of a parcel measured along the street or streets of a corner lot which the parcel is allowed access. No state or federal highway to which no access is allowed shall be considered as frontage.

"Gateway" means special view shed areas of Layton City where billboards are not permitted. The "gateway" areas shall be defined as shown in Exhibit I.

"Height of sign" means the vertical distance measured from the average grade at front property line to the highest point of said sign.

"M zoning district" means any M-1 or M-2 zoning district as defined in the zoning ordinance of Layton City.

"Marquee" means a permanent roofed structure attached to and supported by the building projecting over private or public property.

"Motion" means the depiction of movement or change of position of text, images, or graphics. Motion shall include, but not be limited to, visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling, or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes, and similar actions.

"Name plate" means a sign which designates the name and address of a person or persons occupying the premises upon which it is located.

"Occupancy" means a separate use of property carried on at all or a portion of a building or parcel.

"Outline lighting" means outlining of a building by means of exposed neon tubing, exposed incandescent lighting, or other artificial lighting, or an equivalent effect.

"Parapet wall" means a low wall extending at least thirty inches (30") inches above the point where the roof surface and the wall intersect.

"Permanent outdoor retail space" means a business that has ninety percent (90%) of its retail product displayed outside of an enclosed building on a twenty-four (24) hour basis.

"Product" means any item that is actually for sale by the business.

"Professional business offices" means those uses generally allowed in the PB zoning district.

"R Zone" means any A, R-S, R-1-6, R-1-8, R-1-10, R-2, RM-1, RM-2, R-H, and R-MH zone as defined in the zoning ordinance of Layton City.

"Rotation time" means the time it takes for static text, image and graphic on an electronic or digital sign to transition to a different text, image or graphic.

"Setback" means the shortest horizontal distance between the boundary line of a lot and the building or structure or part thereof. For the purposes of this Title "setback" for signs shall be from the leading edge of the sign.

"Sign" means and includes every advertising message, announcement, declaration, demonstration, merchandise display, illustration, insignia, surface or space erected, indirectly illuminated, or forced air, or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service, and shall include the sign structure, supports, lighting system, indirect illumination, and any attachments, ornaments, or other features used to draw the attention of observers. **"Sign"** does not include any flag, badge, or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.

"Sign, area of" means the entire area within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed: excluding the necessary supports or uprights on which such sign is placed. Where an on-premise sign has two (2) or more faces which are not parallel, the

area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced on-premise sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet (2'). Further, where a sign consists only of individual letters, numbers, symbols, or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the sum of the areas of the square or rectangles surrounding each individual sign component.

"Sign, attached" means a sign which is fastened, attached, painted, connected, or supported in whole or in part by a building, or structure.

"Sign, bench" means a sign which is affixed or painted to a bench and is placed outside of the main structure on the property. Benches owned and maintained by a public transit authority are exempt from these regulations.

"Sign, billboard" (Outdoor Advertising Sign) means a detached or attached sign designed or intended to direct attention to a business, product, service, event or attraction, that is not sold, offered, or existing on the property where the sign is located. A form of an off-premise sign.

"Sign, billboard digital" means any billboard which uses electronically projected text, images or graphics. Digital billboards include, but are not limited to, billboards that use light emitting diodes (LED's), plasma displays, fiber optics or other technology that results in bright, high resolution text, images and graphics.

"Sign, billboard existing" means a billboard which was constructed, maintained, and in use or for which a permit was issued on or before May 17, 2012.

"Sign billboard new" means a billboard for which a permit to construct is issued after November 15, 2012.

"Sign, billboard nonconforming" means an existing billboard which is located in an area or zone not permitted by the provisions of this Title.

"Sign, campaign" means a sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure, but does not mean or include any billboard owned or maintained by a commercial firm or advertising company.

"Sign, civic, institutional, or philanthropic" means a sign erected by a public or non-profit agency, service club, etc., for civic or public information.

"Sign, construction" means a sign related to the property upon which it is located and offering such property for sale or lease, or advertising contemplated improvements, or announcing the name of the builder, owner, designer, or developer of the project.

"Sign, detached" means any sign not supported in whole or in part by a building, or structure other than by a sign structure which is supported wholly by the ground.

"Sign, directional" means any sign which serves wholly to designate the location or direction of any place or area on the premises to which it pertains.

"Sign, directly illuminated" means any sign designed to provide artificial light directly or through transparent or translucent material from a source of light within or on such sign, including, but not limited, to neon and incandescent lamp signs.

"Sign, electric awning" means an awning or canopy that is lighted from within the sign structure and illuminates the entire structure.

"Sign, electronic message" means a sign that has an electronic message display.

"Sign, forced air" means any sign or device that uses a blower to force air through fabric to draw attention from observers.

"Sign, home occupation" means a sign associated with a legally approved home business.

"Sign, identification" means a sign which serves to tell only the name, address, and lawful use of the premises upon which it is located. A bulletin board of a public, charitable, or religious institution used to display announcements relative to meetings held on the premises shall be deemed an identification sign.

"Sign, indirectly illuminated" means one whose illumination is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

"Sign, intensely lighted" means a sign which is animated by means of flashing, scintillating, blinking or traveling lights, or any other means not providing constant light.

"Sign, low profile" means on-premises or identification signs having a maximum height of six feet

"Sign, memorial" means a sign or tablet that states the names of buildings or the date of the buildings erection and cut into the surface or facade of a building.

"Sign, moving" means any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical, electronic, or

kinetic means, including intermittent electrical pulsations.

"Sign, neighborhood identification" means a permanent sign that only designates the neighborhood or tract name.

"Sign, noncommercial, residential zone" means a sign addressing a noncommercial issue, statement, or notice.

"Sign, nonconforming" means a sign legally existing at the time of its erection or the effective date of this Title which does not conform with use regulations of the district in which it is located.

"Sign, off-premise" means any sign not located on the premises of the business or entity indicated or advertised by said sign. This definition shall include but may not be limited to billboards, poster panels, painted bulletins, directional, bus bench, and other similar displays.

"Sign, on-premise" means a sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered on the property on which the sign is located.

"Sign, permanent" means a sign which is permanently affixed to the ground with a footing designed to meet the requirements of the sign ordinance as well as the International Building Code.

"Sign, portable" means any sign not permanently affixed to the ground or a structure on the premises it is intended to occupy.

"Sign, projecting" means any sign which is located, in whole or in part, in or over the right-of-way of any street, sidewalk, alley, or other public thoroughfare. A projecting sign shall include any sign affixed to or part of a marquee, canopy, or vestibule where such sign is located in or over the street right-of-way.

"Sign, public necessity" means a sign informing the public of any danger or hazard existing on or adjacent to the premises.

"Sign, real estate" means a sign related to the property upon which it is located and offering such property for sale or lease.

"Sign, roof" means a sign erected upon a roof or parapet of a building or structure.

"Sign, subdivision development" means a sign related to the property upon which it is located and offering such property for sale or lease, or advertising contemplated improvements, or announcing the name of the builder, owner, designer, or developer of a project.

"Sign, temporary" means any sign, banner, pennant, valance, balloon, or advertising display constructed of cloth, canvas, fabric, cardboard, wall board, plastic, or other light materials with or without frame where the sign is not permanently affixed to the ground or structure. Spotlights shall also be considered a temporary sign.

"Sign, trespassing" means any sign which warns against the trespassing onto a parcel of property or structure.

"Temporary outdoor display" means any merchandise that is displayed outside of a building only during business hours.

"True value" means the cost of materials and labor to replace the sign structure.

20.02 - Permits and Enforcement

20.02.010 - Permit required

(1) **Permit required.** Except as otherwise provided in this Title, it shall be unlawful for any person to erect, alter, relocate, direct, or order a person to erect, alter, or relocate a sign within the City without first obtaining a permit or permits from the Community and Economic Development Department. A fee for the permit will be charged in accordance with the current fee schedule adopted by the City Council.

(2) **Permission of property owner.** No person shall erect, construct, or maintain any sign upon any property or building without the written consent of the owner or person entitled to possession of the property or building if any, or their authorized representatives.

(3) **Illegal signs.** No person shall erect or maintain or permit to be erected or maintained on any premises owned or controlled by him any sign which does not comply with the provisions of this Title.

(4) **Application.** Application for a permit shall be made to the Community and Economic Development Department upon a form provided by the City and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the City, including a vicinity plan, drawings to scale indicating the location, dimensions, construction, electrical wiring and components, method of attachment, and character of structural member to which attachment is to be made where applicable. All necessary construction and engineering specifications must be submitted as required in Section 20.02.020 prior to the issuance of any permit. The Community and Economic Development Department may also require, at its discretion, additional engineering information if there is a concern for the health or safety of the general public.

(5) **Issuance: Term.** The Community and Economic Development Department shall issue a permit only to

a sign contractor properly licensed in the State of Utah, for the erection, alteration, or relocation of a sign within the City when an application therefor has been properly made and the sign complies with all appropriate laws and regulations of the City.

Every permit issued by the Community and Economic Development Department under the provisions of this Chapter shall expire and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of issuance of such permit, or if the work authorized by such permit stops, is suspended or abandoned, for any reason, for a period of one hundred eighty days (180) or more at any time after the work is commenced. Before such work can be commenced or resumed thereafter a new permit shall first be obtained and the fee therefor shall be one-half () the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work and provided further, that such suspension or abandonment has not exceeded one (1) year.

The Community and Economic Development Department may at any time, in writing, suspend or revoke a permit issued under the provisions of this Title whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any of the provisions of this Title.

(6) **Effect of issuance.** No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance or for damages resulting from a nuisance.

(7) **Indemnification of City.** As a condition to the issuance of a building permit for a sign. All persons engaged in the alteration, relocation, or maintenance of signs over a public right-of-way or other sign work in, over, or immediately adjacent to a public right-of-way or public property shall agree to hold harmless and indemnify the City, its officers, agents, and employees, from any and all claims of negligence resulting from said erection, alteration, relocation, maintenance, or other sign work.

(8) **General liability insurance required.** As a condition to the issuance of a building permit for a sign, all contractors performing sign work under this Title shall obtain a comprehensive liability insurance policy and maintain limits no less than One Million Dollars (\$1,000,000) combined single limit per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to each project/location or the general aggregate limit shall be twice the required occurrence limit. Said sign contractor shall furnish the City with a certificate of insurance which shall name the City, its officers, agents and employees as additional insureds under said policy. Said insurance shall be maintained in full force and effect during the term of the building permit license and said insurance policy or certificate shall provide that the City shall be notified of any cancellation of said insurance ten (10) days prior to the date of cancellation.

20.02.020 - Construction standards

(1) **Inspections required.** A footing and final inspection shall be required for all signs.

(2) **Building code compliance.** All signs shall comply with the appropriate detailed provisions of the International Building Code relating to design, structural members, and connections. All metal, wire cable supports, and braces shall have engineering provided by an engineer licensed in the State of Utah. Signs shall also comply with the applicable provisions of the Electrical Code of the City of Layton and the additional construction standards as set forth in this Code.

20.02.030 - Signs exempt from permit requirements

The provisions of this Title, including the requirements for permits, shall not apply to the following signs specified in this Section, nor shall the area of such signs be included in the area of signs permitted for any parcel use:

(1) **Directional or instructional signs.** Signs which provide direction or instruction and located entirely on the property to which they pertain and do not exceed four (4) square feet in area, such as signs identifying rest rooms, public telephones, walkways, or signs providing direction such as parking lot entrance and exit signs and those of similar nature. Directional signs are to be limited to instruction or direction only and are not to have any form of commercial advertising on them other than a company logo.

(2) Temporary signs as outlined in this Title.

- (3) **Memorial signs or tablets.** Memorial signs or tablets, names of buildings, and dates of building erection when cut into the surface or facade of a building.
- (4) **Public notices.** Official notices posted by public officers or employees in the performance of their duties.
- (5) **Public necessity signs.** Public necessity signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety.
- (6) **Real estate signs.** One real estate sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies, is not directly illuminated, does not exceed eight (8) square feet in area, and is removed within seven (7) days after the sale, rental, or lease has been accomplished.
- (7) **Flags.** The flags, emblems, or insignias of any nation or political subdivision.
- (8) **Symbols or insignias.** Religious symbols, commemorative plaques of recognized historical agencies, provided that no such symbol, plaque, or identification emblem shall exceed ten (10) square feet in area.
- (9) **Interior signs.** Signs located within the interior of any building or stadium (if said signs are facing towards the interior of the stadium) or within an enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court of entrance of any theater.
- (10) **House numbers and name plates.** House numbers and name plates not exceeding two (2) square feet in area for each residential building.
- (11) **Trespassing signs.** Trespassing signs in all zoning districts.
- (12) Subdivision development signs as set forth in this Title.
- (13) Construction signs as set forth in this Title.
- (14) Noncommercial residential zone signs as set forth in this Title.
- (15) Campaign signs as set forth in this Title.
- (16) Temporary noncommercial signs in residential and agricultural zones as set forth in this Title.

20.02.040 - Violation and penalty; Other remedies

(1) Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, violating, causing, or permitting the violation of the provisions of this Title shall be guilty of a class C misdemeanor and shall be punishable as provided by law. Such person, firm, or corporation who violates this Title shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this Title is committed, continued, or permitted by such person, firm, or corporation.

(2) In addition to the fines and penalties set forth in paragraph (1), the City is hereby authorized to exercise the following additional remedies, jointly or severally:

(a) **Notice of correction.** A City enforcement officer may prepare and serve notice of a violation of this Title, requiring compliance within fourteen (14) days of the date of the notice. The notice shall describe the sign, specify the violation(s), and inform the recipient that if the violation(s) is/are not remedied, the sign may be removed at the responsible party's cost. The notice shall also inform the recipient that if the recipient disagrees with the enforcement officer regarding the violation, the recipient may appeal the enforcement officer's determination to the Director of the Community and Economic Development Department. Said appeal must be in writing and received by the Director of the Community and Economic Development Department within the fourteen (14) day period. Notice of violations are deemed to have been given when notice is mailed or given to the property owner of record or occupant of the property upon which the sign is located. Notice to the property owner shall be mailed to the owner of the property on which the sign is located, as shown on the last assessment roll. If known, the notice may also be mailed or delivered to the owner of the sign.

(b) **Removal.** A sign in violation of this Title may be removed by the City:

- (i) either civil Pursuant to a court order issued in conjunction with an enforcement action, or criminal;
- (ii) At the conclusion of the fourteen (14) day period set forth hereinabove, provided no appeal has been filed;
- (iii) Immediately in situations where the sign is in such a condition or location so as to constitute an imminent threat to the health, safety, welfare, or property of the citizenry; and/or
- (iv) Immediately where the sign is located upon public property and is not permitted to be so located.

(c) **Civil enforcement.** The City may initiate a civil action in the District Court seeking compliance and other available remedies.

(3) **Costs.** The City is hereby authorized to recover its expenditures for the enforcement of this Title, pursuant to any available method, including but not limited to, restitution pursuant to a criminal prosecution, civil penalties, statutory nuisance abatement processes, etc. Any challenges to those costs shall be made pursuant to the applicable process.

(4) **Disposal of signs.** Within two (2) business days after a sign comes into the possession of the City, the enforcement officer shall use reasonable means to provide notice to the owner of the sign or agent thereof. Said notice will state that the sign must be retrieved from the City within five (5) business days of the date of the notice.

(a) If the sign is not retrieved within that time period, the sign becomes the property of the City and may be disposed of at the City's discretion. Any costs for removal and storage may be recovered from said owner or agent.

(b) If the sign is retrieved within that time period, the person retrieving said sign shall demonstrate ownership and shall pay costs of removal and storage before receiving the sign. If said person disagrees with the assessed costs, said person may, after paying the costs and retrieving the sign, file an appeal. Said appeal must be in writing and submitted to the office of the City Manager within five (5) business days of retrieving the sign and paying the costs. The City Manager will hear the matter or designate a hearing officer. The sole issue on appeal is the reasonableness of the assessed costs.

20.02.050 - Prohibited signs

Except as otherwise provided in Section 20.03.010, the following signs are prohibited:

(1) **Miscellaneous signs and posters:**

(a) Signs which are located on the roof of a building or structure, except as permitted in Section 20.04.130(3);

(b) Canvas signs and banners except as noted in Chapter 20.05;

(c) "A" frame and portable signs of any nature;

(d) Wind or forced air signs except as noted in Chapter 20.05;

(e) Portable signs;

(f) Temporary signs except as provided in Chapters 20.02 and 20.05;

(g) Tethered or fixed balloons except as noted in Chapter 20.05; and

(h) Signs or posters of a miscellaneous character, visible from a public way, located on buildings, barns, sheds, trees, poles, posts, fences, or other structures.

(2) **Traffic hazards.** No sign shall be permitted at the intersection of any street in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape, or color it may interfere with or be confused with any authorized traffic sign, signal, or device or which makes use of a work, symbol, phrase, shape, or color in such a manner as to interfere with, mislead, or confuse traffic. No sign shall be placed in violation of a clear view area as described in Section 20.01.020 under "Clear view area."

(3) **Parking of advertising vehicles prohibited.** No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property. This Section is not intended to apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to a business or commercial vehicle which is operable, properly licensed and legitimately utilized in said operation or businesses that are considered to have "permanent outdoor retail space."

(4) **Public areas.** No sign, handbill or poster, advertisement, or notice of any kind or sort, whether political or otherwise, shall be fastened, placed, posted, painted, or attached in any way in or upon any curbstone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, tree, rock, sidewalk, or street, except when the sign is owned and erected by a public agency or erected by permission of an authorized public agency or required by law.

(5) **Flood zone.** No sign shall be permitted within any designated one hundred (100) year flood area.

(6) **Intensely lighted signs.** No sign shall be permitted which because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties.

(7) **Sound, odor, or tangible matter.** No advertising sign or device shall be permitted which emits audible sound, odor, or tangible matter.

(8) Abandoned signs as specified in this Title.

20.02.060 - Relief from regulatory hardship

Any owner or occupant of property experiencing a hardship, as defined herein, as a result of the regulations of this Title, may seek relief therefrom pursuant to this Section.

(1) **"Hardship"** as used in this Section means an existing physical condition, such as topography or lot configuration, that so restricts the placement of a sign on the property under this Title, that the property cannot host a sign in a similar manner to other properties within the same zoning district. A hardship is not a condition that is or was created by the owner or occupant, nor is a hardship an economic loss or lost economic opportunity.

(2) Any person having a hardship as defined herein may request relief from the restricting regulation as follows:

(a) Submit a written request to the Community and Economic Development Director for relief containing the following:

- (i) Name, address, and telephone number of the owner/occupant/ applicant, address or location of the subject property, and relationship between the property and the submitting person or entity;
- (ii) The nature of the hardship and the restricting regulation; and
- (iii) The proposed use that is proscribed by the regulation.

(b) The Community and Economic Development Director is to review the application and make a determination within ten (10) days of receiving the application. In order to grant relief from the restriction, the Community and Economic Development Director must find:

- (i) Literal enforcement of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;
- (ii) There are special circumstances attached to the subject property that do not generally apply to other properties in the same district;
- (iii) Granting the relief is essential to the enjoyment of a substantial property right possessed by other property in the same district;
- (iv) The granted relief will not substantially affect the General Plan and will not be contrary to the public interest; and
- (v) The spirit of this Title is observed and substantial justice done.

(c) **Appeals.** Any person aggrieved by the decision of the Community and Economic Development Director may appeal that decision to the City Council. Any such appeal must be in writing and be submitted to the Office of the City Manager within ten (10) days of the Community and Economic Development Director's decision. The City Council may affirm, modify, or reverse the decision of the Community and Economic Development Director. Said decision is to be made within twenty-eight (28) days from receiving the appeal.

20.03 - General Sign Regulations

20.03.010 - Nonconforming signs

A nonconforming sign shall not be reconstructed, raised, moved, placed, extended, or enlarged unless said sign is changed so as to conform to all provisions of this Title. On-premise nonconforming signs which are destroyed by natural causes, i.e., earthquakes, floods, winds, etc., exceeding sixty percent (60%) of the signs true value must be brought into conformance. Nonconforming signs shall be allowed to have routine maintenance including the repair or replacement of the sign face by an existing or new business but shall not be allowed to increase the height, size, or the location thereof. If a business applies for an increase of square footage other than for temporary signs all signs on the site shall be brought into conformance with the provisions of this Title. Billboards which are destroyed by natural causes, i.e., earthquakes, floods, winds, etc., may be acquired by the City or rebuilt.

20.03.020 - Moving, relocating, or altering of signs

No existing sign may be moved or relocated to any other parcel, building, structure, or portion thereof, unless said sign complies with all other provisions of this Title, or is altered so as to comply therewith. No existing sign may be moved or relocated on the same parcel, building, structure, or portion thereof, unless said sign also complies with all other provisions of this Title, or is altered so as to comply therewith.

No existing sign may be altered unless said sign, after alteration thereof, complies with all other provisions of this Title. Alteration shall be deemed to include a change of message or sign legend, or portion thereof, except where such change is a normal increment of the sign function common to signs such as a billboard, theater marquee, reader board, bulletin board, or other similar sign.

20.03.030 - Maintenance and repair

Each sign shall be maintained in safe, presentable, and good condition, including the replacement of defective parts, painting, cleaning, and other acts required for the maintenance of said sign. The Community and Economic Development Director shall require compliance or removal of any sign determined to be in violation of this Section in accordance with the provisions of Section 20.02.050(8).

20.03.040 - Abandoned signs

Any on-premise sign located on property which is vacated by an occupant shall be deemed to have been abandoned.

All abandoned temporary and permanent on-premise signs shall be removed within fourteen (14) days of the termination of occupancy. The structure of all detached on-premise signs shall be removed within six (6) months.

20.03.050 - Street improvement project

Any sign projecting over a public right-of-way at the time of the effective date of this Title, which was subject to removal or relocation at the owner's expense pursuant to a permit or ordinance of the City, shall be removed by the owner or altered at the owner's expense to comply with the regulations of this Title if, as the result of, or after completion of a street improvement project, said sign does not or would not comply with the regulations of this Chapter.

20.03.060 - Building access free of obstruction

No sign or its supporting members shall be erected, altered, or relocated so as to interfere with or restrict access to a window or other opening in a building in such a manner as to unduly limit air circulation or obstruct or interfere with the free use of a fire escape, exit, standpipe, stairway, door, ventilator, or window, or similar opening, provided, however, that the Community and Economic Development Director may approve a swinging sign or other form of sign or its attachment, when the Building Official and Fire Marshal agree that such sign will not restrict access to such openings.

20.04 - Specific Sign Regulations and Permitted Locations

20.04.010 - Neighborhood identification signs (All Zones)

In any zone, a sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract identification. If said sign is to be a free-standing structure it must be a low-profile sign and must comply with the provisions set forth in 20.04.100 of this Chapter. Any sign or display must be located so it is not in the clear view area.

Code 20.04.020 - Subdivision development signs (All Zones)

In any zone the Community and Economic Development Department may allow a temporary sign in connection with the marketing of lots or structures in a subdivision, subject to the following conditions:

(1) One subdivision development sign per frontage, not to exceed thirty-two (32) square feet in area within residential, commercial, and industrial zones. In commercial and industrial zones, if the property is being marketed by more than one (1) entity the sign may increase in square footage by thirty-two (32) square feet for each additional entity to a maximum of ninety-six (96) square feet. The sign must be approved by the Community and Economic Development Director or authorized agent with a one (1) year limitation per approval. Renewals may be granted on a yearly basis, but not to exceed two (2) years.

(2) **Location.** Any subdivision development sign shall comply with all clear view requirements and be setback from all property lines a minimum of two feet (2'). Subdivision development signs shall be located only on property which the sign is advertising.

20.04.030 - Construction signs (Commercial Zones)

In any commercial or manufacturing zone, one (1) unlighted sign per development not to exceed ninety-six (96) square feet in area, may be placed on the lot or attached to the outside of a building during its construction period. Construction signs shall be setback a minimum of two feet (2') from property lines and out of all clear view areas. Said sign shall identify only the project, its developer, architects, engineers, designers, contractors, or other persons or groups participating in the project.

20.04.040 - Residential real estate signs

Within any R-1 zone residential real estate signs are allowed. Real estate signs are not to exceed eight (8) square feet in area and six feet (6') in height. Said signs must be located entirely on the property to which they pertain and not in a public right-of-way. Within any RM-1, RM-2, and R-H zoning district properties that have a single owner may have a maximum of fifty (50) square feet of sign area which can be used in a combination of banners attached to a building or free standing real estate signs.

20.04.050 - Commercial real estate signs

In any CP-1, CP-2, CP-3, CH, M-1, and M-2 zoning district commercial real estate signs are allowed. Commercial real estate signs are not to exceed thirty-two (32) square feet in area and ten feet (10') in overall height. Said signs must be located out of clear view areas, public right-of-ways, and entirely on the property to which they pertain.

20.04.060 - Campaign signs

Campaign signs shall meet the following requirements:

(1) **Posting on public right-of-way.** It shall be lawful for any person to post a campaign sign in the area between the sidewalk and curb and gutter of any public street except that no sign over two feet (2') in height may be placed in any clear view area. No campaign sign may be attached to any utility pole within a public right-of-way. No campaign sign may overhang the travel way or sidewalk in a public right-of-way.

(2) **Prohibition.** The placement of any campaign sign within one hundred fifty feet (150') of any building, where a polling place is located is prohibited. "Polling place" shall mean the physical place where

ballots and absentee ballots are cast.

(3) **Posting time limits.** It shall be unlawful for any person to fail to remove a campaign sign within five (5) days after the election for which the sign was posted. In the event there is a primary election, the campaign sign removal shall not be required until five (5) days after the main election for which the primary election was held.

(4) **Limitation of size of campaign signs.** In any "R" (residential) zone, said campaign sign shall not exceed twenty-four (24) square feet in aggregate on or in front of any parcel and, in any "A" (agricultural) zone, said campaign sign and combination of signs shall not exceed sixty-four (64) square feet in aggregate on or in front of any parcel with a minimum one-hundred and fifty feet (150') of frontage and two (2) acres. If detached, said signs shall not exceed six feet (6') in height in residential zones and twelve feet (12') in height in agricultural zones. Said sign shall not be erected in such a manner as to constitute a roof sign. In commercial and industrial zoning districts, campaign signs shall not exceed one hundred and fifty (150) square feet in aggregate on or in front of any parcel and twelve feet (12') in height.

(5) **Removal of illegal campaign signs.** The Director of Community and Economic Development or authorized agents are authorized to remove any campaign sign found posted within the corporate limits of the City when such sign is in violation of the provisions of this Section. For the purpose of removing campaign signs, the Director of Community and Economic Development or authorized agents are empowered to take all steps necessary to remove the unauthorized sign including but not limited to enlisting the aid or assistance of any other Department of the City and to secure legal process to the end that all such signs shall be expeditiously removed from any property where posted.

(6) **Notice.** Upon discovery, the Director of Community and Economic Development or authorized agents shall immediately notify by telephone the candidate, committee, or person responsible for the posting of any sign in violation of this Section, indicating the location of the sign and that the sign must be removed within five (5) working days. If the address or phone number of the person responsible for the violating sign is not known the sign shall be removed under the provisions as set forth in Subsection (5) of this Section.

(7) **Storage and return.** If after the five (5) day notice has been given under Subsection (6) above, any campaign sign has not been removed, the Community and Economic Development Director or authorized agents shall remove said campaign sign and keep a record of the location from which the sign was removed. He/she shall store the sign in a safe location for at least thirty (30) days. The Community and Economic Development Director or authorized agents shall return any campaign sign upon the payment of the fee provided in Subsection (8) below.

(8) **Removal of sign charge.** The City shall be entitled to receive the sum of Five Dollars (\$5.00) for every campaign sign removed by the Community and Economic Development Director or authorized agents to cover the expense of removal, notice, and storage. In cases where unusual effort is needed to remove a sign the provisions contained in Section 20.02.040(b) shall be used to assess fees.

(9) **Persons responsible.** In a campaign for elective office, the candidate for such office shall be deemed the person responsible for the posting of campaign signs, unless the candidate first notifies the City Recorder and the Director of Community and Economic Development of another person who is responsible. In such case, the candidate shall provide the name, address, telephone number, and signed consent of such other responsible person. In a campaign regarding a ballot measure, the president of the committee supporting or opposing such ballot measure shall be deemed responsible, unless said person first notifies the City Recorder and Director of Community and Economic Development of some other person responsible, in the manner described above. The candidate, or in the case of a ballot measure, the committee president, or other responsible person if so designated, shall be liable to pay any fees or costs for the removal and storage of illegal signs, as set out herein. Further, such candidate, committee president, or other designated person, shall be subject to prosecution for any violation of this Chapter.

(10) **Illegal signs, public nuisance.** Campaign signs in violation of this Section are hereby declared to be public nuisances, and may be abated as such by the City. The collection of removal fees shall not preclude the City from prosecuting any person for violating this Chapter.

(11) **Appeal.** Any person deemed responsible under this Section shall have a right to appeal any civil penalty levied under Subsection (8) to the City Manager.

20.04.065 - Noncommercial residential zone signs

Within any residential zone noncommercial signs are allowed with the permission of the property owner and/or the person or entity having the delegated authority to maintain the public right-of-way between the roadway and the adjacent property line. Noncommercial residential signs shall not exceed twenty-four (24) square feet in area and six feet (6') in height. No sign, or combination of signs, shall exceed twenty-four (24) square feet per residential lot. Any

such sign that exceeds two feet (2') in height must be located entirely on the property and not in a public right-of-way. Regardless of height, said signs shall not be placed within any clear view area and shall not be illuminated.

20.04.070 - Trespassing signs (All Zones)

In any commercial or manufacturing zone any number of signs not exceeding six (6) square feet each and placed a minimum of fifty feet (50') apart, may be attached to a structure, fence, or may be free standing. In no case shall a trespassing sign be placed at a height greater than eight feet (8') above the finished grade immediately below the sign. No permit shall be required for this type of sign.

In residential zones any number of trespassing signs not exceeding three (3) square feet each and placed a minimum of fifty feet (50') apart, may be attached to a structure, fence, or may be free standing. In no case shall a trespassing sign be placed at a height greater than six feet (6') above the finished grade immediately below the sign. No permit shall be required for these types of signs.

20.04.080 - Home occupation signs

Within any zone home occupation signs are allowed. Home occupation signs are not to exceed four (4) square feet in area and must be attached to the home.

20.04.090 - Civic, institutional, or philanthropic signs (All Zones)

Within any agricultural or residential zoning district, civic, institutional, or philanthropic signs are a conditional use. When detached, said signs are not to exceed sixteen feet (16') in height and sixty (60) square feet in sign area and have a minimum of a ten foot (10') setback from any public right-of-way. Said signs shall be located on the property to which they pertain and upon which civic, institutional, or philanthropic use is ongoing. Civic, institutional, or philanthropic signs may be illuminated but the source of illumination shall not be visible; no flashing or intermittent illumination shall be employed. Attached sign area shall be determined by one (1) square foot of sign area for every one (1) lineal foot of building frontage at the main entrance not to exceed two hundred and fifty (250) square feet. Said signs may only be placed on a parcel of property that is a minimum of one (1) acre and has a minimum lot frontage of one hundred feet (100').

20.04.100 - Low profile signs

Low profile signs are encouraged in all commercial and industrial zoning districts and shall be allowed in conformance with the following provisions:

- (1) Low profile on-premise or identification signs will be allowed in all commercial, professional, and manufacturing zoning districts provided that these signs:
 - (a) Must have a minimum front setback of five feet (5').
 - (b) Section

19.16.080.

Must have a minimum
setback from any driveway
or traffic access as required
in

(c) Must be incorporated into a landscape design scheme or planter box with a minimum of a two (2) to one (1) ratio of landscaping to sign area.

(d) Shall be limited to a maximum of six feet (6') in height or ten feet (10') in height as allowed in Subsection (2) below. Sign height is to be measured from the average grade of the area around the base of the sign.

(e) Must be separated from any other detached sign by a minimum of one hundred and fifty feet (150') unless all of the following criteria apply:

(i) A business or businesses do not have direct exposure on an arterial; and

(ii) The minimum separation is seventy-five feet (75'); and

(iii) The business or businesses shall have no other sign exposure on an arterial street;

and

(iv) All other provisions of this Section are complied with.

(f) Square footage shall be counted towards the maximum area allowed on the parcel as specified in Section 20.04.120.

(g) There shall be no changeable copy.

(2) A monument sign for the purposes of business park identification may be allowed in the B-RP zoning district. Said sign shall identify the name of the park and may include the name and address of tenants. Such signs may not exceed ten feet (10') in height and no more than sixty-four (64) square feet in sign copy area. Such signs shall be set back from street right-of-way lines at least twenty-five feet (25'). This is to be a monument sign on footings and foundation, and shall be an integrated architectural feature of the park.

20.04.110 - Planned development signs

In the case of the development of a planned commercial, industrial, or research center on multiple parcels of property that may or may not have separate ownership, the Planning Commission may allow common sign(s) displaying advertising for all the uses within the development. The Planning Commission will consider the following criteria as a basis for approval of the signs:

(1) Sign(s) must be integrated into the development with a common theme or integrated architecturally with the buildings.

(2) All provisions of the underlying zoning district and this Title must be met.

(3) Location, number, and size of all signs must receive approval by the Planning Commission.

(4) The developer must submit elevations of all signs and a site plan showing how the above mentioned items will be addressed.

20.04.120 - Detached signs; Area and location; Commercial and industrial zones

Within the B-RP, CP-1, CP-2, CP-3, and CH commercial zones, and M-1 and M-2, industrial zones, signs are permitted as follows:

(1) Detached signs; Area requirements.

(a) One (1) detached on-site sign for each developed parcel not exceeding one (1) square foot of sign area for each lineal foot of street frontage within the first ten feet (10') of setback not to exceed two hundred (200) square feet of total sign area; or

(b) One (1) detached on-site sign containing 1.5 square feet of sign area for each lineal foot of street frontage behind the first ten feet (10') of setback not to exceed three hundred (300) square feet of total sign area.

(c) Where a developed parcel has an excess of three hundred (300) lineal feet of street frontage on an arterial street and contains at least five (5) acres, one (1) additional free standing sign may be allowed as a conditional use.

(d) **Maximum detached sign area.** There shall not be more than three hundred (300) square feet of detached sign area per parcel.

(e) Where a developed parcel is permitted to have more than one (1) detached on-site sign under these regulations, the distance between said detached signs on the parcel shall be not less than two hundred (200) lineal feet.

(f) Where a parcel does not have frontage on a public street one (1) detached sign may be allowed on-site as approved by the Planning Commission. Or one (1) detached sign may be located on an adjacent parcel with frontage on a street, upon approval by the Board of Adjustment after receiving proof of acceptability by the adjacent parcel owner. The allowable square footage of the sign shall be determined by the width of the parcel at the front setback line of the building applying for the sign. One (1) square foot of sign area is allowed for each lineal foot of parcel width up to a maximum of two hundred (200) square feet for a single business and up to four hundred (400) square feet in aggregate for more than one (1) business.

(2) **Detached signs; Height limits.** The maximum height limit for detached signs shall be as follows:

In the B-RP, CP-1, and CP-2 zones: twenty feet (20') above average grade of the front property line except at locations designated in the "freeway sign corridor" area. Signs in these locations may be a maximum of forty-five feet (45') in height.

In the CP-3, CH, M-1, and M-2 zones: thirty five feet (35') above average grade of front property line except for areas determined to be in the "freeway sign corridor." Within the "freeway sign corridor" area signs may be a maximum of forty-five feet (45') above average grade of front property line (see _____ map appendix A).

(3) **Detached signs; Number of panels.** A detached sign may consist of more than one (1) sign panel provided all such sign panels are attached to one (1) common integrated sign structure and any additional panels must meet minimum clearance as designated in Subsection (6). The total area of all such panels shall not exceed the maximum allowable sign area specified for a detached sign on said parcel. Where a sign message consists of separated or individual letters, modules, or symbols, each portion of said sign message shall not be considered as a one (1) sign panel. In such cases, a single continuous perimeter completely surrounding the sign message shall be utilized to determine its sign area.

(4) **Detached signs; Corner lots.** On corner lots a single sign is permitted and a second sign may be permitted with conditional use approval. The total area for all detached signs shall not exceed three hundred (300) square feet. Said maximum allowances, however, are not transferable either in whole or in part from one street frontage to another.

When a sign is erected at the street intersection corner of the parcel, or at the intersection of a building front, and is situated at an angle so as to be visible from both streets or both frontages, said sign shall not exceed the maximum area allowed for the longest front footage of building occupancy or street frontage. The area of such sign shall be deducted from the total area and number of signs permissible on said property.

(5) **Detached signs; Required setbacks.** No detached sign shall project over a public right-of-way. Detached signs shall have a two foot (2') setback from all property lines. The two foot (2') setback is determined from the leading edge of the detached sign. Where a detached sign has a two foot (2') or more base width from ground level to a height of ten feet (10'), the base of said sign shall be located a minimum of ten feet (10') from any front property line and shall not be located in any clear view area.

(6) **Detached signs; Minimum clearance.** A detached sign shall have a minimum clearance of ten feet (10') between the ground surface and the bottom of the sign, provided that the Community and Economic Development Director may reduce this clearance if the sign is not illuminated with exposed neon tubing and is located in an area not accessible to pedestrian or vehicular traffic or if an acceptable site feature is constructed to protect said pedestrian and vehicular traffic. The minimum clearance shall not be reduced where a traffic hazard may be created. In no case shall this clearance be reduced to less than six feet (6').

20.04.130 - Attached signs

Said attached signs shall be allowed as follows:

(1) Attached signs are not to exceed a total area of three (3) square feet of sign area for each front foot of building occupancy (see "Front footage of building occupancy" definition). Said signs may be placed flat against a building, may be projecting or non-projecting signs, and may be located on an architectural projection.

In the PB zone there shall not be more than fifty (50) square feet of sign space in total per tenant.

(2) **Flat signs; Location and depth.** Signs placed flat against a building may extend no more than eighteen inches (18") from the wall of such buildings. Said signs may project over a public right-of-way a distance not exceeding said eighteen inch (18") depth. The minimum heights shall be ten feet (10') or more above the sidewalk.

(3) **Height regulations; Signs on parapet walls, sloping, and shed roofs.** The following regulations shall apply to the location and height of signs on parapet walls and various roof structures.

(a) **Parapet wall.** A sign may be attached to the face of a parapet wall. The sign projection above the top of the parapet wall may not exceed one fourth (1/4) of the sign height or a maximum of four feet (4').

(b) **Sloping roof.** A sign may be attached to the fascia or located on the sloping roof of a structure but may not be located so as to extend more than four feet (4') above the lower edge or the fascia of said sloping roof to the top of the sign.

(c) **Shed roof.** A sign may be attached to the fascia of a shed roof of a structure but may not be located so as to extend more than four feet (4') above the lower edge of the fascia of said roof.

(d) **Height limit.** No height limit is specified for signs placed flat against the wall of a building or for other attached signs provided all other provisions of this Chapter are complied with.

(4) **Signs on architectural projections.** The following regulations shall apply to all architectural projections. The maximum projection of a sign shall not exceed eighteen inches (18").

(a) No sign attached to or which is an integral part of the face of an architectural projection shall extend above or below the face of such projection.

(b) A sign erected on top of an architectural projection shall not exceed a maximum height of two feet (2') above the upper edge of said projection. If illuminated, said sign shall be of internal illumination only.

(c) A sign may be placed entirely below and may be supported by an architectural projection of a building when such architectural projection is designed to carry the additional weight of such signs. If illuminated, said sign shall be of internal illumination only. Such sign shall have a minimum clearance of eight feet (8') between the bottom of the sign and finished grade.

(5) **Signs on awnings or canopies.** Awnings or canopies including electric awning signs may be placed on buildings in any B-RP, PB, CP-1, CP-2, CP-3, CH, M-1, or M-2 zone. Awnings or canopies shall be mounted a minimum of eight feet (8') above the ground surface. The area of any logo, insignia message shall be calculated and shall comply with the provisions outlined in Section 20.04.130 (1).

(6) **Signs; For other than ground floor use.** In any B-RP, CP-1, CP-2, CP-3, CH, M-1, and M-2 zoned property where there are businesses above the ground floor of a building and such businesses are different from the ground floor uses, one (1) additional sign per building placed flat against the building may be erected for all such uses. Said signs shall not exceed one (1) square foot of sign area for each two (2) lineal front feet of building frontage.

(7) **Attached signs in agricultural zoning districts.** Attached signs in agricultural zoning districts shall be a conditional use and shall have the additional following requirements:

(a) Size shall be determined by (1) square foot of sign area for every (1) lineal foot of building frontage at the main entrance not to exceed two hundred (200) square feet.

(b) Said sign shall not be illuminated.

20.04.140 - Permanent and temporary window signs

Except in the "R" (residential) and "A" (agricultural) zones, for each ground floor occupancy of a building not more than two (2) permanent signs may be painted on or otherwise displayed from the inside surface of any window, showcase, or other similar facility. Said signs shall be in addition to those signs permitted under the other provisions of this Chapter. The total area of such signs, in combination with temporary window signs, shall not exceed thirty percent (30%) of the total window area.

20.04.150 - Electronic message signs

(1) Electronic message signs shall be allowed in CP-1, CP-2, CP-3, CH, B-RP, PB, M-1, and M-2 zones as permitted signs. Said signs may be attached, detached, or low profile signs. The square footage of these signs shall be counted into the maximum sign area and maximum height described in Sections 20.04.120 and 20.04.130.

(2) Electronic message signs may also be allowed as permitted signs for all "Community Uses" in any zone, provided the sign shall not be located within two hundred feet (200') of any current or future residential use as designated in the City's General Plan, as measured from the base of the sign to the nearest point of the residential property.

(3) The following regulations shall apply to any electronic message signs:

(a) The electronic message center sign area shall not exceed seventy-five percent (75%) of the total sign area.

(b) Any detached electronic message sign must have a masonry material base that is architecturally integrated with the primary structure on site.

(c) In the CP-1 zone the electronic message sign may be a detached sign not to exceed twenty feet (20') in height, an attached sign, or a low profile sign.

(d) Any electronic message sign located within a PB zone must be a detached, low profile sign.

(e) Community Uses in any residential zone may have a detached sign not to exceed twenty feet (20') in height, or a low profile sign located per Section 20.04.100 of this Title, or an attached sign.

(f) Said signs shall only operate from 6:00 am to 10:00 pm.

(g) Said signs shall not cause glare or rapid blinking, nor be intensely lighted that may create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. These signs shall have a minimum of three (3) second intervals between screen changes. Any time an electronic message sign is operating between sunset and sunrise, said signs shall be set at not more than forty percent (40%) of the maximum capable light output.

(h) Five percent (5%) of daily sign usage shall be dedicated to community services.

Code 20.04.160 - Sign clearance and illumination

The following regulations shall apply to sign clearance and sign illumination:

(1) Unless otherwise restricted, all illuminated signs in the "A" (agricultural) and "R" (residential) zones shall be indirectly illuminated, unless direct lighting has been granted as a conditional use by the Planning Commission.

(2) In all other zones illuminated signs may be of direct or indirect illumination subject to the provisions of Subsection (3) of this Section.

(3) Outlining of a building by means of exposed neon tubing, exposed incandescent lighting, or other artificial lighting, or an equivalent effect may be allowed subject to conditional use review and approval by the Planning Commission. All applicants wishing to use exposed outline lighting must provide elevations showing the extent of the outline lighting.

(4) No permit for any sign shall be issued and no sign shall be constructed or maintained which has less horizontal or vertical clearance from communications lines and energized electrical power lines than that prescribed by the laws of the State of Utah or rules and regulations duly promulgated by agencies thereof.

(5) All provisions of the Electrical Code as adopted by Layton City shall be complied with.

20.04.170 - Moving signs

No sign or any portion thereof shall be permitted which rotates more than eight (8) complete revolutions every sixty (60) seconds.

20.04.180 - Temporary directional signs

In any zone, a sign giving direction to a specific location for any public or private event may be placed under the following conditions:

- (1) No more than three (3) of said signs may be placed on a parcel of property.
- (2) No such signs shall be placed on public property of any kind.
- (3) Said signs must have a setback of one foot (1') from any sidewalk or street right-of-way line, whichever is greater.
- (4) Permission must be granted by the landowner as indicated in Subsection 20.02.010(2) of this Title.
- (5) Said signs may be displayed five (5) days before and after the event not to exceed forty-five (45) days.
- (6) Said signs shall not exceed three feet (3') in height, or when placed into a clear view area, two feet (2') in height.
- (7) Said signs shall not exceed six (6) square feet in sign area measured on one (1) sign face individually, or eighteen (18) square feet collectively.

20.05 - Temporary Sign Permits and Bus Bench Signs

20.05.010 - Repealed 20.05.020 - Temporary signs

A business may advertise with temporary signs, a special service or product. A permit shall be obtained from the Community and Economic Development Department and are valid for a one (1) year period.

20.05.025 - Temporary noncommercial signs in residential and agricultural zones

Residents within residential and agricultural areas may have noncommercial signs aside from home occupation signs for special or holiday events. Banners shall not exceed twenty-four (24) square feet. Other such temporary noncommercial signs shall include tree lights, holiday displays, decorative lighting, community and ecclesiastical messages without limitation in size. Said signs shall not be displayed no more than ninety (90) days per any twelve (12) month period.

20.05.030 - Square footage and location allowed

Temporary signs, except balloons, shall not exceed one (1) square foot of sign area for every lineal foot of occupied frontage at the main entrance. In no case may any business have more than sixty (60) square feet of banner. Banners, valances, and pennants are only allowed to be located on the building to which they apply or attached to a permanent sign, so long as the requirements of 20.04.120 are still met.

All square footage used for temporary signs, other than balloons, will be counted against the square footage allowed for balloons. The allowable square footage of balloons shall be one (1) square foot of balloon area for every lineal foot of occupied frontage at the main entrance. Businesses with less than fifty (50) lineal feet of occupied frontage may be allowed fifty (50) square feet of balloon. There shall be a maximum square footage of two hundred fifty (250) square feet of balloon for any property. Balloons shall be set back one foot (1') for every one foot (1') in height from any property line. Balloons shall comply with the maximum height allowed as per Section 20.04.120. Except at locations in the freeway sign corridor area, balloons may be a maximum of one hundred feet (100') in height.

Temporary signs shall not be in any landscaping, affixed to any utility pole, boundary fence, or object within a public right-of-way except as allowed in this Title for public service signs. Signs determined to be a hazard by the City shall be removed immediately by the property owner upon notice.

Businesses in commercial zoning districts may have temporary outdoor displays of their product at any time as long as the following requirements are met:

- (1) All displays are out of all landscaped areas.
- (2) All displays must be secured.
- (3) All displays must be setback from the front property line one foot (1') for every one foot (1') in height.
- (4) All displays must comply with clear view requirements.
- (5) No displays can encroach into required parking.
- (6) No other temporary sign is attached thereto.
- (7) No displays can exceed one hundred fifty (150) square feet of area.

20.05.040 - Flags/banners requiring approval

In addition to the above mentioned requirements, businesses that are considered to have permanent outdoor retail space may, with a special one time permit issued by the Planning Commission, use flags or banners on any number of parking area light poles or on a single pole in conjunction with governmental flags. The Planning Commission or staff shall use the following criteria for approval/revocation of additional flags and/or banners:

- (1) The applicant shall present to the Planning Commission drawings, representations, or other types of visual aides to ensure that what is approved will accomplish the intent of the Planning Commission.
- (2) The applicant shall provide sizes and numbers of all flags or banners.
- (3) The proposal must be in harmony with neighboring development in terms of size, color, and volume.
- (4) The Planning staff has the right to revoke this permit if the applicant has misrepresented any aspect of the proposal or the flags/banners become tattered, discolored, or the applicant has violated any provisions of this Code. Appeals of a determination shall be heard by the Planning Commission.

20.05.050 - Permit requirements for off-site sales and time periods

All other temporary signs used for off-site sales must receive a permit. Permits will be allowed for a maximum of two (2) off-site sales per site per year.

Prior to the placement of any sign for an off-site sale a written application containing the information outlined in Section 20.02.010 must be submitted to the Community and Economic Development Department. The cost of said permit shall be in accordance with the most recently adopted Layton City Consolidated Fee Schedule.

20.05.060 - Temporary window signs

Temporary window signs are allowed in all zoning districts. However, in all zoning districts other than "R" (residential) and "A" (agricultural) zones, temporary window signs, in combination with permanent window signs, shall not cover more than thirty percent (30%) of the total window area.

20.05.070 - Bus bench signs

Bench signs, as defined in Section 20.01.020, shall be allowed in conformity to the following regulations:

- (1) Bus bench signs may be located in any commercial or manufacturing zoning district and shall be considered on-premise detached signs provided that these signs:
 - (a) Are located only at public transportation stops as designated by the City.
 - (b) No more than one (1) bench may be located at designated public transportation stops.
 - (c) The square footage of the advertising on any bench sign shall be counted as part of the on-premise detached limitations.
 - (d) Each bench sign shall have a minimum setback of two feet (2') behind the public sidewalk and shall be located entirely on private property.

- (e) The sign company shall maintain a current business license. Each year upon renewal of the license a complete list of bench and sign locations within the City shall be provided.
- (f) The City reserves the right to have any bench sign found to be in disrepair removed within three (3) days after the owner receives notice.
- (g) Evidence of written permission from the property owner allowing any bench sign to be placed must be presented to the City.

20.06 - Billboards 20.06.010 - Purpose and intent

It is the purpose and intent of this Chapter to limit the number of billboards to the total number of existing billboards. This Chapter further provides for the reasonable regulation of billboards with the intent of limiting negative impacts, enhancing the aesthetics of existing and new billboards, implementing goals and policies promoting safety, the protecting of property values, aesthetics, and the maintenance of gateways, views and vistas, that enhance the City and further the applicable elements of the City's General Plan.

20.06.020 - Cap on number of billboards

The number of billboards allowed in the City shall be limited to the number of billboards that have received a legal Layton City permit as of May 17, 2012. The number of billboards in the City shall never increase. A new billboard shall only be permitted as replacements or relocations of an existing billboard as permitted by this Title.

20.06.030 - Permitted and prohibited locations

Billboards shall be permitted in areas as defined by Exhibit I-L, Billboard Permitted Areas. Within the permitted areas no billboard shall be allowed in an area designated as a "Gateway" as set forth in the definitions of this Title and as illustrated in Exhibit I--f. Any billboard not in one of these designated areas shall be considered nonconforming. If differences exist between this ordinance and Exhibit I 'L' -1, Exhibit I shall take precedence.

- (1) **I-15 Corridor:** Billboards shall be permitted in any non-residential zoning district along the I-15 Corridor, within three hundred feet (300') of the I-15 centerline, measured to the billboard pole.
- (2) **Highway 193 Corridor:** Billboards shall also be permitted in any non-residential zoning district along the Highway 193 Corridor, within two hundred feet (200') of the Highway centerline, measured to the billboard pole. The boundary along the Highway 193 Corridor shall be as delineated in Exhibit I -1.
- (3) **Main Street Corridor:** Billboards shall also be permitted in any non-residential zoning district along the Main Street Corridor, within two hundred feet (200') of the Main Street centerline measured to the pole. The boundary along Main Street shall be as delineated in Exhibit I-1 J.

20.06.040 - Removal of billboards; Demolition permit required

Prior to the removal of any billboard in Layton City the following requirements must be met:

- (1) **Permit required.** Billboards may be removed by the billboard owner only after obtaining a demolition permit from Layton City. Owners that do not obtain the appropriate demolition permit shall forfeit the right to reconstruct, relocate, build or convert any billboard that is removed without a permit.
- (2) **Application.** Application shall be made by obtaining a demolition permit provided by the Community and Economic Development Department.

20.06.050 - Relocation of billboards; Building permit required

- (1) The owner of a billboard may relocate a billboard from any conforming or nonconforming site to a conforming, approved location only after a permit is obtained as set forth in this Title and must comply with other

provisions of this Chapter.

(2) Billboards moved to an approved location shall conform with all sign requirements of the new location except that existing billboards identified on the Prioritized Relocation Map (Exhibit 2L) shall be allowed to be combined to a maximum sign face of six hundred and seventy-two (672) square feet in permitted areas, as part of the relocation provision of this Title.

(3) Billboards in nonconforming locations shall not be permitted to convert or enlarge the sign face.

(4) Owners relocating billboards from a conforming or nonconforming location to a conforming location shall install the relocated billboard within twenty-four (24) months of the issuance of a demolition permit, with not more than two (2) extensions of up to one (1) year each granted by the Community and Economic Development Department. If the billboard is not installed within the maximum allowed time frame, then the ability to relocate said billboard is forfeited.

20.06.060 - Maintenance of billboards

(1) Each billboard shall be maintained in a safe, presentable, and good condition; including the replacement of defective parts, painting, cleaning, removal of old or dilapidated advertisements and other acts required for the maintenance of said sign.

(2) For any structural changes to an existing billboard, a building permit shall be required.

20.06.070 - Height, size, spacing, and setbacks

All billboards within Layton City shall adhere to the following requirements for height, size, spacing and setbacks:

(1) **Billboard Height:**

(a) In any permitted area along I-15, billboards shall not exceed a height of sixty feet (60') above the grade of the interstate perpendicular to the billboard. Billboards shall always be allowed at a minimum height of forty-five feet (45').

(b) In any permitted area along Main Street or Highway 193, billboard heights shall not exceed thirty-five feet (35') above the grade of the street perpendicular to the billboard. Billboards along these corridors may be permitted up to forty-five feet (45') in height when setback from any front property line twenty feet (20') or more.

(2) **Billboard Size:**

(a) Billboards along the I-15 Corridor are limited to six hundred and seventy-two (672) square feet.

(b) New billboards along the Main Street or Highway 193 Corridors shall be limited to three hundred and thirty-six (336) square feet. Existing billboards along these Corridors that are larger than three hundred and thirty-six (336) square feet shall be considered legal conforming billboards with all associated rights to relocate and replace, at its existing size, to any permitted area in Layton.

(3) **Billboard Spacing:**

(a) Billboards must be a minimum of five hundred (500) lineal feet from any other billboard on the same side of a street and seventy-five (75) lineal feet from any on-premise sign on or off the same property.

(b) Billboards may be located within the seventy-five foot (75') buffer of an on-premise sign when setback from the front property line twenty feet (20') or more, measured to the closest edge of the billboard. In no case shall a billboard be located within the seventy-five foot (75') buffer of an on-premise sign and be closer to the front property line than the on-premise sign.

(c) Billboards shall be setback from any on-premise sign at least six feet (6') measured from the closest edge of each sign face.

(4) **Billboard Setbacks:**

(a) No billboard shall be closer than two feet (2) to a front property line, measured to the closest edge of the billboard.

(b) No billboard in the Main Street or Highway 193 Corridors that are taller than thirty-five feet (35') shall be closer to the front property line than twenty feet (20'), measured to the closest edge of the billboard.

20.06.080 - Digital billboards

In addition to the following requirements, digital billboards shall adhere to the same size, height, spacing, setbacks and locations as all other standard billboards:

- (1) Digital billboards shall be allowed as a conversion, replacement, or relocation of any billboard in a location provided for in this Chapter. Billboard owners with any number of billboards on the Prioritized Relocations Map (Exhibit 2'), shall be permitted to convert only with the removal or relocation of these prioritized relocation billboards on a one-to-one (1 to 1) square foot ratio basis of the sign face. Billboard owners with no billboards on the Prioritized Relocation Map (Exhibit 2 --) shall be permitted to convert, replace or relocate signs as permitted by this Title;
- (2) Video animation shall be prohibited including text, image or graphic scrolling and animated advertisement transitions;
- (3) Digital billboard advertisements shall have a minimum dwell time of eight (8) seconds and a maximum rotation time of one-quarter (.25) second;
- (4) Digital billboard advertisements shall not blink, flash, pulse, twinkle or similar, or be lit by any outside light source;
- (5) Digital billboards along the Main Street and Highway 193 Corridors that are three hundred feet (300') or closer to any legally occupied dwelling may be required to adhere to a curfew as required below:
 - (a) If a billboard is within three hundred feet (300') of a legally occupied dwelling and is within a one hundred and twenty degree (120) radius area measured from the center point of the digital billboard face (Exhibit 3 J), then this billboard face shall adhere to the curfew; or
 - (b) If a billboard is within one hundred and fifty feet (150') of a legally occupied dwelling and is within a thirty degree (30) radius area measured from the center point of the digital billboard face and beginning at the one hundred and twenty degree (120) line (Exhibit 3 Li), then this billboard face shall adhere to the curfew;
- (6) All digital billboards shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness and display period;
- (7) Digital billboards shall not increase the ambient lighting level more than three-tenths (0.3) foot candle when measured by a foot candle meter, perpendicular to the digital face, at a distance of three hundred feet (300');
- (8) Digital billboards along the Main Street and Highway 193 Corridors shall not be larger than three hundred and thirty-six (336) square feet;
- (9) Prior to approval of any permit to operate a digital billboard, the applicant shall certify that the billboard has been tested and complies with the motion, dwell time, brightness, rotation time, and all other requirements herein;
- (10) A building permit shall be required for the conversion of any billboard face.

Riverdale City

Chapter 16 SIGN REGULATIONS

10-16-1: MAJOR SIGN TYPES:

Business signs, identification and information signs, and specialty signs are considered as major sign types for the purpose of this chapter. All signs will be classified as belonging to one of the major sign types for regulatory measures. (Ord. 702, 5-6-2008)

10-16-2: GENERAL PROVISIONS:

- A. Conformity And Safety: If a sign installed after May 6, 2008, does not conform with the requirements of this chapter or if the construction, design, manner of use, or method of anchoring or supporting any sign makes such sign unsafe, the community development director shall proceed in any manner he deems necessary to cause the removal of the sign or the rebuilding of the sign to conform with the requirements of this chapter or to remedy the defects herein. All signs must meet the requirements of the international building code for wind loads, seismic loads and working stresses and safety regulations of the city.
- B. Clearance: There shall be a minimum clearance of ten feet (10') between the ground or sidewalk and any part of a projecting sign, with the exception of public necessity signs and nameplates.
- C. Copy Area: Copy area of building facade signs or multiple copy signs shall not exceed forty percent (40%) of the background facing to which it is applied.
- D. Height Of Signs: No sign shall exceed the height limitations established for each zone as set forth in section 10-16-8 of this chapter. (Ord. 702, 5-6-2008)
- E. Lighting Of Signs: Signs may be illuminated the following ways: internally, floodlights (except pole/pylon signs), luminous tubes, cathode ray, light emitting diode (LED) display and plasma screen, liquid crystal display (LCD), fiber optic. No lighting shall be installed in any way which will permit direct rays of such light to penetrate onto any adjoining property used for residential purposes, or in any manner constituting a nuisance. Animated signs are prohibited. (Ord. 812, 8-21-2012)
- F. Location Of Signs: No part of any sign shall be permitted to extend across any property line nor be located in any required front or side yard except as follows:
 - 1. Business and identification signs attached to a building may project into a required front or side yard not more than two feet (2') and not less than ten feet (10') above the ground or sidewalk.
 - 2. Ground business (monument) and pole (pylon) signs, including all portable type signs for conforming uses only, shall not be located closer than one foot (1') to a front or side property line.

Ground signs shall not be placed in such a way that it may obstruct a vehicle operator's visibility.

Ground business signs for new developments shall be placed in landscaped or decorative hardscaped areas.

- G. Maintenance Of Signs: Signs regulated by this chapter shall be maintained in good visual appearance and structural conditions at all times. The city, its community development director, and its other agents, shall in no way be liable for negligence or failure of the owner, or the person responsible for maintaining any sign, to keep such sign in good condition, or be responsible for any damage caused by defective conditions.
- H. Types Of Prohibited Signs: No signs shall be erected or maintained, or be permitted to remain publicly displayed, which are misleading, fraudulent, obscene, immoral, indecent or of unsightly character, including sniper signs. "Sniper sign" means a sign for which approval for placement of a sign has not been granted by Riverdale City which is attached to a public utility pole, service pole, supports for another sign, fences, trees or place in a landscaped or parking area. These signs are typically used for off premises advertising of a sale, service or event.
- I. Noise Prohibited: It shall be unlawful to use in connection with any sign or to use for advertising purposes any radio, phonograph, whistle, bell or any other sound or noisemaking or transmitting device or instrument for the purpose of commercial advertising.
- J. Pasting Or Gluing Prohibited: No sign shall be pasted or glued directly on any wall or roof or affixed directly on any wall or roof by means of any similar adhesive substance.
- K. Permit Required: It shall be unlawful to erect or remodel any sign upon or over public or private property within the city until a sign permit with respect to such sign has been obtained from the community development

- director. The community development director may, at his discretion, request the planning commission to review a sign application.
- L. Refusal Of Owner To Remove Dangerous Signs; Removal By Community Development Director: Where immediate action is deemed necessary to protect limb, life or property and where the owner of a sign or the owner of the property on which the sign is erected fails to remove such sign pursuant to notice from the community development director within a specified time fixed in such notice, the community development director may proceed in any manner deemed necessary to cause the immediate removal of such sign. The community development director shall certify a statement of the expenses incurred in such removal to the city treasurer who in turn shall assess and charge the same against the real estate upon which the sign was erected, and unless said assessment is paid within ninety (90) days after and from the date of notice thereof, the same shall, when recorded in the offices of the county clerk and city recorder, become a lien upon the real estate whereon the sign is erected and collectible in the same manner as general taxes.
- M. Removal Of Conforming Signs: Any person occupying a building or portion of a building who owns or maintains a sign in connection therewith shall, upon vacating the premises, or discontinuing the business advertised, cause the sign to be removed. Any person who owns and maintains a sign which is maintained for the benefit of another person who occupies a building or part of a building whereon the sign is located shall cause the sign to be removed if the person for whom the sign is maintained vacates the premises. Failure of the owner of the sign or of the person responsible for maintaining the same to remove the sign within thirty (30) days after notice from the community development director shall be considered as a violation of this chapter and shall subject the owner of the sign and the owner of the property to the penalties herein specified.
- N. Removal Of Nonconforming Signs:
1. Any sign not in conformance with the provisions of this chapter and which was erected or installed without a permit shall be removed within thirty (30) days upon notification from the community development director.
 2. Signs for which permits were previously issued and which are made nonconforming by the provisions of this chapter shall be permitted to remain in accordance with this title. Under no circumstances shall such nonconforming signs be remodeled or replaced. The provisions of this section shall apply to such nonconforming signs.
 3. Any existing sign conforming to the provisions of this chapter relative to size and location, but nonconforming as to structural requirements and considered a danger to persons or property shall be removed or replaced upon written notice from the city.
- O. Sign Inspection: The community development director shall inspect each sign for which a permit has been issued and shall require the proper maintenance of all signs subject to the provisions of this chapter. No sign or other advertising structure measuring less than ten feet (10') to the bottom of the sign face, as regulated by this chapter, shall be located on a corner lot at the intersection of any streets within a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street line. (Ord. 702, 5-6-2008)
- P. Sign Not To Cover Windows, Doors Or Similar Openings: No sign shall cover a window, doorway or other opening providing light, ventilation or exit facilities which are required by the building code or which are deemed by the fire department to be necessary to give the fire department access to the building, or to afford fire protection in the event of a fire. (Ord. 815, 9-25-2012)
- Q. Signs On Private Property: It shall be unlawful for any person to fasten or attach, paint or place any "sign", as defined in this title, upon any private wall, window, door, gate, fence or sign, or upon any other personal property, without the consent of the owner or lessee, or someone authorized to act on behalf of such owner or lessee.
- R. Signs On Public Property: It shall be unlawful for any person to fasten or attach, paint or place any sign, handbill, poster, advertisement or notice of any kind or sort, whether political or otherwise, or to cause the same to be done in or upon the curbstone, lamppost, telephone pole, electric light or power pole, hydrant, bridge or tree, or in or upon any portion of any sidewalk or street. It shall be unlawful to paste, place, paint or attach any "sign", as defined in this title, on any building, street or property of the city. No sign shall be erected on or project over public property.
- S. Signs Over Streets Prohibited: It shall be unlawful to erect and/or maintain any sign over any street or alley, except as herein expressly provided.
- T. Sign Setback: For the purposes of this chapter, the entire sign must comply with the specified setback regulations.

- U. Zones Permitted And Controls: It is unlawful for any person to erect or otherwise install a sign having a size or height greater than allowed in this chapter. It is unlawful for any person to erect or otherwise install a sign located on a site or in a zone in violation of the regulations specified in this title.
- V. Intersections; Location: No light, sign or other advertising structure as regulated by this title shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device or which makes use of the words "stop", "look", "drive-in", "danger", or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic. Any revolving or flashing light that mimics an emergency vehicle to attract attention to a business is prohibited.
- W. Tethered Devices: The use of tethered devices such as balloons, banners, flags, windsocks or other items that are affected by wind or weather, and are tethered in such a manner that allows the device to cross property lines or to come into contact with power lines or telephone lines, light poles, fences, signs, buildings, vehicles or people are prohibited. Inflated ground figure displays that exceed ten feet (10') in height are regulated in the same manner as above and may be used temporarily not to exceed two (2) consecutive weeks and not more than ten (10) times per year. (Ord. 702, 5-6-2008)

10-16-3: SPECIAL PROVISIONS:  

- A. Blanketing: To prevent blanketing, no wall or marquee type sign shall be erected to project more than eighteen inches (18"). Projection shall be measured from the facing of the building and/or structure to which the sign is attached. All sign placement shall be reviewed by the community development department to endeavor the prevention of obscuring signs.
- B. Cloth Or Banner Signs: These types of signs are considered temporary and may not be used as a permanent advertising. Approval may be granted by the community development director. The public works director may permit signs to be hung over public streets or walks after review and consideration of any potential safety concerns. Approvals pursuant to this subsection may be granted without charge of any fee, but shall specify a period of time during which such signs shall be permitted to be used.
- C. Electric Signs: All signs which utilize or are illuminated by electricity shall comply with the adopted electrical code and fire prevention code of the city.
- D. Political Or Campaign Signs:
 1. Political or campaign signs are permitted in accordance with the following provisions; provided, that any such sign shall be erected not earlier than sixty (60) days prior to the election at which time the candidates or measure will be voted upon and shall be removed within fifteen (15) days after such election, campaign or event.
 2. No political or campaign sign shall be placed within one hundred fifty feet (150') from a polling place. (Ord. 812, 8-21-2012)
 3. No political or campaign sign may be placed in such a manner as to create a safety hazard or constitute a public nuisance of any kind or nature whatsoever. The community development director, public works director or police chief shall determine whether the placement of a political or campaign sign constitutes a safety hazard or public nuisance, and upon such determination shall remove said sign so that the safety hazard or public nuisance no longer exists. (Ord. 812, 8-21-2012; amd. Ord. 815, 9-25-2012)
 4. Political signs cannot be placed on public or private property without the property owner's permission.
- E. Shopping Center Signs: In shopping centers, frontage for each separate store shall be based on the width of the front of each business, and signs for such businesses shall be attached to the front of each store. One detached or attached sign for each street frontage may be used to designate the name of the shopping center and names of individual businesses in the center. Shopping center signs may be approved as depicted on the approved site plan when accompanied with a developer's agreement.
- F. Time Limitation For Construction Project Or Land Development Signs: No construction project or land development sign shall be erected more than thirty (30) days prior to construction and shall be removed not more than thirty (30) days after completion. (Ord. 812, 8-21-2012)

10-16-4: EXEMPT SIGNS:  

The following signs shall be exempt from zoning regulations:

- A. Memorial tablets, or tablets containing the names of buildings and date of the erection and use of the building, when built into the walls of the building and constructed of bronze, brass, marble, stone or other noncombustible material.
- B. Nameplates not to exceed two (2) square feet.
- C. Nonilluminated and nonfloodlighted flat signs, wall signs and freestanding signs having an area not in excess of thirty six (36) square feet, announcing the enterprise to be located in a building under construction or announcing the name and address of the architect or contractor of the building, or the owner thereof; provided, that no more than one such sign shall be erected on each street frontage; and also provided, that said signs are not erected more than thirty (30) days prior to construction and are removed not more than thirty (30) days after completion.
- D. Interior illuminated and nonfloodlighted religious, charitable and educational ground signs having an area not in excess of fifty (50) square feet, except those located in a commercial area.
- E. Interior illuminated and nonfloodlighted signs having an area not in excess of twenty (20) square feet that advertise the place of business of a doctor, dentist or other profession, except those located in a commercial area.
- F. Traffic and other municipal signs, house numbers, legal notices, railroad crossing signs, and danger signs and warning signs.
- G. Painting, repainting or cleaning of an advertising structure, or the changing of the advertising copy of the message thereon shall not be considered erection or alteration which requires a sign permit unless a structural change is made thereto, except signs painted on a building shall be reviewed by the Riverdale City design review committee. (Ord. 702, 5-6-2008)

10-16-5: DESIGN STANDARDS:  

All design standards shall be in accordance with the adopted sections of the international building code. (Ord. 702, 5-6-2008)

10-16-6: SPECIALTY SIGNS:  

Portable, illuminated specialty signs are prohibited in the city. All other temporary portable signs, A-frame signs and wind signs are prohibited unless they are securely anchored and five feet (5') back from the property line. Specialty signs shall not exceed a maximum of twelve (12) square feet of display area on each side and shall not exceed one sign per one hundred (100) linear feet on each street facing each business. Portable signs that are carried and used for soliciting are not permitted in the "road right of way" meaning: street, curb, gutter, sidewalk and any additional property that is part of the right of way. This form of soliciting shall not obstruct or impede traffic or in any way be a nuisance and may be performed only on the property where the business exists. (Ord. 812, 8-21-2012)

10-16-7: OFF PREMISES SIGNS:  

A. Definitions:

OFF PREMISES ADVERTISING SIGN, BILLBOARD: A detached or attached sign designed or intended to direct attention to a business, product, service, event or attraction, that is not sold, offered, or existing on the property where the sign is located. A form of an off premises sign.

OFF PREMISES RIVERDALE CITY BUSINESS SIGN: A sign for Riverdale City businesses which is placed on property directly adjacent to the business location and advertises only for that business. A form of an off premises sign.

- B. Off Premises Advertising Sign Regulations: The installation of additional off premises advertising signs is prohibited. Existing off premises advertising signs may continue as a conditional use as long as they are maintained in good repair and are free from damage per applicable Utah state codes, specifically as found in the Utah outdoor advertising act.
 - 1. Existing off premises advertising signs are allowed to have routine maintenance and advertising copy changes including the repair or replacement of the advertising imagery, but shall only be allowed to increase the height, size, or the location thereof per Utah Code Annotated 10-9a-513 and in compliance with regulations found within the Utah outdoor advertising act.

2. Existing off premises advertising signs may be allowed to be converted to digital display advertising signs and shall be required to comply with all of the applicable provisions of this code (specifically as found under section 10-16-10, "Electronic Signs", of this chapter) and applicable Utah state codes, specifically as found in the Utah outdoor advertising act.
3. Only existing off premises advertising signs located adjacent to a Utah department of transportation controlled route may be allowed to be converted to digital display advertising signs. An existing off premises advertising sign that is oriented toward and located within two hundred feet (200') of any residential dwelling may not be converted to a digital display advertising sign.
4. Any enlargement, modification, upgrade, or conversion of an existing off premises advertising sign shall require approval as a conditional use.

C. Off Premises Riverdale City Business Sign Regulations: Off premises Riverdale City business signs shall require approval as a conditional use. Permitted off premises Riverdale City business signs shall be counted as allowable sign area for the applying business, and may be installed upon recommendation and approval by the planning commission and the city council. (Ord. 864, 3-3-2015)

10-16-8: SIGN/ZONE REGULATIONS:

- A. Residential Districts: In residential districts RE-20, RE-15, A-1, R-1-4.5, R-1-10, R-1-8, R-1-6, R-2, R-3, R-4, R-5 and Rmh-1, the following regulations apply:
1. Nameplates: One nameplate for each dwelling unit, not exceeding two (2) square feet in area, indicating the name of the occupant and/or a permitted home occupation.
 2. Identification And Information Signs: One sign, not exceeding eight (8) square feet in area, for conforming buildings or conforming uses other than schools, churches, dwellings, boarding houses or lodging houses.
 3. Development Signs:
 - a. One or more signs not exceeding eight (8) square feet in combined total area for each street frontage of the lot. In addition, one or more signs of a temporary nature for each approved subdivision under development and located on said subdivision property; providing, that no more than one such sign be located at each major approach to the subdivision, but not closer than ten feet (10') to the street property lines. Signs on corner lots shall comply with subsection 10-16-20 of this chapter. Said signs shall not exceed in combined total area two hundred (200) square feet for any one subdivision and no one sign shall exceed one hundred (100) square feet in area. The period for display of such temporary signs shall be limited to one year; provided, that at the expiration of this time, the community development director may grant an appropriate extension of time for periods not to exceed one year, provided not more than seventy five percent (75%) of the project has been developed.
 - b. Application for said extension shall be made at least thirty (30) days before expiration of the original permit. In addition, one or more signs of a temporary nature for main buildings or uses under development other than dwellings, provided such signs shall not exceed in combined total area one hundred (100) square feet.
 4. Public Necessity Signs: One or more public necessity signs; provided that no sign shall exceed twenty four (24) square feet in area.
 5. Business Signs: One or more signs not exceeding in total area two (2) square feet for each one linear foot of frontage occupied by a nonconforming commercial or industrial use, but in no case shall the total area of all signs exceed one hundred (100) square feet. Uses not occupying frontage may each have one or more signs not exceeding forty (40) square feet.
 6. Reader Board: One changeable letter reader board sign not exceeding fifty (50) square feet in area for a governmental facility, church or school for the purpose of displaying the name and character of services or activities conducted therein. The height of the sign shall not exceed twenty five feet (25') and, if illuminated, it shall be by internal lighting.
 7. Projecting Signs: No signs that project onto or into adjacent property or public right of way are permitted.
 8. Yard And Height Regulations:
 - a. Front Yard Regulations: Business and identification signs shall be located flat against the building. Nameplates may be located anywhere on the property.
 - b. Side Yard Regulations: Business and identification signs shall be located anywhere on the property.
 - c. Rear Yard Regulations: Business and identification signs shall be located flat against the building. Nameplates may be located anywhere on the property.

d. Height Regulations: No sign shall be erected to a height greater than ten feet (10') or project above the height of the building to which it is attached.

9. A-1 Zones: In an A-1 zone, ground or pole signs advertising the sale of livestock, produce, or in conjunction with a home occupation, are permitted as a conditional use. The property on which such signs are placed must meet minimum width requirements for the A-1 zone.

B. Commercial And Manufacturing Districts: In commercial districts C-1, C-2, C-3, and CP-1, CP-2, CP-3, and manufacturing districts M-1, M-2, MP-1 and MP-2, the following regulations apply:

1. Development Signs: One or more signs of a temporary nature for main buildings or uses under development provided such signs shall not exceed in combined total area one hundred (100) square feet.
2. Public Necessity Signs: These signs are informational and not advertising in nature. One or more public necessity signs are allowed, provided that no such sign shall exceed twenty four (24) square feet in area.
3. Business Signs: One or more business signs not exceeding three (3) square feet in combined total area for each linear foot of occupied frontage (building width facing street), except that the maximum size of any single business sign shall not exceed three hundred (300) square feet in area and the total area of all commercial or industrial uses shall be six hundred (600) square feet, if the linear building width is sufficient to allow this size of sign. Each commercial or industrial use backing onto a freeway shall be permitted not more than one business sign on the freeway side. New car sales automobile dealerships that have multiple manufacturer makes of vehicles are permitted three hundred (300) square feet of sign area for each new car line. (Ord. 837, 6-4-2013)
4. Pole/Pylon Signs Height Regulations: No pole/pylon sign shall be erected to a height exceeding forty feet (40') above the ground. All pole/pylon type signs shall be positioned on the site in a landscaped area. All pole/pylon signs shall be internally illuminated.
5. Existing Signs: Any lawful sign completely constructed, in existence, and lawfully installed in the city at the time of the passage hereof, shall be allowed to exist at its present height. At such time that the existing sign structure or location is changed, in any manner whatsoever, then said sign must come into compliance with the height limitation, as set forth in subsection B4 of this section.

C. Temporary Signs:

1. Temporary signs, other than cloth/banner signs, when ten feet (10') or more above the ground, may project not more than six inches (6") beyond the building line.
2. Temporary signs may remain in place for a period determined by the department of community development but not longer than forty five (45) days.
3. Temporary cloth/banner signs may extend over public property. Such signs when extending over a public street shall maintain a clearance as determined by the department of public works. Cloth/banner signs may extend across a public street only by permission of the city council and shall be subject to all related laws and ordinances.

D. O-1 Zone: Sign proposals are reviewed by the design review committee.

E. Applicability: The provisions of this chapter shall supersede any other provisions of this title regarding signs. (Ord. 702, 5-6-2008)

10-16-9: PENALTY:

Any person who shall fail to comply with, or shall violate any of the provisions of this chapter, or any rules or regulations promulgated hereunder, shall be deemed guilty of a class C misdemeanor and upon conviction such person shall be punished as is provided in section 1-4-1 of this code. However, any imprisonment shall be for not more than sixty (60) days. The penalty provided herein shall be in addition to any suspension or revocation of any license or permit issued hereunder. (Ord. 702, 5-6-2008)

10-16-10: ELECTRONIC SIGNS:

A. Definitions:

DIGITAL DISPLAY: A sign face that may display changing content that is allowed to be fully animated and is composed of electronically illuminated segments and/or a series of grid lights, including cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic, video boards, or other electronic media or technology. A sign is considered to be "on premises" if the sign is on the location of the

business which is advertised or promoted on the sign.

ELECTRONIC SIGN: For the purpose of this section shall mean a digital display sign.

FOOT-CANDLE: A unit of light measurement equal to one lumen per square foot and may be abbreviated "fc".

- B. Zones Where Allowed: Digital display on premises signs are a conditional use in all zones that allow advertising or informational signs provided that such signs comply with all requirements of this chapter and all other applicable sections of this code. Electronic on premises signs that advertise or promote businesses, products, activities, services, or events not located on the premises where the electronic sign is located are prohibited except for the use of any on premises sign for the advertising of "not for profit", "fundraising" events or philanthropic endeavors that do not give attention to businesses that are not located in Riverdale City.
- C. Number Of Signs Allowed: Only one on premises electronic sign may be located on a lot but a lot may have an electronic sign and a nonelectronic sign that are combined in one cabinet at one location (on a pole, monument, or building) provided that the total square footage of all signage on a lot complies with all aspects of this chapter.
- D. Brightness: An electronic sign shall not be excessively intense or brilliant. An electronic sign shall not display light of such intensity or brilliance as to cause glare or otherwise impair the vision of the driver of a motor vehicle on a public roadway or result in a nuisance to the driver of a motor vehicle on a public roadway or a residential dwelling unit located within two hundred feet (200') of an electronic sign. Any electronic sign that exceeds the intensity levels in subsection D1 of this section shall constitute an excessively intense or brilliant sign and such sign is prohibited.
 - 1. All digital displays shall be illuminated at a level no greater than 0.3 foot-candle over ambient light levels and shall employ light cutoff devices such as, but not limited to, louvers, in order to minimize light escaping above the horizontal plane. Foot-candle readings shall be measured at ground level at a distance shown in the intensity table.

INTENSITY TABLE

Sign Size (Square Feet)	Distance From Source
0 - 100	100 feet
101 - 300	150 feet
301 - 600	200 feet
601 +	250 feet

- 2. Notwithstanding the requirements of subsection D1 of this section, under no circumstances shall the light emanation from a digital display on premises sign be greater than 0.3 foot-candle as measured from the nearest residential property line.
- 3. All digital display on premises signs must be equipped with both a dimmer control and a photocell which automatically adjusts the display intensity according to natural ambient light conditions.
- E. Residential Areas: Residential areas shall not be adversely impacted by any electronic sign or any other type of sign.
- F. Sound: The use of sound is prohibited.
- G. View Obstruction: Signs may not be constructed so as to obstruct the view of drivers of motor vehicles on a public roadway or entering a public roadway.
- H. Public Property: Signs may not encroach on or project over public property or a public right of way.
- I. Portable Electronic Signs: Portable electronic signs are prohibited.
- J. Resemblance To Traffic Signal: No electronic sign may resemble or simulate any warning signal or any traffic lights or official traffic control signage.
- K. Sign Shutoff: The digital display shall contain a default mechanism to turn the sign off in case of malfunction or shall be manually turned off within twenty four (24) hours of a reported malfunction.

L. Maximum Area: This type of on premises sign shall be restricted to a maximum area of three hundred (300) square feet. (Ord. 864, 3-3-2015)

South Ogden City

ARTICLE C. GENERAL REGULATIONS^{1, 2}

10-21C-1: MISLEADING, UNSIGHTLY OR OBSCENE SIGNS PROHIBITED:

10-21C-2: PAINTING, PASTING AND TACKING PROHIBITED:

10-21C-3: ANIMATED SIGNS:

10-21C-4: RESERVED:

10-21C-5: WALL SIGN AREA:

10-21C-6: SIGNS TO BE REMOVED:

10-21C-7: REFUSAL OF OWNER TO REMOVE DANGEROUS SIGNS; REMOVAL BY BUILDING OFFICIAL:

10-21C-8: SIGNS OVER STREETS PROHIBITED:

10-21C-9: SIGNS NOT TO COVER WINDOWS, DOORS OR SIMILAR OPENINGS:

10-21C-10: SIGNS ON PUBLIC PROPERTY:

10-21C-11: SIGNS ON PRIVATE PROPERTY:

10-21C-12: MAINTENANCE OF SIGNS:

10-21C-13: REMOVAL OF SIGNS:

10-21C-14: SIGNS TO COMPLY WITH ZONING ORDINANCE:

10-21C-15: COMPLIANCE WITH SAFETY REGULATIONS:

10-21C-16: ERECTION OF SIGNS OVER PUBLIC STREETS OR SIDEWALKS; SAFETY PRECAUTIONS:

10-21C-17: PROMULGATION OF SAFETY REGULATIONS:

10-21C-18: ZONES PERMITTED AND CONTROLS; APPENDIX:

10-21C-19: TIME LIMITATION FOR CONSTRUCTION PROJECT OR LAND DEVELOPMENT SIGNS:

10-21C-20: POLITICAL OR CAMPAIGN SIGNS:

10-21C-21: FABRIC SIGNS:

10-21C-22: ELECTRIC SIGNS:

10-21C-23: SHOPPING CENTER SIGNS:

10-21C-24: HISTORICAL SIGNS:

10-21C-25: BENCH SIGNS:

10-21C-26: LOW PROFILE SIGNS:

10-21C-1: MISLEADING, UNSIGHTLY OR OBSCENE SIGNS PROHIBITED:

No signs shall be erected or maintained or be permitted to remain publicly displayed which are of a misleading, fraudulent, obscene, immoral, indecent or unsightly character. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-2: PAINTING, PASTING AND TACKING PROHIBITED:

No sign shall be painted, pasted or glued directly upon any wall or roof or affixed directly upon any wall or roof. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-3: ANIMATED SIGNS:

No animated signs shall be erected or maintained in, nor closer than seventy five feet (75') from any residence. Revolving animated signs are limited to eight (8) revolutions per minute and may not have flashing lights attached thereto. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-4: RESERVED:

(Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-5: WALL SIGN AREA:

Wall sign area on a building facade shall not exceed fifteen percent (15%) of the wall elevation square footage. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-6: SIGNS TO BE REMOVED:

If a sign does not conform with the requirements of this chapter, or if the construction, design, manner of use, or method of anchoring or supporting any sign makes such sign unsafe, the building official shall proceed in any manner he deems necessary to cause the removal of the sign or the rebuilding of the sign to conform with the requirements of this chapter or to remedy the defects therein. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-7: REFUSAL OF OWNER TO REMOVE DANGEROUS SIGNS; REMOVAL BY BUILDING OFFICIAL:

Where immediate action is deemed necessary to protect limb, life or property and where the owner of a sign or the owner of the property upon which the sign is erected fails to remove such sign pursuant to notice from the building official within a specified time fixed in such notice, the building official may proceed in any manner deemed necessary to cause the immediate removal of such sign. The building official shall certify a statement of the expenses incurred in such removal to the city manager, who in turn shall assess and charge the same against the real estate upon which the sign was erected, and unless said assessment is paid within ninety (90) days after and from the date of notice thereof, the same shall, when recorded in the offices of the county clerk and city recorder, become a lien upon the real estate whereon the sign is erected and collectible in the same manner as general taxes. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-8: SIGNS OVER STREETS PROHIBITED:

It shall be unlawful to erect and/or maintain any sign over any street or alley, except as herein expressly provided. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-9: SIGNS NOT TO COVER WINDOWS, DOORS OR SIMILAR OPENINGS:

No sign shall cover a window, doorway, or to the opening providing light, ventilation or exit facilities which are required by the building code or which are deemed by the fire department to be necessary to give the fire department access to the building, or to afford fire protection in the event of a fire; provided, however, that flat signs, wall signs, fabric signs or projecting signs shall be permitted to cover transoms. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-10: SIGNS ON PUBLIC PROPERTY:

It shall be unlawful for any person to fasten or attach, paint or place, any sign, handbill, poster, advertisement or notice of any kind or sort, except for political or civic purposes, or to cause the same to be done in or upon the curbstone, lamppost, telephone pole, electric light or power pole, hydrant, bridge or tree, or in or upon any portion of any sidewalk or street. It shall be unlawful to paste, place, paint or attach any "sign", as defined in this chapter, upon any building, street or property of the city; provided, however, that a campaign sign or sign advertising a civic purpose or the promotion of a civic or service club may be placed between the sidewalk and curb area with the permission of the owner of the lot which said area fronts. Such a sign shall be governed by the provisions of section 10-21C-20 of this article, and the candidate or sponsoring entity or group shall be responsible for the removal thereof. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-11: SIGNS ON PRIVATE PROPERTY:

It shall be unlawful for any person to fasten or attach, paint or place any "sign", as defined in this chapter, upon any private wall, window, door, gate, fence or sign, or upon any other personal property without the consent of the owner or lessee, or someone authorized to act on behalf of such owner or lessee. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-12: MAINTENANCE OF SIGNS:

Signs regulated by this chapter shall be securely fastened, maintained in a clean, safe and attractive condition. This includes the replacement of defective parts, cleaning and other acts for proper maintenance and structural condition at all times. The city, its building official, and its other agents shall in no way be liable for negligence or failure of the owner, or the person responsible for maintaining any sign, to keep such sign in good condition, or be responsible for any damage caused by defective conditions. (Ord. 09-18, 11-10-2009, eff. 11-10-2009)

10-21C-13: REMOVAL OF SIGNS:

Any person occupying a building or portion of a building, who owns or maintains a sign in connection therewith, shall upon vacating the premises, or discontinuing the business advertised, cause the sign to be removed. Any person who owns and maintains a sign which is maintained for the benefit of another person who occupies a building or part of a building whereon the sign is located shall cause the sign to be removed if the person for whom the sign is maintained vacates the premises. Failure of the owner of the sign or of the person responsible for maintaining same to remove the sign within thirty (30) days after notice from the building official shall be considered as a violation of this chapter and shall subject the owner of the sign and the owner of the property to the penalties herein. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-14: SIGNS TO COMPLY WITH ZONING ORDINANCE:

A. Required: All signs shall be erected and maintained in full compliance with this title.

B. Removal Of Nonconforming Signs:

1. Any sign not in conformance with the provisions of this title and which was erected or installed without a permit shall be removed within thirty (30) days upon notification from the building official.
2. Signs for which permits were previously issued and which are made nonconforming by the provisions of this chapter shall be removed upon written notice from the city. It being understood that the city will pay an amount equal to the fair market value of sign, excluding any cost for removal of the existing sign or costs of placing a new conforming sign. Business names or trade styles on signs made nonconforming by provision of this chapter may be changed only if ownership of business does not change and size and placement of sign is not changed. Under no circumstances shall

such nonconforming signs be remodeled or replaced other than specified. The provisions of section 10-21C-6 of this article shall apply to such nonconforming signs.

3. Any existing sign, conforming to the provisions of this chapter relative to size and location but nonconforming to structural requirements shall be removed or replaced within one year upon written notice from the city. However, if they are deemed to be a hazard or more than fifty percent (50%) damaged, they shall be removed or repaired in accordance with the structural requirements of article D of this chapter, within ten (10) days after receiving notice from the city.

4. Any sign determined to be abandoned shall be removed within thirty (30) days of notification by the building official to the property owner and/or owner of the business advertised and/or owner of the sign. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-15: COMPLIANCE WITH SAFETY REGULATIONS:

It is unlawful for any person erecting any sign or other advertising structure to fail to comply strictly with the requirements of this chapter and any and all regulations pertaining to safety promulgated by the city council pursuant to section 10-21C-17 of this article. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-16: ERECTION OF SIGNS OVER PUBLIC STREETS OR SIDEWALKS; SAFETY PRECAUTIONS:

Whenever any sign or other advertising structure shall be erected in whole or in part on or over any public street or sidewalk, the person performing the work shall before proceeding to erect the same, take all precautions necessary to ensure the safety of persons and property on such street or sidewalk. Before hoisting any material whatsoever above the surface of any street or sidewalk or placing any material upon the traveled portion of any street or sidewalk, the person performing such work shall exclude the traveling public from the portion of such street or sidewalk in which such work is to be done by means of suitable barriers, protected walkways and warning devices approved by the building official, and whenever said building official shall deem it necessary under the conditions then existing, shall provide a guard or guards to exclude all persons not concerned in the work from the portion of the street or sidewalk in which the work is to proceed. When hoisting any sign or advertising structure above the surface of any street or sidewalk, the same shall be accomplished by hoisting devices of approved design and adequate capacity to accomplish the work in accordance with approved engineering practices. All hoisting equipment shall be kept and maintained in good and workable condition. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-17: PROMULGATION OF SAFETY REGULATIONS:

The city council may establish such rules and regulations as it may find to be reasonably necessary to protect the public from injury in the course of the erection of signs and other advertising structures and when such regulations are established, all sign contractors and holders of sign permits shall comply strictly therewith. Such regulations shall be filed with the city recorder and a copy thereof to be furnished to all persons, firms and corporations holding licenses as sign contractors and holders of sign permits and who shall comply strictly therewith. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-18: ZONES PERMITTED AND CONTROLS; APPENDIX:

Appendix A which follows article D of this chapter, is hereby made a part of this section by reference. It is unlawful for any person to erect or otherwise install a sign having a size or height greater than allowed in this appendix. It is unlawful for any person to erect or otherwise install a sign located on the site or in a zone in violation of the controls specified in this appendix. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-19: TIME LIMITATION FOR CONSTRUCTION PROJECT OR LAND DEVELOPMENT SIGNS:

No construction project or land development sign shall be erected earlier than thirty (30) days prior to beginning of construction and shall be removed within thirty (30) days after such construction is completed. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-20: POLITICAL OR CAMPAIGN SIGNS:

Political or campaign signs are permitted in accordance with the following provisions provided that any such sign shall be erected no earlier than forty five (45) days prior to the election where the candidates or measure will be voted upon and shall be removed within five (5) days after such election, campaign or event, unless the election is a primary election, in which case candidates who stand through the primary election may leave their signs in place until five (5) days after the general election. The candidate or, in the case of a measure or proposition, the sponsoring entity or group, is responsible for removal of all signage and related materials.

A. In any zone, there is permitted not more than one stationary, unlighted, temporary sign per candidate on any lot or contiguous parcels of land under one ownership on behalf of candidates for public office or measures on the ballot; provided, that any such sign shall not exceed ten feet (10') in height and shall not exceed sixteen (16) square feet in area.

B. No political or campaign sign shall be placed within one hundred fifty feet (150') from a polling place.

C. No political or campaign sign may be placed in any clear view area or in such a manner as to create a safety hazard or constitute a public nuisance.

D. Political signs shall not be placed on private property without the property owner's permission. (Ord. 15-08, 3-17-2015, eff. 3-17-2015)

10-21C-21: FABRIC SIGNS:

Permits may be issued by the building official upon approval by the city council for hanging of display banners or other fabric decorations for special occasions, such as religious, charitable, civic or festive occurrences, or for Christmas decorations, or in celebration of some event of religious, national, state or civic significance or in honor of a visit from a person of note. It is specifically prohibited to incorporate in any such decorations any political advertising or advertising of a commercial nature. The building official may permit such signs to be hung over public streets or walks after proper approval. Permits issued pursuant to this section may be issued without charge of any fee, but shall specify a period of time, not to exceed fifteen (15) days during which such signs shall be permitted to be used.

Fabric sign banners may be used as temporary signs for real estate or lease advertising for a building under construction and shall be removed upon issuance of a certificate of occupancy. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-22: ELECTRIC SIGNS:

All signs which utilize or are illuminated by electricity shall comply with the electrical code and fire prevention code of the city. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-23: SHOPPING CENTER SIGNS:

A shopping center may have a freestanding business sign. A sign is sized using the frontage occupied by the center. If "pads" for separate buildings are subdivided or otherwise located on the same frontage, the pads may have a low profile sign and wall signs. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-24: HISTORICAL SIGNS:

Any sign designating historical property is subject to the provisions of this chapter; provided, however, that the city council, upon recommendation by the planning commission, can waive any restrictions found in the provisions of this chapter in allowing the erection of such a sign. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-25: BENCH SIGNS:

Bench signs shall be allowed upon proper permit by the city council, with the location thereof to be approved by the building official. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

10-21C-26: LOW PROFILE SIGNS:

Low profile signs are encouraged in all commercial, industrial and high density zoning districts and shall be allowed in conformance with the following provisions:

A. Low profile on premises or identification signs will be allowed in all commercial, manufacturing and high density residential zoning districts; provided, that these signs:

1. May have a minimum front setback of zero feet (0').
2. Must have a minimum setback from any driveway or traffic access of ten feet (10').
3. Shall be limited to a maximum of six feet (6') in height and not exceed sixty (60) square feet, but excluding a maximum eighteen inch (18") foundation and a twelve inch (12") frame around the sign. (Ord. 08-02, 1-22-2008, eff. 1-22-2008)

Syracuse City

Chapter 10.45 - SIGN AND LIGHTING REGULATIONS

Sections:

- 10.45.010 Purpose.
- 10.45.020 Effect of chapter.
- 10.45.030 Definitions and specific limitations.
- 10.45.040 General limitations.
- 10.45.050 Location and approval.
- 10.45.060 Town center zone restrictions.
- 10.45.070 Professional office zone restrictions.
- 10.45.080 Enforcement.

10.45.010 Purpose.

The purposes of the sign regulations set forth in this chapter shall be to allow a business to publicize in such a way as to eliminate potential hazards to motorists and pedestrians; encourage signs that, by their good design, are aesthetically pleasing and integrated with and harmonious to the buildings and sites they occupy and that eliminate excessive and confusing sign displays; preserve and improve the appearance of the City as a place in which to live and work and as an attraction to nonresidents who come to visit or trade; safeguard and enhance property values; protect public and private investment in buildings and open spaces; encourage strong business and commercial districts; supplement and be a part of the regulations imposed and the plan set forth under the land use ordinance of the City of Syracuse; and promote the public health, safety, and general welfare.

It is also the intent of this chapter to govern the number, size, type, location, and other provisions relating to signs within the various zones of the City as established and designated by the land use ordinance of Syracuse City. [Ord. 12-05 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 09-10 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-9-010.]

10.45.020 Effect of chapter.

The regulations herein set forth shall apply and govern all zones as set forth in this title. [Ord. 12-05 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 02-18; Code 1971 § 10-9-020.]

10.45.030 Definitions and specific limitations.

For the purpose of this chapter, the definitions of the following words and terms are in addition to those stated in Chapter 10.10 SCC:

“Sign” means any device attached to a structure or freestanding, which passersby may view from out of doors, that provides visual communication to the general public, including inflatables, wind flags, and vehicle advertising, but not including any flag, badge, or ensign of any government or governmental agency.

“Sign, advertising” means any sign that directs attention to a use, product, commodity, or service not related to the premises.

“Sign, animated” means a sign that uses mechanical or artificial means to create physical motion or rotation of any part.

“Sign area” means the area of a sign that is used for display purposes, excluding the frame and supports. In computing sign area, only one side of a back-to-back or double-face sign covering the same subject shall be computed when the sign faces are parallel or diverge from a common edge by an angle of not more than 30 degrees. In relation to signs that do not have a frame or a separate background or are of irregular shape, signs shall be measured on the basis of the least rectangle, triangle, or circle large enough to frame the advertisement.

“Sign, electronic message” means a sign with an electronic message or electronic image display.

“Sign, identification” means any sign that directs attention to a use, product, commodity, or service related to the premises.

“Signs, lighted type” means a categorical rating given to a sign according to the type of illumination permitted as follows:

(1) Direct Lighting. An illuminated sign the light source of which is either a visible part of the sign or projects light upon the sign.

(2) Indirect Lighting. An illuminated sign the light source of which is not visible from any angle and is incorporated as part of the sign’s structure.

“Sign, type” means a categorical rating given to a sign according to its type of written message as follows:

(1) Sign, Community Directory. Identification sign that serves as a directional guide to businesses or areas of community importance such as recreational or historical areas, City or state parks, public safety facilities, municipal services, schools, community development projects, or major business entities. Such signs are erected in the public right-of-way and are controlled and maintained by the City.

(2) Sign, Off-Premises. A permanent advertising sign that directs attention to a use, product, commodity, or service not related to the premises. The property owner shall apply for, own the sign, and have remaining square footage from their commercial building frontage calculation. If there is no commercial building frontage on the subject property, one sign shall be allowed per 150 feet of street frontage. The sign shall be for a registered Syracuse City business and no larger than 32 square feet. Property owner is responsible for sign upkeep and maintenance.

(3) Sign, On-Premises. A permanent advertising sign that directs attention to a use conducted, commodity sold, or service performed upon the premises.

(4) Sign, Permanent. Any approved licensed, engineered sign of a permanent nature.

(5) Sign, Political. Informs the public of a candidate running for public office or an issue to be decided in a legal election by public vote.

(6) Sign, Realty. Related to the property on which it is located and erected within the interior of the property boundaries for purposes of offering such property for sale or lease, advertising completed improvements, announcing the name of the builder, owner, realtor, designer, or developer of the project, or warning against trespassing.

- (7) Sign, Seasonal Produce. Directs attention to produce or other agricultural products grown and sold on the premises, but may be displayed only during the season of the produce sold.
- (8) Sign, Subdivision. Advertisement of lots in a subdivision, for up to two years. At the expiration of two years, applicants may apply for one-year extensions if they still own lots for sale in the subdivision.
- (9) Sign, Temporary. Any sign, banner, pennant, valance, or advertisement intended for display over a limited period of time no longer than 30 days per any 12-month period to advertise a business and/or special events, i.e., yard sales, promotions, etc.
- (10) Sign, Temporary Commercial Identification. Any sign, banner, or pennant temporarily affixed to a building for a period no longer than 120 days to identify a business.
- (11) Sign, Window. Erected in, attached to, or painted or pasted on a window.

“Structural type” means a categorical rating given to a sign according to its structure as follows:

(1) Sign, Bench. Affixed or painted on any part of a bench or seat surface and placed outside the main structure on the property or adjacent to or on a right-of-way. Benches owned and maintained by a public transit authority are exempt from these regulations.

(a) As defined in this section, bench signs shall not be located on publicly owned land inside street rights-of-way and must conform to the following regulations in order to be displayed in any general commercial, professional office, residential, or industrial zone:

(i) The signs are displayed only at public transportation stops as designated by the City Planning Commission. The conditional use applicant shall provide notice to the public transportation entity of the applicant’s intent to display bench signs near the public transportation stop site and shall provide evidence of such notice as part of the conditional use application.

(ii) No more than one bench sign may be displayed at a designated public transportation stop.

(iii) The square footage of the advertising on the bench sign shall not count against a business square footage limitation or the allowable signs per frontage.

(iv) Each bench sign must have a minimum setback of two feet behind the public sidewalk or City rights-of-way, be located entirely on private property, and maintain a distance of 40 feet from other detached signs.

(v) The sign company shall maintain a current business license.

(vi) The City reserves the right to remove any bench sign that is found to be in disrepair or illegally located within three days after providing notice to the sign owner.

(vii) As part of the conditional use application, the applicant shall submit evidence of written permission from the property owner that expressly allows the applicant to place a bench sign on their premises.

(2) Sign, Billboard. A sign, greater than 32 square feet, and not owned by the party who pays for the message on the sign that is designed for changeable messages which advertise or direct attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises upon which the sign is located or to impart any message for a fee. The billboard sign may be owned by a commercial company which leases or rents the billboard space for advertising purposes. Billboard signs shall not be permitted in any zone within the City.

- (3) Sign, Flat. A sign erected parallel to and attached to, or painted or pasted on, the outside wall or roof of a building and projecting not more than 18 inches from such wall or roof.
- (4) Sign, Mobile. A sign mounted on trailer, frame, or other mobile structure, lighted or unlighted, which is not permanently attached to a structure or the ground. All mobile signs are considered temporary.
- (5) Sign, Monument. A sign placed upon the ground with no clearance between the bottom edge of the sign and the ground and not to exceed a maximum height of six feet. Monument signs shall include a combination of brick, stone, ceramic tile, masonry materials, or wood fiber/composite siding and designed as to be architecturally compatible with the design theme of the commercial development where the sign is to be located. Signs with exposed cinder block are not permitted. Total signage, excluding sign support structure, shall not exceed 48 square feet in area. Each monument sign within a commercial parcel must be separated from any other detached sign by a minimum of 150 feet and may not be located within 15 feet of any adjacent shared private property line.
- (6) Sign, Multitenant Pole or Pylon. Attached to or supported by one or more poles or a pilaster or similar structure that the ground supports. Pole or pylon signs shall include a combination of brick, stone, ceramic tile, masonry materials, or wood fiber/composite siding and designed as to be architecturally compatible with the design theme of the commercial development where the sign is to be located. Signs with exposed cinder block are not permitted. Total signage, excluding sign support structure, shall not exceed 300 square feet in area. Each multitenant pole or pylon sign within a commercial parcel must be separated from any other detached sign by a minimum of 150 feet and may not be located within 30 feet of any adjacent shared private property line. Freestanding pole or pylon signs shall not exceed 25 feet in height. The bottom of such signs shall be no less than 10 feet from the ground, but in no case shall they create a traffic hazard. The height of pole or pylon signs shall be measured from the top of the curb adjacent the nearest public street or nearest public street pavement to the top of the highest point on the sign or sign structure.
- (7) Sign, Post. Freestanding and supported by one or more posts or similar structure that the ground supports. This signage may be temporary or permanent with a signage area not exceeding a total of 32 square feet. This sign may be for advertising or identification. Maximum height of this sign shall be eight feet from the ground to the top edge of the structure. The sign must not obstruct the clear view area as described in SCC 10.30.060.
- (8) Sign, Projecting. Attached to a building and extending, in whole or in part, more than 12 inches beyond any wall of the building without the aid of any other vertical supports, including any such sign that also rests on or overlaps the roof 12 inches or more.
- (9) Sign, Roof. Signs erected partially or wholly on or over the roof of a building, rest on or overlap a roof 12 inches or less, or painted on or designed as a part of the roofing materials.
- (10) Sign, Single-Tenant Pole or Pylon. Attached to or supported by one or more poles or a pilaster or similar structure that the ground supports. Pole or pylon signs shall include a combination of brick, stone, ceramic tile, masonry materials, or wood fiber/composite siding and designed as to be architecturally compatible with the design theme of the commercial development where the sign is to be located. Signs with exposed cinder block are not permitted. Total signage, excluding sign support structure, shall not exceed 150 square feet in area. Each single-tenant pole or pylon sign within a commercial parcel must be separated from any other detached sign by a minimum of 150 feet and may not be located within 30 feet of any adjacent shared private property line. Freestanding pole or pylon signs shall not exceed 25 feet in height. The bottom of such signs shall be no less than 10 feet from the ground, but in no case shall they create a traffic hazard. The height of pole or pylon signs shall be measured from the top of the curb adjacent the nearest public street or nearest public street pavement to the top of the highest point on the sign or sign structure. [Ord. 12-05 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 09-16 § 1 (Exh. A); Ord. 09-10 § 1 (Exh. A);

Ord. 09-09 § 1 (Exh. A); Ord. 09-02 § 1 (Exh. A); Ord. 08-11 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 02-18; Code 1971 § 10-9-030.]

10.45.040 General limitations.

The following provisions affect signs in all zones. No one shall erect, replace, or reconstruct, maintain, enlarge, or move a sign to a new location unless it complies with all the following conditions:

(A) Allowable Area. Sign areas shall not exceed the maximum sizes identified in the Sign Location and Approval Table in SCC 10.45.050.

(B) Clearance. Detached signs shall have a minimum clearance of 10 feet between the ground or sidewalk and any part of a projecting sign or pole sign, except where there is less than a 12-inch projection from its support.

(C) Electronic message signs shall be allowed in GC, research park, industrial, professional office, and town center zones. These signs may be an attached or detached type. The square footage of these signs shall be counted into the maximum sign area described in this title. The measured area of the electronic message sign may not exceed 70 percent of the total area of the sign. These signs shall not cause glare or be rapid blinking, nor be so intensely lighted that they may create a nuisance or hazard to vehicular traffic, pedestrians or adjacent properties. These signs shall have a minimum of three-second intervals between complete screen changes. Any time an electronic message sign is operating between sunset and sunrise, said signs shall be set at not more than 40 percent of the maximum capable light output. Any detached electronic message sign shall be placed perpendicular to the street onto which it is constructed. Electronic message signs may also be allowed with minor conditional use permits for all community uses in any zone, provided the sign shall not be located within 200 feet of any current or future residential use as designated in the City's general plan, as measured from the base of the sign to the nearest point of the residential property. The community use must also have frontage on an arterial street as designated in the City's master street plan. A community use shall be identified as but not limited to:

- (1) Schools.
- (2) Churches.
- (3) Libraries.
- (4) Community buildings not used for any commercial purpose.
- (5) Government buildings and/or government owned property.

(D) Lights and Signs Prohibited on Public Property. No sign, light standard, or pole shall be erected on publicly owned land inside street rights-of-way, or otherwise. No sign, handbill, poster, advertisement, or notice of any kind or sort, whether political or otherwise, shall be fastened, placed, posted, painted, or attached in any way in or upon any curbstone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, tree, rock, sidewalk, or street right-of-way.

Exceptions: Signs and lights owned and erected by a public agency or its authorized representative are exempt from this subsection.

(E) Lights or Lighted Signs. No one shall install a spotlight, flood light, or any type of lighted or animated sign, or otherwise permit such lights to continue in operation, where the rays of such light penetrate beyond the property on which the light is located in a manner constituting a nuisance or hazard. All signs are subject to approval by the Land Use Administrator.

(F) Maintenance. Every sign shall be kept in good condition as to maintenance and repair. The Land Use Administrator may require owners of dilapidated and/or unsafe signs to renovate such signs. Upon failure of the owner to do so within 15 days of receiving written notice, the City may order the removal or demolition of such signs.

(G) Multitenant Signs. Lots in commercial subdivisions that contain more than one commercial tenant shall be permitted one detached multitenant sign per public street frontage. All multitenant signs shall be designed to be architecturally compatible with the design theme of the commercial development where the sign is to be located. Multitenant signs shall be located as per site plan review.

(H) Multiple Signs. Signs on the same lot shall be located at least 100 feet from each other.

(I) Ownership. The identity of the manufacturer of all signs shall be in plain and public view.

(J) Political Signs. All zones shall allow political signs provided the signs comply with all subsections of this section.

(K) Projection of Signs. No part of any sign shall be attached to any building or other structure or otherwise affixed in such a way that the sign projects across any property line.

(L) Signs and Lights Not to Constitute Traffic Hazard. No light, sign, or other advertising structure, as regulated by this chapter, shall be erected at the intersection of any street in such a manner as to violate the provisions of SCC 10.30.060(B) or otherwise obstruct free and clear vision. Further, no light sign or advertising structure shall be erected at any location where by reason of its position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic signs, signal, or device or which makes use of the words “stop,” “look,” “drive-in,” “danger,” or other similar words, phrases, symbols, or characters in such manner as to interfere with, mislead, or confuse traffic. Signs along unimproved roadways may not be placed closer than 12 feet to the edge of the paved surface. [Ord. 14-09 § 1; Ord. 12-05 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 10-10 § 1; Ord. 09-09 § 1 (Exh. A); Ord. 09-02 § 1 (Exh. A); Ord. 08-11 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 04-20; Ord. 02-18; Code 1971 § 10-9-040.]

10.45.050 Location and approval.

Signs allowed in any zone must comply with the regulations shown on the following table. No advertising sign in an agricultural or residential zone shall be displayed within 660 feet, or one-eighth mile, from another sign of any type. However, notwithstanding the foregoing distance criteria, a property owner does have the right to erect one sign on their parcel of property.

Sign Location and Approval Table

Sign Type and Zone	Maximum Size Allowed	Approval Required
Off-Premises Permanent – Must Be a Syracuse City Business		
<u>Agriculture</u>	32 square feet	Minor <u>conditional use</u> ; permanent <u>signs</u> require <u>building permit</u>

Sign Location and Approval Table

<u>Sign Type and Zone</u>	<u>Maximum Size Allowed</u>	<u>Approval Required</u>
Commercial, <u>professional office</u> , and industrial	The remainder of allowable <u>sign</u> area calculated using the corresponding on-premises formula set forth below, not to exceed 32 square feet	Minor <u>conditional use</u> ; permanent <u>signs</u> require a <u>building</u> permit
On-Premises Permanent		
<u>Agriculture</u>	32 square feet	City business license
Residential	Two <u>signs</u> not to exceed four square feet each	Minor <u>conditional use</u> ; permanent <u>signs</u> require a <u>building</u> permit
Commercial, <u>professional office</u> , and industrial	15 percent of <u>building's frontage</u> (width x height) on primary side plus five percent of <u>frontage</u> on the secondary side(s) of the <u>building</u> . Total square footage allotment may be apportioned between attached and detached <u>signs</u>	<u>Site plan</u> ; otherwise, minor <u>conditional use</u>
Political		
All <u>zones</u>	32 square feet – no limit on quantity	None required
Realty		
<u>Agriculture</u> , commercial and industrial	32 square feet	<u>Site plan</u> ; otherwise, minor <u>conditional use</u>
Residential	32 square feet	No approval required
Seasonal Produce		
All <u>zones</u>	32 square feet	No approval required
Temporary		
All <u>zones</u> . Limit 30 days. If temporary commercial identification <u>sign</u> type, then limit 120 days	16 square feet	No approval required
	100 square feet	Minor <u>conditional use</u>

Sign Location and Approval Table

<u>Sign Type and Zone</u>	<u>Maximum Size Allowed</u>	<u>Approval Required</u>
Subdivision		
All <u>zones</u>	32 square feet	Final plat; otherwise, minor <u>conditional use</u>
Window		
<u>Agriculture</u> , residential	Two <u>signs</u> not to exceed four square feet each	City business license
Commercial, industrial	50 percent of window <u>area</u>	None required

[Ord. 12-05 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 09-16 § 1 (Exh. A); Ord. 09-10 § 1 (Exh. A); Ord. 09-02 § 1 (Exh. A); Ord. 08-11 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-9-050.]

10.45.060 Town center zone restrictions.

The following types of signs or sign components are prohibited within the town center zone:

- (A) Exposed neon (except as approved by the Land Use Authority);
- (B) Painted lettering;
- (C) Animated, flashing, or audible signs, or signs emitting smoke or other matter;
- (D) Signs employing unedged or uncapped letters with no returns and uncapped fastenings;
- (E) Sign manufacturers' labels in a location that is visible to the public;
- (F) Facade-mounted signs that extend above the roofline. [Ord. 12-05 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 09-02 § 1 (Exh. A); Ord. 08-11 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Code 1971 § 10-9-060.]

10.45.070 Professional office zone restrictions.

The following types of signs or sign components are prohibited within the professional office zone:

- (A) Flags, pennants, streamers, or other decorative material used for commercial advertising purposes or to direct attention to a place of business;
- (B) Hot- or cold-air balloons, inflatables, or spotlights directed into the night sky;
- (C) Flashing, running, scintillating, or similar lights or lighting, excessive light or glare or reflection from signs into pedestrian or traffic ways, or permitted animation or motion;
- (D) Portable signs or banners. [Ord. 12-05 § 1; Code 1971 § 10-9-070.]

10.45.080 Enforcement.

The Land Use Administrator, or his authorized representative, shall be charged with the duty of enforcing this chapter and, in the performance of such duty, the Administrator or his representative shall be empowered and directed to:

(A) Determine Conformance. To ascertain that the construction, reconstruction, or modification of all existing and proposed signs is conducted in conformance with the ordinances of Syracuse City.

(B) Legal Action. Institute any appropriate action or proceeding in any case involving a sign that is illegally erected, constructed, reconstructed, altered, repaired, converted, maintained or used in violation of any City ordinance.

(1) Issue Notices of Violations, Citations, and Information. The Land Use Administrator, or his designee, may issue a written notice of violation to the person having charge, control, or benefit of any sign found to be unsafe, dangerous, and illegal or in violation of this code, particularly when the City is contemplating removal of said sign. Such official may also issue criminal citations and swear to information against violators. The City shall make a reasonable effort to determine the owner of the sign and give notice of its removal either by personal contact via telephone or by mailing a written notice to the owner, if known.

(2) Abate and Remove Unsafe or Dangerous Sign. If the person having charge, control, or benefit of an unsafe or dangerous sign does not repair or make safe said sign within 15 working days after receiving notice of violation, the Administrator or his designee may at once abate and remove the sign. A sign subject to removal is deemed to be a structure as defined in the International Building Code for the Abatement of Dangerous Buildings, and the Building Official may remove the sign pursuant to that code, except that the City shall recover the cost of abatement pursuant to Title 10, Chapter 11, Utah Code Annotated 1953.

(3) Abate and Remove Illegal Signage. A sign located in a public right-of-way is a nuisance per se, and may be removed at any time without prior notice to the owner. City officials may remove illegal signs from public property, including City rights-of-way, park property, or other City-maintained areas in violation of any provision of this chapter.

(a) Nothing in this section shall apply to the installation of a metal plaque or plate or individual letters or figures in a sidewalk commemorating a cultural, historical, or artistic event, location, or personality.

(b) Nothing in this section shall apply to the painting of house numbers upon curbs.

(c) Nothing in this section shall apply to signs posted by the City or other similar public entity for the benefit of the public.

(4) Enforcement Costs and Removal Fee. The person having charge or benefit of the unsafe, dangerous, or illegal sign shall pay to Syracuse City, within 30 calendar days after mailing date of written notice, the costs associated with the removal and detention of such sign. The City Council will establish the enforcement and removal fee from time to time by resolution.

(5) Impounded Signs. The owner, if known, shall be given 14 days from the date of notice to retrieve the sign from the City offices and pay costs of enforcement and removal. The City may dispose of signs not recovered within 14 days of impoundment, in any manner in which the City sees fit. [Ord. 12-05 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 08-02 § 40; Ord. 06-27; Ord. 06-17; Code 1971 § 10-9-080.]