

ARTICLE 5.8 – SIGNS

SECTION 5.8.001 – PURPOSE

The purpose of establishing standards for signs are to provide reasonable and necessary regulations for the construction, illumination, type, size, number and location of signs in order to:

1. Promote free and meaningful exchange of ideas and information.
2. Protect the health, safety, property and welfare of the public.
3. Promote a neat, clean, orderly and attractive appearance within the City.
4. Improve the effectiveness of signs in identifying and advertising businesses and facilities.
5. Eliminate signs that demand, rather than invite, public attention.
6. Provide for the reasonable, orderly and effective display of outdoor advertising compatible with the surroundings.
7. Preserve, protect and enhance the economic, scenic, historic and aesthetic values and objectives of the City and its citizens.
8. Provide effective signing to meet the anticipated differing needs of various areas in the City.
9. Provide for the safe erection and maintenance of signs.

SECTION 5.8.002 – DEFINITIONS INCLUDED BY REFERENCE

“A”

ABANDONED SIGN – A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity and/or for which no legal owner can be found.

ADMINISTRATOR – The Building Official and/or Community Development Director/Planner, under the supervision and control of the City Manager, is hereby authorized to administer and directed to enforce all of the provisions of this Ordinance.

ANIMATED SIGN – A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical or other means. Animated Signs include the following:

- a. **NATURALLY ENERGIZED** – Signs whose motion is activated by wind or other atmospheric impingement. Wind driven signs include flags, banners, pennants, streamers, spinners, metallic disks or other similar devices designed to move in the wind.
- b. **MECHANICALLY ENERGIZED** – Signs manifesting a repetitious pre-programmed physical movement or rotation in either one (1) or a series of planes activated by means of mechanically based drives.

- c. **ELECTRICALLY ENERGIZED** – Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are two (2) types:
 - 1. **FLASHING SIGNS** – Illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one (1) or more sources in which the duration of the period of illumination (on Phase) is either the same as, or less than, the duration of the period of darkness (off phase) and in which the intensity of illumination varies from zero (0) (off) to one hundred (100) percent (on) during the programmed cycle.
 - 2. **ILLUSIONARY MOVEMENT SIGNS** – Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating or expanding and contracting light patterns.

AREA IDENTIFICATION SIGN – A sign identifying the name of a manufactured home park, Planned Unit Development, subdivision, apartment or condominium, commercial center of two (2) or more separate businesses, industrial area, office complex of two (2) or more separate businesses or structures or any combination of the above.

AWNING – A structure made of cloth, metal or other material affixed to a building in such a manner that the structure may be in a fixed position, raised or retracted to a position against the building.

AWNING SIGN – A sign painted on, printed on or attached flat against the surface of an awning.

“B”

BANNER SIGN – A sign made of fabric or any non-rigid material with no enclosing framework.

BARBER POLE – A device, usually cylindrical in shape, attached to a building or a freestanding pole, colored diagonally red, white and blue, which may revolve to identify the business of men’s hair cutting.

BILLBOARD – Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING – Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING LINE – A line established by Ordinance beyond which no building may extend, including, but not limited to, a property line.

BULLETIN BOARD – See “Civic Use” Signs.

BUSINESS COMPLEX – One (1) property ownership with the property owner and one (1) or more business tenants as occupants, or two (2) or more business tenants as occupants of the property. In a business complex, business tenants including retail shops, executive or administrative services, including medicinal clinics and accessory pharmacies, professional offices and personal service establishments which perform personal services on the premise and similar uses.

“C”

CANOPY – A permanent-roofed structure which may be freestanding or partially attached to a building for the purpose of providing shelter to patrons in automobiles but shall not mean a completely closed structure.

CANOPY SIGN – A sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy.

CHANGEABLE SIGN – A sign whose informational content can be changed or altered by manual or electric, electro mechanical or electronic means. Changeable signs include the following types:

- a. **MANUALLY ACTIVATED** – Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered by manual means.
- b. **ELECTRICALLY ACTIVATED** – Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two (2) types:
 1. **FIXED MESSAGE ELECTRONIC SIGNS** – Signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.
 2. **COMPUTER CONTROLLED VARIABLE MESSAGE SIGNS** – Electronic signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

CITY – The city of La Grande, Oregon, or any of its authorized representatives.

CIVIC USE SIGNS – A sign which identifies churches, schools and other public facilities and/or announces events which are held on the premises.

CLEARANCE (OF A SIGN) – The smallest vertical distance between the grade of the adjacent street, highway or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

CLEAR VIEW ZONE – The area of a corner lot closest to the intersection which is kept free of visual impairment to allow full view of both pedestrian and vehicular traffic. Typically, such an area is established by marking a point at which the two (2) property lines intersect, measuring back thirty feet (30') on each street from and drawing a line across the two (2) back points to form a triangulated area. No sign in excess of thirty inches (30') above curb or street grade nor support pole larger than twelve inches (12') in diameter may be installed in this area. Free-standing signs must have at least ten feet (10') clearance to grade.

COMMISSION – The Planning Commission of the City of La Grande, Oregon.

CONDITIONAL SIGN – A sign which is subject to approval and to conditions which may be imposed by the Commission after a Public Hearing.

CONSTRUCTION SIGN – A sign placed at a construction site identifying the project or the name of the architect, engineer, contractor, financier or other involved parties.

COPY – The wording and/or symbols on a sign face.

COPY CHANGE – The replacing of an existing sign copy and/or sign face to reflect an image change or new business or use without altering the existing sign structure.

CORNER-MOUNTED PROJECTING SIGN – A projecting sign mounted on the outside street corner of a building frontage at a thirty-five to fifty-five-degree (35°- 55°) angle to the extended building lines.

COUNCIL – The City Council of the City of La Grande, Oregon.

CUTOUT – A display in the form of letters, figures, characters, representations or others in cutout or irregular form attached to or superimposed upon an advertising sign.

CUTOUT DISPLAY SIGN – A display message in the form of letters, figures, representations or others in cutout or irregular form attached to the building face, roof, sloping roof or parapet.

“D”

DIRECTIONAL SIGN – A sign, providing no advertising of any kind, which provides direction or instruction to guide persons to facilities intended to serve the public, including but not specifically limited to those signs identifying restrooms, public telephones, public walkways, parking areas and other similar facilities

DIRECTORY SIGN – A sign which indicated the name and/or address of the occupant, the address of the premise and/or identification of any legal business or occupations which may exist at the premises.

DOUBLE-FACED SIGN – A sign with two (2) faces, essentially back-to-back.

“E”

ELECTRIC SIGN – Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source and provides artificial light either through exposed lighting on the sign face or through transparent or translucent material from a light source within the sign.

ELECTRONIC MESSAGE CENTER – See “Changeable Signs, Electrically Activated”.

ERECT – This term shall mean attach, place, alter, construct, reconstruct, enlarge or move and includes the painting of wall signs, but does not include copy changes on any sign.

“F”

FACE OF SIGN – The area of a sign on which the copy is placed.

FLASHING SIGN – See “Animated Sign, Electrically Energized”.

FREESTANDING SIGN – A sign supported by one (1) or more uprights in the ground and detached from any building or structure.

FRONTAGE – The length of the property line of any one (1) premise, lot parcel or structure along a public right-of-way.

FRONTAGE, BUILDING – The length of an outside building wall on a public right-of-way.

“G”

GROUND SIGN – A sign which is mounted on or anchored to the ground, has a monolithic or columnar line and which maintains essentially the same contour from grade to the top of the sign. The bottom of the sign should not be more than four feet (4') from the ground.

“H”

HEIGHT (OF A SIGN) – The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

“I”

ILLEGAL SIGN – A sign which does not meet the requirements of this Code and which has not received legal non-conforming status.

ILLUMINATED SIGN – Any sign which reflects light from a source intentionally directed upon it, such as by means of floodlights, gooseneck reflectors or externally mounted fluorescent light fixtures.

INCIDENTAL SIGN – A small sign, emblem or decal informing the public of goods, facilities or services available on the premises; e.g., a credit card sign or a sign indicating hours of business.

INSTITUTIONAL SIGN – See “Civic Use” Signs.

“M”

MAINTENANCE – For the purposes of this Ordinance, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

MANSARD – A sloped roof or roof-like façade architecturally comparable to a building wall.

MARQUEE – A permanent roofed structure attached to or supported by a building but does not mean a “canopy,” as defined herein.

MARQUEE SIGN – Any sign attached to or supported by a marquee structure.

“N”

NAMEPLATE – Small signs attached flat against a building, non-illuminated and announcing only the name, address and /or occupation of the building tenant(s).

NEIGHBORHOOD COMMERCIAL SIGN – Any on-premise sign associated with a commercial use allowed in a residential zone under a Conditional Use Permit by the Planning Commission.

NON-CONFORMING SIGN – Any advertising structure or sign which was lawfully erected and maintained prior to the adoption of this Code and which fails to conform to all applicable regulations and restrictions of this Code.

NON-STRUCTURAL TRIM – Moldings, battens, caps, nailing strips and latticing, ladders and walkways which are attached to a sign structure.

“O”

OCCUPANCY – The portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

OFF-PREMISE SIGN – A sign structure subject to the provisions of the Oregon Motorist Information Act of 1971 and erected for the purpose of leasing advertising space to promote an interest other than that of individual, business, product or service available on the premise the billboard is located on.

ON-PREMISE SIGN – A sign which pertains to the use of the premises and/or property on which it is located.

OWNER – A person recorded as such on official records. For the purposes of this Ordinance, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Community Development Director/Planner; e.g., a sign leased from a sign company.

“P”

PAINTED WALL SIGN – Any sign which is applied with paint or similar substance on the surface of a wall.

PARAPET – The extension of a false front or wall above a roofline.

PERMIT – The document issued by the City authorizing the erection of a sign.

PERSON – Any individual, corporation, association, firm, partnership or similarly defined interest.

POLITICAL SIGN – A temporary sign used in connection with a local, State or national election or referendum.

PORTABLE SIGN – Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

PROJECTING SIGN – A sign other than a wall sign, which projects from and is supported by a wall of a building or structure.

“R”

READER BOARD SIGN – See “Changeable Sign”.

REAL ESTATE SIGN – A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

ROOFLINE – The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys or minor projections.

ROOF SIGN – Any sign erected over or upon the roof of a building and which is supported by said building.

ROTATING SIGN – See “Animated Sign, Mechanically Energized”.

“S”

SHOPPING CENTER – A premises planned and developed as a unit with an undivided, non-segregated parking area and is advertised as a center or mall having multiple occupancy by businesses.

SIGN – Any identification, description, illustration or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, with the exception of national flags. For the purpose of removal, signs shall also include all sign structural members.

SIGN, AREA OF:

(a) **PROJECTING AND FREESTANDING** – The area of a freestanding or projecting sign shall have only one (1) side of any double- or multiple-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one (1) or more individual cabinets:

(1) A rectilinear line of not more than eight (8) sides shall be drawn around and enclosing the perimeter of each cabinet or module. The area shall then be summed and totaled to determine total area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, support structures, etc., provided that there is no written advertising copy on such embellishments.

(b) **WALL SIGN** – The area shall be with a single, continuous perimeter composed of any rectilinear line geometric figure which encloses the extreme limits of the advertising message. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated by measuring the area within the perimeter of each symbol or letter. The combined areas of the individual figures shall be considered the total sign area.

SNIPESIGN – A temporary sign or poster affixed to a tree, fence, etc.

“T”

TEMPORARY SIGN – A sign, banner, balloon, pennant, valance or advertising display constructed principally of cloth, paper, cardboard, plywood, wood, wallboard, plastic, sheet metal or similar lightweight materials, with or without a frame and which is not permanently affixed to any sign structure, sign tower, pole or building. Except for a balloon, banner, pennant or valance constructed of cloth, flexible lightweight plastic, vinyl, paper or cardboard, temporary signs shall be limited to signs displayed five feet (5') or less above ground level.

TRAVELWAY CANOPY SIGN – A sign suspended beneath a canopy, ceiling, roof or marquee.

“U”

BUILDING CODE – Any Building Code as adopted by the City of La Grande, a copy of which is on file in the Building Department.

“V”

“V” SIGN – “V”-Type” sign means two signs erected independently of each other with multiple display surfaces having single or multiple messages visible to traffic from opposite directions, with an interior

angle between the two signs of not more than one hundred twenty degrees (120°) and the signs separated by not more than ten feet (10') at the nearest point.

“W”

WALL SIGN – A sign attached essentially parallel to and extending not more than twelve inches (12”) from the wall of a building, with no copy on the sides or edges. This definition includes painted, individual letters, cabinet signs and signs on a mansard.

WINDOW SIGN – A sign painted on, attached to or placed upon glass surfaces of windows or doors of a building intended for viewing from the exterior of the building.

“Z”

ZONE – An area which has been identified to accommodate a specific type of use as determined in the “City Land Development Code.”

SECTION 5.8.003 – GENERAL PROVISIONS

It shall hereafter be unlawful for any person to erect, place or maintain a sign in the City of La Grande, except in accordance with provisions of this Ordinance.

SECTION 5.8.004 – SIGNS PROHIBITED

- A. Snipe signs or signs attached to trees, telephone poles, public benches, street lights or placed on any public property or public right-of-way.
- B. Signs imitating or resembling official traffic or government signs or signals.
- C. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. This does not apply to allowed portable signs, or to signs or lettering on buses, taxis or vehicles operating during the normal course of business.
- D. Portable and wheeled signs, except as a temporary sign.
- E. Abandoned signs.
- F. Any sign suspended by non-rigid attachments that will allow the sign to swing in a wind.

SECTION 5.8.005 – PERMITS REQUIRED

Unless otherwise provided by this Ordinance, all signs shall require Sign Permits and payment of fees as set by Resolution. No permit is required for the maintenance of a sign or for a change of copy on painted, printed or changeable signs.

SECTION 5.8.006 – SIGNS NOT REQUIRING PERMITS

The following types of signs are exempt from permit requirements but must be in conformance with all other requirements of this Ordinance:

- A. **Civic Type Uses (Churches, Schools and Other Public Facilities)**
Limited to one (1) on-site wall or ground sign for each building or activity facility not to exceed sixteen (16) square feet, unless otherwise approved by the Planning Commission by Conditional Use. Any Civic Use Type Sign approved by the Commission to exceed sixteen (16) square feet shall be subject to the permit requirements, as set forth in this code. No sign shall be located within any Clear View zone, unless the sign is thirty inches (30”) or less in height.

- B. Construction Signs
Signs of sixteen (16) square feet or less.
- C. Directional/Information Signs
Signs identifying rest rooms, public telephones, walkways or signs providing direction, such as parking lot entrance and exit signs and those of similar nature, located entirely on the property, which do not exceed six (6) square feet in area and four feet (4') in height.
- D. Holiday or Special Events Decorations
Signs which are clearly incidental, customarily and commonly associated with any national, local or religious holiday.
- E. Non-Illuminated Nameplates
Signs of two (2) square feet or less per building tenant.
- F. House or Building Numbers
Numbers limited to six inches (6") in height for dwellings of four (4) or less families and twelve inches (12") in height for other buildings.
- G. Temporary Political Campaign Signs
Signs shall be erected only on private property with the consent of the legal possessor of the premises; not located on utility poles, trees or rocks. Limited to a sign area of sixteen (16) square feet and a maximum horizontal dimension of eight feet (8'); not located within any Clear View zone; and are maintained in a neat, clean and attractive condition. Signs may be erected during the campaign for a period of sixty (60) days prior to the election in which candidates or issues are to be voted upon. Such temporary signs shall be removed not later than the fifth (5th) day following the election. Political or ideological signs displayed for a longer period must conform to the requirements for permanent signs of a similar structure.
- H. Temporary Non-Profit Signs
Signs identifying or advertising a non-profit civic, charitable or benevolent event complying with the same requirements as temporary signs to be used for promotional purposes.
- I. Street Banners or Decorations
Banners or decorations approved by the City Manager advertising a public entertainment or event and conditional upon safe erection and maintenance and such conditions as the City Manager may attach, including but not limited to insurance and bonding.
- J. Signs Located Inside A Building
Signs that are not visible to the public outside the building.
- K. Window Signs
Signs which are painted on, attached to, or placed upon glass surfaces of windows or doors of a building intended for viewing from the exterior of the building. The permitted area for such signs shall be subject to the area requirements for wall signs and conform to the illumination requirements of this Ordinance.
- L. Official Sign, Traffic Sign or Signal
Signs including but not limited to a sign identifying a public building or use, or erected by a public office performing an official duty under law, court or administrative officer.

M. Non-Illuminated Directional and Motor Vehicle Directional Signs

Signs painted on paving for control and direction of both vehicular and pedestrian traffic.

N. Real Estate Signs

Only one (1) sign per Realtor is allowed on any lot or parcel, provided such sign is located entirely within the property to which the sign applies, is not-illuminated, does not exceed six (6) square feet in Residential zones, or thirty-two (32) square feet in Commercial and Industrial zones and is removed within seven (7) days after the sale, rental or lease of the facility and/or lot (has been accomplished).

O. Memorial Signs, Tablets or Plaques

Memorial signs, tablets or plaques shall not exceed four (4) square feet in area.

Q. Area Identification Sign

A ground or wall sign identifying a recognized subdivision, apartment, condominium, manufactured home park or planned unit development. A sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for the development identification, provided the legend of such sign or display shall consist only of the development name and shall not exceed sixteen (16) square feet. Such signs shall not be located within any Clear View zone unless the sign is thirty inches (30") or less in height.

R. Temporary Subdivision Sign

Signs may be erected upon a tract of land designated as a subdivision, advertising sale of the tract or lots in the tract. Such sign shall not exceed thirty-two (32) square feet in area. The sign shall be reduced in size by four (4) square feet for each lot less than seven (7) lots in the subdivision.

S. Temporary Signs To Be Used For Promotional Purposes

Signs are allowed only on private property, except as provided below, and are subject to the following:

- (1) Temporary signs for promotional purposes may be erected for a period not to exceed two (2) weeks before the event advertised.
- (2) No more than one (1) sandwich board or "A-Frame" signs, "Windsurf" sign, or other similar temporary mobile signage shall be allowed for each premises. Such sign shall be located directly in front of the business and may be located within the public right-of-way, provided it does not obstruct vehicle parking areas or pedestrian use on the sidewalk.
- (3) A balloon, banner, pennant, streamer, festoon or valance constructed of cloth, flexible lightweight plastic, vinyl, paper or cardboard may be used as a temporary sign for promotional purposes only and shall not be considered or treated as permanent signage. The sign will be permitted for a period of thirty (30) cumulative days in any six (6) month period.

T. Flags

Flags of the United States, State of Oregon, United States or State of Oregon Military Service, foreign countries, United Nations or civic, fraternal, veterans or charitable organizations.

U. Garage Sale Signs

Signs are limited to one (1) per premise, with a maximum of three (3) square feet in area, for the duration of the sale only.

V. Barber Pole

One (1) pole per business, not to exceed four feet (4') in length nor more than one foot (1') in diameter.

W. Incidental Sign

Four (4) square feet of incidental signage allowed per occupancy or one (1) square foot per five hundred (500) square feet of the occupants' ground floor area. The aggregate area of the incidental signs shall not exceed that allowable. The aggregate area of an incidental sign shall be included in the total allowable area for wall signs. Incidental signs shall not be of a projecting type.

X. Drive Up Menu Board Sign

Drive-up menu board signs shall only be allowed for drive-up service-oriented businesses only. No more than two (2) signs may be displayed per business with a maximum sign area of twenty (20) square feet per sign and not to exceed eight feet (8') in height, if freestanding.

Y. Kiosks

Kiosks may be in sections, with each section not exceeding thirty-two (32) square feet in area. The kiosk may include a maximum of four (4) sections. Kiosks are only allowed on private property, unless a Right-of-Way Encroachment Permit is approved by the City of La Grande. For kiosks located within the public right-of-way, each section shall not exceed a maximum dimension of seven (7) feet high and three (3) feet wide, measured from the inside of the supporting posts on either side of the section. Kiosks shall not be located within any Clear View zone or obstruct any pedestrian pathways.

SECTION 5.8.007 – MAINTENANCE AND APPEARANCE STANDARDS

- A. All signs, together with all of their supports, braces, guys and anchors, shall be kept in good repair and be maintained in a safe condition. All signs and the site on which they are located shall be maintained in a neat, clean and attractive condition. Signs shall be kept from excessive rust, corrosion, peeling paint or other surface deterioration. The display surfaces, trims, frames and supports of all signs shall be kept neatly painted or otherwise neatly maintained as applicable.
- B. No person shall scatter, daub or leave any paint, paste, glue or other substances used for painting or affixing a message to the display surface of any sign, throw or cloth, or materials of whatsoever kind removed from a sign on any public street, sidewalk or private property.
- C. The Community Development Director/Planner may order the removal of any sign that is not maintained in accordance with provisions set forth herein. All signs may be re-inspected at the discretion of the Community Development Director/Planner. Maintenance of signs and their associated structure(s) shall be the responsibility of the sign owner.

SECTION 5.8.008 – SIGN ILLUMINATION

No sign shall be erected or maintained which, by use of lights or illumination, creates an unduly distracting or hazardous condition to a motorist or pedestrian. With the exception of message type signs where the bulbs are located behind sunscreens, no exposed reflective-type bulb, spot or incandescent lamp shall exceed thirty (30) watt capacity unless a screen is attached or the sign is placed over ten feet (10') above grade. It shall be unlawful to use any revolving beacon, strobe or search lights.

SECTION 5.8.009 – ANIMATED AND CHANGEABLE SIGNS

Animated Changeable Signs are allowed as follows:

- A. Animated signs are only permitted by Conditional Use and are limited to the General Commercial, Interchange Commercial and all Industrial Zones, with the following exceptions:
 - (1) Temporary Signs to be used for promotional purposes as defined in Section 5.8.006(S)(3) are permitted outright in the Central business, General Commercial, Interchange Commercial and all Industrial Zones.
 - (2) Flags, as defined in Section 5.8.006(T), are permitted outright in all zones.

SECTION 5.8.010 – SIGN CONTRACTORS LICENSE

No person may engage in the business of erecting, altering, relocating, constructing or maintaining signs without a valid contractor's license from the State of Oregon Contractors Board, and all other applicable State and Federal licenses.

SECTION 5.8.011 – INDEMNIFICATION AND INSURANCE

All persons involved in the maintenance, installation, alteration or relocation of signs near or upon any public right-of-way or property, shall sign an agreement to hold harmless and indemnify the City, its officers, agents and employees against any and all claims of negligence resulting from such work insofar as this Ordinance has not specifically directed the placement of a sign.

All persons involved in the maintenance, installation, alteration or relocation of signs shall maintain satisfactory certificate of insurance naming the State, County or City as additional insured on the property owner's sign.

SECTION 5.8.012 –SIGNS PERMITTED IN RESIDENTIAL ZONES AND RESIDENTIAL PROFESSIONAL ZONES

Signs are allowed as follows in Residential zones RR-1, R-1, R-2, R-3 and Residential-Professional Zone R-P:

- A. All signs as permitted in Section 5.8.006 except (K), (S), (V) and (W).
- B. Construction Project Sign
One (1) ground sign, thirty-two (32) square feet in area, may be erected five (5) days prior to the beginning of construction and shall be removed within five (5) days after completion of construction.
- C. Home Occupancy Sign
One (1) flush-mounted wall sign not to exceed three (3) square feet in sign area.
- D. Area Identification Sign
 - (1) Apartments and Condominiums
One (1) ground or wall sign not to exceed thirty-two (32) square feet in sign area, may be erected five (5) days prior to the beginning of construction and shall be removed within five (5) days after completion of construction.
 - (2) Subdivision Signs
One (1) ground sign not to exceed thirty-two (32) square feet in sign area shall be permitted per primary street entrance into the subdivision.
- E. Ground Signs
As permitted in Section 5.8.012(B), (D), and (H). Shall have a maximum height of eight feet (8') and shall not be located within any Clear View zone unless the sign is thirty inches (30") or less in height.
- F. Wall Signs
As permitted in Section 5.8.013(D) and (H). Shall comply with the general requirements of Section 5.8.013(D), paragraph 3.
- G. Illumination
No sign in a Residential or Residential-Professional Zone shall be internally illuminated unless approved as a Conditional Use by the Commission.
- H. Special sign regulations for Residential Zones and the Residential-Professional zone for uses permitted as a Conditional Use by the Commission:
 - (1) Area Identification Signs for Manufactured Home Parks and Planned Unit Developments
One (1) ground sign not to exceed thirty-two (32) square feet in sign area shall be permitted per primary street entrance into the complex.
 - (2) Bed and Breakfast Inns
One (1) freestanding, on-premise sign not to exceed four (4) square feet area or six feet (6') in height.

(3) Neighborhood Convenience Center

One (1) flush-mounted wall sign and/or one (1) ground sign on each street frontage not to exceed thirty-two (32) square feet in sign area for each sign.

(4) Civic and Commercial Administrative, Professional Offices, Clinic and Medical Services

One (1) wall or ground mounted sign not to exceed thirty-two (32) square feet in sign area and may have a building directory sign provided that the area of such sign does not exceed two (2) square feet per tenant of the building.

(5) Churches, Schools and other Civic Use Types

May have One (1) wall or ground sign for each building or activity facility not to exceed thirty-two (32) square feet in sign area.

SECTION 5.8.013 – SIGNS PERMITTED IN CENTRAL BUSINESS DISTRICT

Signs are allowed as follows in the Central Business (CB) Zone:

A. All signs as permitted in Section 5.8.006 and Section 5.8.012

B. Construction Project Sign

One (1) non-illuminated ground sign, sixty-four (64) square feet in area, may be erected sixty (60) days prior to the beginning of construction and shall be removed within fourteen (14) days after completion of construction.

C. Freestanding Sign

One (1) freestanding sign per premise not to exceed one (1) square foot in sign area for each linear foot of main street frontage up to a maximum of one hundred (100) square feet. Such signs may not exceed a height of twenty feet (20') above the sidewalk or street grade to the top of the sign. The maximum projection shall not exceed five feet (5') over a public right-of-way nor any closer than two feet (2') from the outer curb face or six feet (6') from the traveled surface where no curb is present. A minimum clearance of seventeen feet (17') shall be maintained over any vehicular use area and eight feet (8') over any pedestrian use area.

D. Wall Signs

Total aggregate area of signs shall not exceed three (3) square feet of sign area for each linear foot of that occupancy's main building frontage.

An individual business within a business complex which is located on the ground floor, or has an entrance on the ground floor and has direct pedestrian access to a street, shall be permitted one (1) wall sign with a maximum sign area not to exceed one square foot (1 sq. ft.) of sign area for each linear foot of the individual business building frontage. If a business has no identifiable building frontage, a wall sign with a maximum area of twenty-four (24) square feet shall be allowed adjacent to, or above the entrance giving access to the business.

No wall sign shall be permitted to extend more than twelve inches (12') beyond the building line, except that the upper edge of a wall sign mounted on a mansard roof may project more than twelve inches (12") so long as the sign is perpendicular to the ground. No wall sign shall exceed the ends of the building front face on the top (roofline, parapet or mansard) of the face upon which it is erected or more than twenty feet (20') above the sidewalk or adjacent grade, whichever is less, measured to the top of the sign. A minimum clearance of eight feet (8') shall be maintained from the bottom of the sign to the sidewalk or grade immediately below. Wall signs projecting two inches

(2") or less beyond the building line may have a clearance of less than eight feet (8') from the bottom of the sign to the sidewalk or grade immediately below.

E. Projecting Sign

One (1) projecting sign per occupancy, with a minimum sign area of twenty-four (24) square feet, or less at the occupant's discretion; and if greater than twenty-four (24) square feet, sign shall not exceed one (1) square foot in sign area for each linear foot of an occupancy's main building frontage up to a maximum of fifty (50) square feet of sign area. No projecting sign shall project more than eight feet (8') from the wall of the building upon which it is erected, nor shall any sign extend closer to the street than four feet (4') from the outer curb face, or six feet (6') from the traveled surface where no curb is present. Projecting signs shall have a minimum clearance of seventeen feet (17') over any vehicular use area and eight feet (8') over any pedestrian use area and shall not be more than twenty feet (20') or to the roofline, parapet, or mansard whichever is less, measured to the top of the sign.

Projecting signs are not allowed on an alley side of a building or on other building sides not fronting a street.

F. Corner-Mounted Projecting Sign

One (1) corner-mounted projecting sign is allowed when an occupancy is on a street corner in lieu of two (2) projecting signs, as allowed in Section 5.8.013 (K (3)). The allowed sign projection is the same that would have been allowed had the sign been located on the occupant's longest street frontage and shall not exceed fifty (50) square feet of sign area.

G. Travelway Canopy/Marquee Signs

One (1) travelway canopy/marquee sign for each separate occupancy or separate entrance, not to exceed six (6) square feet in sign area. Travelway canopy/marquee signs must have a minimum clearance of seven and one-half feet (7'1/2") above the sidewalk or pedestrian use area and shall be entirely within the border line of the canopy/marquee outer edge.

H. Awning, Canopy, Marquee Signs

The height of the sign shall not exceed the thickness of the awning, canopy or marquee on which the sign is placed. The total area of such sign(s) shall be included in the total allowable aggregate area of wall signs, as per Section 5.8.013 (D).

I. "V" Signs

Sign shall not exceed the projection and/or location limitations, as permitted for a projecting sign. The maximum sign face area shall be that as allowed for wall signs. Each sign face shall be included in calculating the sign face area of a "v" sign.

J. Electrically Activated Changeable Signs

Signs are limited to date, time and temperature.

K. Special regulations and allowances for the Central Business Zone are as follows:

(1) Additional Wall Signs

Additional wall signs are allowed when an occupancy is on a street corner or has more than one (1) main street frontage or fronts a parking lot on that occupant's property. The total aggregate sign area on each building frontage shall not exceed that allowed for wall signs per Section 5.8.013 (D).

(2) Alley Signs

An alley sign is limited to a wall sign with a maximum area of twenty-four (24) square feet to identify a business. Such sign shall be located at the entrances. No alley wall sign shall be permitted to extend more than one inch (1") into an alley unless said sign has a minimum clearance of seventeen feet (17') above any vehicular use area. No wall sign shall be permitted to extend more than twelve inches (12") beyond the building line.

(3) Additional Projecting Signs

When an occupancy is on a street corner or has more than one (1) main street frontage (excluding alleys), one (1) additional projecting sign will be allowed on the additional frontage, with a limit of two (2) projecting signs per occupancy.

SECTION 5.8.014 – SIGNS PERMITTED IN THE GENERAL COMMERCIAL AND INDUSTRIAL ZONES

Signs are allowed as follows in the General Commercial (GC), Industrial (I-1, I-2), Business Park (BP), Medical Services (MS), and Public Facilities (PF) Zones.

A. All signs, as permitted in Sections 5.8.006, 5.8.012 and 5.8.013.

B. Freestanding or Ground Signs

One (1) freestanding sign per premise not to exceed one (1) square foot in a sign area for each linear foot of main street frontage up to a maximum of one hundred fifty (150) square feet. Such signs may not exceed a height of thirty-five feet (35') above the sidewalk or street grade to the top of the sign. The maximum projection shall not exceed five feet (5') over a public right-of-way nor any closer than two feet (2') from the outer curb face or six feet (6') from the traveled surface where no curb is present. A minimum clearance of seventeen feet (17') shall be maintained over any vehicular use area and eight feet (8') over any pedestrian use area.

A ground sign shall be erected only on private property and shall be so located as to not obstruct the view of a sign on adjoining property(ies) and/or the same property when viewed from a vehicular distance of two hundred feet (200') or erected within any Clear View zone.

C. Wall Signs

An individual business within a shopping center which is located on the ground floor and has direct pedestrian access to a street or parking area shall be permitted wall signs, in total aggregate area, not exceeding three (3) square feet of sign area for each linear foot of that individual business building frontage.

D. Service Station

Island signs that designate type of fuel, fuel price and promotional signs are allowed at the rate of thirty-six (36) square feet maximum per pump island. One (1) sign designating fuel prices may be attached to the allowed freestanding sign or to the sign structure, but must be included in the allowable area of the freestanding sign. Signs on canopy fascias are limited to fifty percent (50%) of the area of the fascia. Signs are to be maintained within the boundaries of the fascias.

E. Roof Signs

A roof sign may be allowed where no other sign types can provide effective identification on a single story, low profile building. The top of roof signs shall not extend more than twenty feet (20') from the sidewalk or grade immediately below. The maximum allowable height of roof signs shall not exceed four feet (4') with an allowable area as per wall signs in Section 5.8.013 (D) of this Ordinance. Roof signs shall be constructed so as to conceal all structure and fastenings.

F. Changeable Copy

Any sign herein allowed may use manual, automatic, electrically or mechanically activated changeable copy.

G. Special regulations and allowances for general Commercial and Industrial Zones are as follows:

(1) Additional Sign Area

For each five (5) square feet of landscaping installed at the base of freestanding signs and ground signs (entirely within private property), two (2) square feet of additional face area shall be permitted, up to a maximum of an additional fifty percent (50%) of the sign face area.

(2) Off-Premise Advertising Signs

Signs (billboards) shall be located in Industrial Zones (I-1 and I-2) as designated by the City Land Development Code. Billboards may be located in the General Commercial Zone (GC) by Conditional Use as approved by the Commission. The maximum number of advertising signs shall not exceed eight (8) per mile with no more than five (5) on one side of the street and no closer than five hundred feet (500') apart for signs exceeding two hundred eighty-eight (288) square feet and three hundred feet (300') apart for signs two hundred eighty-eight (288) square feet or less when measured along the street center line and measured at right angles thereto. A back-to-back, double-faced or V-Types sign shall be considered one sign. No sign face shall be more than fourteen feet (14') high, nor more than forty-eight feet (48') long measured on the longest side of the sign. Sign area shall not be greater than six hundred seventy-two (672) square feet, with a maximum height above street grade of thirty-five feet (35'). These limitations apply to each side of a back-to-back sign and to each sign forming a V-Type sign.

For measuring to determine sizes within the requirements of this Section, border and trim shall be included, but foundations, supports and stingers shall not be included. No billboard shall be allowed to have more than four (4) steel exposed supports and all illumination devices shall be of a modern design with minimal protrusion from the sign or be concealed within the non-structural trim.

SECTION 5.8.015 – SIGNS PERMITTED IN THE INTERCHANGE COMMERCIAL ZONE

Signs are allowed as follows in the Interchange commercial Zone (IC):

A. All signs as permitted in Section 5.8.014.

B. Freestanding Sign

One (1) additional freestanding sign is allowed having a maximum sign area of four hundred (400) square feet and may be installed to a height of eighty feet (80') above the adjacent grade. The principal purpose of such sign must be to address freeway traffic.

C. Off-Premise Advertising Sign

A permitted, off-premise advertising sign shall have a maximum sign area of four hundred (400) square feet with a maximum height of sixty feet (60') above the adjacent grade. The principal purpose of such sign must be to address freeway traffic.

SECTION 5.8.016 – LEGAL NON-CONFORMING SIGNS

Any sign lawfully existing or under construction on the effective date of this Ordinance which does not conform to one (1) or more of the provisions of this Ordinance may be continued in operation and

maintained indefinitely as a legal non-conforming sign subject to compliance with the requirements of Section 5.8.017.

SECTION 5.8.017 – MAINTENANCE AND REPAIR OF LEGAL NON-CONFORMING SIGNS

Normal maintenance of legal non-conforming signs, including changing of copy, necessary non-structural repairs and incidental alterations which do not extend or intensify the non-conforming features of the sign, shall be permitted. However, no structural alteration, enlargement or extension shall be made to a legal non-conforming sign unless the alterations, enlargement or extension will result in the elimination of the non-conforming features of the sign. If a legal non-conforming sign is damaged or destroyed by any means to the extent of fifty percent (50%) or more of its replacement value at the time, the sign may not be rebuilt or used thereafter unless it conforms to all of the provisions of this Ordinance. In the event the damage or destruction of the non-conforming sign is less than fifty percent (50%) of its replacement value at the time, the sign may be rebuilt to its original condition and may continue to be displayed.

SECTION 5.8.018 – REMOVAL OF CERTAIN SIGNS

A. Non-Conforming Signs

If the Community Development Director/Planner shall find that any non-conforming sign, except for those legal non-conforming signs as specified in Section 5.8.016, is displayed, he/she shall give written notice to the owners, agent or person having the beneficial interest in the building or the premises on which such sign is located. Removal of the sign shall be effected within ten (10) days after receipt of the notice from the Community Development Director/Planner. If such sign is not removed after the conclusion of such ten (10) day period, the Community Development Director/Planner is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.

B. Obsolete Signs

Any sign, whether existing on or erected after the effective date of this Ordinance which advertises a business no longer being conducted, or a product no longer being offered for sale in or from the premises on which the sign is located, shall be removed within ninety (90) days upon the cessation of such business or sale of such product by the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.

If the Community Development Director/Planner shall find that any such sign advertising a business no longer being conducted, or a product no longer being offered for sale in or from the premises on which the sign is located, has not been removed within ninety (90) days upon the cessation of such business or sale of such product, said official shall give written notice to the owner, agent or person having the beneficial interest in the building or the premises on which such sign is located. Removal of the sign shall be effected within ten (10) days after receipt of the notice from the Community Development Director/City Planner. If such sign is not removed after the conclusion of such ten (10) day period, the Community Development Director/Planner is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.

C. Unsafe Signs

If the Community Development Director/Planner shall find that any sign is unsafe or insecure or is a menace to the public, said official shall give written notice to the owner, agent or person having the beneficial interest in the building or the premises on which such sign is located. Correction of the condition which caused the Community Development Director/Planner to give such notice shall be effected within ten (10) days after receipt of the notice. If such condition is not corrected after the conclusion of such ten (10) day period, the Community Development Director/Planner is hereby

authorized to cause the sign to be removed forthwith at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.

Notwithstanding the foregoing provision, the Community Development Director/Planner is authorized to cause any sign to be removed summarily and without notice, at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located, whenever said official determines that such sign is an immediate peril to persons or property.

SECTION 5.8.019 – DESIGN AND CONSTRUCTION

A. General

Sign and sign structures shall be designed and constructed to resist wind and seismic forces, as specified in this Section. All bracing systems shall be designed and constructed to transfer lateral forces to the foundations. For signs on buildings, the dead and lateral loads shall be transmitted through the structural frame of the building to the ground in such a manner as not to over stress any of the elements thereof.

The overturning moment produced from lateral forces shall in no case exceed two-thirds (2/3) of the deadload resisting moment. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structural frame of the building. The weight of earth superimposed over footing may be used in determining the deadload resisting moment. Such earth shall be carefully placed and thoroughly compacted.

B. Wind Loads

Signs and sign structures shall be designed and constructed to resist wind force, as specified in the Building Code.

C. Seismic Loads

Signs and sign structures shall be designed and constructed to resist seismic forces, as specified in the Building Code.

D. Combined Loads

Wind and seismic loads need not be combined in the design of signs or sign structures; only that loading producing the larger stresses need to be used.

Vertical design loads, except roof live loads, shall be assumed to be acting simultaneously with the wind or seismic loads.

E. Allowable Stresses

The design of wood, concrete, steel or aluminum members shall conform to the requirements of the Building Code. Loads, both vertical and horizontal, exerted on the soil shall not produce stresses exceeding those specified in the Building Code.

The working stresses of wire rope and its fastenings shall not exceed twenty-five percent (25%) of the ultimate strength of the rope or fasteners.

Working stresses for wind or seismic loads combined with dead loads may be increased, as specified in the Building Code.

F. Sign Marker ID

Upon each sign for which a Sign Permit is required, there shall be specified the name of the sign erector, date of erection, electrical power consumption in amperes and Underwriters Laboratory Label if an electrical sign. Such information shall be of sufficient size and contrast to be readable upon inspection.

SECTION 5.8.020 – CONSTRUCTION

A. General

The supports for all signs or sign structures shall be placed upon private property and shall be securely built, constructed and erected in conformance with the requirements of this Code.

B. Materials

Materials of construction for signs and sign structures shall be of the quality and grade, as specified for buildings in the Sign Code or other applicable Code as required by the Building Official.

In all signs and sign structures, the materials and details of construction shall, in the absence of specified requirements, conform to the following:

- (1) Structural steel shall be of such quality as to conform to the Sign Code or other applicable Code as required by the Building Official. Secondary members in contact with, or directly supporting the display surface, may be formed of light gauge steel, provided such members are designed in accordance with the specifications of the design of the light gauge steel as specified in the Sign Code or other applicable Code as required by the Building Official and, in addition, shall be galvanized. Secondary members, when formed integrally with the display surface, shall be not less than 0.024 of an inch in thickness. When not formed integrally with the display surface, the minimum thickness of the secondary members shall be 0.10 inch.

The minimum thickness of hot-rolled steel members furnishing structural support for signs shall be one-quarter inch (1/4"), except that, if galvanized, such members shall be not less than one-eighth inch (1/8"). Steel pipes shall be of such quality as to conform to Building Code standards. Steel members may be connected with one (1) galvanized bolt, provided the connection is adequate to transfer the stresses in the members.

- (2) Anchors and supports, when of wood and embedded in the soil or within six inches (6') of the soil, shall be of all heartwood of a durable species, or shall be pressure treated with an approved preservative. Such members shall be marked or branded by an approved agency.

C. Restrictions on Combustible Materials

Ground signs and billboards less than one hundred twenty (120) square feet, may be constructed of any material meeting the requirements of this Code. Ground Signs and billboards greater than one hundred twenty (120) square feet shall have primary structural support of steel.

Roof signs, wall signs, projecting signs and signs on marquees shall be constructed of non-combustible materials, except as provided in Subsection (d) of this Section. No combustible materials other than approved plastics shall be used in the construction of electric signs. Exceptions are:

- (1) Roof signs may be constructed of unprotected combustible material on roofs of combustible construction.

- (2) Roof signs with a maximum surface area of fifty (50) square feet and a maximum height of four feet (4') may be constructed of combustible materials on roofs of any type of construction.
- (3) Non-electric wall signs may be constructed of unprotected combustible materials on walls permitted to be of unprotected combustible construction.

On walls of protected combustible construction, or on walls of non-combustible construction, non-electric wall signs may be constructed of unprotected combustible materials up to a height of fifteen feet (15') above the sidewalk or grade measured to the top of the sign. Provided such signs shall be placed either directly against non-combustible surfaces, or furred out from such surfaces, not to exceed one and five-eighth inches (1 5/8") with all concealed space fire-stopped at ten feet (10') intervals along the length of the sign. Where sign panels and furring are of fire-retardant treated wood suitable for exterior exposure, the height above the sidewalk or grade may be increased to twenty feet (20').

- (4) Ground signs shall be directly supported by poles or supports in the ground. No external cross-braces, guy wires, "T-Frames", "A-Frames", "trusses", or similar bracing systems, shall be used in constructing a ground sign. All freestanding signs shall have self-support structures erected on or permanently attached to concrete foundations.

Unless approved by the Community Development Director/Planner for a minimum number of braces on a building face not able to support a projecting sign, no projecting signs shall be supported by a frame commonly known as an "A-Frame" or other visible frame located on a building roof.

F. Display Surfaces

Display surfaces in all types of signs may be made of metal, glass, approved plastics or of wood, as allowed in Section 5.8.020 (C). Glass thickness and area limitations shall be as set forth in the following table:

SIZE, THICKNESS AND TYPE OF GLASS PANELS IN SIGNS

Maximum Size of Exposed Glass Panel		Minimum Thickness Of Glass (Inches)	Type of Glass
Any Dimension (Inches)	Area (Sq. Inches)		
30	500	1/8	Plain, Plate or Wired
45	700	3/16	Plain, Plate or Wired
144	3600	1/4	Plain, Plate or Wired
Over 144	Over 3600	1/4	Wired Glass

Sections of approved plastics on wall signs shall not exceed two hundred twenty-five (225) square feet in area.

Exception: Sections of approved plastics on signs other than wall signs may be of unlimited area if approved by the Community Development Director/Planner.

Sections of approved plastics on wall signs shall be separated three feet (3') laterally and six feet (6') vertically, by the required exterior wall construction.

Exception: Sections of approved plastics on signs other than wall signs may not be required to be separated if approved by the Community Development Director/Planner.

G. Approved Plastics

The Community Development Director/Planner shall require that sufficient technical data be submitted to substantiate the proposed use of any plastic material and if it is determined that the evidence submitted is satisfactory for the use intended.

H. Barriers During Erection

During the erection of any permitted sign, the erector shall provide temporary barriers to cordon off ground area equal to twice the sign face height in which the sign is located to protect the public.

SECTION 5.8.021 – CLEARANCE AND SAFEGUARDS

A. Clearance from High Voltage Power Lines

Signs shall be located not less than six feet (6') horizontally or twelve feet (12') vertically from overhead electrical conductors which are energized in excess of six hundred (600) volts and not less than three feet (3') in any direction from conductors of less than six hundred (600) volts. The term "overhead conductors" as used in this Section means any electrical conductor, either bare or insulated, installed above the ground, except such conductors as are enclosed in iron pipe or other material covering of equal strength.

B. Clearance from Fire Escapes, Exits or Standpipes

No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, required exit, window, door opening or wall opening intended as a means of ingress or egress, or standpipe.

C. Obstruction to Ventilation

No sign shall be erected, constructed or maintained so as to interfere with any opening required for ventilation.

Signs erected within five feet (5') of an exterior wall in which there are openings within the area of the sign, shall be constructed of noncombustible material or approved plastics.

D. Clearances from Surface and Underground Facilities

All signs and their supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewage, gas electricity or communications equipment or lines. In addition, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage or surface or underground water.

E. No Obstruction to Any Existing Warning or Instructional Sign

No sign shall be erected, constructed or maintained so as to interfere with any existing warning or instructional sign.

SECTION 5.8.022 – PERMITS REQUIRED

No sign shall hereafter be erected, re-erected, constructed, altered or maintained, except as provided by this Ordinance and for which a Sign Permit from the Community and Economic Development Department/Planning Division has been issued. A separate permit shall be required for a sign or signs for

each business entity and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electric signs.

SECTION 5.8.023 – APPLICATION FOR SIGN PERMIT

Application for Sign Permits shall be made in writing upon forms furnished by the Community and Economic Development Department/Planning Division and process in accordance with Section 8.2.004 of this Code.

SECTION 5.8.024 – AUTHORIZATION TO GRANT OR DENY VARIANCES

The Commission may authorize Variances from the requirements of this Ordinance where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, literal application of the Ordinance would cause an undue or unnecessary hardship. No Variance shall be granted to allow the location of a sign in an unauthorized area or to alleviate a self-inflicted hardship. In granting a Variance, the Commission may attach conditions which it finds necessary to protect the best interest of the surrounding property or neighborhood, or to otherwise achieve the purposes of this Ordinance.

SECTION 5.8.025 – CRITERIA FOR GRANTING A VARIANCE

A Variance may be granted only in the event that all of the following circumstances found to exist. These criteria shall be addressed in writing and accompany the Variance application.

- A. Exceptional or extraordinary circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the applicant has no control.
- B. The Variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity.
- C. The Variance would not be materially detrimental to the purposes of this Ordinance or to property in the same zone or vicinity in which the property is located or otherwise conflict with the objectives of any City plan or policy.
- D. The hardship necessitating the Variance does not arise as a result of a violation of this Ordinance since its effective date.
- E. The Variance requested is the minimum Variance which would alleviate the hardship.

SECTION 5.8.026 – APPLICATION FOR A VARIANCE

A property owner or his/her authorized agent may initiate a request for a Variance by filing an application with the City in accordance with Article 8.4 of this Ordinance. Variances shall be processed in accordance with Article 8.4, with the exception that the Review Criteria in Section 5.8.025 shall apply.

SECTION 5.8.027 – AUTHORIZATION TO GRANT OR DENY CONDITIONAL SIGNS

Conditional Signs listed in this Ordinance may be permitted, enlarged, or otherwise altered upon authorization by the Commission in accordance with the standards and procedures set forth in this Ordinance. In permitting a new Conditional Sign or the alteration of an existing Conditional Sign, the Commission may impose, in addition to those standards and requirements expressed by this Ordinance, any additional conditions which the Commission considers necessary to protect the best interests of the surround property or the City as a whole.

SECTION 5.8.028 – APPLICATION FOR CONDITIONAL SIGNS

A property owner or his/her authorized agent may initiate a request for a Conditional Sign or the modification of a Conditional Sign by filing an application with the City in accordance with Article 8.5 of this Ordinance.

SECTION 5.8.028 – SIGNS NOT DEFINED

Any type of sign not defined herein shall be presented to the Community Development Director/Planner, who shall present the matter to the Commission, which shall conduct a Public Hearing and determine the permissibility, size, location or any other restrictions it deems necessary to insure its compatibility with the purposes set forth herein.

SECTION 5.8.029 – REMOVAL OF ILLEGAL SIGNS

The Community Development Director/Planner shall order the removal of any sign and its structural member(s) erected or maintained in violation of this Ordinance. Three (3) days' notice in writing will be given to the owner, agent or person of the building, structure or premises on which any prohibited sign has been erected, to have it removed. Ten (10) days' notice in writing will be given to the owner, agent or person of any other illegal sign or of the building, structure or premises on which such sign is located, to either bring the sign into compliance with the Ordinance or effect its removal.

Upon failure to remove the sign or to comply with this notice, the Community Development Director/Planner shall remove the sign. The Community Development Director/Planner shall remove the sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public.

Any costs of removal incurred by the City shall be assessed to the owner of the property on which such sign and/or structural member(s) is located and may be collected in the manner of ordinary debt or in the manner of liens, with all costs of removal or demolition plus administrative costs assessed against the property.

SECTION 5.8.030 – SIGNS THAT ARE A NUISANCE

The location, erection, construction, maintenance, repair, alteration of a sign and structure, except as provided herein, in violation of the terms of this Ordinance is hereby declared to be a nuisance under the provisions of the City's Nuisance Ordinance.