

Chapter 15.16

SIGNS

15.16.005 Intent. It is declared to be the intent of the City Council in enacting these provisions regulating signs within its jurisdiction that it establish uniform standards so as to protect the rights of its citizens and persons placing signs hereunder while preserving historic and scenic attributes of the city, and in implementing the city General Plan.

15.16.010 Definitions. Whenever in this chapter the words or phrases defined in this section are used, they have the respective meanings assigned to them in the following definitions:

- A. "Historical district" means that portion of Main Street situated between the intersection of Church Street and Badger Street on the south; and Gopher Flat Road, Hanford Street and Hayden Alley on the north.
- B. "Historic Corridor" means that portion of the downtown area not included in Historic District defined above, plus the Highway 49 corridor north of the downtown area as delineated in the General Plan Overlay Land Use Designations as "Downtown Historic District" and "Historic Corridor."
- C. "Person" includes all domestic and foreign corporations, associations, syndicates, joint stock corporations, partnerships of every kind, clubs, business or common law trusts, societies and individuals transacting and carrying on any business in the city.
- D. "Public way" means any street, highway, road, walk, freeway, parkway, lane, alley, court, or drive-in which the public has a right-of-way, or any easement which the city controls.
- E. "Sign" means any medium which is used or intended to be used to attract attention, by visual means, to either a location or subject matter for advertising purposes, and includes, without limitation, advertising structures or displays on which letters, words or other characters are placed, as well as the portion of any building wall or glass surface on which such letters, words, or other characters may be painted or otherwise affixed.

15.16.020 Permit required--Application. A permit shall be required for all signs and signboards within the city unless specifically exempted by the provisions of this chapter. Applications for permit must be in writing and shall be filed with the planning commission through the city administrative staff. Applicants shall be provided a form outlining the information required to process the application. A fee to process said application may be established by resolution from time to time.

15.16.030 Permit--Application decision of planning commission. Upon the filing of an application for a permit under this chapter, the planning commission shall promptly consider the matter at a public meeting, and shall make a decision either granting or denying such a permit. Before making such decision, the commission may

assess the overall appearance of the proposed signage and consult with the applicant with the view of recommending modifications in the proposal set forth in the application, and it may also consult with historians, architects and persons schooled in the fine arts. Consideration of the commission's decision shall be mailed to the applicant, and a copy of such notice shall be mailed to the building inspector.

15.16.040 Permit -- Appeal. Any applicant for a permit under the provisions of this chapter who is dissatisfied with the decision of the planning commission may appeal such decision to the city council by filing with the city clerk a written notice of appeal. Such notice must be filed within ten calendar days after the date on which the decision of the planning commission is made, and shall set forth the specific ground or grounds of such appeal. The city clerk shall forthwith set the matter for hearing before the council and shall cause notice thereof to be mailed to the applicant not less than five days before such hearing. Such hearing may be continued from time to time, and upon the conclusion thereof, the council shall promptly make a final decision in the matter.

15.16.050 Permit--Duration. All permits under this chapter shall expire six months after the date they are issued, unless the matter for which the permit is issued is substantially undertaken before such period elapses and is diligently pursued thereafter.

15.16.060 Permit--Violation. A. The owner of any sign erected or placed without benefit of an approved permit, or the owner of a sign which is no longer in compliance with this chapter shall be notified in writing to remove the sign within ten calendar days or the sign will be physically removed (or caused to be removed) by the city administrator and impounded until such time as the sign is in conformance with the provisions of this chapter; or for a period not to exceed 180 calendar days, after which time said sign shall be destroyed.

B. It is unlawful for any person to proceed under any permit in a manner which constitutes a material variance from the terms of the permit or the representations on which it was issued, and in the event of such a violation, the permit may be canceled forthwith by action of the planning commission.

C. For the purposes of removing or destroying any sign placed or maintained in violation of the provisions of this chapter, the city administrator or designated representative may enter upon private property.

D. The remedies provided in this chapter for the removal of any sign and/or penalties are not exclusive of any other remedies provided by law.

15.16.070 Signs in historical district. No sign shall be placed, erected, altered, or relocated on any property within the historical district unless such sign shall as to its exterior appearance be compatible with the Mother Lode type of architecture, and unless it shall comply with all of the following requirements:

A. No sign shall be allowed except a sign which identifies or advertises the business conducted on the premises.

B. Each sign shall be affixed to a building, except that where the building is set back from the street to such extent that a sign affixed to the building would not be within reasonable view from the street, then a sign need not be so affixed, but may be located in some other manner as the planning commission shall approve.

C. No sign shall project more than six feet from the face or vertical surface of the building, except where there is a porch or roof over the sidewalk. Then the sign may project to within one foot of the outer edge of the porch, roof, or edge of the sidewalk.

D. No sign shall project above the eave or parapet line of the building.

E. No individual sign shall exceed sixteen square feet in area.

F. The aggregate area of all signs of any one business entity shall not exceed twenty-five square feet.

G. The area of an irregular sign shall be the area of the smallest rectangle which can wholly contain the sign.

H. No sign shall contain any flashing, blinking or moving letters, characters or other elements, and the sign itself shall not move.

I. No sign shall contain any fluorescent paint, outline tubing, internal lighting, or neon lighting.

J. Directional signs shall be limited to a maximum size of four square feet per side; provided, that all signs shall have a minimum clearance of eight feet above the sidewalk and a minimum setback of one foot from the curbline.

K. No sign representing a second-story business and mounted on a balcony shall extend below the bottom of the balcony fascia.

L. White or clear (non-colored) non-blinking or non-flashing miniature lights are permitted as visual elements to outline building components such as doors, windows, railings, wall edges and corners.

M. Pole signs and post-mounted signs are prohibited.

N. The light source for any sign shall not be visible from the adjacent public way.

O. Permanent signage placed on glass surfaces or affixed adjacent to glass surfaces shall be included for purposes of Subsections F, H, and I, and shall be counted at one-half the measured size.

15.16.075 Signs in historic corridor. No sign shall be placed, erected, altered, or relocated on property within the historic corridor unless such sign shall comply with all of the following requirements:

A. The aggregate area of all signs for each building shall not exceed the square footage as specified under "historic corridor sign area" of Table 15-1.

B. No individual sign shall exceed two-thirds of the area permitted under Subsection A, above.

C. Roof-mounted signs are permitted subject to the Use Permit procedure specified in Chapter 18.64.

D. No sign shall contain internal lighting.

E. The light source for any sign shall not be visible from the adjacent public way.

15.16.080 Signs in commercial and industrial zones. Any and all existing ordinances governing signs in commercial and industrial zones within the city, including the historic district and historic corridor, are incorporated into this chapter with the following exceptions and modifications:

A. The aggregate area of all signs for each building shall not exceed the square footage as specified under "Non-historic sign area" of Table 15-1.

B. No individual sign shall exceed two-thirds of the area permitted under Subsection A, above.

C. Interior-lighted or bubble-type signs are permitted. The light source for any sign shall not be visible from the adjacent public way.

D. No pole sign shall be erected to a height exceeding twice the distance from the sign to the nearest property line of the parcel on which it is placed, and in no event shall a pole sign be erected in excess of thirty feet in height. Not more than one pole sign shall be installed for any one entity. Pole signs shall not exceed twenty-five square feet per side or a total of fifty square feet.

E. Pole signs which advertise a shopping center, professional center, or industrial center shall be reviewed and approved under the provisions of Chapter 18.50 (Site Plans) or Chapters 18.60 and 18.64 (Conditional Use Permits) and shall not be counted as aggregate area as specified in Table 15-1.

F. A shopping center, professional center, or industrial center may erect a directory sign listing the occupants of the center.

G. A theater may erect a directory sign listing the attractions at the theater upon approval of the planning commission.

H. Sandwich board signs are permitted with the following requirements:

1. Signs shall be a maximum of 24-inches wide and shall not extend more than 36-inches above the sidewalk surface;

2. Signs shall not be placed within the public way except on established sidewalks;

3. A clear pedestrian travel way as required by the Americans with Disabilities Act shall determine sign location;

4. The provisions of Subsections H and I of Section 15.16.070 shall apply; and

5. The square footage of such signs shall not be counted as aggregate area as specified in Subsection A, above.

I. One temporary sign, not to exceed thirty-two square feet if single-sided or sixty-four square feet if double-sided, is allowed to advertise the property for sale, lease or rent; and shall be located not more than five feet to adjoining properties, nor within a public way.

J. Wall murals, off-premise signs, outdoor advertising, or graphic depictions which exceed the allowable square footage provided in Table 15-1 shall be subject to the Use Permit procedure specified in Chapter 18.64.

K. Directional signs shall be limited to a maximum size of twenty-five square feet per side; and provided that such signs shall not be within the public way.

15.16.090 Signs in Residential zones. The following signs shall be permitted in Residential zones within the city:

A. One sign not to exceed two square feet in area attached to and parallel with the front wall of the building, and containing only the name and title or occupation of the occupant.

B. One temporary single or double faced sign of not to exceed four square feet in area per side advertising the premises for sale, lease, or rent located not nearer than ten feet to adjoining premises, nor within a public way.

15.16.100 Service stations--Pole signs. As an alternative to the sign allowed by Subsection 15.16.080(D), but not in addition thereto, each gasoline service station may place, erect, alter, or relocate a single pole sign which complies with the following requirements:

A. Such sign shall not extend more than four feet above the building roof line.

B. Such sign shall not exceed thirty-two square feet in area per side or a total of sixty-four square feet in area.

C. Such sign shall comply with all of the requirements set forth in subsections A, G, and H of Section 15.16.070, and State law.

D. Exception: Such sign may have internal lighting.

15.16.110 Exemptions. The provisions of this chapter except Section 15.16.070H shall not apply to the following signs:

A. Official notices issued by a court or public body or officer, and notices posted by any public officer in the performance of a public duty, or by any person in giving legal notice;

B. Directional signs not exceeding four square feet in area for off-street parking and loading facilities;

C. Temporary political, election, or campaign signs not exceeding four square feet in area per side or a total of eight square feet. Signs shall not be erected more than ninety days prior to election day and shall be removed seven days after stated election by responsible person or persons installing sign or signs;

D. Temporary single-faced construction signs, not exceeding thirty-two square feet, identifying a building under construction, or the contractor or architect therefor; provided, that such a sign shall be removed upon the expiration of six months after its erection, or upon the completion of the building, whichever event shall first occur;

E. Barber poles may rotate, but may not exceed three feet in height, and may have internal lighting.

F. Temporary special events signs or banners not exceeding twenty-four square feet in area. Such temporary signs or banners shall be erected for a maximum period of forty-five days.

15.16.120 Prohibited signs. Any sign or signs not specifically allowed by this chapter or any specific exemption contained in this chapter are prohibited within the city.

15.16.125 Historic Signs. Any sign which was existing and in place at the time of adoption of the original Sign Ordinance on March 15, 1979 may continue although such sign does not comply with the provisions of this chapter, subject to the following requirements:

- A. A Use Permit shall be secured for all such signs.
- B. Such signs shall not be enlarged or changed in any way except for repair and maintenance as required by Section 15.16.130.

15.16.130 Maintenance and repair. All signs including signs installed prior to the adoption of the ordinance codified in this chapter, shall be constantly maintained in a state of security, safety and good repair. If the city administrator finds that any sign is unsafe or insecure, is a menace to the public safety, or has been constructed, erected, relocated, or altered after the effective date of this chapter in violation of the provisions hereof, written notice shall be given to the owner or tenant of the property wherein it is located to remove or alter such sign. If the owner or tenant fails to comply with the provisions of this chapter within ten calendar days after such notice, the city administrator may cause such sign to be removed as provided for in Subsection 15.16.060(A).

15.16.140 Removal or painting out of signs. Any sign now or hereafter existing which no longer advertises a bona fide business conducted, a product sold or service rendered shall be removed, or the advertising copy shall be painted or coated out to match the building color, unless it is a sign having historical significance or is internally lit. If the property owner or tenant fails to do so within thirty calendar days after written notice from the building inspector, the building inspector shall remove or paint out the sign and any expenses incident thereto shall be paid by the owner or tenant.

15.16.150 Amortization. In order to insure equal treatment of all commercial and industrial enterprises within the city, the following program is adopted to eliminate nonconforming signs:

A. Signs which do not meet the provisions of this chapter will be brought into compliance by the owner or will be subject to removal three years from the effective date of this revised ordinance.

B. Upon written notice to a sign owner by the city of specific requirements necessary to be in compliance, signs which do not meet the provisions of this chapter may be brought into voluntary compliance without penalty, or by obtaining approval as specified in Section 15.16.020.

C. As an alternate method to gain compliance, sign owners may apply for a variance under the provisions of Chapter 18.52.

D. Signs not in compliance after the three year amortization period shall be removed as specified in Section 15.16.060(A).

15.16.160 Violation--Penalty. Any person violating any of the provisions of this chapter shall be guilty of an infraction, and upon conviction thereof shall be punishable by a fine not exceeding five hundred dollars; and such person shall be deemed guilty of

separate offense for each day, or portion thereof, during which any violation of this chapter is committed or continued.

15.16.170 Enforcement. The provisions of this chapter shall be enforced by the city administrator.

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Table 15.1

ALLOWABLE SIGN AREA

