

Chapter 15.16 SIGNS

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Article I. General Provisions

15.16.010 Title.

The ordinance codified in this chapter shall be known and cited as the “Westport sign control ordinance.” (Ord. 1196 § A, 1999)

15.16.020 Intent.

The purpose of this chapter is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising and/or signs. It is intended to create a more attractive economic and business climate, enhance and protect the physical appearance of the community and reduce distractions and safety hazards to motorists and pedestrians. The city and its staff are not empowered to decide on the beauty or attractiveness of any particular sign. Sign permits may not be denied for any aesthetic reasons. (Ord. 1196 § B, 1999)

15.16.030 Applicability.

This chapter shall not regulate traffic and directional signs installed or required by a government entity; signs not intended to be viewed from and not readable from a public right-of-way; window merchandise displays, point-of-purchase advertising displays, such as product dispensers; national flag and flags of political subdivisions; symbolic flags of institutions; legal notices required by law; barber poles; historic site plaques; gravestones; structures intended for separate use, such as phone booths, containers and recycling containers; lettering or symbols painted directly onto or mounted magnetically onto an operable motor vehicle operating in the normal course of business. (Ord. 1196 § D, 1999)

15.16.040 Definitions.

For the purpose of this chapter, the following definitions shall apply:

“Abandoned sign” means a sign that no longer correctly identifies, exhorts, or advertises any person, business, lessor, owner, product, or activity conducted or available on or off the premises on which such sign is located. Abandoned signs on- or off-premises shall be removed by the owner or lessee of the premises upon which the sign is located within 60 days after the business or services advertised by the sign no longer has a current business license. A sign on- or off-premises during the period that business is closed pending a sale, lease, transfer or other lawful condition as approved by the code enforcing official is exempt from this definition as long as in the code enforcing official’s opinion that the condition of the sign does not present an immediate threat to the safety of the public. Intent: the intent is not to remove a sign if the business is closed for winter, in transition of being sold, leased, etc.

“Anchoring” means a sign or sign structure secured or attached by means of rope, chain, sand bags, auger and binder or other safety means approved by the enforcing official. Intent: fishermen portable signs have to be anchored.

Awning Sign. See “Canopy signs.”

“Banner sign” means any sign intended to be hung, with or without framing, and possessing characters, letters, illustrations, or ornamentation applied to fabric or similar material. Flags, insignias, awning signs, posters, and temporary signs, treated elsewhere in this chapter, shall not be considered banner signs.

“Bench sign” means a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

“Billboard sign” means outdoor advertising signs containing a message, commercial or otherwise, unrelated to any use or activity on the property on which

the sign is located, but not including directional signs as defined herein.

“Bulletin signs” means a single-faced sign attached flat to wall or building.

“Canopy signs” means any sign erected upon or against a canopy. See wall signs.

“Changeable copy sign (automatic)” means a sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units.

“Changeable copy sign (manual)” means a sign on which copy is changed manually in the field, e.g., reader boards with changeable letters.

“Commemorative plaque” means a memorial plaque or plate, with engraved or cast lettering that is permanently affixed to or near the structure or object it is intended to commemorate.

“Conditional use” means a use permitted in a particular zoning district only upon showing that such a use in a specific location will comply with all the conditions and standards for the location or operation of such use as specified in Westport zoning ordinance.

“Construction sign” means an information sign which identifies the architect, engineers, contractors, and other individuals, or firms involved with the construction of a building or announcing the character of the building or enterprise, which is displayed during the building construction period.

“Directional sign” means a sign that contains specific directional information and contains no advertising information. Minor clarification of the type of business is not to be considered advertising.

“Directory sign” means a sign on which the names and locations of occupants or uses of a building are given. This shall include signs for office buildings, church directories and multiple signs for malls, arcades, and similar commercial buildings.

“Flashing sign” means a sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs.

“Freestanding sign” means a sign supported solely by uprights or braces placed on or in the ground. See “Pole sign.”

“Grade” means the average elevation as measured at the surface level in the area immediately below the sign, or the center line elevation of the adjacent street, whichever is higher.

“Ground sign” means any sign, other than pole sign, placed upon or supported by the ground independent of any other structure.

“Home occupation sign” means any sign identifying or advertising a home occupation, usually in a residential area.

“Illuminated sign” means any sign internally illuminated in any manner by an artificial light source. Indirectly illuminated signs shall not be included in this definition.

“Incidental sign” means a small information sign two square feet or less in area which pertains to goods, products, services or facilities which are available on the premises where the sign occurs, and intended primarily for the convenience of the public while on that premises.

“Integral sign” means any memorial sign or tablet or name of or date of construction of a building, cut into any masonry surface or constructed of bronze or wood material mounted on the face of a building.

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

“Multiple-building complex” means a group of structures housing at least one

retail business, office, commercial venture or independent or separate part of a business or a single structure containing more than one business with separating walls and at least one outside access for each business which share a common lot, access and/or parking facility.

“Multiple-tenant building” means a single structure housing more than one retail business, office or commercial venture, which does not incorporate a separate outside access for each enterprise, but not including residential apartment buildings.

“Mural” means a painting executed directly on a wall containing no advertising except for an incidental sign identifying the artist and sponsors.

“Nonconforming signs” means any sign located within the city on the date of adoption of the ordinance codified in this chapter, which does not conform with the provisions of this chapter, but which did conform to all applicable laws in effect on the date the sign was originally erected.

“Off-premises sign(s)” means any sign which directs attention to a business commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located which carries identification and/or directional information.

“Pole sign” means any freestanding sign composed of a sign cabinet or base and the sign pole or pylon by which it connects to the ground.

“Political sign” means any sign intended to promote an individual or an issue on an election ballot to be voted upon by the general electorate.

“Portable sign” means any moveable sign, such as a sandwich board sign, which is capable of being moved easily and is not permanently affixed to the ground or a structure or building.

“Premises” means the real estate on which the sign or signs mentioned in this chapter is located.

“Projecting sign” means a sign that is attached to and projects from a structure or building face further than one foot.

“Reader board, electronic” means any sign which advertises or informs using revolving, intermittent, pulsating or continuous lights.

“Real estate signs” means a portable or freestanding sign erected by the owner, or his agent, advertising the real estate upon which the sign is located for rent, lease, or sale, or one directing to said property.

“Revolving sign” means a sign that rotates or turns in motion in a circular pattern.

“Roof sign” means a sign attached to or above the roof of a building or structure. For the purposes of this chapter, any “L” shape roof sign will be considered as one sign.

Sandwich Board Sign. See “Portable sign.”

“Sign” means any object or structure, other than flags or government signs and seasonal decorations, displaying any letters or symbols, which is intended to or does advertise, identify, display, or attract attention to any privately owned, semi-public or public property, premises, product, or service, and which is visible from any property, or from any right-of-way open to the public.

“Sign area.” The following criteria will be used to determine compliance with all sign area restrictions found in this chapter. Sign area is defined as the area in square feet of the entire physical portion on which the signage, including printing, logos, decorations and borders is to be placed. Signage on both sides of a sign (two-sided sign) does not increase the sign area. Architectural embellishments, decorative framework and features shall be included in the calculation of the sign area. Sign structure as defined below shall not be included in the calculation of the

sign area. The sign area shall be calculated by multiplying the measurements of the length by the width of the perimeter of the sign area. Measurements will be taken at the widest points for signs with uneven edges. Intent: this definition clearly intends to allow a sign on both sides while measuring only one side of a sign in order to calculate the square footage of the sign.

“Sign face” means the surface of a sign upon which there is lettering.

“Sign height” means the vertical distance from grade to the highest point of a sign or any projection thereof.

“Sign structure” means any supporting or stabilizing feature included in the construction of any sign as defined in this chapter. These features include concrete or rock base, undecorated framework, supporting poles, posts, beams, bracing or other supports as approved by the code enforcing official. Structures that perform a separate use, such as telephone booths, bus shelters, Goodwill containers, etc., shall not be considered a sign structure. Intent: this definition is compatible with “sign area.” In addition, we did not wish to exclude rockery bases to support signs or concrete bases. For example, this allows the city to build a rock gateway similar to Ocean Shores welcoming people to town. The rockery would not be counted as part of the sign structure unless it is part of the sign area. This also clarifies whether decorations be allowed as a part of, or in addition to, a sign. This defines decorations as part of the overall square footage of the sign.

“Special event sign.” A special event sign is used by a nonprofit, government, or civic organization to promote or provide direction to a special event. Such sign shall not be posted more than 14 days prior to the event and shall be removed within three days after the event.

“Special use permit” means a sign permit authorizing certain special uses subject to special regulations in this chapter. Such special uses include banners, civic/government portable signs, fishermen off-premises signs and nonprofit organization signs. Special use permits require a \$10.00 annual administrative fee. This fee shall be waived for city, governmental and/or nonprofit organizations.

“Street” means a public right-of-way.

“Street frontage” means the linear frontage of a single parcel of property abutting a public street or streets.

“Temporary construction sign” means a sign erected and maintained on-premises undergoing construction, by an architect, general contractor, subcontractor, and/or material suppliers upon which property such individual is furnishing labor or materials.

“Temporary sign” means any sign or advertising display constructed of cloth, canvas, light fabric, paper, cardboard or other light materials, with or without frames, intended to be displayed for a limited time only. Signs painted upon window surfaces which are readily removed by washing shall be considered temporary signs.

“Trailer sign” means a sign used for advertising purposes mounted on a vehicle normally licensed by the state of Washington as a trailer.

“Variance” means permission to depart from the literal requirements of this chapter.

“Wall painted sign” means any advertising sign painted onto or directly affixed with a bonding agent (such as a decal) to any surface of a building including the roof shall be considered a wall painted sign. Wall painted signs are considered signs and subject to all requirements and restrictions of this chapter. Wall painted signs used solely for the purpose of identifying an establishment, greeting or thanking customers is exempt. The sign area of a wall painted sign includes the

perimeter of all lettering, borders, decorations and logos.

“Window sign” means a sign placed upon the interior or exterior surface of a window, or placed inside the window within three feet of the window, which faces the outside and which is intended to be seen primarily from the exterior. (Ord. 1196 § E, 1999)

15.16.050 Allowable signs.

This section shall allow:

(1) Seasonal decorations or seasonal banners affixed to light poles by the municipality or nonprofit organizations.

(2) Individual banners or streamers displayed by homeowners for decorative purposes, informative or political messages containing no advertising. (Ord. 1196 § F, 1999)

Article II. Prohibited Signs

15.16.060 Prohibited signs.

The following signs are prohibited within the city:

(1) Signs that create a safety hazard for pedestrian or vehicular traffic in the opinion of the code-enforcing official.

(2) Signs or sign structures, which by coloring, shape, working, or location resembles or conflicts with traffic control signs or devices.

(3) Abandoned signs.

(A) Sign(s) which are located on- or off-premises which are adequately maintained and which do not pose a safety hazard in the opinion of the code-enforcing official that falls under the definition of “abandoned signs” will not be considered abandoned as defined in WMC [15.16.040](#).

(B) If the owner or lessee fails to remove an abandoned sign, the enforcing official shall give the owner 30 days’ written notice to remove it.

(C) The abandoned sign shall be removed at the owner’s expense.

(4) All signs contrary to the provisions of this chapter.

(5) Signs within the public right-of-way or upon public sidewalks except civic/special event or political signs and signs which overhang the public right-of-way as allowed in the commercial district when approved by the enforcing official.

(6) Signs which are secured to stop signs, telephone poles or any other city or government property.

(7) No signs shall be placed upon the walking area of the Westport Esplanade defined as follows: located adjacent to the docks from Cove Street east to Dock 3 or as far as future improvements to the Esplanade such as widening extends. Civic and/or special event signs are exempt. Intent: not to restrict the Lady Washington (or any other cruise vessel), the city, etc., from advertising for a few days on the esplanade for a special event. That portable sign has to be securely anchored. All other signs are restricted.

(8) Signs attached to or placed on a vehicle or trailer parked on public or private property; provided, however, that this provision shall not be construed as prohibiting the identification of a firm or its products on its vehicle(s). Franchised buses and taxis are exempt from this provision. Signs two square feet or less in area advertising the vehicle, upon which the sign is placed, for sale are exempt from this provision. (Ord. 1196 § G, 1999)

Article III. Construction and Maintenance Standards

15.16.070 General provisions.

The provisions set forth in WMC 15.16.080 through 15.16.140 shall apply to all zoning districts and to all signs regulated by this chapter, subject, however, to the specific regulations in each zoning district. (Ord. 1196 § H, 1999)

15.16.080 Clearance and sight distance.

Marquees or projecting signs which project over areas where motor trucks may be required to pass beneath them shall maintain vertical clearance of at least 15 feet. A marquee or projecting sign may not project to within two feet of the curb line or the street or where no curb exists to within two feet of the paved or graveled edge of the roadway. All projecting signs must maintain a minimum of nine feet vertical clearance over pedestrian walkways. (Ord. 1196 § H(1), 1999)

15.16.090 Lighting.

(1) Sign lighting is illumination from within the sign or from external sources such as floodlighting.

(2) The light directly on, or internal to, any sign shall be so shaded, shielded or directed so that the light intensity or brightness shall not adversely affect surrounding or facing premises, or adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or pedestrians on a public right-of-way.

(3) Light shall not shine on, nor reflect into, residential structures.

(4) Beacon lights shall not be permitted.

(5) Strobe lights from electronic reader boards shall not be permitted. (Ord. 1196 § H(2), 1999)

15.16.100 Structural requirements and sign materials.

The structure, installation, and materials of signs within the city shall be governed by the latest adopted edition of the Uniform Building Code as reflected in WMC Title 15. (Ord. 1196 § H(3), 1999)

15.16.110 Exposed angle irons and guy wires.

Any angle irons, guy wires, or braces used in conjunction with a projecting sign shall be required for safety in which case they must be at least 15 feet above street level and at least nine feet above the pedestrian walkway. (Ord. 1196 § H(4), 1999)

15.16.120 Maintenance of signs.

All signs and components thereof must be maintained in good repair and in safe condition. Any sign not so maintained is in violation of this chapter. (Ord. 1196 § H(5), 1999)

15.16.130 Housing complex or bare lot subdivision identification signs.

(1) Each housing complex identification sign for a group of multifamily buildings, residential subdivisions, bare lot subdivisions and three or more duplexes shall not exceed 32 square feet in area.

(2) One housing complex identification sign is allowed for each street entrance to the housing complex. (Ord. 1196 § H(6), 1999)

15.16.140 Height limitations.

(1) No on-premises pole sign (freestanding) shall exceed the building height up

to 40 feet in the zoning district in which it is located.

(2) Off-premises directional or advertisement signs are to be no higher than 16 feet. (Ord. 1196 § H(7), 1999)

Article IV. Sign Regulations

15.16.150 Commercial and industrial zones.

The following sign regulations shall apply to: MI, MUTC-1, MUTC-2, TC, GOV and RP zoning districts as described in WMC Title 17.

(1) One on-premises freestanding sign is permitted not to exceed 64 square feet in sign area except as provided in subsection (1) of this section.

(A) Any freestanding sign on premises of over two acres in size, excluding gas stations, may be allowed over 64 square feet as long as the sign is engineered. Intent: for first time, allowing signs over 64 square feet. The two-acre compromise will prevent Montesano and Forrest Avenues from becoming a “competing with my neighbor neon mass” and not restricting a new motel to a 64-square-foot sign on our undeveloped property or elsewhere. The variance mechanism is still in place also.

(B) All freestanding signs shall be set back from the property line at least as far as the minimum yard requirements for the zoning district in which the sign is located.

(2) One roof sign is permitted not to exceed 64 square feet in total sign area unless the sign is engineered.

(3) One projecting sign is permitted not to exceed 64 square feet in total sign area unless sign is engineered.

(4) One portable sign (sandwich board), except as provided in subsection (4)(A) of this section is allowed per business license on- or off-premises; provided they are securely anchored as approved by the code enforcing official who will take into account wind velocity, pedestrian safety and possible damage to city property. No portable sign shall be illuminated, and/or contain more than 18 square feet of total sign area.

(A) One portable sign shall be allowed on premises located in each area of no less than 47 linear feet of street or alley frontage. An owner may not place two portable signs in one 47-linear-foot frontage by combining the front street frontage and the back or side alley frontage. (Ord. 1196 § I, 1999)

15.16.160 Special use permits.

Issuance of special use permits shall be considered and may be granted by the building official upon application to the building official. The applicant shall have the burden of proving compliance with the terms and conditions set forth in this chapter.

(1) Two off-premises signs, not to exceed 32 square feet in area nor 16 feet in height, may be permitted in all nonresidential zoning districts.

(A) Off-premises signs shall be oriented to pedestrians or motor vehicle traffic and the size and height permitted shall be based on the orientation and location of the sign providing the prime basis for size and height. No off-premises sign(s) shall be approved without a special use sign permit.

(B) Such sign(s) shall be permanently installed on private property, and all applications shall be accompanied by written consent of the owner of the property where the sign is to be located. (Ord. 1196 § J, 1999)

15.16.170 Residential districts.

The following sign regulations apply to R-1, R-1/M, R-2, OBR I and OBR II zoning districts as described in WMC Title 17:

- (1) Only on-premises signs are permitted, except as provided under WMC [15.16.180](#);
- (2) No projecting signs are allowed;
- (3) No illuminated signs are permitted;
- (4) There shall be no more than one identification sign per street frontage for each property, and one per each entrance to a subdivision;
- (5) Sign area for identification signs for condition uses allowed in the residential zones, multi-family complexes, and subdivision identification signs shall not exceed 32 square feet in area;
- (6) Municipal/civic buildings, community centers, schools, and churches are permitted one sign not to exceed 16 square feet in area;
- (7) Home occupation signs may not exceed five square feet, must be wall-mounted signs, and shall be located only on the premises to which they relate;
- (8) Signs for conditional uses which may be permitted in residential zones, such as hospitals, clinics, and bed and breakfast inns must be approved with a conditional use permit where one is required;
- (9) Freestanding signs must be set back at least 10 feet from the property line. (Ord. 1196 § K, 1999)

Article V. Exemptions**15.16.180 Exemptions.**

The following type of signs in subsections (1) through (6) of this section are allowed in all areas without a sign permit, subject to the other requirements of this chapter and the specific requirements of each zoning district. Sign(s) listed in subsections (1) and (2) of this section are subject to a special use sign permit.

- (1) Special Event Signs.
 - (A) Special event signs may be portable or of a sandwich board nature.
 - (B) Special event signs shall not exceed 18 square feet at a maximum of five feet high.
 - (C) Special event signs shall not be posted more than 14 days prior to the event.
 - (D) Special event signs shall be removed within three days after the event.
 - (E) Special event banner signs are permitted as approved by the enforcing official.
- (2) Seafood Sales From a Boat.
 - (A) Two off-premises portable signs are permitted provided the following:
 - (i) Such sign(s) do not need a business license;
 - (ii) Such sign(s) do not need a sign permit;
 - (iii) Each sign shall be portable in design as defined under WMC [15.16.040](#), Definitions;
 - (iv) If such sign(s) is located within the city limits, it shall be accompanied by permission by the owner of the property where the sign is to be located;
 - (v) Each sign(s) shall be no more than 12 square feet in area with maximum of five feet high;
 - (vi) Each sign(s) shall be safely anchored as approved by the enforcement official;
 - (vii) Such sign(s) shall be posted only during the time that the seafood

product is for sale. If, in the opinion of the enforcing official, that he or she cannot locate the boat within the Westport Marina while such sign(s) is advertising said seafood product, the enforcing official shall immediately remove said sign(s);

(viii) Such sign(s) shall be clearly legible, neat and graphically designed as to be consistent with the overall intent and scope of this chapter. Intent: no creative paintings.

(B) One portable sign may be located within the bed of a truck provided the following:

(i) Such sign does not need a business permit;

(ii) Such sign does not need a sign permit;

(iii) Such sign shall be portable in design as defined under WMC [15.16.040](#),
Definitions;

(iv) The sign shall be no more than 12 square feet in area with a maximum of five feet high;

(v) The sign shall be safely anchored in the bed of the truck as approved by the enforcement official;

(vi) Such sign shall be posted only during the time that the seafood product is for sale;

(vii) Such sign shall be clearly legible, neat and graphically designed as to be consistent with the overall intent and scope of this chapter;

(viii) Only one such vehicle is allowed per vessel;

(ix) Such sign shall be located along Westhaven Drive, south of Float 4, adjacent to the vessel selling the product or located upon private property. If such sign is located upon private property, it shall be accompanied by permission of the owner of the property where the sign is to be located;

(x) Such sign shall not be visible when the vehicle is in motion;

(xi) Such sign does not count as an off-premises sign;

(xii) The city shall not be liable for any injury to any persons or for damage to any property related portable sign. The owner of the truck upon which said sign is placed, as well as the sign owner, shall indemnify, defend, hold and save the city harmless from all claims in connection with any such items of actual or alleged injury or damage.

(C) In lieu of locating a portable sign in the back of a truck (subsection (2)(B) of this section), one wooden or magnetic sign may be attached to a truck provided the following:

(i) Such sign does not need a business license;

(ii) Such sign does not need a sign permit;

(iii) Such sign attached to two separate sides of the vehicle shall constitute one total sign;

(iv) The advertising area of each side of the truck shall be no more than 12 square feet in area with a maximum of five feet high;

(v) The sign shall be safely attached to the vehicle as approved by the enforcement official;

(vi) Such sign shall be posted only during the time that the seafood product is for sale;

(vii) Such sign shall be clearly legible, neat and graphically designed as to be consistent with the overall intent and scope of this chapter;

(viii) Only one such vehicle is allowed per vessel;

(ix) Such sign shall be located along Westhaven Drive, south of Float 4, adjacent to the vessel selling the product or located upon private property. If such sign is located upon private property, it shall be accompanied by permission of the

owner of the property where the sign is to be located;
 (x) Such sign shall not be visible when the vehicle is in motion;
 (xi) Such sign does not count as an off-premises sign;
 (xii) The city shall not be liable for any injury to any persons or for damage to any property related to any signs attached to trucks. The owner of the truck upon which said sign is placed, as well as the sign owner, shall indemnify, defend, hold and save the city harmless from all claims in connection with any such items of actual or alleged injury or damage.

(3) Occupant Address. Signs not exceeding five square feet in area that are customarily associated with residential use and that are not of a commercial nature such as:

(A) Signs giving property identification names or numbers or names of occupants.

(B) Signs on mail boxes or newspaper tubes.

(C) Signs posted on private property related to private parking or the warning of the public against trespassing or danger from animals.

(4) Real Estate Signs.

(A) Off-premises real estate directional signs are permitted, but are limited to two, two-sided signs not more than five square feet in area, per piece of property for sale.

(B) On-premises real estate signs are permitted, but are limited to two, two-sided signs not more than five square feet per side, per street frontage of sale property.

(5) Political Signs.

(A) Political signs in public rights-of-way are allowed not to exceed four square feet in area.

(B) Political signs on private property are allowed not to exceed 32 square feet in area.

(C) Political signs shall be removed within seven days following the election or referendum concerned.

(6) Incidental Signs on Premises.

(A) Garage, yard, patio, (etc.) sale signs:

(i) These signs shall be posted no more than five days before the event;

(ii) These signs shall be removed one day after the sale;

(iii) Each event is allowed two off-premises signs, not to exceed five square feet each in area, per sale;

(iv) One on-premises sign is allowed, not to exceed 18 square feet in area, per sale;

(v) Temporary construction signs, not to exceed a total of 64 square feet in area per construction site, to be removed no later than 14 days after completion of the project;

(vi) Wall painted signs used solely for greeting or identification. (Ord. 1276, 2002; Ord. 1196 § L, 1999)

Article VI. Permit Requirements

15.16.190 Permit requirements.

(1) No sign, except those exempted in WMC [15.16.180](#), shall be constructed, attached, structurally-altered, or relocated by any person, firm or corporation from and after the effective date of this chapter without a sign permit or a special use sign permit issued by the city.

(2) All permits for signs shall be approved or rejected by the enforcing official within 30 days.

(3) No permit shall be required for repair, cleaning, repainting or other normal maintenance, including storm damage repair. (Ord. 1196 § M, 1999)

15.16.200 Applications.

Applications for a sign permit shall be made to the building official upon building permit forms provided by the city. Such application shall require:

- (1) Name of business and address where work is to be performed.
- (2) Name and title of applicant.
- (3) Name, address and telephone number of firm doing installation work.
- (4) Name and address of sign owner if other than business installing the sign.
- (5) One site plan showing the location of the affected lot, building or buildings, and sign or signs, showing both existing signs and awnings and the proposed sign.
- (6) One copy of a scale drawing of the proposed sign, including size, height, structural and footing details, material specifications, method of attachment, illumination, front and end views and any other information required to ensure compliance with appropriate laws.
- (7) Electrical load with name of electrical contractor responsible for installation of service feed wires if other than sign contractor. (Note: Electric signs must conform to the National Electrical Code).
- (8) An application for right-of-way permit if the sign or awning will extend over a public right-of-way.
- (9) Written consent of the owner of the building, structure, or property where the sign is to be erected. (Ord. 1196 § N, 1999)

15.16.210 Permit fees.

Permit fees shall be in accordance with the most current Uniform Building Code fee schedule passed by city ordinance. Upon approval of plans and payment of the required fee, the building official shall issue the sign permit. Permits shall be numbered in the order of their issuance and shall disclose:

- (1) The type of sign as defined in this chapter;
- (2) The street address of the property upon which the sign will be installed;
- (3) The amount of the fee paid for the permit;
- (4) The date of issuance;
- (5) The name of the person or company installing the sign;
- (6) The name of the sign owner;
- (7) Special use permits when applicable shall require a \$10.00 one-time annual administration fee. (Ord. 1196 § O, 1999)

15.16.220 Permit enforcement.

(1) Permanent Sticker. With each permit issued, the building official shall issue a corresponding permanent sticker indicating the date of issuance, the name of the permittee, and the permit number.

(2) It shall be the responsibility of the permittee or his agent to attach the sticker in a location on the sign(s) or sign structure(s) where it can be readily seen from the street. The absence of such label shall be prima facie evidence that the sign has been, or is being, installed in violation of this chapter. (Ord. 1196 § P, 1999)

15.16.230 Appeals.

Any person may appeal any decision of the building official or any order of the code enforcement official to the city council. (Ord. 1196 § Q, 1999)

15.16.240 Variances.

(1) Any person may apply to the city council for a variance from the requirements of this chapter. A variance may be granted by the city council when the literal interpretation and strict application of the provisions and requirements would cause hardship because of unique or unusual conditions pertaining to the specific property in question. The city council may grant a variance from the provisions and/or the requirements of this chapter only where:

(A) The granting of the variance would not be materially detrimental to the property owners in the vicinity and the traveling public; and

(B) The granting of the variance would not be contrary to the intent of this chapter relating to the placement of signs.

(2) In granting a variance, the city council may attach thereto such conditions regarding the location, character and other features of the proposed sign as it may deem necessary to carry out the spirit and purpose of this chapter in the public interest. (Ord. 1196 § K, 1999)

15.16.250 Interpretations.

Where there is any dispute concerning the interpretation of this chapter, the decision of the code enforcing official or body shall prevail, subject to appeal as provided herein. (Ord. 1196 § S, 1999)

Article VII. Administration and Enforcement

15.16.260 Enforcing official designated.

The code enforcing official of this chapter shall be the person so designated by the mayor who is hereby authorized and directed to enforce all the provisions of this chapter. (Ord. 1196 § T(1), 1999)

15.16.270 Right of entry.

Upon presentation of proper credentials, the code enforcing official or his duly authorized representative may enter at reasonable times any building, structure, or premises to perform any duty imposed by this chapter. (Ord. 1196 § T(2), 1999)

15.16.280 Inspections.

Signs for which a permit is required may be inspected periodically by the code enforcing official or building official for compliance with this chapter. (Ord. 1196 § T(3), 1999)

15.16.290 Removal of sign(s).

(1) The code enforcing official may order removal of any sign erected or installed in violation of this chapter.

(2) The code enforcing official shall give 30 days' notice in writing, by certified letter, to the owner of such sign, or of the building, structure or premises on which such sign is located, to remove the sign or to bring it into compliance with this chapter.

(3) The code enforcing official may order removal of the sign at the expense of the owner of the premises if he fails to comply with the written order.

(4) If in the opinion of the code enforcing official, the condition of the sign

presents an immediate threat to the safety of the public, the code enforcing official may cause immediate removal of the sign at the expense of the owner of the premises, or other action to eliminate the hazard.

(5) If a sign is found to be without a sign permit or special use permit, or in the opinion of the code enforcing official, any off-premises sign is found to be in violation of this chapter, the code enforcing official or other designee by the mayor or city administrator shall immediately remove said sign without notice or without a 30-day written notice to the owner. (Ord. 1196 § T(3)(a), 1999)

15.16.300 Nonconforming signs.

Nonconforming signs which are legally installed prior to adoption of this chapter shall be allowed to continue so long as they are adequately maintained, are not relocated, are not replaced, are not structurally altered, or made more nonconforming in any way with the exception of the following:

(1) Nonconforming portable sandwich board signs must be removed within 90 days of the adoption of this chapter. Failure to do so will constitute a violation of this chapter and the violator will be subject to the penalties contained within this chapter.

(2) Off-premises signs that are protected from enforced removal by the United States Outdoor Advertising Control Act shall not be subject to the provisions of subsection (1) of this section unless and until just compensation is provided in accordance with cited statute.

(3) Pre-Existing Signs. No commercial sign lawfully constructed in a protected area prior to the date of the effective passage of this chapter shall be subject to the regulations of this chapter, except for any permit fees or upkeep. (Ord. 1196 § V, 1999)

15.16.310 Liability.

This chapter shall not be constituted to relieve from or lessen the responsibility of any person owning, building, altering, constructing, or removing or moving any sign in the city for damages to anyone injured or damaged either in person or property by any defect or action herein, nor shall the city, or any agent thereof, be held as assuming such liability by reason of permit or inspection authorizing herein or a certificate of inspection issued by the city or any of its agents. (Ord. 1196 § W, 1999)

15.16.320 Violation – Penalties.

Any person found in violation of this chapter shall be guilty of a misdemeanor, and upon conviction, shall be punishable by a fine of not more than \$500.00, or by imprisonment for not more than 30 days or both. (Ord. 1196 § U, 1999)