

# CITY OF BRUSH

## Sign Regulations



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## **CHAPTER 16**

### **Zoning**

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## ARTICLE 12

### Signs

#### *Division 1. Purpose and Applicability*

##### **Sec. 16-12-10. Purpose.**

The purpose of this Article is to provide a balanced and fair legal framework for the design, construction, and placement of signs that:

- (1) Promote the safety of persons and property by ensuring that signs do not create a hazard by:
  - a. Confusing or distracting motorists; or
  - b. Impairing drivers' ability to see pedestrians, obstacles or other vehicles, or to read traffic signs;
- (2) Promote the efficient communication of messages, and ensures that persons exposed to signs are not overwhelmed by the number of messages presented; and
- (3) Protect the public welfare and enhances the appearance and economic value of the landscape by avoiding sign clutter that can compromise the character, quality, and viability of commercial corridors;
- (4) Protect and enhance the visual impact of future development along the Interstate 76 corridor, in accordance with the City's Comprehensive Plan;
- (5) Ensure that signs are compatible with their surroundings, and prevent the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
- (6) Enhance property values and business opportunities;
- (7) Assist in wayfinding; and
- (8) Provide fair and consistent permitting and enforcement.

##### **Sec. 16-12-20. Applicability.**

A sign may be displayed, erected, placed, established, painted, created, altered or maintained in the City only in conformance with the standards, procedures, exemptions, and other requirements of this Article.

- (1) If any provision of this Article conflicts with any other adopted City code that regulates signs, the more restrictive standards shall apply.
- (2) The City recognizes other regulations pertaining to signage (*i.e.*, State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective

January 1, 1984, and as may be amended). Where any provision of this Article cover the same subject matter as other regulations, the more restrictive regulation shall apply.

(3) Signs shall be permitted in the various zoning districts as accessory structures in accordance with the regulations contained in this Article.

**Sec. 16-12-30. Prohibited signs.**

The following types of signs are prohibited except as noted:

(1) All signs not expressly permitted under this Article or exempt from a sign permit in accordance with Section 16-12-230.

(2) Signs contributing to confusion of traffic control devices or emergency service vehicles, or which hide or interfere with the effectiveness of such devices or vehicles.

(3) Any sign that obstructs access to or impedes operation of any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building or structure as may be required by law.

(4) Any sign attached to any utility pole or structure within any public right-of-way without the express consent of the authorized utility provider or governmental entity.

(5) Any sign that projects, overhangs or otherwise is located in the public right-of-way, except as specifically provided for in this Article.

(6) Any sign that obstructs the view of a person operating a motor vehicle in any direction at the intersection of a street or with an alley or driveway (see corner vision clearance provisions in Section 16-5-70).

(7) Any sign that impedes safe pedestrian or vehicular movement.

(8) Signs attached to trees or other plant materials.

(9) Any billboard or off-premise sign, as defined in Section 16-14-20, not otherwise explicitly permitted in this Article.

(10) Trailers parked on public rights-of-way or public property, or on private property so as to be visible from public right-of-way, which have attached thereto or located thereon any sign for the basic purpose of providing advertisement.

**Sec. 16-12-40. Legal nonconforming signs.**

A lawful sign existing on the effective date of the ordinance from which this Article is derived: October 16th, 2015 or by a subsequent amendment of this Article, may be continued, although it does not conform to the requirements of this Article, as amended, subject to the following restrictions:

(1) Construction, enlargement, relocation, extension, replacement, reconstruction or alteration of a legal nonconforming sign to any extent, including any structural alteration that increases the

degree of nonconformity, or which changes the sign to another sign type, is prohibited unless such sign is brought into compliance with this Article.

(2) In the event that the use of a legal nonconforming sign is discontinued or abandoned for a period of one hundred and eighty (180) consecutive days from the date of a documented inspection or from the date of a utility disconnect, the future use of such sign shall thereafter conform to the provisions of this Article.

(3) A legal nonconforming sign that is damaged or destroyed to the extent of fifty percent (50%) of its value may not be reconstructed or repaired except in conformity with this Article; provided, however, that any such sign damaged or destroyed to any extent by police-documented vandalism may be repaired or reconstructed to its original design within ninety (90) days, but not thereafter.

(4) Normal maintenance of a sign which does not require modification of the sign structure, supports or members shall be permitted on all existing legal nonconforming signs. A change in copy is considered normal maintenance.

#### **Sec. 16-12-50. Enforcement.**

(a) Authority to inspect. All signs for which a permit is required shall be inspected after completion of construction, alteration, replacement or the like by the Director, who shall be permitted to enter private property during normal business hours, after notice to the owner for such purpose. The Director may not enter buildings for this purpose without the permission of the owner, lessee or occupant.

(b) Noncomplying signs; notice of violation. Notice shall be given to the sign owner that a sign is not in compliance with the provisions of this Article and directing the sign owner to bring the sign into compliance or remove the same within ten (10) days of the notice.

(c) Contents of notice. The notice shall contain the following information:

(1) A concise statement of the action required to be taken and a citation to the section of this Code requiring such action.

(2) A statement of the time within which such action shall be completed.

(3) A statement that, if the action is not completed within the required time, the City may cause the work to be done at the sign owner's expense, and the costs thereof, in addition to being an individual liability of the sign owner, shall become a lien upon the property and, if not paid when due, shall be certified to the County Treasurer for collection in the same manner as real property taxes.

(4) A statement that failure to perform the required action constitutes a violation of this Code and could subject the sign owner to a fine of up to three hundred dollars (\$300.00) for each day that a violation continues, in addition to any sums charged for work done.

(d) Manner of service. The notice shall be delivered personally to the sign owner or to any member of his or her family over the age of eighteen (18), at his or her usual place of residence or business. If the sign owner does not reside within the City, service may be made by mailing the notice to the sign owner at the last known address by certified mail, postage prepaid. Such notice shall be deemed complete when placed in the United States mail. When service is by mail, an additional three (3) days shall be added to the minimum period of time within which the prescribed work shall be completed. If the sign owner cannot be found after reasonable diligence, then service may be completed by posting the premises, and the minimum time within which work must be completed shall be thirty (30) days.

(e) Any sums assessed against a sign owner shall bear interest at the rate of eight percent (8%) per annum from the due date of such assessment until finally paid.

(f) All remedies provided for hereunder are cumulative and independent of one another. No waiver of any action hereunder shall constitute a waiver of any subsequent action hereunder.

## ***Division 2. Sign Permits***

### **Sec. 16-12-210. Sign permit required.**

(a) No sign or modification to an existing sign shall be erected, placed or displayed outdoors until a sign permit has been issued, unless the sign is exempt from a permit under the provisions of Section 16-12-230 below.

(b) An application for a sign permit shall be submitted on a form supplied by the City and accompanied by the following information:

(1) The name, address and contact information of the applicant, property owner, and sign contractor;

(2) A “to scale” plot plan of the lot or parcel showing the location and orientation of the proposed sign(s) relative to all property lines and easements, and the location, type and size of other signs which exist upon the same lot or parcel. For permanent signs, the total linear footage of the adjacent public right-of-way shall be shown; wall signs shall show the linear footage of the building wall.

(3) An illustration showing the size, height, and type of the proposed sign, including the materials of which it is to be constructed.

(4) Any other information required by the Director to determine the sign’s safety and compliance with this Article.

(c) The applicant may choose to apply for a single permit for multiple signs in a unified or coordinated development by filing a master sign plan in accordance with Section 16-12-220 below.

(d) There shall be paid, at the time of application, a sign permit fee in accordance with the City’s adopted fee schedule.

(e) Upon receipt of a complete application the Director shall review the same and act within fifteen (15) days to approve, approve with conditions, or deny the application.

(f) The Director shall have the right to inspect the proposed sign location prior to acting on the application, and shall also have the right to inspect the sign after construction to insure compliance with this Article and any conditions of approval.

(g) Sign permits for construction or installation of a sign are valid for one hundred and eighty (180) days after issuance, and may be extended for an additional one hundred and eighty (180) days by the Director. After a sign permit has expired, it may not be renewed and a new application must be filed.

(h) The application for a sign permit does not guarantee its issuance; the City recommends that signs not be purchased or fabricated prior to issuance of a sign permit.

(i) A denial of a sign permit under this Article or an order issued under this Article by an administrative official may be appealed to the Board of Adjustment. All appeals to the Board of

Adjustment shall be in accordance with the procedures provided in Subsection 16-2-40(h) of this Chapter.

**Sec. 16-12-220. Master sign plan.**

For any shopping center, industrial park or other unified form of site development, an applicant may submit a master sign plan that consists of coordinated, shared signage for the entire development. Signs in a master sign plan shall have mutually unifying elements, which may include uniformity in materials, color, size, height, letter style, sign type, shape, lighting, location on buildings, and design motif.

(1) In reviewing an applicant's submittal of a master sign plan conforming with the provisions of this section, the Director may vary standards for area, height and number of individual signs.

(2) The Director may approve up to a ten (10) percent change in a dimensional standard based on the applicant demonstrating that the change is warranted by a master sign plan that represents exceptional design.

**Sec. 16-12-230. Exemption from required sign permit.**

Generally, the following types of signs are exempt from the sign permit requirements of Section 16-12-210 above, subject to the provisions of this Section. Exempt signs shall otherwise be in conformance with all applicable requirements of this Article, and the construction and safety standards of the City. Changing or replacing the copy on an existing lawful sign shall not require a permit, provided the copy change does not change the nature of the sign or render the sign in violation of this Article. All signs not listed in this Section (and that are not prohibited under Section 16-12-30) require a sign permit pursuant to Section 16-12-210 above.

(1) Temporary decorations or displays, if they are clearly incidental to, customarily, or commonly associated with any national, state, or local holiday or religious celebration; such decorations or displays may be of any type, number, area, height, location, illumination or animation.

(2) Signs erected by the City or by any federal, state or county government agency, including but not limited to traffic control, legal notice, community events and wayfinding signs.

(3) Posting of addresses on buildings in locations that are visible from the street as necessary for the effective delivery of postal and public safety services.

(4) Flags that are affixed to permanent flagpoles or flagpoles that are mounted to buildings (either temporary or permanent).

(5) Signs that are being carried by people (however, such signs are not exempt if they are set down or propped on objects).



(6) Window signs, as defined in Section 16-14-20 and subject to the standards in Section 16-12-320 (l). In addition, any sign displayed on a window of or inside a residential building, and any sign inside a non-residential building that is not visible through a window.

(7) Wave banners subject to the standards in Section 16-12-330 (b).

(8) One (1) banner limited to a maximum sign area of eight (8) square feet located on a residential structure. All other banners as defined in Section 16-14-20 shall be subject to a sign permit.

(9) Sidewalk signs, as defined in Section 16-14-20 and subject to the standards in Section 16-12-330 (c).

(10) Site signs, as defined in Section 16-14-20 and subject to the standards in Section 16-12-330 (d).

(11) Swing signs, as defined in Section 16-14-20 and subject to the standards in Section 16-12-330 (e).

(12) Yard signs, as defined in Section 16-14-20 and subject to the standards in Section 16-12-330 (f).

(13) External use signs, as defined in Section 16-14-20 and limited to an aggregate sign area of thirty six (36) square feet.

(14) Notification signs as defined in Section 16-14-20 which do not exceed two (2) square feet in sign area, limited to four (4) such signs per property.

(15) Inflatable signs, as defined in Section 16-14-20 and limited to one (1) per non-residential property.

(16) Murals and works of art, as defined in Section 16-14-20.

### ***Division 3. Sign Standards***

#### **Sec. 16-12-310. Sign standards by zoning district.**

Signs in all zoning districts shall be subject to the standards set forth in this Section. The number, types and sizes of signs set forth in Tables 12-1 and 12-2 shall also comply with the standards by sign type listed in Section 16-12-320 and Section 16-12-330.

(1) Standards for residential zoning districts and uses. Signs in the RE, R-LD, R-MD, R-MHD, and RMH zoning districts, and residential land use designations within a residential PUD zoning district, shall be subject to the following limitations and standards:

**TABLE 12-1  
Standards for Residential Zoning Districts**

<b>Sign Type</b>	<b>Maximum Number</b>	<b>Maximum Area</b>	<b>Maximum/Minimum Height</b>
Directional Sign	Unlimited, within maximum area requirements	6 square feet per sign/32 square feet total	No higher than 4 feet
Monument Sign	1 per non-residential use; 1 per entrance to a subdivision, multi-family housing complex or mobile home park	32 square feet	No higher than 6 feet
Site Sign	1 per street frontage	16 square feet	No higher than 6 feet
Swing Sign	1 per street frontage	6 square feet, inclusive of riders	No higher than 6 feet
Wall Sign	1 per single-family or two-family dwelling with a home occupation or home business	4 square feet	No higher than eave or parapet line
	1 per principal multifamily building, per street frontage	32 square feet	No higher than eave or parapet line
	1 per non-residential use	32 square feet.	No higher than eave or parapet line
Yard Sign	Unlimited, within maximum area requirements	6 square feet per sign/24 square feet total	No higher than 4 feet

(2) Standards for nonresidential zoning districts and uses. Signs in the AG, EP, C, CC, and I zoning districts, and nonresidential land use designations within a PUD zoning district, shall be subject to the following limitations and standards:

**TABLE 12-2**  
**Standards for Nonresidential Zoning Districts**

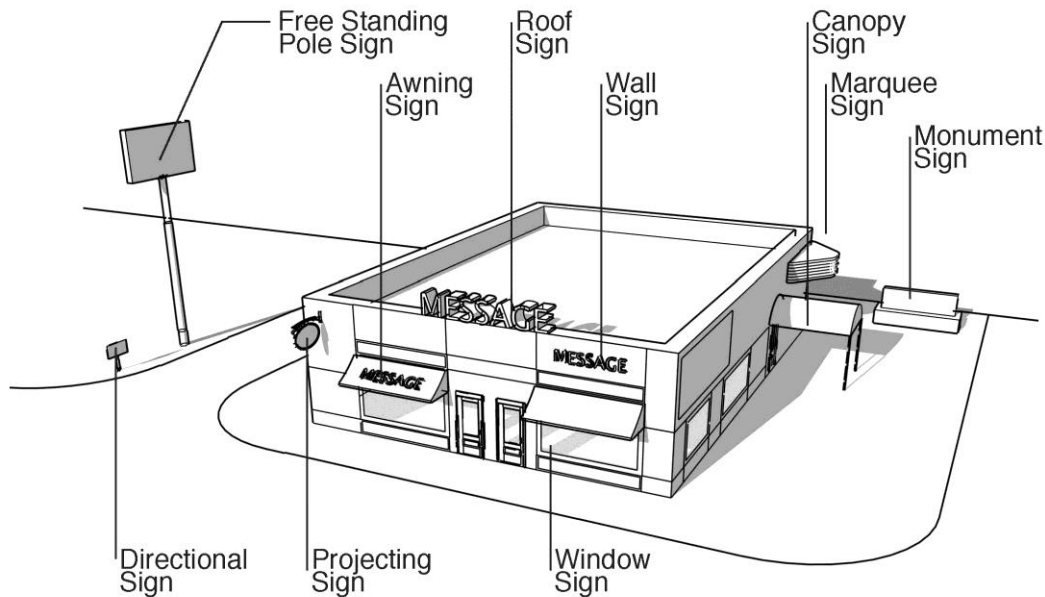
<b>Sign Type</b>	<b>Maximum Number</b>	<b>Maximum Area</b>	<b>Maximum/Minimum Height</b>
Awning Sign	Unlimited, within maximum area requirements	0.5 square feet of signage for each linear foot of awning, up to a maximum of 32 square feet	No higher than eave or parapet line; 9 feet minimum height pedestrian clearance
Banners	1 banner per business displayed on a building wall.	0.50 square feet for each linear foot of exterior wall up to a maximum area of 100 square feet.	No higher than eave or parapet line for wall banner.
	2 freestanding wave banners per business.	50 square feet per wave banner.	No higher than 12 feet for wave banner.
Canopy Sign	Unlimited, within maximum area requirements	0.5 square feet of signage for each linear foot of canopy, up to a maximum of 32 square feet	No higher than eave or parapet line; 9 feet minimum height pedestrian clearance; 14 feet minimum height vehicular clearance
Directional Sign	Unlimited, within maximum area requirements	6 square feet, up to a maximum of 32 square feet	No higher than 4 feet, except when used on a vehicular clearance structure
Electronic Message Center	See Section 16-12-320 (e)	See Section 16-12-320 (e)	See Section 16-12-320 (e)
Freestanding Pole Sign	1 per street frontage of principal building, plus 1 additional for street frontages in excess of 500 feet	75 square feet. An electronic message center may be integrated up to 50% of allowed sign area.	No higher than 25 feet
	1 per principal building within 1000 feet of edge of interstate highway R.O.W.	300 square feet. An electronic message center may be integrated up to 50% of allowed sign area.	No higher than 100 feet
Marquee Sign	1 per principal building	120 square feet per sign face, up to a maximum of 3 faces	No higher than eave or parapet line; 9 feet minimum height
Monument Sign	1 per business use	75 square feet. An electronic message center may be integrated up to 50% of allowed sign area.	No higher than 8 feet
Projecting Sign	1 per business use	15 square feet	No higher than wall (single story building)/bottom of second story window (multi-story building); 9 feet minimum height
Roof Sign	1 per principal building	.6 square feet of area per lineal foot of façade width	No higher than 4 feet above parapet (flat roof); no higher than roofline (peaked or mansard roof)

Sidewalk Sign	1 per business use	8 square feet	No higher than 4 feet
Site Sign	1 per street frontage	32 square feet	No higher than 8 feet
Swing Sign	1 per street frontage	6 square feet, inclusive of riders	No higher than 6 feet
Wall Sign	Unlimited, within maximum area requirements	2 square feet of area per lineal foot of exterior wall frontage, up to a maximum of 200 square feet per sign	No higher than the eave line
Window Sign	Unlimited	Up to a minimum 50% window transparency	None
Yard Sign	Unlimited, within maximum area requirements	6 square feet per sign/24 square feet total	No higher than 4 feet

**Sec. 16-12-320.**

**Standards for permanent signs.**

**FIGURE 12-1**  
**Permanent Sign Types**



***SIGN TYPES: Permanent***

(a) General. The following standards are applicable to all permanent signs:

(1) Owner consent. No sign permit shall be issued for any permanent sign on private property without written consent of the property owner or the owner's authorized agent.

(2) Lighting. The light from any light source intended to illuminate a permanent sign shall be so shaded, shielded or directed so that the light intensity or brightness shall not cause glare to affect surrounding properties, or cause glare to affect safe vision of pedestrians or operators of vehicles moving on public or private streets, driveways or parking areas.

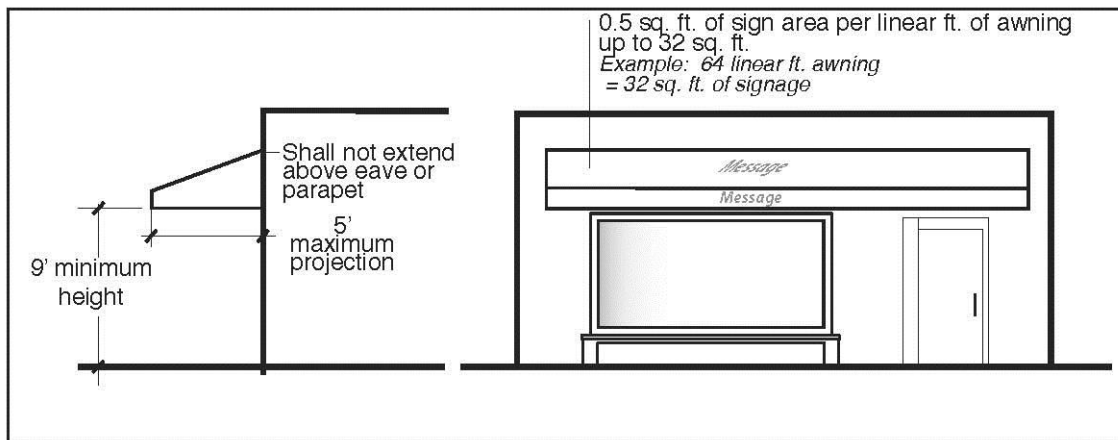
(b) Awning signs.

(1) Location. Signs may be placed only on awnings that are located on first and second-story building frontages, including those fronting a street, parking lot or pedestrian way. An awning may include a printed or mounted sign. No sign mounted to an awning shall project beyond, above or below the face of an awning.

(2) Quantity, area and height. Sign quantity and area shall comply with the requirements established in Section 16-12-310. No structural element of an awning shall be located less than nine (9) feet above finished grade. Awnings on which signs are printed or mounted shall not extend over a public right-of-way more than five (5) feet from the face of a supporting building. No awning, with or without signage, shall extend above the eave or parapet line of any building.

(3) Lighting. Awnings may be internally illuminated in nonresidential zones only.

**FIGURE 12-2**  
**Awning Sign Detail**



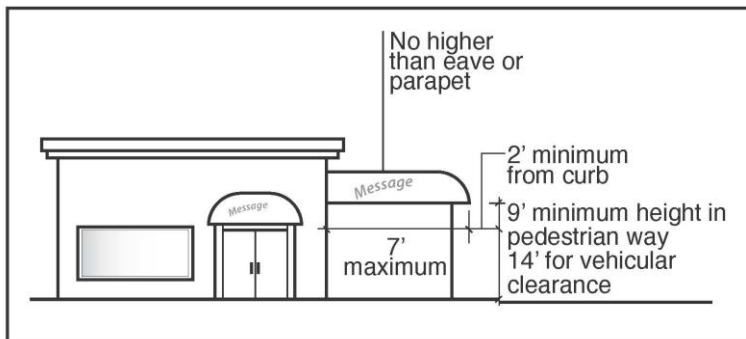
(c) Canopy signs.

(1) Location. Signs may be placed on canopies that front a street, parking lot or pedestrian way. A canopy may include a printed or mounted sign. No sign mounted to a canopy shall project beyond, above or below the face of a canopy.

(2) Quantity, area and height. Sign quantity and area shall comply with the requirements established in Section 16-12-310. No structural element of a canopy sign shall be located less than nine (9) feet above finished grade in a pedestrian way, or less than fourteen (14) feet above finished grade in a vehicular way. Canopies on which signs are printed or mounted shall not extend over a public right-of-way more than seven (7) feet from the face of a supporting building, and be no closer than two (2) feet to a curb line. No canopy, with or without signage, shall extend above the eave or parapet line of any building. No canopy sign shall project above the top of the canopy upon which it is mounted. However, a sign may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical equipment, but not more than twelve (12) inches.

(3) Lighting. Canopies may be internally illuminated in nonresidential zones only.

**FIGURE 12-3**  
**Canopy Sign Detail**



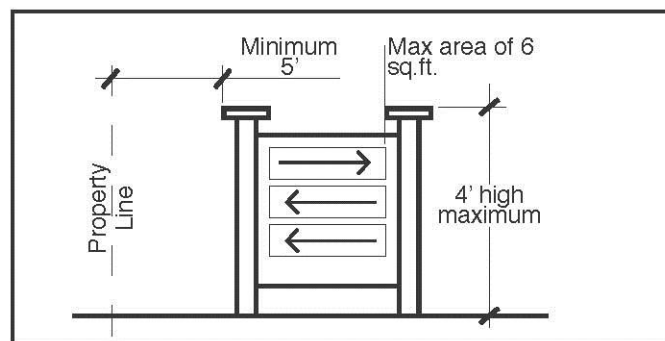
(d) Directional signs.

(1) Location. On-premise entrance, exit, and other directional signs shall be no closer than five (5) feet from any property line.

(2) Quantity, area and height. Directional signs shall comply with the quantity, area and height requirements established in Section 16-12-310.

(3) Lighting. Directional signs may be internally illuminated.

**FIGURE 12-4**  
**Directional Sign Detail**



(e) Electronic message centers.

(1) Location. Up to fifty percent (50%) of the allowed sign area of a freestanding pole or monument sign in a non-residential zoning district may be occupied by an electronic message center. Existing signage proposed for conversion to the use of an electronic message center shall conform to the sign standards in this Article prior to issuance of a sign permit. Non-conforming signs shall not be eligible for conversion to an electronic message center.

(2) Quantity, area and height. An electronic message center shall comply with the quantity, area and height requirements established for freestanding pole or monument signs in Section 16-12-310.

(3) Lighting. Lighting from the electronic message center shall not exceed 0.3 foot candles between dusk to dawn as measured from the sign's face. The electronic message center shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard. Documentation shall be provided from the sign manufacturer which verifies compliance with auto dimming and brightness requirements.

(4) Transition method. The electronic message center shall be limited to static messages, changed only through either dissolve or fade transitions, which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity.

(5) Transition duration. The transition duration between messages shall not exceed one (1) second.

(6) Message hold time. The message hold time shall be a minimum of three (3) seconds.

**FIGURE 12-5**  
**Electronic Message Center Detail**



(f) Freestanding pole signs.

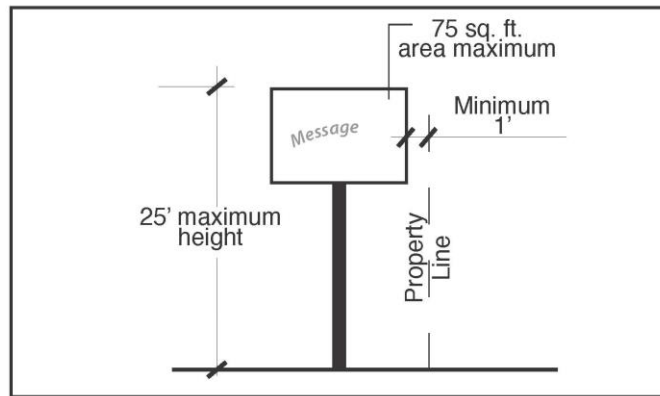
(1) Location. A freestanding pole sign shall be located on a site frontage adjoining a public or private street, easement or right-of-way, unless the sign is located within one thousand (1000) feet of I-76. The minimum setback from any property line shall be one (1) foot. No portion of any freestanding sign shall encroach or project into the public right-of-way.

(2) Quantity, area and height. A freestanding pole sign shall comply with the quantity, area and height requirements established in Section 16-12-310.

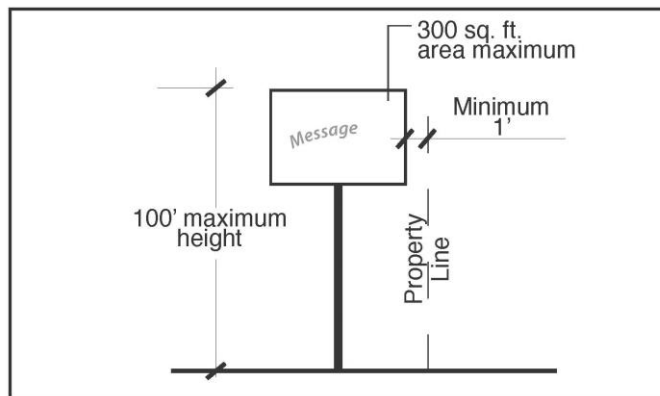
(3) Lighting. Freestanding pole signs may be internally illuminated only.



**FIGURE 12-6a**  
**Freestanding Pole Sign Detail**



**FIGURE 12-6b**  
**Freestanding Pole Sign Detail-Within 1000 Feet of I-76**



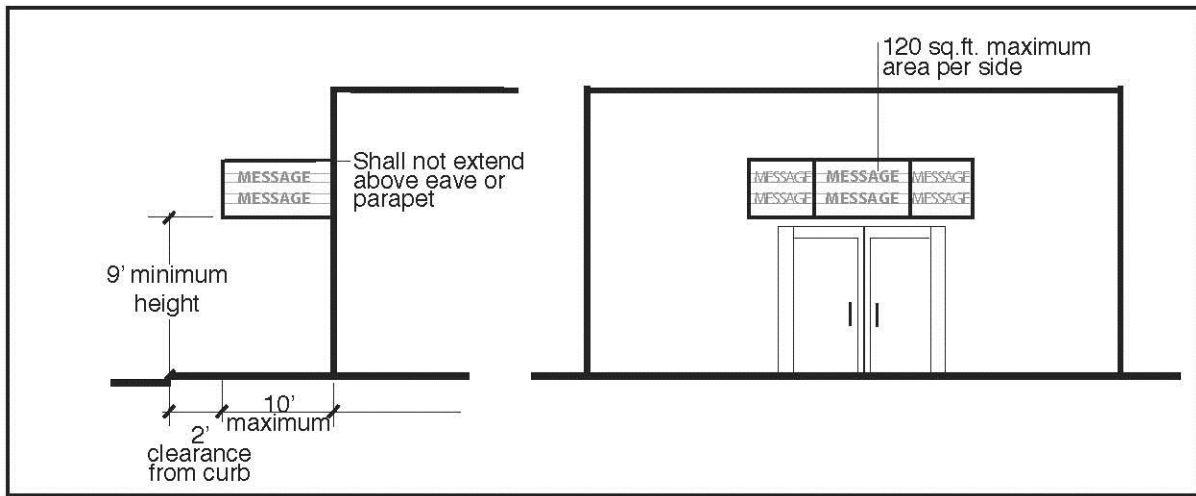
(g) Marquee signs.

(1) Location. A marquee sign shall be placed on a ground floor façade of a building.

(2) Quantity, area and height. A marquee sign shall comply with the quantity, area and height requirements established in Section 16-12-310. No structural element of a marquee sign shall be located less than nine (9) feet above finished grade. Marquee signs shall not extend over a public right-of-way more than ten (10) feet from the face of a supporting building, and be no closer than two (2) feet to a curb line. No marquee sign shall extend above the eave or parapet line of any building.

(3) Lighting. Marquee signs may be illuminated.

**FIGURE 12-7**  
**Marquee Sign Detail**



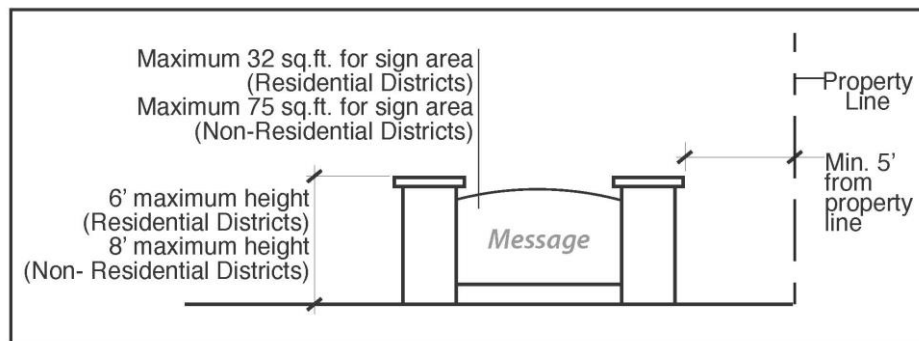
(h) Monument signs.

(1) Location. A monument sign shall be located on a site frontage adjoining a public or private street, easement or right-of-way. The minimum setback from any property line shall be five (5) feet. A monument sign may be integrated into a fence or wall.

(2) Quantity, area and height. A monument sign shall comply with the quantity, area and height requirements established in Section 16-12-310.

(3) Lighting. Monument signs may be illuminated in non-residential zone districts only.

**FIGURE 12-8**  
**Monument Sign Detail**



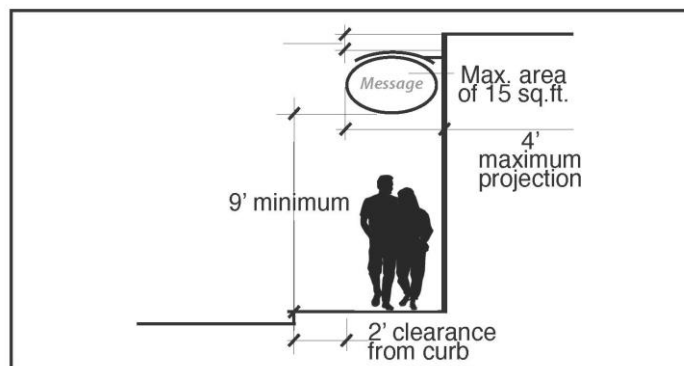
(i) Projecting signs.

(1) Location. Projecting signs shall be placed on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.

(2) Quantity, area and height. A projecting sign shall comply with the quantity, area and height requirements established in Section 16-12-310. No structural element of a projecting sign shall be located less than nine (9) feet above finished grade. Projecting signs shall not be higher than the wall from which the sign projects if attached to a single story building, or the height of the bottom of any second story window if attached to a multi-story building. Projecting signs shall not extend more than four (4) feet from the face of a supporting building, and be no closer than two (2) feet to a curb line.

(3) Lighting. Projecting signs shall not be illuminated.

**FIGURE 12-9**  
**Projecting Sign Detail**



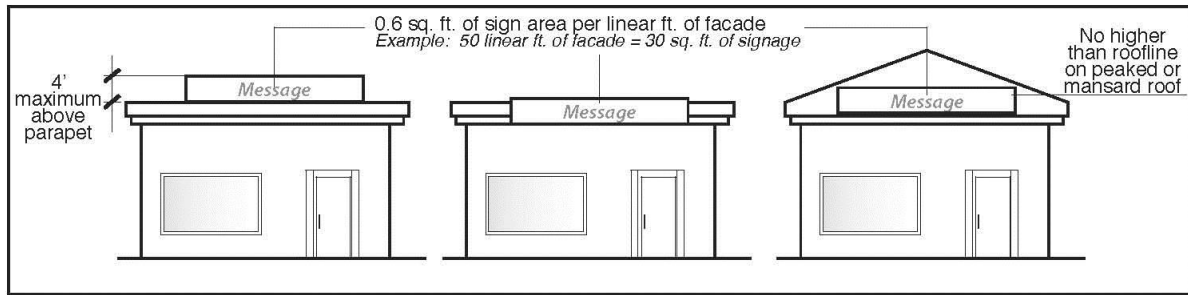
(j) Roof signs.

(1) Location. A permanent nonresidential roof sign may be permitted where the size of the site or other physical constraints result in a situation where either a wall or freestanding sign cannot be installed without practical difficulties. Roof signs shall not be higher than four (4) feet above the parapet line on a flat roof, nor higher than the roof line on a peaked or mansard roof. A roof sign shall not include an electronic message center.

(2) Quantity, area and height. A roof sign shall comply with the quantity, area and height requirements established in Section 16-12-310.

(3) Lighting. Roof signs may be illuminated.

**FIGURE 12-10**  
**Roof Sign Detail**



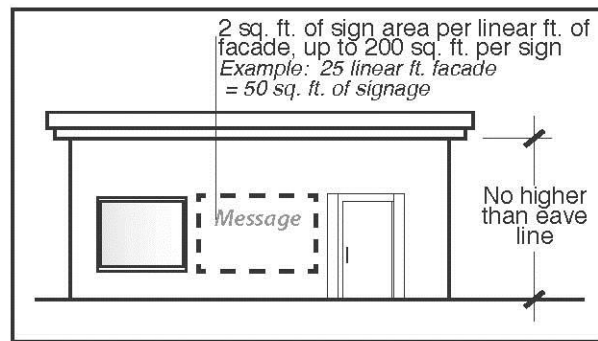
(k) Wall signs.

(1) Location. A wall sign shall not obstruct any portion of a window, doorway or other architectural detail.

(2) Quantity, area and height. A wall sign shall comply with the quantity, area and height requirements established in Section 16-12-310. Wall signs shall not be higher than the eave line of the principal building. No sign part, including cut-out letters, may project from the building wall more than required for construction purposes and in no case more than twelve (12) inches.

(3) Lighting. Wall signs may be illuminated in nonresidential zoning districts only.

**FIGURE 12-11**  
**Wall Sign Detail**



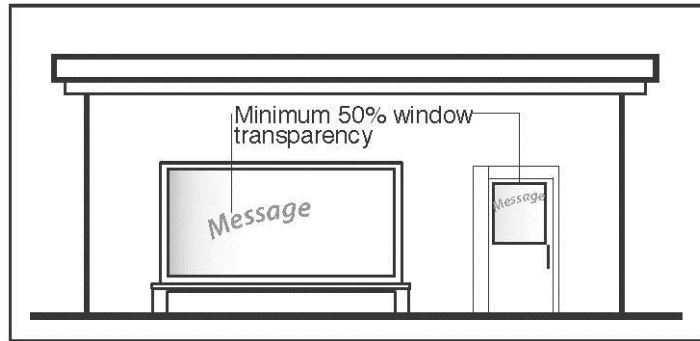
(l) Window signs.

(1) Location. Signs are permitted on interior and exterior windows.

(2) Quantity, area and height. A window sign shall comply with the quantity, area and height requirements established in Section 16-12-310.

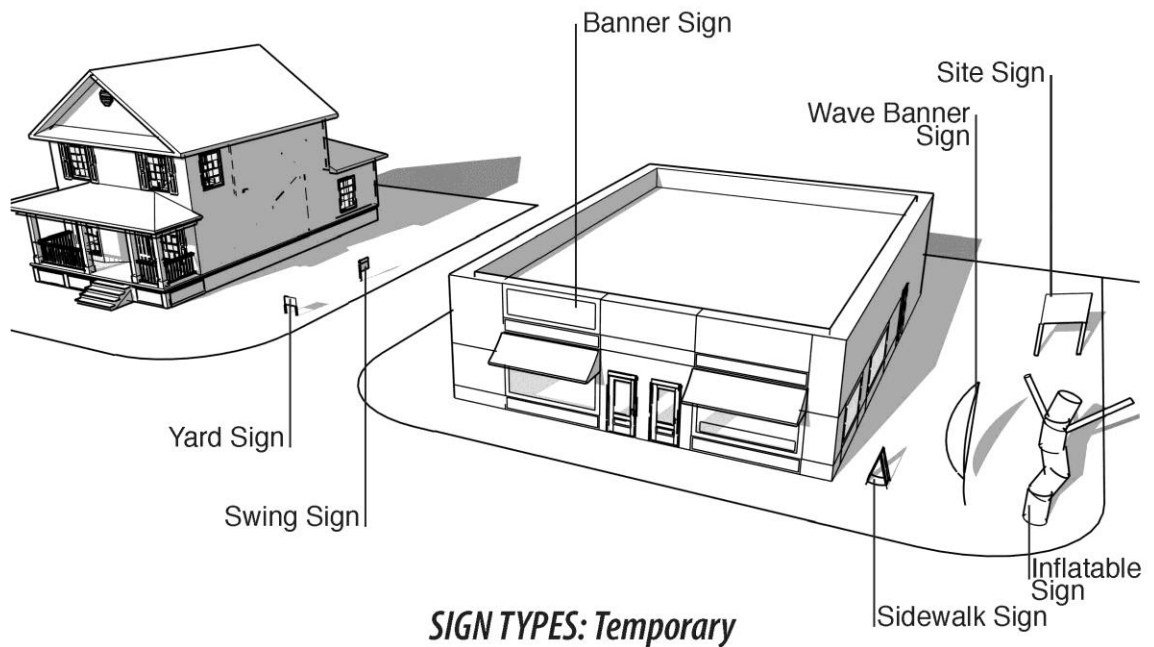
(3) Lighting. Window signs may be illuminated and/or animated. One (1) neon sign per window is permitted, with a maximum sign area of six (6) square feet. Neon signs may be illuminated (turned on) only during normal business hours.

**FIGURE 12-12**  
**Window Sign Detail**



**Sec. 16-12-330. Standards for temporary signs.**

**FIGURE 12-13**  
**Temporary Sign Types**



(a) General. The following standards are applicable to all temporary signs:

(1) Owner consent. All temporary signs must be located on private property and only with the consent of the property owner.

(2) Lighting. No temporary sign shall be illuminated.

(3) Duration. The purpose of temporary signs is to display messages for a temporary duration. Temporary signs shall not be used as a subterfuge to circumvent the regulations that apply to permanent signs or to add permanent signage in addition to that which is permitted by Section 16-12-320. Temporary signs shall be removed on or before one hundred and eighty (180) days after first being placed, unless otherwise specified herein.

(4) Window signs. Temporary window signs are permitted in all locations permanent window signs are permitted, and are subject to the window sign standards in Table 12-2.

(b) Banners.

(1) Location.

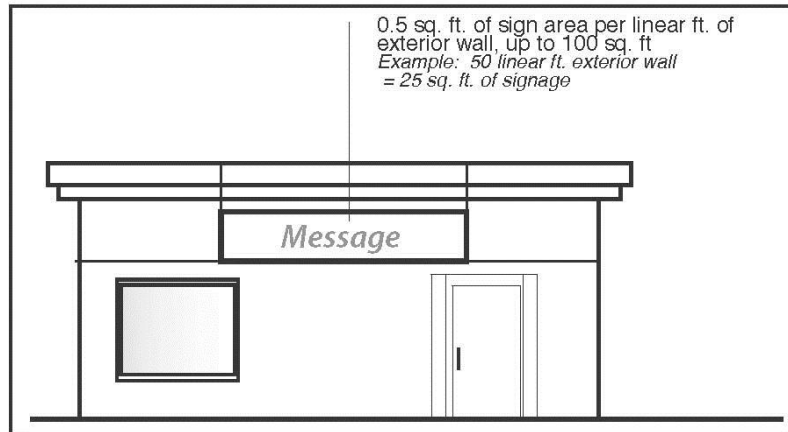
a. Banners shall not be placed to obstruct any portion of a window, doorway or other architectural detail.

b. Banners may be installed on a utility pole with the consent of the utility provider, provided that the banner is attached at the top and bottom by brackets that project no more than thirty (30) inches from the utility pole.

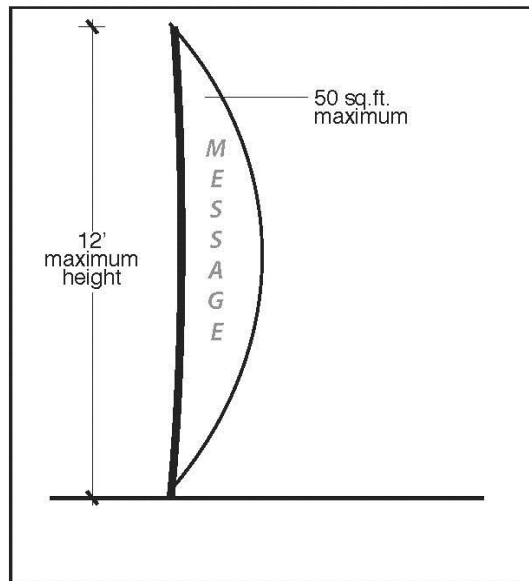
c. Wave banners shall not obstruct any vehicle or pedestrian movement. Wave banners located in the CC zoning district may be placed in an amenity zone. Wave banners and their base must be removed each day at close of business.

(2) Quantity, area and height. Banners and wave banners shall comply with the quantity, area and height requirements established in Section 16-12-310. In addition, banners installed on utility poles in accordance with subsection b. above shall not exceed 24 inches in width and 48 inches in height.

**FIGURE 12-14 (a)**  
**Banner Sign Detail**



**FIGURE 12-14 (b)**  
**Wave Banner Detail**



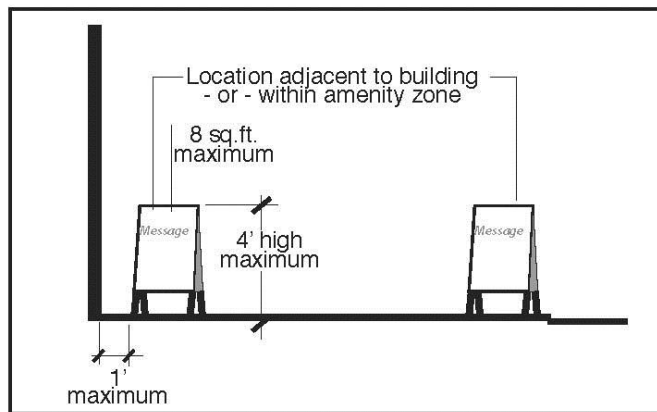
(c) Sidewalk Signs.

(1) Location. Placement of a sidewalk sign must be within one (1) foot of a building wall or within an amenity zone. A minimum of four (4) feet of sidewalk width clearance shall be available for pedestrian use. Sidewalk signs must be removed each day at close of business.

(2) Quantity, area and height. A sidewalk sign shall comply with the quantity, area and height requirements established in Section 16-12-310.

**FIGURE 12-15**

#### Sidewalk Sign Detail

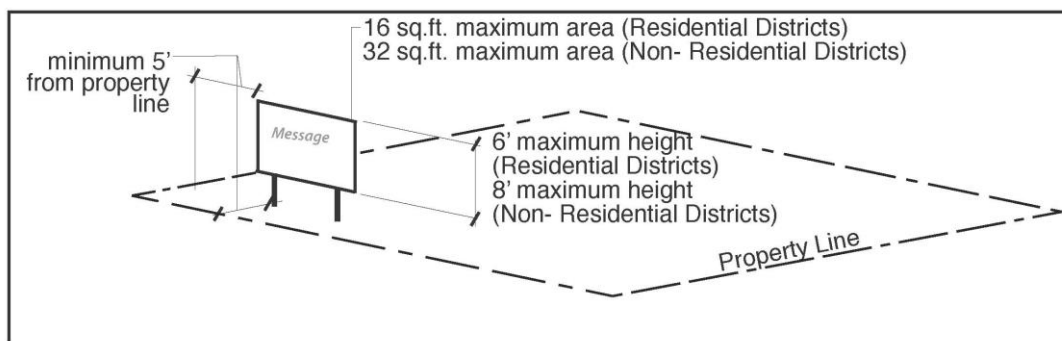


#### (d) Site Signs.

(1) Location. Site signs shall be setback a minimum of five feet from any property line. Site signs are not permitted on parcels with existing residential uses.

(2) Quantity, area and height. A site sign shall comply with the quantity, area and height requirements established in Section 16-12-310.

**FIGURE 12-16**  
**Site Sign Detail**

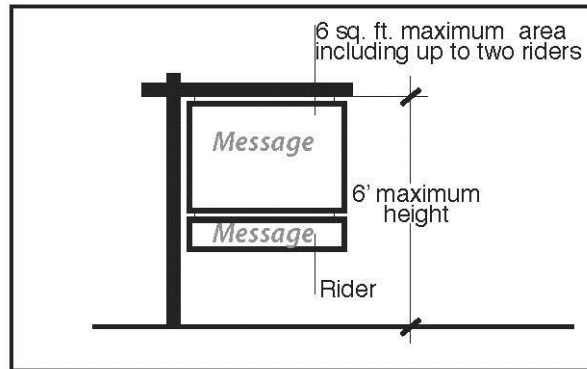


#### (e) Swing Signs.

(1) Quantity, area and height. A swing sign shall comply with the quantity, area and height requirements established in Section 16-12-310.



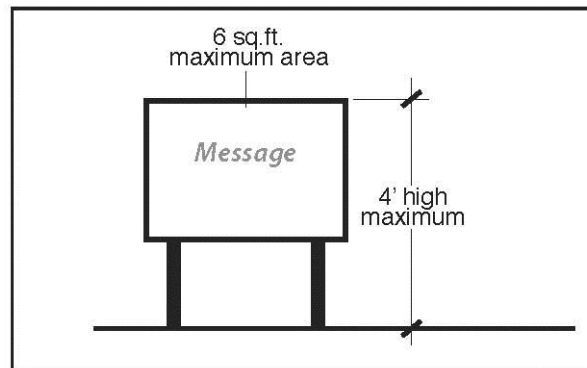
**FIGURE 12-17**  
**Swing Sign Detail**



(f) Yard Signs.

(1) Quantity, area and height. A yard sign shall comply with the quantity, area and height requirements established in Section 16-12-310.

**FIGURE 12-18**  
**Yard Sign Detail**



**Sec. 16-12-340. Sign measurement.**

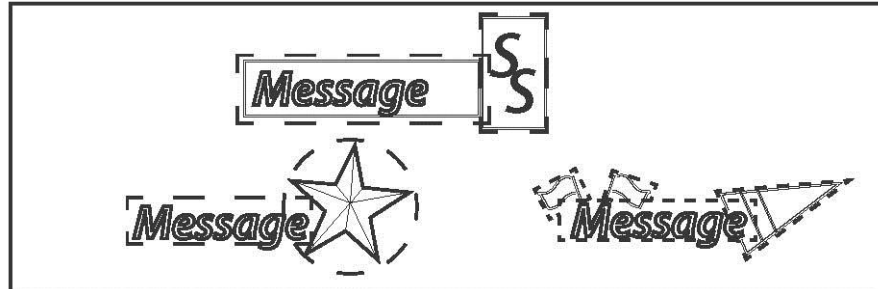
(a) Computation of sign area. All sign faces visible from one point shall be counted and considered part of the maximum total sign area allowance for a sign.

(1) When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be computed by the measurement of one of the two sign faces.

(2) When the sign has more than two display surfaces, the area of the sign shall be the area of largest display surfaces that are visible from any one point.

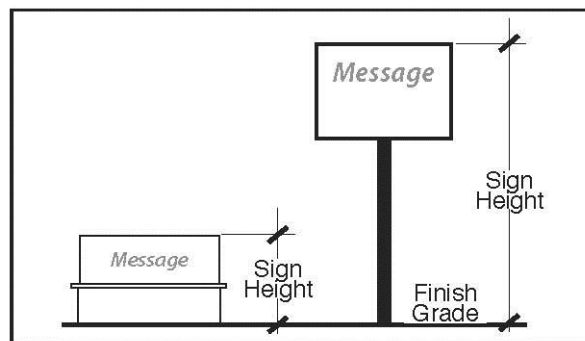
(3) The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the message, logo, symbol, name, photograph, writing, representation, emblem, artwork, figure or other display used to differentiate the sign from the backdrop or structure against which it is placed (See Figure 12-19).

**FIGURE 12-19**  
**Sign Area Calculation**



(b) Computation of sign height. The height of any sign shall be determined by the distance between the topmost portion of the sign structure and the ground elevation at the base of the sign (See Figure 12-20). The grade shall not be artificially changed solely to affect the sign height measurement.

**FIGURE 12-20**  
**Sign Height Calculation**



#### ***Division 4. Sign Installation, Maintenance, Alteration and Removal***

##### **Sec. 16-12-410. Sign installation.**

(a) All permanent signs and all components thereof, including sign structures and sign faces, shall be installed in compliance with all building and electrical codes.

(b) Except for flags, window signs and temporary signs conforming to the requirements of this Article, all signs shall be constructed of high quality durable materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

##### **Sec. 16-12-420. Sign maintenance.**

All signs, both currently existing and constructed in the future, and all parts and components thereof, shall be maintained in a safe condition in compliance with all building and electrical codes, and in conformance with this Article.

(1) All signs, including sign structures and sign faces, shall be kept in good repair so as not to be distracting, unattractive, dangerous or a public nuisance and effectively serve the purpose for which they are intended. For the purposes of this section, good repair shall mean that there are no loose, broken, torn or severely weathered portions of the sign structure or sign face.

(2) All electronic message centers shall be equipped with a malfunction display and the ability to automatically shut off if a malfunction occurs. An electronic message center under repair shall be shut off.

##### **Sec. 16-12-430. Sign removal and alteration.**

(a) Inspection. The Director may inspect any sign and shall have authority to order the painting, repair, alteration or removal of a sign and/or sign structure that is prohibited or constitutes a hazard to safety, health or public welfare by reason of abandonment or inadequate maintenance, dilapidation or obsolescence.

(b) Sign removal or repair. In addition to any other remedies available under this Article, the Director may issue a written notice to sign owners of the need to remove or repair a sign, as follows:

(1) Any sign that does not meet the requirements set forth in this Article and does not qualify as a legal nonconforming sign under Section 16-12-40.

(2) Any sign that has not been used in a bona fide manner as a sign for a consecutive period of one hundred and eighty (180) days and deemed abandoned by the Director.

(3) Any sign that is in disrepair or unsafe and deemed hazardous by the Director.

(4) Any sign identifying a business, professional or industrial establishment that has moved from the premises.

(5) Signs or supporting structures that are the subject of a written notice shall be removed or repaired within sixty (60) days after the date on which the City issues the notice.

(c) Altering or moving existing signs.

(1) Any alteration to an existing sign, other than change of copy, shall require a new sign permit pursuant to Division 2 of this Article before the sign may be altered. Alterations shall include, without limitation:

- a. Changing the size of the sign;
- b. Changing the shape of the sign;
- c. Changing the material of which the sign is constructed;
- d. Changing or adding lighting to the sign;
- e. Changing the location of the sign; or
- f. Changing the height of the sign.

(2) Existing nonconforming signs may be altered in any way that does not change the size, height, background, shape or location of the sign without bringing the entire sign into conformance, provided that the cost of the alteration is less than fifty percent (50%) of the sign's replacement cost.

(3) Signs may be removed for maintenance and replaced on the same support, without obtaining a new sign permit.

(4) Whenever a business, industry, service or other use is discontinued, any sign or sign copy pertaining to the use shall be removed by the person or entity owning or having possession of the property within one hundred and eighty (180) days after the discontinuance of such use, except a sign advertising the lease or sale of the building.

## ARTICLE 14

### Definitions

#### Sec. 16-14-20. Words and terms.

*Amenity zone* means an area in the CC zoning district within a public right-of-way along or adjacent to a sidewalk that offers protection to the pedestrian from vehicular traffic and contains street furniture, planters, trees, landscaping, utilities, street lights, parking meters, and other street amenities.

*Banner* means a temporary sign having characters, letters, illustrations or ornamentations applied to flexible material (e.g. vinyl, plastic, canvas, cloth, fabric or other lightweight non-rigid material) with only such material for a backing, which projects from, hangs from or is affixed to a building or structure. Banners include pennants, cable-hung banners and wave banners.

*Billboard* means a large sign which directs attention to a business, activity, commodity, service, entertainment or communication which is not conducted, sold, or offered at the premises on which the sign is located, or which does not pertain to the premises upon which the sign is located.

*Electronic message center* means a sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

*Message hold time* means the time interval a static message must remain on the display before transitioning to another message.

*Mural* means a picture or graphic illustration applied directly to a wall of a building or structure that does not advertise or promote a particular business, service or product.

*Nonconforming sign* means a sign which does not conform to the regulations in this Chapter.

*Setback* means the distance extending across the full width or depth of the lot between the designated lot line and the nearest line or point of the building or structure.

*Sign* means any written announcement, declaration, demonstration, display, illustration, insignia or illumination used to communicate a message or idea which is displayed or placed in view of the general public, and shall include every detached sign or billboard and every sign attached to or forming a component part of any marquee, canopy, awning, pole, vehicle or other object, whether stationary or movable.

*Sign, abandoned* means a sign for a business that no longer exists at that address, building or property.

*Sign, awning* means a sign permanently affixed to a sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

*Sign, canopy* means a sign permanently affixed to a roofed shelter supported by a building, or combination of building and columns.

*Sign, directional* means any sign on a lot that directs the movement or placement of pedestrian or vehicular traffic with or without reference to, or inclusion of, the name of a product sold or service performed on the lot or in a building, structure or business enterprise occupying the same.

*Sign, external use* means a sign located outside of a principal commercial use affixed to accessory commercial structures.

*Sign, freestanding pole* means any sign or combination of signs supported by structures or supports that are placed on or anchored in the ground and are not attached to any building or structure.

*Sign, home occupation* means a sign identifying a use conducted principally within a dwelling unit and carried on by the inhabitants thereof.

*Sign, inflatable* means a balloon, blimp or other inflated object used for attracting attention.

*Sign, legal nonconforming* means any sign which was lawfully erected and maintained, but which has become nonconforming by the subsequent adoption of amendments to this Chapter.

*Sign, marquee* means any sign made a part of marquee and designed to have changeable copy.

*Sign, monument* means a freestanding sign, other than a pole sign, with the entire base of the sign structure affixed to the ground.

*Sign, neon* means a sign consisting of glass tubing, bent to form letters, symbols, or other shapes and illuminated by neon or a similar gas through which an electrical voltage is discharged.

*Sign, notification* means a sign that controls actions on private property.

*Sign, off-premise* means any sign normally used for promoting an interest other than that of a business, individual, products, or service available on the premises where the sign is located.

*Sign, permanent* means any sign constructed of durable materials and affixed, lettered, attached to or placed upon a fixed, non-movable, non-portable supporting structure.

*Sign, portable* means a moveable sign that is not permanently affixed to a building, structure, or the ground. Portable signs include signs mounted on trailers, wheeled carriers, or frames that are designed to be placed onto a surface without being secured to it.

*Sign, projecting* means a sign which is attached perpendicular to the wall of a building or structure.

*Sign, roof* means a sign on a parapet or above a roof of a building or structure.

*Sign, sidewalk* means a type of portable sign that is intended to be placed on a hard surface, most commonly a sidewalk. These signs include A-frame signs, signs that are suspended from the top member of an A-frame, signs with weighted bases, and comparable signs.

*Sign, site* means a temporary freestanding sign constructed of vinyl, plastic, wood or metal and designed or intended to be displayed for a short period of time.

*Sign, swing* means a sign that is suspended from a horizontal support (a swing post) that is attached to a vertical support mounted in the ground. A swing sign may also include riders.

*Sign, temporary* means any banner, blimp, wind or fan-driven sign, or other sign constructed of light fabric, cardboard, wallboard, plywood, sheet metal, paper or other light materials, with or without a frame, intended or designed to be displayed for a limited period of time.

*Sign, traffic control* means a sign erected in a public right-of way by an authorized governmental agency for the purposes of traffic regulation and safety.

*Sign, wall* means any sign painted on or affixed to the wall of a building or structure, or any sign consisting of cut-out letters or devices affixed to a wall with no background defined on the wall in such a manner that the wall forms the background surface of the sign.

*Sign, wayfinding* means a sign authorized by a governmental body for placement in the public right-of-way that is designed to orient and navigate the general public from place to place.

*Sign, window* means a sign which is applied or attached to the exterior of a window, or applied to, attached to, or located within one foot (1') of the interior of a window, which can be seen through the window from the exterior of the structure.

*Sign, yard* means a temporary portable sign constructed of paper, vinyl, plastic, wood, metal or other comparable material, and designed or intended to be displayed for a limited period of time.

*Sign face* means an exterior display surface of a sign including nonstructural trim, yet exclusive of the supporting structure.

*Transition duration* means the time interval it takes the display to change from one complete static message to another complete static message.

*Transition method* means a visual effect applied to a message to transition from one message to the next. Transition methods include:

a. Dissolve – a frame effect accomplished by varying the light intensity or pattern, where the first frame gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second frame.

b. Fade – a frame effect accomplished by varying the light intensity, where the first frame gradually reduces intensity to the point of not being legible (i.e. fading to black) and the subsequent frame gradually increases intensity to the point of legibility.

*Work of art* means art which in no way identifies a product, business, or enterprise and which is not displayed in conjunction with a commercial enterprise that would realize direct commercial gain from such a display.