

ORDINANCE NO. 336

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, REPEALING CHAPTER 19.75 "SIGNS" OF THE UNIVERSITY PLACE MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 19.75 "SIGNS" IN ITS PLACE IN ORDER TO IMPLEMENT THE COMPREHENSIVE PLAN, IMPROVE THE FORMAT AND ADDRESS COMMUNITY CONCERNS.

WHEREAS, the University Place City Council adopted a GMA Comprehensive Plan on July 6, 1998 which became effective July 13, 1998; and,

WHEREAS, the Revised Code of Washington 36.70A.040 requires the City to adopt development regulations which are consistent with and implement the comprehensive plan; and

WHEREAS, in March 5, 2001, the Planning Commission began work to develop a new sign code that would be consistent with and implement the comprehensive plan; and

WHEREAS, a request for comments was sent to over three hundred commercial property owners special interest groups and individuals, including but not limited to the Master Builders Association, University Place School District, the Chamber of Commerce, and sign companies; and

WHEREAS, the Planning Commission held more than public meetings in March April and May 2001 including two public hearings on April 18 2001 and May 18, 2001 before recommending by resolution a sign code to the City Council on August 15th 2001; and

WHEREAS, following completion of a city wide sign inventory and a joint City Council - Planning Commission meeting on September 24, 2001 the Planning Commission revised their recommendation regarding freestanding signs; and

WHEREAS, the proposed draft zoning code was submitted for State agency 60-day review period pursuant to RCW 36.70A.106 that concluded January 15, 2002 and the City received no comments from state agencies; and

WHEREAS, on December 19, 2001 the City issued a SEPA Determination of Nonsignificance with a 14-day appeal period ending on January 2, 2002; and

WHEREAS, the City Council on December 10, 2001, January 7, February 11, and March 4, 2002 held public meetings to deliberate on the recommended amendments; **NOW THEREFORE**

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DO ORDAIN AS FOLLOWS:

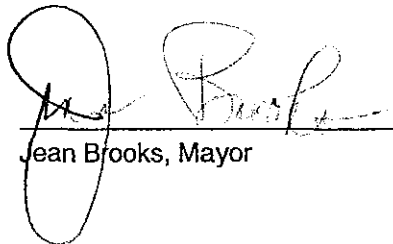
Section 1. Chapter 19.75 Signs. Chapter 19.75 "Signs" of the University Place Municipal Code is hereby repealed and replaced with a new Chapter 19.75 "Signs" (Exhibit "A").

Section 2. Copy To Be Available. One copy of this ordinance shall be available in the office of the City Clerk for use and examination by the public.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.


Section 4. Publication And Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MARCH 4, 2002.



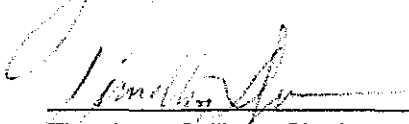
Jean Brooks, Mayor

ATTEST:



Catrina Craig, City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, City Attorney

Date of Publication: 3-7-02
Effective Date: 3-12-02

CHAPTER 19.75 SIGNS

19.75.010 Purpose

19.75.020 Authority

19.75.030 Enforcement

19.75.040 Definitions

19.75.050 Permits Required

19.75.060 Permit Issuance

19.75.070 Exemptions

19.75.080 Prohibited Signs

19.75.090 Design and Construction

19.75.100 General Sign Standards

19.75.110 Specific Sign Requirements

19.75.120 Temporary Signs

19.75.130 Temporary Sign Permits Required

19.75.140 Temporary Sign Standards

19.75.150 Signs in R1, R2, MF, and PF Zones

19.75.160 Signs in TC, NC, MU MU-O, C and IB Zones

19.75.170 Change of Use

19.75.180 Nonconforming Signs

19.75.190 Replacement of Nonconforming Signs

19.75.200 Vacancies and Abandonment

19.75.010 Purpose

A) The purpose of these regulations is to allow for the reasonable display of signs necessary as a public service and for the proper conduct of competitive commerce and industry. The standards herein recognize the need to protect the safety and welfare of the public and the need to maintain an attractive appearance in the community. This Chapter authorizes and regulates the use of signs visible from a public right-of-way and/or adjacent property with the following objectives:

- 1) to provide a reasonable balance between the right of an individual to identify a business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs and similar devices; and
- 2) to support the economic well being of businesses by allowing businesses to identify their premises and advertise their products and services; and

- 3) to provide minimum standards to safeguard life, health, property and the general welfare by regulating and controlling the design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures; and
- 4) to insure that signs are compatible with adjacent land uses and with the total visual environment of the community; and
- 5) to protect the public from hazardous conditions which result from signs that are structurally unsafe, obscure vision of motorists, and/or compete or conflict with necessary traffic signals and warning signs; and
- 6) to promote an overall visual effect which has a minimum of overhead clutter; and
- 7) to recognize that the types and sizes of signs which provide adequate identification of residential uses differs from that of non-residential uses whether located in a residential or commercial zone; and
- 8) to encourage signs which are well-designed and compatible with their surroundings and with the buildings to which they are appurtenant; and
- 9) to recognize that the expeditious and reasonable elimination of certain existing signs not in conformance with the provisions of this Chapter is necessary to the public health, safety, and welfare and to the protection of the visual environment as is the prohibition of new signs which would violate the provisions of this Chapter; and,
- 10) to implement the goals and policies of the City of University Place Comprehensive Plan; and
- 11) to protect property values by encouraging signs appropriate and consistent with surrounding buildings and landscape in both scale and design and by discouraging excessive number of signs.

19.75.020 Authority

This Chapter shall be referred by as the Sign Code. The provisions and requirements of this Chapter shall apply to all signs visible from a public right-of-way and/or adjacent property. The provisions in this Chapter regulate and control the type, size, location and number of signs. The administration and enforcement authority shall be the Director of Planning & Community Development or his/her designee.

19.75.030 Enforcement

A) *Penalty for violations.*

- 1) It shall be unlawful for any person, firm or corporation to erect, construct, paint, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign or sign structure in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter;
- 2) Any person, firm or corporation violating any of the provisions of this code shall be subject to a civil violation as defined in Chapter 1.20 UPMC, Enforcement.

B) *Right of entry.* Upon proper presentation of credentials including court orders if appropriate, the Director or a duly authorized representative may enter at reasonable times any building, structure or premises within the city to perform any duty imposed by this code.

C) *Liability.* The provisions of this Chapter shall not be construed as relieving or limiting in any way the responsibility or liability of any person or persons erecting or owning any sign from personal injury or property damage resulting from the willful acts or negligence of such person, its agents, employees or workman, in the construction, maintenance, repair or removal of any sign or sign structure erected in accordance with a permit issued under this Chapter. Nor shall it be construed as imposing upon the city or its officers or employees any responsibility or liability by reason of the approval of any sign, materials or devices under the provisions of this code.

D) *Revocation of permits.* The Director is authorized and empowered to revoke any sign permit issued in error or on the basis of incorrect information, or in violation of the provisions upon failure of the holder thereof to comply with any provision or provisions of this code.

E) *Nuisance declared – Abatement.* Signs constructed, altered or maintained in violation of the provisions of this code are declared to be public nuisances and subject to the provisions of Chapter 1.20 UPMC.

19.75.040 Definitions

A) *General Definitions.* For the purpose of this Chapter, certain terms, phrases, words and their derivatives shall be construed as follows:

- 1) **Abandoned Sign:** means any sign and/or sign structure remaining in place after the activity conducted on the subject property has ceased for ninety (90) or more consecutive days.
- 2) **"Building Official"** means the officer or other person charged with the administration and enforcement of the Building Code or a duly authorized deputy.

- 3) "Director" means the Director of the Planning and Community Development Department of the City of University Place.
 - 4) "Freestanding letters" means individual letters, characters, or marks comprising any portion of a sign or sign structure, whether erected flat against a wall or upon a steel framework for support.
 - 5) "Marquee" means a permanent-roofed structure attached to and supported by a building generally designed and constructed to provide protection from the weather.
 - 6) "Nonstructural trim" means the molding, battens, caps, nailing strips, latticing, and cutouts, which are attached to the sign structure.
 - 7) "Owner-user" means the outright owner of a sign or sign structure or lessor in case of leased signs or sign structures, or the lessee in the case of leased signs or sign structures.
 - 8) "Sign structure" means the supports, uprights, braces, and framework of the sign.
 - 9) "Special Event" means events that are not typically allowed by the zoning district, which, because of the nature of the use, deserve special consideration and/or conditions to mitigate impacts. These events may include the following: street fair, arts and crafts show, carnival, circus, or other similar transient amusement or recreational activities, block party, rally, dance, or other events that occur on private or public property and/or on a city street, sidewalk, alley or other public right-of-way.
 - 10) "Special displays" means and includes displays of merchandise, animals, balloons, cars, airplanes, and/or other objects used to attract attention for purposes of advertising.
 - 11) "Building Code" means the current version of the Building Code adopted by the City of University Place.
- B) *Types of Signs.* For the purpose of this Chapter, the following terms, phrases, words and their derivatives shall be construed as follows:
- 1) "A-Board or Sandwich Sign" means a temporary portable sign usually constructed of two pieces of wood, plastic or similar material attached to each other at one side so that the sign will stand like an "A" or can be worn by a person such that one face of the sign is visible from both the front and back of the individual.
 - 2) "Address Sign" means a sign, which indicates no more than the address of the use.

- 3) "Animated Sign" means any sign that uses movement or change of lighting, either natural or artificial to depict action or create special effects or scenes. All digital signs except those that just display time and temperature are considered animated signs.
- 4) "Awning Sign" means any sign that is part of or attached to an awning, canopy or other fabric, plastic or structural protective covers over a door entrance window or outdoor service area. An awning sign is a type of wall sign. A marquee sign is not included in this definition
- 5) "Banner" means a temporary sign usually made of cloth, nylon or plastic hung by rope or similar means from a building or another sign structure.
- 6) "Billboard" means a preprinted or hand painted changeable advertising copy sign which directs attention to businesses, commodities, services, or facilities which are not primarily sold, manufactured, or distributed from the property on which the sign is located. The term "billboard" includes both the structural framework that supports a billboard and any billboard faces attached thereto.
- 7) "Bus Shelter Signs" means advertising signs mounted to bus shelters in the right-of-way.
- 8) "Changing Message Sign" means an electronic or mechanical sign, which has the ability to change its message more frequently than every three minutes.
- 9) "City Gateway Sign" means a sign constructed and maintained by the city to welcome our citizens and visitors to our community. Gateway signs are usually install along major arterial streets leading into our community.
- 10) "Construction Sign" means a sign designating the contractor(s), architect(s), and/or engineer(s) participating in a construction project underway on the same premises.
- 11) "Directional Sign" means a sign solely designated to direct pedestrians or vehicular traffic while on the property on which the sign is located.
- 12) "Entry – Exit Signs & Parking Signs" means signs used for the sole purpose of controlling traffic entering or exiting a property or within a parking lot. Examples include directional arrows and handicap parking signs.
- 13) "Freestanding Sign" means a sign supported on a structure used exclusively for the support of the sign or for a group of signs, including pedestal, pylon, pole and monument signs. (see construction standards in 19.75.090)
- 14) "Flashing Sign" means an illuminated sign which lights suddenly or intermittently. A strobe light used to attract attention to a business shall be considered a flashing sign.

- 15) "Garage or Yard Sale Sign" means a temporary sign used to direct people to a sale of personal household possessions. Not for the use of any commercial venture.
- 16) "Identification Sign" means any sign, which directs attention to uses other than private residence or home occupation in a residential or multi-family zone. Identification signs may be used for but not limited to businesses or public facilities and include but are not limited to freestanding signs, monument signs, wall signs, awning signs, or projecting signs. Signs, which identify a subdivision or multi-family complex, are considered Identification Signs.
- 17) "Incidental Sign" means emblems, and decals designed to inform the public of goods, facilities, or services available on the premises and may include but are not limited to signs designating restrooms, hours of operation, acceptable credit cards, property ownership or management, phone booths and recycling containers. No sign will a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.
- 18) "Kiosk" means a freestanding signs which may have a round shape or which may have two or more faces and which is used to provide directions, advertising or general information.
- 19) "Medical Emergency / Public Safety Sign" means a sign, which directs emergency service providers and persons seeking emergency medical or public safety services to the location of medical and public safety facilities offering emergency services.
- 20) "Marquee Sign" means any sign affixed to any marquee and shall be considered a wall sign.
- 21) "Menu Sign" means a menu board used in conjunction with a restaurant drive through or automobile service facilities including car washes, and lubrication shops listing items for sale at the establishment.
- 22) "Monument Sign" means a freestanding sign that is attached to the ground with a decorative base made of wood, masonry or other similar material as opposed to a pole sign which is connected to the ground by one two or more wood, masonry or metal posts. Monument signs may have a wood, masonry, or metal supports hidden or covered by a decorative base made of wood, masonry or other similar material.
- 23) "Mural" means a design or representation that is painted or drawn on the exterior surface of a structure that does not advertise a business, product, service or activity.
- 24) "Nameplate" means a sign, which indicates no more than the name and/or, address of the resident or tenant of the premises.
- 25) "New Residential Development Sign" means a sign which advertises new homes for sale in recently new residential developments either under construction or recently completed.

- 26) "Nonconforming Sign" means a sign or sign structure erected prior to the effective date of this Chapter that does not conform to the provisions of this Chapter.
- 27) "Off-Premise Sign" means a sign, which advertises a business, product, activity or service, which is not located, sold or offered on the site where the sign is displayed.
- 28) "Painted Signs" means a sign or sign structure, non-electrical in nature, except such signs may have illumination from an exterior light source, painted on a wall, fence or other structure. Painted signs shall be considered wall signs.
- 29) "Pole Sign" means any sign electric or otherwise hung, supported or cantilevered from a freestanding structural steel pipe or wood beam.
- 30) "Political Sign" means a sign or signs relating to the nomination or election of any individual for a public political office or advocating any measure to be voted on at any special or general election.
- 31) "Portable Sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported including, but not limited to signs designed to be transported by means of wheels whether by trailer or on its own wheels even though the wheels of such sign may be removed. This definition includes A-boards, T signs, and menu or sandwich signs and mobile reader boards.
- 32) "Projecting Sign" means a sign affixed at an angle or perpendicular to the wall of any building in such a manner to read at an angle or perpendicularly to the wall on which it is mounted.
- 33) "Promotional Signs" means posters, pennants, banners or streamers, balloons, searchlights, clusters of flags, strings of twirlers or propellers, flares, and other displays of a carnival nature used to promote a grand opening or sales event.
- 34) "Reader Board Sign" means a sign or portion thereof with characters letters or illustrations that can be changed or rearranged without altering the face or surface of the sign. A sign on which the message changes more than 4 times a day shall be shall be considered an animated sign rather than a reader board sign.
- 35) "Real Estate Sign" means a temporary sign, which directs attention to the sale, lease, or rental of a particular building, property, or premise.
- 36) "Religious Sign" means a sign or symbol either freestanding or wall mounted which identifies a religious institution and may include hours of services offered or sponsored programs or events.
- 37) "Revolving sign" means any sign or sign structure that revolves or partially revolves by means of some mechanical method.

- 38) "Roof sign" means a sign or sign structure erected upon or above a roof or parapet of a building or structure.
- 39) "Sign" means any device, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, logos, or written copy for the purpose of advertising or identifying any establishment, product, goods, service or activity. A sign may have multiple faces and advertise multiple establishments, businesses, product, services, or activities. This definition does not include any flag of any country, state or local jurisdiction.
- 40) "Temporary Sign" means and includes any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials with or without frames intended to be displayed for a limited time only. Christmas decorations and other special events shall also come under this heading.
- 41) "Time and Temperature Signs" means a digital sign that displays just time and temperature.
- 42) "Wall Sign" means any sign attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall. Wall signs include a sign painted on or supported by a fence.
- 43) "Window Sign" means all signs located inside and affixed to a window and intended to be viewed from the exterior of the structure. Window signs include signs painted on windows.

19.75.050 Permits Required

- A) *Sign Permits.* No sign shall hereafter be erected, re-erected, constructed, or altered, except as provided by this Chapter and unless exempt, provided that a sign permit has been issued by the Department of Community and Economic Development. Any sign for which a building permit is required under the Building Code must obtain a building permit. A sign permit shall be required for each sign installed.
- B) *Applications for Sign Permits.* Any person submitting an application for a sign permit shall make application on forms provided for that purpose at the office of Community and Economic Development.
- C) *Additional Information.* The Director may require the filing of plans or other pertinent information as necessary to insure compliance with this code.

19.75.060 Permit Issuance

- A) *Permit Issuance.* It shall be the duty of the Director or duly authorized representative, upon the filing of an application for a sign permit, to review the application and if it appears to be in compliance with all the requirements of this code, issue the permit. The Director may elect not to issue a permanent or temporary sign permit if it is determined that any sign on the premises does not comply with the provisions of this code.
- B) *Permit Fees.* Required fees are set forth in the city's fee resolution.

19.75.070 Exemptions

- A) Exemption from the sign permit provisions of this Chapter shall not be deemed to grant authorization for any sign constructed, erected or located in any manner in violation of the provisions of this Chapter or any other laws or ordinances of the city or the state of Washington, including the prohibition against placing signs upon city right-of-way.
- B) A sign permit is not required for the following signs and activities. An asterisks following the sign type indicates specific design standards in Section 19.75.110 will apply.
- 1) Address Signs with numbers and letters not more than 10 inches in height.
 - 2) Construction signs *
 - 3) Directional signs less than two square feet.
 - 4) Flags *
 - 5) Garage or yard sale signs*
 - 6) Historic site markers or plaques and gravestones.
 - 7) Incidental signs.
 - 8) Interior signs, except for strobe lights or flashing neon lights visible from a right-of-way, other property or from the air.
 - 9) Murals with no commercial message or business identification
 - 10) Nameplates not exceeding two square feet in area and non-flashing.
 - 11) Official or legal notices issued and posted by any public agency or court;
 - 12) Painted wall highlights.
 - 13) Painting, repainting or cleaning of any sign while the sign is still in its authorized position, unless a structural change is made.
 - 14) Plaques, tablets or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are non-illuminated, and which do not exceed four square feet in surface area.
 - 15) Political signs *
 - 16) Public notice signs, or signs required by law or stipulated judgments to which the city is a party, entered by courts of competent jurisdiction.
 - 17) Residential open house signs *
 - 18) Real Estate Signs *
 - 19) Religious symbols.

- 20) State, city, or public service company signs indicating danger, aids to service or safety,
- 21) Signs not oriented or intended to be legible from a right-of-way, other property, or from the air.
- 22) Strings of incandescent lights *.
- 23) Traffic control or traffic direction signs or Adopt-A-Road litter control program signs.

19.75.080 Prohibited Signs

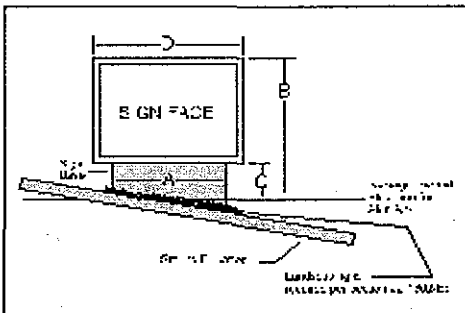
Except as indicated by this Chapter, the following signs or displays are prohibited:

- A) Abandoned signs.
- B) Billboards
- C) Bus bench signs.
- D) Obscenities. No sign shall bear or contain statements, words, or pictures in which the dominant theme of the material, taken as a whole, appeals to the prurient interest in sex or is patently offensive because it affronts the contemporary community standard relating to the description or representation of sexual material which is utterly without redeeming social value.
- E) Off-premises signs except as authorized by this Chapter.
- F) Posters, pennants, banners or streamers, flashing lights, strobe lights, balloons, searchlights, clusters of flags, strings of twirlers or propellers, flares, and other displays of a carnival nature; except as architectural features or on a limited basis as seasonal decorations or as provided for in Sections 19.75.120-140 as promotional signs for grand opening displays or special sales events.
- G) Portable signs including, but not limited to, sandwich/A-frame signs and mobile reader board signs except when permitted in accordance with Sections 19.75.120-140 as temporary signs.
- H) Public address systems or sound devices used in conjunction with any sign or advertising device except as part of a drive-through menu sign.
- I) Signs mounted on roofs except on a parapet or when incorporated into a building providing an overall finished appearance.
- J) Signs attached to or placed upon a vehicle or trailer parked in such a way as to serve as a sign on public or private property. The prohibition of this paragraph does not prohibit the identification of a firm or principal products on a vehicle operating during the normal course of business.
- K) Signs on utility poles.
- L) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with traffic control signs or signals, including, but not limited to, signs containing words such as "stop," "look," and "danger."
- M) Three-dimensional statue, caricature or representation of persons, large inflatable balloons and other inflatable displays including characters, animals, merchandise and dirigibles, or merchandise as a sign. Merchandise such as shoes or donuts may be incorporated into the sign structure. Barbershop poles are excluded from this provision.

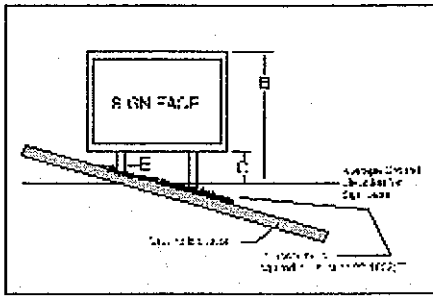
19.75.090 Design and Construction

All signs shall be erected in accordance with the following design and construction standards and the general and specific requirements of this Chapter.

- A) *Obstructing Signs.* No sign or sign structure shall be constructed in such a manner or at such location that it will obstruct access to any fire escape or other means of ingress or egress from a building or any exit corridor, exit hallway, or exit doorway. No sign or supporting structure shall cover, wholly or partially, any window or doorway in any manner that it will substantially limit access to the building in case of fire.
- B) *Visibility.* No sign or sign structure shall be placed or erected in any place or manner where by reason of its position it will obstruct safe visibility of any mobile or pedestrian traffic.
- C) *Construction Standard for Permanent Signs.* No sign shall be constructed, erected, or maintained unless the sign and sign structure is so constructed, erected, and maintained as to be able to withstand the wind, seismic and other requirements as specified in the Building Code. Permanent free standing signs shall also be subject to the following design standards:
- 1) Structural components. To the maximum extent possible, signs should be constructed and installed so that angle irons, guy wires, braces and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.
 - 2) Dimensional and design standards:
 - i) Pedestal, Pole or Pylon Signs. The following drawings illustrate the dimensional standards for pedestal, pole or pylon signs:

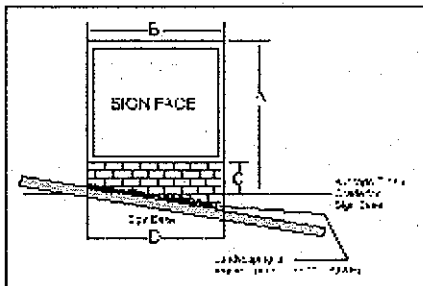


- B = Height of sign
A ≥ 50% of B
A ≥ 50% of D
C ≥ 20% of B



B = Height of sign
 C ≥ 20% of B
 E ≥ 4 inches

ii) Monument Signs. The following figures illustrate the dimensional standards for monument signs:



A: Maximum height of sign
 B: Maximum = 200% of A
 C: Minimum = 20% of A
 D: Equal to 100% of B

3) *Design criteria.*

- i) Sign base. The base of the sign must be done in landscape construction materials such as brick, stucco, stonework, textured wood, tile or textured concrete or materials that are harmonious with the character of the primary structures on the subject property and subject to the administrator's approval. No visible gap shall be allowed between the sign base and the finished grade or between the sign face or cabinet and the sign base except as provided in UPMC 19.75.110(K)(3).
- ii) Except as provided in UPMC 19.75.110(K)(3) all pole or pylon signs shall be supported by two or more supports.
- iii) Sign face. The color, shape, material, lettering and other architectural details of the sign face must be harmonious with the character of the primary structure.

- D) Minor deviations. Minor deviations from the dimensional standards for signs, except for maximum sign height, may be approved by the director if he or she concludes that the resulting sign does not significantly change the relative proportion of the sign base to the sign face.
- E) *Electric Signs*. Electric Signs shall be constructed and inspected in accordance with applicable electrical codes.
- F) *Public right-of-way*. No person, organization, or agency shall place any signs, indicators, advertisements, stakes, posts or any other foreign object or objects upon the right-of-way of any public street in this city without the express permission, in writing, of the city engineer. Any such foreign objects now upon the city streets are declared illegal, except for those now in place with written permission of the city engineer. In the event the owner of such sign cannot be found or refuses to comply, the Director shall have the nonconforming sign removed. Signs of a temporary nature may be removed without notice. The cost of removing the sign plus administrative costs will be charged to the property owner. Permanent signs, which the Director finds are so located as to present a hazard to the public, may be immediately removed without prior notice.
- G) *Planter boxes – Bumper guards – Shrubs – Plants*. No planter box or bumper guard designed to protect or beautify a sign structure shall extend beyond the property line. Planter boxes containing shrubs, bumper guards, plants or shrubs shall be limited to and maintained at not more than 36 inches above average finished grade.
- H) *Utility lines – Clearance*. Horizontal and vertical clearance of signs or sign structures from utility lines shall be determined by the appropriate service provider.

19.75.100 General Sign Standards

The size and placement of signs are regulated to maintain a safe and attractive community and to facilitate attention to their messages. The following standards are intended to aid the sign user, sign maker and the Department of Planning and Community Development in determining the maximum size and appropriate location of permitted signs.

- A) *Measurement of Area*. The area of a sign means the area within a continuous perimeter enclosing the outer limits of the sign face, but not including structural elements, which are not a part of the display. The area of a two-sided sign equals the area of one side. The area of a spherical, cubical or polyhedral sign equals one-half the total surface area.
- B) *Area of Freestanding Letters*. Freestanding letters and/or characters forming a sign or message shall be considered to occupy two-thirds of the combined overall background area.

- C) *Measurement of Height.* Sign height shall be measured from the average finished grade at the sign foundation. Maximum height of all freestanding signs or any part of the freestanding sign structure shall be ten (10) feet above average finished grade. The average finished grade for signs on grades lower than the adjacent right-of-way shall be considered the same as the average grade of the adjacent right-of-way. See Diagram 1 following this Chapter.
- D) *Measurement of Width.* Sign width shall be measured on the face side of the sign from one side of the face or any part of the sign structure to the farthest point on the opposite side of the face or part of the sign structure. The maximum width of a freestanding sign structure shall be twelve (12) feet.
- E) *Setbacks for Signs.* Unless otherwise provided by this Chapter, the setback point shall be that portion of any sign or sign structure that is closest to the property line. No sign shall be closer than five (5) feet from the edge of a right-of-way. Signs greater than five (5) feet in height shall be set back a minimum of fifteen (15) feet from the right-of-way. Signs set back fifteen (15) feet from the edge of the right-of-way may be up to ten (10) feet in height. See also Diagram 1 following this Chapter.
- F) *Setback Exceptions:* In the following cases setback exemptions are permitted.
- 1) A Medical Emergency / Public Safety Sign approved by the Director
 - 2) A City Gateway Sign approved by the Director
 - 3) When a property owner has sold a right-of-way easement to the City for the purposes of street improvements, the easement may be used in the calculation of sign setbacks provided the resulting sign placement does not interfere with the purpose of the road improvements.
- G) *Establishment of property lines.* It shall be the responsibility of the property owner or his authorized representative to establish and clearly mark out any property line from which a sign setback measurement shall be taken. In the event of a dispute or discrepancy in the establishment of the property lines involved, the Director may order an independent survey where, in his/her opinion, such information is necessary to insure compliance with this code. The survey cost shall be charged to the sign applicant.
- H) *Removal of sign – Time Period.* Every person maintaining a sign shall, upon ceasing the use for which the sign was maintained, remove or cause to be removed the sign face within a 60-day period and the sign structure within 90 days. Upon failure to comply with the provisions of this Section, the Director shall issue a notice to the owner to remove the sign or be in violation of this code.
- I) *Illumination:* External sign illumination shall be directed only towards the sign face or freestanding letters and shall be shielded in ways to prevent light and glare on adjacent properties.

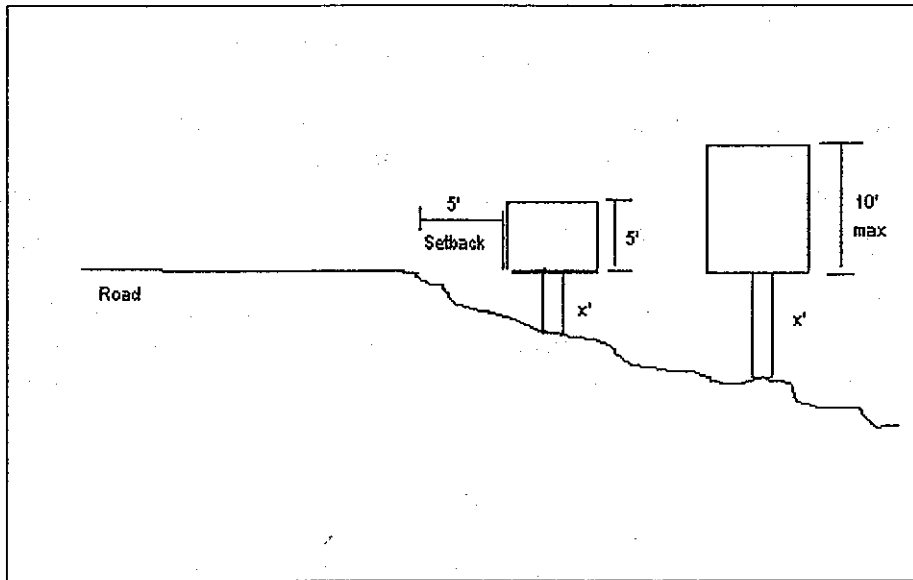
19.75.110 Specific Sign Requirements

The following standards are specific to sign types. The planning and community development department may prescribe reduced area and height, more controlled illumination and greater setback for those zones in which site plan approval is required.

- A) *A-Board or Sandwich Signs.* Except during permitted special events, no more than one A-board or sandwich sign may be used at any time. The A-Board or sandwich sign shall not exceed 24 square feet and not more than 12 square feet per face. A-board signs or sandwich signs shall be set back at least 5 feet from the edge of the right-of way and at least 20 feet from any intersection or driveway so as not interfere with sight distance. A-Board or sandwich signs are only permitted after obtaining a temporary sign permit in accordance with Sections 19.75.120-140 and may not be displayed for a period longer than 60 days in year. The 60-day time period may be used as one 60-day period, two separate 30-day periods, four 15-day periods, or six 10-day periods.
- B) *Banners.* Except during permitted special events; no more than one banner may be used at any time. The banner shall not exceed 24 square feet. Banners are not permitted for single family or duplex dwellings. Banners are only permitted after obtaining a temporary sign permit in accordance with Sections 19.75.120-140 and may not be displayed for a period longer than 60 days in year. The 60-day time period may be used as one 60-day period, two separate 30-day periods, four 15-day periods, or six 10-day periods. Banners in the rights-of-way shall be permitted only with written permission by the city engineer who shall indicate maximum size.
- C) *Billboards* shall be subject to the following standards:
- 1) The total number of billboard faces within the City of University Place shall not exceed the total number of billboard faces existing on the date of incorporation.
 - 2) The demolition or removal of any billboard reduces the number of allowable billboard faces by the number removed. Old billboards may not be replaced with new ones in the same or any other location.
 - 3) In the event that the City of University Place annexes areas containing billboards after the date of incorporation, the total number of allowable billboard faces shall be increased by the number of faces existing in such areas on the effective date of annexation.
 - 4) Any billboard sign in existence on the date of incorporation, or on the effective date of annexation, shall be considered nonconforming.
 - 5) Except as provided in Subsection (6) and (7) following, billboards shall not be altered with regard to size, shape orientation, height, or location.

- 6) Removal or demolition of a billboard shall require the issuance of a demolition permit for the removal of the existing billboard. Billboard removal or demolition shall be completed within 90 days of permit issuance.
 - 7) Ordinary and necessary repairs, which do not change the size, shape, orientation, height, or location of billboard shall not require a permit. Billboard copy replacement may occur at any time and is also exempt from the requirement for a permit.
 - 8) Billboards shall not have any projections that extend more than three feet out from the surface of the billboard face or have any moving parts.
 - 9) Any flashing, intermittent, or moving light or lights shall not illuminate billboards. Billboards shall not include lighting unless it is so effectively shielded as to prevent beams or rays of light from being directed at any residential area or adjacent street or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle. Signs found to be too bright, in the opinion of the Director, shall be adjusted in accordance with the instructions of the Director.
- D) *Bus Shelter Signs.* Signs mounted on bus shelters shall be permitted subject to an agreement with Pierce Transit.
 - E) *Charitable Event Signs.* Non-illuminated Temporary Charity Signs not exceeding 16 square feet for charitable fundraising events may be placed by nonprofit and charitable organizations. Such signs shall not be placed more than seven days prior to the event and must be removed within two days following the event.
 - F) *Changing Message Signs.* A changing message sign may be either a freestanding sign or wall sign and shall be subject to the number, size and setback requirements of freestanding and wall signs as appropriate and shall not flash or appear TV like.
 - G) *City Gateway Signs.* City Gateway Signs constructed and maintained by the City may be placed adjacent to or within the right-of-way. City entrance signs may exceed 10 feet in height.
 - H) *Construction Signs.* Construction signs shall not exceed 16 square feet per face, shall be less than 5 feet in height, and located at least five feet from any property line. Construction signs may only be in place while a project is underway. A project is considered underway once a complete and valid land use or building permit application has been submitted to the city until such time as the project has received its final approval. One construction sign may include the name of the project.
 - I) *Entry and Exit Signs & Parking Signs.* Entrance and exit signs and/or other similarly worded signs when used for the sole purpose of controlling mobile traffic shall be limited to the following:
 - 1) Only one sign for each entrance or exit;
 - 2) Not to exceed 36 inches in height above ground level;
 - 3) A maximum size shall be six square feet; and

- 4) Shall not exceed 16 inches in width.
 - 5) Subject to Director approval may include emblems or logos.
- J) *Flags.* The flag of a commercial institution is allowed provided there is no more than one per business premises, and further provided the flag does not exceed twenty (20) square feet in surface area. A commercial flag without and easily visible logo or insignia shall be considered a banner, and subject to temporary use permit provisions.
- K) *Freestanding Signs.* One freestanding sign is permitted adjacent to the abutting street of the highest street classification; and if there is a minimum separation of 100-feet between signs, a second sign shall be allowed on a second street adjacent to the business as follows:
- 1) *In TC, NC, MU, MU-O, C and IB Zones*
 - a) For single tenant buildings free standing signs shall not exceed twenty (20) square feet;
 - b) For buildings or commercial centers with between 2 and 5 tenants, free standing signs shall not exceed thirtyfive (35) square feet; and
 - c) For buildings or commercial centers with six (6) or more tenants freestanding signs shall not exceed fifty (50) square feet. A second freestanding sign is permitted for commercial centers with more than 300 feet of frontage on the principal arterial provided, if there is a minimum separation of 100 feet between signs.
 - 2) Free standing signs shall be either monument pedistal or pole signs.
 - 3) Grade Exception: When the elevation at the base of a freestanding sign is at least five (5) feet below the elevation of the adjacent road, a single pole may be used to support the sign provided the portion of the sign above the elevation of the adjacent roadway has the appearance of a monument sign. See figure below.



- L) *Identification Signs.* One freestanding or wall Identification signs no greater than 36 square feet and non-flashing is permitted, except in the Public Facility Zone or Overlay where two identification signs are allowed provided further that only one may include a pole mounted reader board. The height and location of freestanding identification signs and requirements for other types of identification signs shall be as set forth in this Chapter.
- M) *Incidental Signs.* Incidental signs shall be less than two square feet in surface area; except that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency.
- N) *Kiosk.* Kiosks may be placed at public facilities or within the right-of-way to provide information on facility events, rules, or public announcements. A Kiosk shall not exceed 20 square feet in area or 8 feet in height. Kiosks design shall be reviewed and approved individually to ensure consistency with the character of the area. Kiosks on private property are allowed so long as they are not visible from off-site.
- O) *Medical Emergency / Public Safety Signs.* Subject to review and approval by the Director, Medical Emergency / Public Safety signs at hospitals, medical clinics, fire and policies stations and other facilities that provide emergency services may have more than one sign which directs attention to the facility and may exceed the height and areas and setback limits of freestanding signs.
- P) *Marquee – Canopy – Awnings – Eyebrow.* Marquee, canopy, awning or eyebrow used to support a sign, either in part or whole and shall meet the setbacks for the building to which it is attached and shall not exceed 18 inches in thickness. Marquee, canopy, awnings and eyebrow signs are considered wall signs.
- Q) *Menu Signs.* There shall be no more than two menu signs, neither of which may exceed 45 square feet in area or seven (7) feet in height.

- R) *New Residential Development Signs.* One temporary sign designating a new residential development is permitted for each street front the development abuts. New residential development signs shall be no more than 16 square feet shall meet the setback and height requirements of Section 19.75 110. New residential development signs may be permitted upon obtaining a temporary sign permit in accordance with Sections 19.75.120-140. Such signs are limited to one two-year time period.
- S) *Noncommercial Political, Religious or Personal Message Signs* shall be non-illuminated and are not to exceed four square feet in area or five feet in height if free standing.
- T) *Off Premise Advertising.* Commercial advertising for a business, located on an abutting property is permitted only as a subordinate use to an existing on-premise sign located on an abutting property. The remainder of the existing on-premise sign must advertise a service or product offered on the premise. Should the on-premise use be discontinued, the off-premise advertising must cease. Subordinate means off-premise advertising shall be limited to less than 25 % of the permitted sign area of the sign the off -premise advertising is located on or in the case of changing message signs be limited to no more than 15 minutes per hour. A changing message sign shall advertise on-premise businesses, products or services at least 75 percent of the time. An authorized sign at a business may advertise off-premise non-commercial events.
- U) *Projecting Signs.* Projecting signs are limited to 20 square feet, shall be set back a minimum of 10 feet from a street and shall not project more than 5 feet from the building wall. A projected sign may be used in lieu of a freestanding sign.
- V) *Promotional Signs.* There is no limit to the number of temporary string of flags, multiple flags, balloons, or streamers permitted at one time. Promotional signs are only permitted after obtaining a temporary sign permit in accordance with Sections 19.75.120-140 and shall not be displayed for a period of longer than five days, but may be issued in conjunction with a temporary A-board/sandwich sign, banner, under the same permit fee.
- W) *Political Signs.* The city recognizes the right of political candidates to exercise their right of free speech in a traditional public forum. Candidates or proponents of ballot measures are encouraged to recognize the concerns of citizens regarding sign blight and to limit placement of signs to a reasonable time before the election. Signs for a successful primary candidate may remain in place until after the general election. The exemption of political signs from city regulation is limited by the following provisions.
- 1) Signs relating to the nomination or election of any individual for a public political office or advocating any measure to be voted on at any special or general election are political signs and exempt from the sign permit requirement; provided, that such political signs shall be removed 10 days after the date of the election for which they are intended. If political signs are not removed within the specified time, they will be subject to removal by the city in addition to any other remedies provided in this Chapter. The city will notify the candidates or their designated representatives of

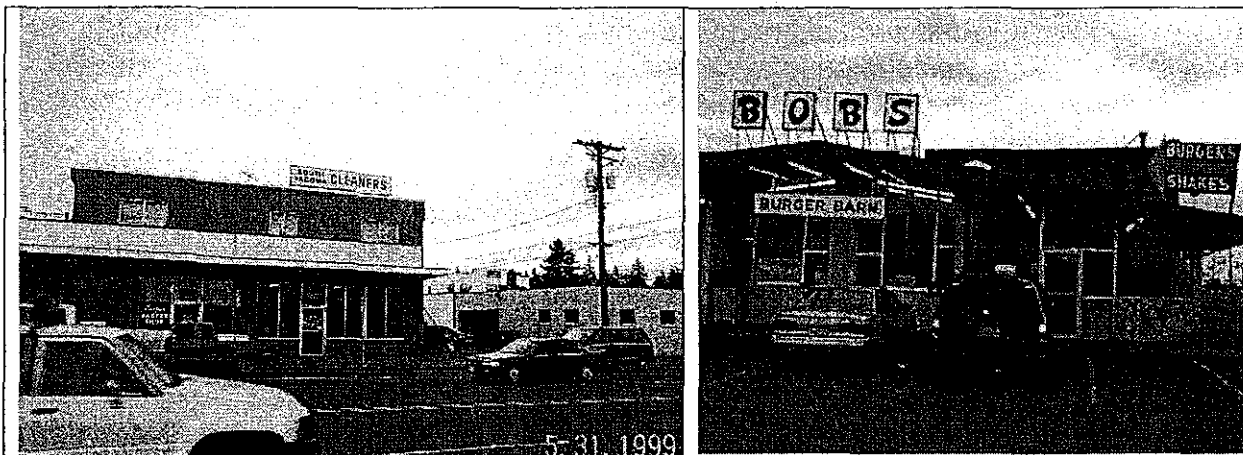
sign removal and a designated location for picking up signs that have been removed. When these appropriate individuals cannot be contacted or do not respond within five working days, the signs will be destroyed.

- 2) No political sign shall be erected upon any private property without permission of the resident or owner thereof.
 - 3) Political signs along the edge of the right-of-way shall not exceed three square feet in area per sign face nor three feet in height, and shall not obstruct safe visibility of any mobile or pedestrian traffic, nor interfere with routine maintenance and other common uses of the right-of-way such as public parking, pedestrian and bicycle traffic or access to utilities.
- X) *Real Estate Signs.* Temporary, non-illuminated real estate signs (not more than one per tax lot) may be located on the property, which is for sale or lease. Such signs shall not exceeding six (6) square feet in residential areas or twelve (12) square feet in commercial and industrial areas and not exceed six feet in height. Temporary real estates signs shall be removed 15 days after the sale, lease, or rental of the property.
- Y) *Religious Signs.* Religious signs are permitted in any zone subject to requirements of this chapter, including but not limited to height, size and location.
- Z) *Residential Development Signs* (subdivision and multi-family identification sign). In any residential zone shall not exceed five feet in height and 20 square feet in area.
- AA) *Residential Open House A-board Signs.* Residential Open House A-board Signs are permitted in any zone. Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs within one mile of the subject property. If a realtor has more than one house open for inspection in a single development or subdivision, he/she is limited to three off-premises, "open house" signs for the entire development or subdivision. Such signs are permitted only during daylight hours while the realtor or seller or an agent is in attendance at the property for sale or lease. No such sign shall exceed five square feet per sign face with a limit of two faces. The signs may not be placed within a public right-of-way, but may be placed adjacent to the right-of-way. This exemption does not apply to apartment and condominium "for rent" or "for lease" signs.
- BB) *Roof Signs.* Roof signs are allowed so long as they placed on a parapet or incorporated into the building and provide an overall finished appearance. Roof signs shall not project above the highest point of the part of the roof they are located on. Roof signs shall be considered wall signs.

Acceptable Roof Signs:



Unacceptable Roof Signs:



CC) *Special Event Signs.* Temporary special event signs are permitted subject to the provisions of Sections 19.75.120-140 with the following exceptions:

- 1) Number of Temporary Signs. The total number of temporary signs for a special event shall not exceed five large event signs, and six off-premises/directional signs.
- 2) Size Limit. Maximum size for large event signs shall not exceed 30 square feet each; maximum size for directional signs shall not exceed four square feet each.
- 3) Time Limit. The Director may issue temporary sign permits for each individual sign which shall terminate within 45 days total from the date of issuance, including the time after the event needed to remove signs (no extension periods allowed for special event signage).
- 4) Removal. Temporary signs shall be removed within three days of the last day of the special event. This time is to be included in the 45-day maximum limit for temporary signage.

- DD) *Street Banners – Decorations.* Street banners, decorations and/or other similar items located in the City right-of-way shall be permitted, in accordance with Title 13. The Public Work Standards.
- EE) *Strings of Incandescent Lights.* Strings of Incandescent Lights are permitted in nonresidential zones where the lights do not exceed twenty-five (25) watts per bulb during holiday seasons. Strings of lights in residential zones are not regulated.
- FF) *Temporary Use Signs.* Temporary Uses, which have received a temporary use permit in accordance with this Title, may place one temporary wall sign or banner and one temporary a-board or sandwich sign in accordance with the provisions of this Chapter. Temporary use signs may only be displayed for the duration the temporary use is permitted.
- GG) *Wall Signs.* Wall signs shall not total an area more than 15 percent of the building facade on which they are located and shall not exceed 18 inches in thickness.
- HH) *Window Signs.* Window signs may be painted or placed in a window in any nonresidential zone, when such signs do not obscure more than 20 percent of such window area, and are maintained for a period not exceeding seven days. Signs which remain longer than thirty (30) will be considered permanent and must comply with the provisions of this code for permanent signs.
- II) *Yard Sale Signs.* One on-premise and three off-premise yard sale signs are permitted. Off-premise signs means signs posted at locations away from the locations of the sales subject to the following provisions:
- 1) Yard sale signs shall not exceed three square feet in area per sign face or three feet in height.
 - 2) The signs may not be placed within a public right-of-way, but may be placed adjacent to the right-of-way with the property owner's permission.
 - 3) Yard sale signs shall not be posted sooner than 5:00 p.m. on the day prior to the sale and shall be removed immediately following the end of the sale.
 - 4) Yard sale signs must include the address where the yard sale is located and a date or dates of the sale.
 - 5) Signs for yard sales shall not be allowed for more than 3 successive calendar days in a 30-day period and shall be limited to advertising not more than 3 yard sale events in the same calendar year at the same location.
 - 6) A fine of \$100.00 per yard sale sign, which exceeds these provisions maybe levied against the property owner where the sales are held.

19.75.120 Temporary Signs.

Temporary signs are allowed subject to the provisions of this Section when a temporary sign permit is obtained from the Department of Planning and Community Development. The Director may attach conditions to the issuance of a temporary sign permit as may be necessary to ensure timely discontinuance of the use and to ensure substantial compliance with this Chapter.

19.75.130 Temporary Sign Permits Required

- A) *Applications for Temporary Sign Permits.* Any person submitting an application for a temporary sign permit shall make application on forms provided for that purpose at the Department of Planning and Community Development.
- B) *Additional Information.* The Director may require the filing of plans or other pertinent information where such information is necessary to insure compliance with this code.
- C) *Fees.* Fees for temporary sign permits shall be set by set by separate resolution.
- D) *Types of Temporary Signs.* The Director may issue temporary sign permits for the following types of temporary signs:
 - 1) A-board or sandwich signs.
 - 2) Banners.
 - 3) New residential development signs.
 - 4) Promotional signs means, strings flags, multiple flags, balloons, streamers and similar signs.
 - 5) Special event signs.
 - 6) Temporary use signs.
- E) No permit for a temporary A-board/sandwich sign, banner, or flag shall be issued for a period longer than 60 days. The 60-day time period may be used as one 60-day period, two separate 30-day periods, four 15-day periods six 10-day periods, or any other combination.
- F) No permit for a temporary string of flags, balloons, or streamers shall be issued for a period of longer than three days, but may be issued in conjunction with a temporary A-board/sandwich sign, banner, or flags under the same permit fee.

19.75.140 Temporary Sign Standards

Temporary signs shall be subject to the following general standards and any specific sign standards in Section 19.75.110 unless otherwise indicated.

- A) *Location.* Temporary signs, shall be located at least 20 feet from intersections and driveways. Temporary signs shall meet the setback requirements in Section 19.75.100(E) except that temporary A-board/sandwich signs may be placed at least five feet off a right-of-way.
- B) *Attachment.* Temporary signs may not be permanently attached to the ground, building, or other structures.
- C) *Deposit.* A deposit shall be submitted along with an affidavit stating that the applicant for a temporary sign will comply with all provisions of this Section is required prior to the issuance of a temporary sign permit. The affidavit shall state that all temporary signs must be removed within three working days after the expiration of the permit. The deposit shall be equal to the permit fee. If the applicant fails to remove signs in the time required and the city must enforce pursuant to Section 19.75.030, the deposit shall be forfeited and the applicant will not be eligible for another temporary sign permit for a period of 12 months.
- D) *Removal.* Each sign permit shall specify a removal date for streamers, banners, pennants, A-boards, and other temporary signs. The applicant is responsible for the prompt removal of such temporary signs at the termination of the specifies time period. Temporary A-board/sandwich signs shall be removed at the close of each business day.

19.75.150 Signs in R1, R2, MF, and PF Zones

The following signs are permitted in R1, R2, MF, and PF zones subject to the requirement of this Chapter. Refer to Section 19.75.110(K) for specific sign requirements.

- A) *Exempt Signs* subject to Section 19.75.070.
- B) *Religious Signs*
- C) *Identification Signs.* (Both freestanding and wall signs)

19.75.160 Signs in TC, NC, MU, MU-O, C and IB Zones

The following signs are permitted in TC, NC, MU, & MU-O, subject to the requirement of this Chapter. Refer to Section 19.75.110(J) for specific sign requirements

- A) *Exempt signs subject to Section 19.75.070.*
- B) *Freestanding Signs with or without a Reader Board.*
- C) *Projecting Signs.*
- D) *Religious Signs*
- E) *Marquee or Awning Signs.*
- F) *Menu Signs.*
- G) *Temporary Signs subject to Section 19.75.120 -140.*
- H) *Wall Signs.*
- I) *Window Signs.*

19.75.170 Change of Use

A change of use, which results in a sign face or message change, shall be subject to the following provisions:

- A) A sign face or message change on a nonconforming sign is not allowed as an alteration when the affected property and sign structure have been abandoned for greater than 90 days.
- B) A sign face or message change shall be allowed as an alteration only for existing conforming signs and for nonconforming signs prior to their abandonment; and
- C) No sign permit shall be required for allowable sign face or message changes.

19.75.180 Nonconforming Signs

- A) Any sign, which is replaced, shall immediately be brought into compliance with all of the provisions of this Chapter. Maintenance and repair of a sign on-site or away from the site, to a safe condition shall be permitted without loss of nonconforming status, if the cost of the maintenance or repair is less than 50 percent of the cost of replacing the sign with a conforming sign. However, signs must be restored to their original design or to a more conforming design. Acts of God or vandalism, which damage nonconforming signs, is not exempt from this Section. Any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it less in compliance with the requirements of this code.
- B) Signs in existence on the effective date of this Chapter which do not comply with provisions regulating flashing signs, use of spotlights or rotating beacons, rotating and revolving signs, flags, banners, streamers, or strings of lights, balloons or temporary or incidental signs shall be made to conform within 90 days from written notice by certified mail given by the Director.
- C) Any nonconforming sign must be brought into conformance in conjunction with:
 - 1) A major tenant improvement; or
 - 2) Prior to any expansion or change in use, which requires a special use permit.

19.75.190 Replacement of Nonconforming Signs

- A) *Replacement of Nonconforming Signs.* To ease the economic impact of this code on uses with substantial investment in signs in existence on the date of adoption of this Section, this Section provides until July 1, 2004, for continued use of a nonconforming sign in its existing state. Any sign, which is nonconforming with respect to the regulations in this Chapter, shall either be removed or brought into compliance with the Chapter requirements within the time period specified herein.
- B) *Nonconforming Sign Inventory.* The Director shall, as soon as practicable, survey the city for signs, which do not conform to the requirements of this code. Upon determination that a sign is nonconforming or illegal, the Director shall use reasonable

efforts to so notify in writing, the sign user or owner of the sign, and where practicable the owner of the property on which the sign is located. The business with which the sign is associated shall be presumed to be the sign user under this code. Notification shall include:

- A. Whether the sign is conforming, nonconforming or illegal;
- B. Whether the sign may be eligible for a nonconforming sign permit.

- C) *Identity of Sign Owner/Operator.* If the identity of the sign user, owner of the sign, or owner of the property on which the sign is located cannot be determined after reasonable inquiry, the notice may be affixed in a conspicuous place on the sign or on the business premises with which the sign is associated.
- D) *Nonconforming Sign Permits – When Permitted.* Any sign that does not conform to the provisions of this code is eligible for a nonconforming sign permit provided it meets all of the following requirements:
 - 1) The sign must be an on premise sign;
 - 2) The sign must not be a temporary sign;
 - 3) The sign must not be a sign prohibited by UPMC 19.45.070; and
 - 4) The sign must not be an illegal sign (constructed or placed illegally).
- E) *One Sign Per Street Frontage Allowed.* Each sign user having nonconforming signs which meets the requirements of Subsection (D) of this Section shall be permitted to retain one (only) such sign along each street upon which the business premises fronts. A nonconforming sign permit must be obtained for each sign to be retained.
- F) *Non-Conforming Sign Permit Required.* A nonconforming sign permit is required for each nonconforming sign identified under Subsection (B) of this Section. The permit shall be obtained by the sign user or the sign owner, or the owner of the property upon which the sign is located, within 60 days of notification by the city (under Subsection (B) of this Section) that the sign is nonconforming. The permit shall expire on July 1, 2004. Applications for a nonconforming sign permit shall contain the name and address of the sign user, the sign owner, and the owner of the property upon which the sign is located, and such other pertinent information as the Director may require to ensure compliance with the code. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.
- G) *Permit Issuance.* The Director shall issue nonconforming sign permits. Any person submitting an application for a nonconforming sign permit shall make application on forms provided for that purpose at the office of Planning and Community Development. The Director may require the filing of plans or other pertinent information where such information is necessary to determine compliance with this code. Fees for nonconforming sign permits shall be set by separate resolution. Appeals shall be filed in accordance with UPMC 22.02.
- H) *Time Period – Expired.* A nonconforming sign for which no permit has been issued within the 60-day period shall within six months from the date of initial notice by the city be brought into compliance with the code or be removed. Failure to comply shall

subject the sign user, sign owner or owner of the property on which the sign is located to the remedies and penalties of UPMC Chapter 1.20. If a sign loses its nonconforming status because it is replaced, the nonconforming sign permit shall become void and the Director shall notify the sign user, sign owner and/or owner of the property upon which the sign is located of cancellation of the permit or designation and the sign shall be removed.

- I) *Illegal Signs.* An illegal sign which does not comply with the requirements of this code and which is not eligible for a nonconforming sign permit under Subsection (D) may be immediately removed by the city if the sign is located on city property or right-of-way. The city may remove an illegal sign located on private property in accordance with the provisions of UPMC Chapter 1.20
- J) *Removal Date.* Nonconforming signs for which a nonconforming sign permit has been issued may remain until July 1, 2004 after which the sign shall be removed.
- K) *Public Nuisance Declared.* Any sign not removed within the time limit stated herein shall be deemed a public nuisance. Failure to remove the sign shall subject the sign user, sign owner or owner of the property on which the sign is located to the remedies and penalties of UPMC Chapter 1.20 and may be removed by the city if the sign owner or property owner fails to do so after being so ordered by the Director or designee. Cost of said removal shall be bore by the sign owner or property owner and may be recovered by the city, if necessary, by placing a lien on the property from which the sign has been removed.
- L) *Damaged Nonconforming Signs.* A nonconforming sign or sign structure damaged to the extent of more than 25 percent of its value at the time of damage by fire, wind or other casualty shall not be restored as a nonconforming sign or sign structure.

19.75.200 VACANCIES AND ABANDONMENT

- A) *Vacancies.* All signs (excluding sign structures) associated with a use, which leaves a premises or property must be removed within 60 days of leaving.
 - 1) If the person who owns or leases such signs fails to remove them as provided in this Section, the Director shall give the owner of the building, structure or premises upon which such sign is located 30 days' written notice to remove it;
 - 2) If the sign has not been removed at the expiration of the 30 days' notice, the Director may remove such sign at cost to the owner of the building, structure or premises; and
 - 3) Costs incurred by the city due to removal may be made by a lien against the land or premises on which such sign is located, after notice and hearing, and may be collected or foreclosed in the same manner as liens otherwise entered in the liens docket of the city.

B) *Abandonment.* Any person who owns or leases an abandoned sign structure shall remove the sign structure when the sign structure has been abandoned:

- 1) If the person who owns or leases such sign structure fails to remove it as provided in this Section, the Director shall give the owner of the building, structure or premises upon which the sign is located 60 days' written notice to remove it;
- 2) If the sign has not been removed at the expiration of the 60 days' notice, the Director may remove the sign at cost to the owner of the building, structure or premises; and
- 3) Costs incurred by the city due to removal may be made by a lien against the land or premises on which the sign is located, after notice and hearing, and may be collected or foreclosed in the same manner as liens otherwise entered in the liens docket of the city.