

# Chapter 14

## SIGN REGULATIONS

### 10-14-1: TITLE, PURPOSE AND INTERPRETATION:

- A. Title: This chapter shall be known and may be cited as the *SIGN REGULATIONS OF THE CITY OF GREEN RIVER, UTAH*. (1995 Code § 75-1-1)
- B. Purpose: The purpose of the sign regulations set forth in this chapter shall be to minimize potential hazards to motorists and pedestrians; to encourage signs which, by their good design, are integrated with and harmonious to buildings and sites which they occupy; to encourage sign legibility through the elimination of excessive and confusing sign displays; to reduce driver inattention; to preserve and improve the appearance of the city as a place in which to live and work and as an attraction to nonresidents who come to visit or trade; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; to supplement and be a part of the regulations imposed and the plan set forth under the zoning ordinances of the city; and to promote the public health, safety and general welfare. (1995 Code § 75-1-2)
- C. Interpretation: In interpreting and applying the provisions of this chapter, the sign regulations contained herein are declared to be the minimum standards allowable for the purpose set forth. The types of signs allowed by this chapter shall be plenary and sign types not specifically allowed as set forth within this chapter shall be prohibited. It is not intended by this chapter to interfere with, nor abrogate, nor annul any easements, covenants or other agreements between private parties existing at the time of the effective date hereof; provided, however, that where this chapter imposes a greater restriction upon signs, and the location thereof requires or imposes other conditions than those required or imposed by other laws, ordinances or restrictions, the provisions of this chapter shall control. (1995 Code § 75-1-3)

### 10-14-2: DEFINITIONS:

Words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not herein defined, but defined in the building code which has been adopted by the city shall be construed as defined in said building code.

The terms, phrases, words and their derivatives shall have the meanings as stated and defined in this section:

**ALTERATIONS:** A change or rearrangement in the structural parts of a sign's design, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another; adding or deleting words from the copy, or changing the size of the letters or figures comprising the copy, save those signs which are so designed that the copy is changed at time intervals of no greater than seven (7) days.

**AWNING:** A roofed structure constructed of fabric or metal, placed so as to extend outward from the building, providing a protecting shield for doors, windows and other openings with supports extending back to the building, supported entirely by the building.

**BUILDING, FRONT LINE OF:** The line of that face of the building or structure nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches, whether enclosed or unclosed, but does not include uncovered steps less than four feet (4') above grade and eaves overhanging less than two feet (2').

**BUILDING INSPECTOR:** The appropriate inspector or inspectors so employed by the city of Green River, Utah, vested with the duty of enforcing the zoning ordinance of the city of Green River, Utah, the international building code and all other applicable ordinances as necessary for adequate performance of his vested powers.

**BUILDING LINE:** A vertical surface intersecting the ground along a line at which the front of the building occupies the lot on which it is constructed.

**CANOPY:** A roofed structure constructed of fabric or other material placed so as to extend outward from the building providing a protective shield for doors, windows and other openings supported by the building and supports extending to the ground directly under the canopy.

**CORNER LOT:** A lot abutting on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty five degrees (135°).

**MARQUEE:** A permanent roofed structure designed to meet all provisions of the current city building code and other specifications as outlined in this chapter. Where specifications as outlined in this chapter are different from the provisions of the building code, the more restrictive shall apply.

**NONCONFORMING SIGN OR SIGN STRUCTURE:** A sign or sign structure or portion thereof lawfully existing at the time this chapter became effective, which does not conform to all height, area and yard regulations prescribed in the zone in which it is located.

**SIGN:** Every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface or space erected or maintained in view of the observer thereof for identification, advertisement or promotion of the interests of any person, entity, product

or service. The definition of "sign" shall also include the sign structure, supports, lighting system and any attachments, ornaments or other features used to draw the attention to observers. This definition does not include any flag, badge or insignia of any government or governmental agency erected for and used to identify said government or governmental agency.

**SIGN, A-FRAME:** A temporary and/or movable sign constructed with two (2) sides attached at the top so as to allow the sign to stand in an upright position.

**SIGN, ADVERTISING:** Same as Sign, Off Premises. An advertising sign which directs attention to a use, product, commodity or service not related to the premises.

**SIGN, ANIMATED:** A sign which involves motion or rotation of any part by mechanical or artificial means or displays flashing or intermittent lights.

**SIGN AREA:** The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back to back or double faced sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty five degrees ( $45^{\circ}$ ). In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the last rectangle or circle large enough to frame the display.

**SIGN, BILLBOARD:** Same as Sign, Off Premises. An advertising sign which directs attention to a use, product, commodity or service not related to the premises.

**SIGN, BUSINESS:** Same as Sign, Off Premises. An advertising sign which directs attention to a use, product, commodity or service not related to the premises.

**SIGN, FLAT:** A sign erected parallel to and attached to the outside wall of a building and extending not more than twentyfour inches (24") from such wall with messages or copy on the face side only.

**SIGN, FLOODLIGHTED:** A sign made legible in the absence of daylight by devices which reflect or project light upon it.

**SIGN, GROUND:** A sign supported by a fixed permanent frame or support in the ground.

**SIGN, IDENTIFICATION:** A sign displayed to indicate the name or nature of buildings, or uses other than commercial or industrial uses, located upon the premises, i.e., schools, churches, hospitals, etc.

**SIGN, ILLUMINATED:** A sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign proper.

**SIGN, INTERIOR:** A sign located within a building so as to be visible only from within the building in which the sign is located.

**SIGN, LOW PROFILE:** A sign "on premises" or identification signs having a maximum height of four feet (4') incorporated into some form of landscape design scheme or planter box.

**SIGN MAINTENANCE:** Signs shall be maintained in a safe, presentable and good condition, including the replacement of defective parts, repainting, cleaning and other acts required for the maintenance of said sign.

**SIGN, NAMEPLATE:** A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

**SIGN, OFF PREMISES:** An advertising sign which directs attention to a use, product, commodity or service not related to the premises.

**SIGN, ON PREMISES:** A business sign or other sign which directs attention to a use conducted, product or commodity sold, or services performed upon the premises on which it is located.

**SIGN, PEDESTAL:** A temporary and/or movable sign supported by a column or columns and a base so as to allow the sign to stand in an upright position.

**SIGN, PROJECTING:** A sign attached to a building or other structure and extending in whole or in part more than twenty four inches (24") beyond any wall of the building or structure.

**SIGN, PROPERTY:** A sign related to the property upon which it is located and offering such property for sale or lease, advertising contemplated involvements, announcing the name of the builder, owner, designer or developer of the project, or warning against trespassing.

**SIGN, PUBLIC NECESSITY:** A sign informing the public of any danger or hazard existing on or adjacent to the premises.

**SIGN, ROOF:** A sign erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof twelve inches (12") or more.

**SIGN, SERVICE:** A sign which is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as direction to parking lots, location of rest rooms, sale of agricultural products produced upon the premises and which bear, as an incidental part of the sign, the name, address or trademark of the persons furnishing such sign to the owner of the premises.

**SIGN, SNIPE:** A sign for which a permit has not been obtained which is attached to a public utility pole, light pole, service pole or supports for another sign.

**SIGN, TEMPORARY:** Any sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wall board, or other light materials, with or without light frames, intended to be displayed out of doors for a short period of time.

**SIGN, WALL:** A sign that is either painted on a wall or its facing, or is painted in such a way that it gives the visual appearance of being painted on a wall or facing by not having a frame or separation from the wall or facing.

**SIGN, WINDOW:** A sign either attached to a window or door, or located within a building so as to be visible through a window or door by people outside of the building.

**STRUCTURE:** Anything constructed or erected which requires location on or below the ground, or attached to something having location on or below the ground, including signs and billboards, but not including fences or walls used as fences which are six feet (6') in height or less.

**YARD:** An open, unoccupied space on a lot other than a court, which is unobstructed from the ground upward by buildings or structures, except as provided in this chapter.

**YARD, FRONT:** The minimum horizontal distance between the street line and the front line of the building or any projection thereof, excluding nonenclosed steps. On the corner lot, the front yard may be applied to either street.

**YARD, REAR:** An open, unoccupied space on the same lot as a building, measured from the rear line of the building (exclusive of steps) and the rear lot line, and extending for the same width of the lot. In case of a corner lot where the building facade faces on the side street, the rear yard may be established from the side of the dwelling to the side property line.

**YARD, SIDE:** A yard between the building and the side line of the lot, and extending from the front yard to the rear yard. (1995 Code §§ 75-3-1, 75-3-2; amd. 2003 Code)

### **10-14-3: ENFORCEMENT:**

- A. Building Inspector: The building inspector is hereby vested with the duty of enforcing these regulations, and, in the performance of such duty, is empowered to the following directives:
1. To issue permits to construct, alter or repair signs which conform to this chapter;
  2. To ascertain that all signs, construction or maintenance of any sign is in conformance with this chapter and the conditions imposed precedent to the issuance of a conditional use permit, if applicable;
  3. To issue a notice of violation to the person having charge, control or benefit of any sign found by the building inspector to be unsafe or dangerous or in violation of this chapter or the ordinances of the city;
  4. To institute any appropriate action or proceeding in any case where any sign is erected, constructed, reconstructed, altered, repaired, converted or maintained, or in

any case where any sign is used in violation of any ordinance of the city, including, but not limited to, this title, in order to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, and to restrain, correct or abate such violation.

5. To abate and remove any unsafe or dangerous sign which is not repaired or made safe within five (5) working days after giving appropriate notice to the person having charge, control or benefit of any such sign.
  - a. In such an event, the person having charge, control or benefit of such sign shall pay to the city the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such person.
  - b. Upon failure to pay the costs incurred in abating and removing an unsafe or dangerous sign, the city may place a lien against property owned by the person having charge, control or benefit of such sign to assure compliance with this provision. This provision for abatement and removal shall not apply to any sign for which a notice of violation is being appealed to the board of adjustment.
6. To abate and remove any illegal sign other than unsafe or dangerous signs which are not made conforming within thirty (30) working days after giving appropriate notice to the person having charge, control or benefit of such sign.
  - a. In such an event, the person having charge, control or benefit of such sign shall pay to the city the cost incurred in such removal within thirty (30) calendar days after written notice is mailed to such person.
  - b. Upon failure to pay the costs incurred in abating and removing an illegal sign, the city may place a lien against property owned by the person having charge, control or benefit of such sign to assure compliance with this provision. This provision for abatement and removal shall not apply to any sign for which a notice of violation is being appealed to the board of adjustment.
7. To abate and remove any nonmaintained or abandoned sign which is not repaired or put into use within ten (10) working days after giving appropriate notice to the person having charge, control or benefit of any such sign.
  - a. In such an event, the person having charge, control or benefit of such sign shall pay to the city the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such person.
  - b. Upon failure to pay the costs incurred in abating and removing a nonmaintained or abandoned sign, the city may place a lien against property owned by the person having charge, control or benefit of such sign to assure compliance with this provision. This provision for abatement and removal shall not apply to any sign for which a notice of violation is being appealed to the board of adjustment. (1995 Code § 75-6-1)

- B. Notice Requirements: Notification by the building inspector to persons having charge, control or benefit of any sign found by the building inspector to be unsafe or dangerous or in violation of this title or other ordinances of the city, and where the city is contemplating removal of said sign, shall be accomplished by the city utilizing written notices sent through the registered mail. Any such notice shall state the exact nature of the violation, the exact time and date by which the noncomplying condition or use must be remedied, and the appeals procedure by which the person having charge, control or benefit of such sign may appeal the decision of the building inspector. (1995 Code § 75-6-2)
- C. Sign Permit And Fee Required: All signs hereafter erected within the city shall be erected, reconstructed or remodeled only in accordance with the authority of the sign permit issued by the city. Application for a sign permit shall be made to the building inspector and shall be accompanied by a fee. Such fee shall be established by resolution of the city council. A sign permit shall be issued by the building inspector if the proposed sign is found to be in compliance with the provisions of this chapter and other ordinances of the city. (1995 Code § 75-6-3)
- D. Reinspection Fee: In the event that a notice of violation is issued, a reinspection fee shall be charged to defray the costs of reinspection. Said reinspection fee shall be charged for each inspection required until applicable regulations of the city are complied with. The amount of the fee shall be established by resolution of the city council. (1995 Code § 75-6-4)

#### **10-14-4: GENERAL REGULATIONS:**

- A. Conformity To Zoning: Except as provided in this chapter, no sign shall be erected, raised, moved, placed, reconstructed, extended, enlarged, altered or have the text of the sign changed except in conformity with the regulations herein specified for the zoning district in which it is located. (1995 Code § 75-4-1)
- B. Codes And Ordinances; Compliance Required: All signs hereafter erected in the city shall comply with the current standards of all building codes as adopted by the city, this title and all other ordinances the city or the state. (1995 Code § 75-4-2; amd. 2003 Code)
- C. Maintenance: All signs shall be maintained in good condition. Exposed parts of signs shall be painted or treated chemically in such a manner as to preserve the condition, aesthetics and life of such signs. Moving parts shall be maintained in operable condition,

and signs designed to be lighted shall be maintained with a full compliment of the lighting facilities required by the design of such a sign. (1995 Code § 75-4-3)

- D. Discontinued Use: All signs identifying a discontinued use on the property shall be removed by the sign owner from the property within thirty (30) calendar days of the time the use was discontinued. (1995 Code § 75-4-4)
- E. Nonconforming; Time Limit: Nonconforming signs costing more than two hundred dollars (\$200.00) to replace and legally existing at the time of adoption of this chapter shall be exempt from compliance with the provisions of this chapter for a period of five (5) years, after which time such signs shall be made to conform to such provisions and to any other sign provisions adopted by the governing body subsequent to adoption of this chapter or shall be removed. Nonconforming signs costing less than two hundred dollars (\$200.00) and legally existing at the time of the adoption of this chapter shall be made to conform to such provisions within ninety (90) days from the date of notification of such nonconformance by the planning and zoning administrator, or shall be removed within ninety (90) days of such notification. (1995 Code § 75-4-5)
- F. Moving; Conformance Required: No sign erected before the adoption of this chapter shall be moved to a new location on the lot or building, or enlarged or replaced unless it is made to conform with the regulations of this chapter. (1995 Code § 75-4-6)
- G. Nameplate Signs: Nameplate signs shall be allowed in all zoning districts without the necessity of obtaining a sign permit if the sign area does not exceed forty eight (48) square inches. (1995 Code § 75-4-7)

## **10-14-5: INSPECTIONS:**

- A. Initial Inspections: The building inspector shall make an initial inspection of any sign upon the completion, erection, reconstruction or remodeling of the same and notification of said completion, erection, reconstruction or remodeling. This inspection shall be made to assure compliance with the provisions of these regulations, other ordinances of the city and conditions precedent to the issuance of the conditional use permit, if applicable. (1995 Code § 75-5-1)



- B. Compliant Of Noncompliance: The building inspector shall inspect each sign for which a complaint of noncompliance with these regulations or ordinances of the city is made in writing to the building inspector. (1995 Code § 75-5-2)
- C. Routine Inspections: The building inspector shall make routine spot checks of all signs to assure compliance with these regulations or ordinances of the city and conditions precedent to the issuance of the conditional use permit, if applicable. (1995 Code § 75-5-3)

## **10-14-6: REGULATIONS WITHIN ZONES:**

### **A. Agricultural Zones:**

1. Permitted Signs: Only the following signs are allowed in agricultural zones:
  - a. Nameplates.
  - b. Public necessity signs.
  - c. Property signs.
  - d. Business signs (nonconforming uses).
  - e. Identification signs.
  - f. Wall signs.
  - g. Service signs. (1995 Code § 75-7-1)
2. Sign Provisions: These signs shall conform to the following provisions:
  - a. Nameplates: One nonilluminated nameplate for each dwelling unit, not exceeding one hundred eighty (180) square inches in area, indicating the name of the occupant and/or a permitted home occupation.
  - b. Public Necessity Signs: One or more public necessity signs, not exceeding twenty four (24) square feet in combined total area for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area.

- c. Property Signs: One or more signs, not exceeding nine (9) square feet in combined total area for each street frontage of the lot. In addition, one or more signs of a temporary nature for each approved subdivision under development, provided such signs shall not exceed, in combined total area, two hundred (200) square feet for any one subdivision, and that no one sign shall exceed one hundred (100) square feet in area. In addition, one or more signs of a temporary nature for main buildings or uses under development other than dwellings, provided such signs shall not exceed on combined total area one hundred (100) square feet.
  - d. Business Signs: One or more signs, not exceeding in total area two (2) square feet for each one linear foot of frontage occupied by a nonconforming commercial or industrial use, but in no case shall the total area of all signs exceed one hundred (100) square feet. Uses not occupying frontage may have one or more signs not exceeding forty (40) square feet in combined total area.
  - e. Wall Signs: One sign, not exceeding one hundred (100) square feet in area, for each commercial use lawfully occupying the premises.
  - f. Service Signs: One or more service signs, not exceeding twenty four (24) square feet in combined total area, for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area. (1995 Code § 75-7-2; amd. 2003 Code)
- B. Residential Zones; Permitted Signs: Signs in these zones are subject to the regulations set forth in sections 10-14-1 through 10-14-5 of this chapter, and all signs allowed in the agricultural zones specified as follows:
- 1. Nameplates: One nonilluminated nameplate for each dwelling unit, not exceeding one hundred eighty (180) square inches in area, indicating the name of the occupant and/or a permitted home occupation.
  - 2. Public Necessity Signs: One or more public necessity signs, not exceeding twenty four (24) square feet in combined total area for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area.
  - 3. Property Signs: One or more signs, not exceeding nine (9) square feet in combined total area for each street frontage of the lot. In addition, one or more signs of a temporary nature for each approved subdivision under development, provided such signs shall not exceed, in combined total area, two hundred (200) square feet for any one subdivision, and that no one sign shall exceed one hundred (100) square feet in area. In addition, one or more signs of a temporary nature for main buildings or uses under development other than dwellings, provided such signs shall not exceed in combined total area one hundred (100) square feet.
  - 4. Business Signs: One or more signs, not exceeding in total area two (2) square feet for each one linear foot of frontage occupied by a nonconforming commercial or industrial

use, but in no case shall the total area of all signs exceed one hundred (100) square feet. Uses not occupying frontage may have one or more signs not exceeding forty (40) square feet in combined total area.

5. Service Signs: One or more service signs, not exceeding twenty four (24) square feet in combined total area, for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area. (1995 Code § 75-7-3; amd. 2003 Code)

C. Mobile Home Park/Recreational Vehicle Park Zone; Permitted Signs: Signs in these zones are subject to the regulations set forth in sections 10-14-1 through 10-14-5 of this chapter, and all signs allowed in the agricultural zone specified as follows:

1. Nameplates: One nonilluminated nameplate for each dwelling unit, not exceeding one hundred eighty (180) square inches in area, indicating the name of the occupant and/or a permitted home occupation.
2. Public Necessity Signs: One or more public necessity signs, not exceeding twenty four (24) square feet in combined total area for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area.
3. Property Signs: One or more signs, not exceeding nine (9) square feet in combined total area for each street frontage of the lot. In addition, one or more signs of a temporary nature for each approved subdivision under development, provided such signs shall not exceed, in combined total area, two hundred (200) square feet for any one subdivision, and that no one sign shall exceed one hundred (100) square feet in area. In addition, one or more signs of a temporary nature for main buildings or uses under development other than dwellings, provided such signs shall not exceed in combined total area one hundred (100) square feet.
4. Business Signs: One or more signs, not exceeding in total area two (2) square feet for each one linear foot of frontage occupied by a nonconforming commercial or industrial use, but in no case shall the total area of all signs exceed one hundred (100) square feet. Uses not occupying frontage may have one or more signs not exceeding forty (40) square feet in combined total area.
5. Service Signs: One or more service signs, not exceeding twenty four (24) square feet in combined total area, for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area. (1995 Code § 75-7-4; amd. 2003 Code)

D. Commercial Zones: Sign regulations for the C-1 and C-3 zones are as follows: (2003 Code)

1. Permitted Signs: Signs in this zone are subject to the regulations set forth in sections 10-14-1 through 10-14-5 of this chapter, and specified as follows:

- a. Nameplates: One nonilluminated nameplate for each dwelling unit, not exceeding one hundred eighty (180) square inches in area, indicating the name of the occupant and/or a permitted home occupation.
  - b. Public Necessity Signs: One or more public necessity signs, not exceeding twenty four (24) square feet in combined total area for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area.
  - c. Property Signs: One or more signs, not exceeding nine (9) square feet in combined total area for each street frontage of the lot. In addition, one or more signs of a temporary nature for each approved subdivision under development, provided such signs shall not exceed, in combined total area, two hundred (200) square feet for any one subdivision, and that no one sign shall exceed one hundred (100) square feet in area. In addition, one or more signs of a temporary nature for main buildings or uses under development other than dwellings, provided such signs shall not exceed on combined total area one hundred (100) square feet.
  - d. Business Signs: One or more signs, not exceeding in total area two (2) square feet for each one linear foot of frontage occupied by a nonconforming commercial or industrial use, but in no case shall the total area of all signs exceed one hundred (100) square feet. Uses not occupying frontage may have one or more signs not exceeding forty (40) square feet in combined total area.
  - e. Wall Signs: One sign, not exceeding one hundred (100) square feet in area, for each commercial use lawfully occupying the premises.
  - f. Service Signs: One or more service signs, not exceeding twenty four (24) square feet in combined total area, for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area.
  - g. On premises business signs.
  - h. Advertising Signs: Off premises advertising signs.
  - i. Animated Signs: Slow rotation of signs or parts of signs not to exceed eight (8) revolutions per minute, and slow oscillating movements and subdued color change shall be allowed.
  - j. Ground Signs: Only one ground sign shall be allowed on each separate business site, provided no part of the sign projects over public property.
  - k. Movable signs. (1995 Code § 75-7-5; amd. 2003 Code)
2. Front Yard Setback: A front yard setback of at least six feet (6') is required in a commercial zone. "On premises" ground signs and projecting signs may project a maximum of six feet (6') over the required front yard area. Billboards and advertising signs shall not project into the required setback. (1995 Code § 75-7-6)

3. Side And Rear Setbacks: Side or rear yard setbacks are not required in a commercial zone, except where adjoining an agricultural zone, residential zone or mobile home park/recreational vehicle park zone, in which case signs shall be set back fifteen feet (15') from the property line on that side forming the common boundary line between the two (2) zones. The signs shall not project into the required setback. (1995 Code § 75-7-7)

#### E. Industrial Zone:

1. Permitted Signs: Signs in this zone are subject to the regulations set forth in sections 10-14-1 through 10-14-5 of this chapter, and specified as follows:
  - a. Nameplates: One nonilluminated nameplate for each dwelling unit, not exceeding one hundred eighty (180) square inches in area, indicating the name of the occupant and/or a permitted home occupation.
  - b. Public Necessity Signs: One or more public necessity signs, not exceeding twenty four (24) square feet in combined total area for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area.
  - c. Property Signs: One or more signs, not exceeding nine (9) square feet in combined total area for each street frontage of the lot. In addition, one or more signs of a temporary nature for each approved subdivision under development, provided such signs shall not exceed, in combined total area, two hundred (200) square feet for any one subdivision, and that no one sign shall exceed one hundred (100) square feet in area. In addition, one or more signs of a temporary nature for main buildings or uses under development other than dwellings, provided such signs shall not exceed on combined total area one hundred (100) square feet.
  - d. Business Signs: One or more signs, not exceeding in total area two (2) square feet for each one linear foot of frontage occupied by a nonconforming commercial or industrial use, but in no case shall the total area of all signs exceed one hundred (100) square feet. Uses not occupying frontage may have one or more signs not exceeding forty (40) square feet in combined total area.
  - e. Wall Signs: One sign, not exceeding one hundred (100) square feet in area, for each commercial use lawfully occupying the premises.
  - f. Service Signs: One or more service signs, not exceeding twenty four (24) square feet in combined total area, for each commercial or residential use lawfully occupying the premises; provided, that no one sign shall exceed eight (8) square feet in area.
  - g. On premises business signs.
  - h. Off premises signs.

- i. Ground Signs: Only one ground sign be allowed on each separate business site, provided no part of the sign projects over public property. (1995 Code § 75-7-8; amd. 2003 Code)
2. Side And Rear Yard Setbacks: Front, side and rear yard setbacks are not required, except where adjoining an agricultural zone, residential zone or mobile home park/recreational vehicle park zone, in which case signs shall be set back fifteen feet (15') from the property line on the side forming the common boundary line between the two (2) zones. The signs shall not project into the required setback. (1995 Code § 75-7-9)

## **10-14-7: SPACING REQUIREMENTS FOR OFF PREMISES SIGNS:**

### **A. Interstate Highways And Limited Access Primary Highways:**

1. Spacing between sign structures along each side of the highway shall be a minimum of five hundred feet (500'), except that this spacing shall not apply to signs which are separated by a building or other construction in such a manner that only one sign located within the minimum spacing distance set forth above is visible from the highway at any one time.
2. No sign may located on an interstate highway or freeway within five hundred feet (500') of an interchange, interstate at grade or rest area (measured along the interstate highway or freeway from the sign to the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main traveled way). (1995 Code § 75-8-1)

### **B. Nonlimited Access Primary Highways: The location of sign structures situated between streets, roads or highways entering into or intersecting the main traveled way shall conform to the following spacing criteria and be applied separately to each side of the primary highway:**

1. Where the distance between centerlines of intersecting streets or highways is less than one thousand feet (1,000'), a minimum spacing between structures of one hundred fifty feet (150') (double faced, V-type and/or back to back) may be permitted between such intersecting streets or highways.
2. Where the distance between centerlines of intersecting streets or highways is one thousand feet (1,000') or more, minimum spacing between sign structures (double faced, V-typed and/or back to back) shall be three hundred feet (300'). (1995 Code § 75-8-2)

### C. Explanatory Notes:

1. Alleys, undeveloped rights of way, private roads and driveways shall not be regarded as intersecting streets, roads or highways.
2. Only roads, streets and highways which enter directly into the main traveled way of the primary highway shall be regarded as intersecting.
3. Official and "on premises" signs, as defined in United States Code section 131(C) of title 23, shall not be counted, nor shall measurements be made from them for purposes of determining compliance with the above spacing requirements.
4. The minimum distance between signs shall be measured along the nearest edge of the pavement between points directly opposite the signs. (1995 Code § 75-8-3)

### **10-14-8: PROHIBITED SIGNS IN SPECIFIC PLACES; EXCEPTIONS:**

The following signs are expressly prohibited by this chapter. Also, signs not specifically allowed by this chapter are prohibited.

- A. Wall Signs: Wall signs as defined by this chapter are prohibited in residential zones and in mobile home park/recreational vehicle park zones.
- B. Handbills, Posters, Advertisements Or Notices: No sign, handbill, poster, advertisement or notice of any kind or sort shall be fastened, placed, posted, painted or attached in any way or upon any curbstone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, tree, sidewalk or street, except signs owned and erected by a public agency or erected by permission of an authorized public agency as required by law.
- C. Movable Signs: Any sign not properly located in a fixed position on the property or within a building or car such as an A-frame, trailer or pedestal type sign is prohibited, except in a commercial zone.
- D. Temporary Signs: Any sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed out of doors for a short period of time is prohibited, except where authorized by the building inspector. (1995 Code § 75-9-1)

## **10-14-9: APPEAL AND REVOCATION:**

- A. Appeal: Rules, regulations and procedures for appeals of orders, requirements, administrative decisions or interpretations arising out of the provisions of this chapter are set forth in this title. (1995 Code § 75-2-1)
- B. Revocable Permit: All rights and privileges acquired under the provisions of this chapter permitting the erection or maintenance of signs, marquees and signs over sidewalks or public rights of way are mere licenses, revocable at any time without compensation, with or without cause, by the city council, whether or not such permits contain this provision. (1995 Code § 75-2-2)
- C. Notice Of Revocation: If the city council elects to revoke such license, it shall give notice of such revocation to the permittee or owner of the property on which the marquee or sign is situated, and shall afford him a period of not less than ninety (90) calendar days within which to remove the marquee or sign or to reconstruct it in such a manner that it does not extend over the public right of way. (1995 Code § 75-2-3)

## **10-14-10: CONFLICTING PROVISIONS:**

Whenever regulations in this chapter require higher standards than are required in other ordinances or law, the provisions in this chapter shall govern. Whenever regulations of other ordinances or laws require higher standards than the provisions of this chapter, then said other ordinances or laws shall govern. All ordinances or parts of ordinances in conflict with any of the provisions of this chapter are hereby repealed. (1995 Code § 75-11-1)

## **10-14-11: VIOLATION; PENALTY:**

- A. Responsibility For Violations: It shall be the duty of all architects, contractors, subcontractors, builders or other persons having to do with the erection, altering, changing or remodeling of any sign or sign structure to see that a proper permit has been granted before any such work is begun. Any such architect, builder, contractor or other person doing or performing any such work without a permit having been issued is in conflict with the requirements of this chapter, and shall be deemed guilty of violation of this chapter in the same manner and to the same extent that the owner of the premises or the person for whom the signs or sign structures are erected or altered, and shall be subject to the penalties herein prescribed for violation. (1995 Code § 75-10-1)



- B. Penalty: Any person, firm or corporation, whether as principal, agent, employee or otherwise, who shall erect, construct or reconstruct any sign or sign structure which involves structural alterations or which involves an increase in area without first obtaining a permit therefor from the planning and zoning administrator/building inspector shall be guilty of a class C misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of this code. (1995 Code § 75-10-2; amd. 2003 Code)