

Ordinance No. 07-2024

AN ORDINANCE AMENDING CITY CODE TITLE 10: ZONING REGULATIONS;
CHAPTER 15: SIGN REGULATIONS; SECTIONS 1, 4,5,6 & 7.

WHEREAS UCA § 10-3-701 states, “except as otherwise specifically provided, the governing body of each municipality shall exercise its legislative power through ordinances.” And

WHEREAS UCA 10-3-702 states that ‘the governing body may pass any ordinance to regulate, require, prohibit, govern control or supervise any activity, business, conduct or condition authorized by this act or any other provision of law’; And

WHEREAS, the proposed amendment adds definitions for certain signs in city’s codes definitions and construction section. The city has been approached by sign applicants with questions regarding signs in the city. Questions include but aren’t limited to classification of signs and lighting of signs (particularly highway signs). The city would like to clarify some of the provisions in Chapter 10-15 Sign Regulations. Proposed amendments include stating the purpose of the chapter, adding clarification to the permitted sign table, adding a provision for inflatable signs, and adding an appeal process.

WHEREAS, The Providence City Planning Commission held a public hearing regarding these proposed amendments on February 28th, 2024, taking comments, questions, and recommendations from the public. The Planning Commission made the following motion:

Motion to recommend to City Council that they approve PCC amendments regarding Sign Regulations with the before mentioned recommended changes in accordance with the findings of facts, conclusions of law and conditions as found in the staff report – Bob Washburn. 2nd – Robert Henke.

Vote:

Yea- Robert Henke, Michale Fortune, Bob Washburn & Shelly Nazer

Nay-

Abstained-

Absent- Joe Chambers & Brian Marble.

WHEREAS, The City Council motions to approve and have incorporated into the city code the attached code review that establishes the amendments to PCC 1-3-2 & PCC 10-15-1, 4-7.

THEREFORE, be it ordained by the Providence City Council

- The attached referenced code shall be approved and added to the city code.
- This ordinance shall become effective immediately upon passage.

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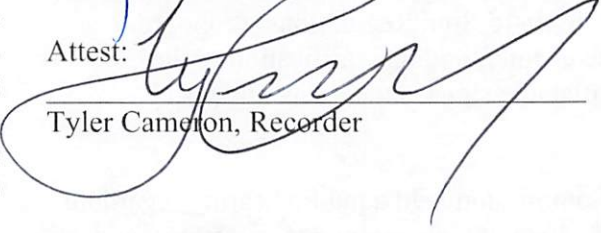
Passed by vote of the Providence City Council this 20th day of March 2024.

Council Vote:

Nebeker, Jeff	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Kirk, Carrie	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Kunz, David	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Sealy, Jeanell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Speth, Brent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent


Kathleen Alder, Mayor

Attest:


Tyler Cameron, Recorder

Code Amendment Review				
Prepared by: S Bankhead	Date: 02/28/2024	Land Use	Yes: X	No:
Code Title: 1 Administration 10 Zoning Regulations	Title Chapter: 3 Definitions and Construction 15 Sign Regulations	Chapter Section: Section 2 Definitions Section 1 Purpose Section 4 Fee for Permit Section 5 Permitted Signs; Table Section 6 Rules, Regulations and Requirements Section 7 Penalty, Confiscation of Signs, Appeals		
Applicant: City Staff				
Abbreviations & Authority: <ol style="list-style-type: none"> 1. Utah Code Annotated: UCA 2. The UCA references are summarized in this analysis. For a complete details and code requirements, please review the online Utah Code at: https://le.utah.gov/xcode/code.html 3. Providence City Code: PCC 4. The PCC references are summarized in this analysis. For a complete details and code requirements, please review our online city code at: https://providence.municipalcodeonline.com/book?type=ordinances#name=Preface 5. Recommendation: Planning Commission (PCC: 10-4-4:B.1) 6. Legislative body: City Council 				
Background Information: <ol style="list-style-type: none"> 1. The proposed amendment adds definitions for certain signs in Chapter 1-3 Definitions and Construction. 2. City staff has been approached by sign applicants with questions regarding signs in the city. Questions include but aren't limited to classification of signs and lighting of signs (particularly highway signs). 3. City staff would like to clarify some of the provisions in Chapter 10-15 Sign Regulations. Proposed amendments include stating the purpose of the chapter, adding clarification to the permitted sign table, adding a provision for inflatable signs, and adding an appeal process. 4. The planning commission reviewed the proposal amendments on 01/10/2024. This draft includes the planning commission revisions. 				

FINDINGS OF FACT:

1. UCA 10-3-701. Legislative power exercised by ordinance. Except as otherwise specifically provided, the governing body of each municipality shall exercise its legislative powers through ordinances.
2. UCA 10-3-702. The governing body may pass any ordinance to regulate, require, prohibit, govern control or supervise any activity, business, conduct of condition authorized by this act or any other provision of law.
3. UCA 10-9a-102 Purposes – General land use authority.
A municipality may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the municipality considers necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing: (a) uses; (b) density; (c) open spaces; (d) structures; (e) buildings; (f) energy efficiency; (g) light and air; (h) air quality; (i) transportation and public or alternative transportation; (j) infrastructure; (k) street and building orientation; (l) width requirements; (m) public facilities; (n) fundamental fairness in land use regulation; and (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

4. UCA 10-9a-201(1) Only a legislative body, as the body authorized to weigh policy considerations, may enact a land use regulation.
5. UCA 10-9a-302(1) The planning commission shall review and make a recommendation to the legislative body for (b) land use regulations, including: (i) ordinances regarding the subdivision of land within the municipality; and (ii) amendments to existing land use regulations.
6. UCA 10-9a-502(1) The planning commission shall provide notice, hold a public hearing, and review and recommend a proposed land use regulation to the legislative body.

CONCLUSIONS OF LAW:

1. The city council exercises its legislative power through ordinances.
2. The city council enacts ordinances to regulate, require, prohibit, govern control or supervise any activity, business, conduct of condition authorized by this act or any other provision of law.
3. The city may enact or amend land use regulations.
4. The city council is the legislative body authorized to weigh policy considerations and enact land use regulations.
5. The planning commissions reviews and makes recommendations to the city council for land use regulations.
6. The planning commission held a public hearing and made a recommendation to city council on February 28, 2024.
7. The city staff prepared the proposed amendment, including reasons for the proposed amendment.

CONDITIONS:

1. The city council will continue to process the proposed code amendments in accordance with Utah Code.
2. The applicant shall meet all applicable City, state and federal laws, codes, rules.

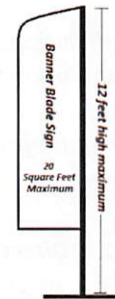
PCC 1-3-2

A-frame means a temporary or removable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.

Awning sign means a roofed structure constructed of fabric, metal or other appropriate construction materials placed so as to extend outward from the building, providing a protective shield for doors, windows and other openings in the building, with supports extending back to the building, supported entirely by the building.

Ballpark advertising banner means a banner attached to an athletic facility fence or building which identifies and advertises the sponsor.

Banner blade sign means a type of portable sign generally made of fabric or other lightweight material that is generally supported or anchored along only one edge to a staff or cord or which is generally supported or anchored at only two corners. Also known as a feather flag sign.



Billboard means a freestanding, pay for use sign, erected for the purpose of advertising or promoting a product, event, person, etc.

Blade sign means an attached sign oriented perpendicular to the face of the building which projects more than 12 24 inches beyond the surface of the building to which it is affixed or supported.

Business sign means a sign identifying a commercial or industrial business on the same premises as the sign by name and/or logo. Business sign types are: ground, low-profile, monument, nameplate, projecting, roof, wall, and billboard/ highway, and on-premises signs.

Electronic message board means an electronic sign which flashed on or rolls a message across it about the services or products of the business and may also have the time and temperature displayed. The electronic message sign may be incorporated into a business sign, but may not increase that sign's maximum size or height. Electronic message signs will be allowed in permitted zones only after receiving approval for a conditional use.

Feather flag sign see banner blade sign.

Flat sign means a sign erected parallel to and attached to the outside wall of a building. Signs flat against buildings or other structures will be allowed to extend two feet above the roof lines or parapet walls of the building. When a building has more than one level, the wall on which the sign is installed will govern.

Ground sign means a sign supported by a fixed permanent frame or support in the ground with no support or guying from any building. Ground signs must be a minimum of 24 inches in height.

Height, letter/logo, means the height of each individual letter, logo, symbol, and/or icon in a sign.

Height, sign, as applied to a sign, means the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and finished grade at the center of the base of the sign.

Highway sign means a sign along SR165 (and east along the north side of 100 North for a distance not to exceed 20 feet from the Logan/Providence boundary on the north side of 100 North) identifying a commercial or industrial business on the same premises, or within the same development boundaries as shown on the approved preliminary plat, as the sign by name and/or products by name and/or logo. The term "highway sign" may also include an electronic sign which flashes on or rolls a message across it. Highway signs must have sufficient clearance and/or setback for visibility so as not to create a safety hazard.

Home business sign means one unanimated, nonilluminated, flat, nameplate sign, having an area of not more than three square feet.

Identification sign means a sign displayed to indicate the name or nature of buildings, or industrial uses, located upon the same premises as the sign (i.e., schools, hospitals, churches, etc.).

Illumination means the enhancement of a sign utilizing electric lights, luminous tubes or other similar means.

1. *Direct illumination* means lighting by means of an unshielded light source (including neon tubing) which is effectively visible as part of the sign, where light travels directly from the source to the viewer's eye.
2. *Fluorescence* means the emission of light by a substance that has absorbed light or other electromagnetic radiation; which produces a short-wave ultraviolet light that then causes a phosphor coating on the inside of the bulb to glow.
3. *Indirect illumination* means lighting by means of a light source which is directed at a reflecting surface in such a way as to illuminate the sign from the front, or the entire building facade upon which the sign is displayed.
4. *Internal illumination* means lighting by means of a light source which is within a sign having a translucent background silhouetting opaque letters or designs, or which is within letters or designs which are themselves made of translucent materials.
5. *Neon lighting* means light consisting of glowing, electrified glass tubes or bulbs that contain rarefied neon or other gases.

Inflatable means any device/object supported by heated air, forced air, or other gases for the purposes of drawing attention to a business.

Low-profile means an on-premises or identification sign having a maximum height of four feet, incorporated into some form of landscape design scheme or planter box



Menu signs means any display of all or part of a food service menu, or a summary thereof, in such a way that it is visible from the exterior of the building.

Monument means any sign which is connected to the ground and which has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign includes a sign face and sign structure, and may also include a sign base and sign cap as described below:

1. *Sign base* means the above-ground foundation of the sign, which includes the exposed concrete footing for the sign.

- 91 2. *Sign cap* means a part of the sign structure located above the sign face that is constructed of a
92 different masonry material and/or extends horizontally from the rest of the sign structure.
93 3. *Sign face* means the surface of the sign on which the sign message is located.
94 4. *Sign structure* means the structure surrounding the sign face.

95 ***Mural* means a painting or other work of art executed directly on a wall.**

96
97 *Nameplate sign* means a sign erected parallel to and attached to the outside wall of a building indicating
98 the name and/or occupation of a person residing on the same premises or legally occupying the same
99 premises, or indication a home business legally existing on the premises of the signs.

100
101 *Off-premises sign* means a sign advertising merchandise, services, or businesses other than those
102 available on the premises. A sign within the same development boundaries as shown on the approved
103 preliminary plat, of the sign's location is not considered off-premises.

104
105 *Political sign* means a sign used on behalf of a candidate for public office or in opposition to or in
106 support of a ballot proposition as defined under [U.C.A. 1953, § 20A-1-102](#). Political signs are considered
107 expressions of freedom of speech. They must be placed on private property and must be placed so they
108 do not obstruct the view of pedestrians or drivers of vehicles (motorized or nonmotorized). Depending
109 on the structure, a permit may be required.

110
111 *Projecting sign* means a sign attached to a building or other structure and extending in
112 whole or in part more than 24 inches beyond any wall of the building or structures. The sign
113 may not project above the roof line or tallest part of the structure.

114
115 *Property sign* means a sign related to the property upon which it is located and offering such
116 property for sale or lease or announcing improvements to the site during the construction of
117 the project. Property signs may also be used to warn against trespassers.



118
119 ***Roof sign* means any sign which is located entirely on or above the roof of a building or located entirely
120 on the top of or above the parapet of a building.**

121
122 *Service sign* means a sign which is incidental to a use lawfully occupying the property upon which the
123 sign is located and which sign is necessary to provide information to the public, such as direction to
124 parking lots or location of the restrooms.

125
126 *Sign* means every name, number, identification, description, announcement, declaration, demonstration,
127 device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display,
128 poster, beacon light, light or insignia which directs attention to any object, project, service, place, activity,
129 person, institution, organization, or business. The sign consists of the sign area and the sign structure.

130 *Sign area* means a two-dimensional area on a building or other permitted sign structure that is the area
131 that encompasses the proposed sign in its entirety.

132 *Sign structure* means the structure supporting any of the same, affixed directly or indirectly to or upon
133 any building or outdoor structure, or erected or maintained upon a piece of land.

134 *Street banner sign* means a temporary fabric sign suspended across a city street. The banner may only
135 advertise a public service event.

136 *Street sign* means signs used for traffic, including, but not limited to, regulatory, directional, stop, speed
137 limit, street closure, construction, etc.

138 *Temporary identification sign* means a sign displayed to indicate the name or nature of business, buildings,
139 or industrial uses, located upon the same premises as the sign (i.e., schools, hospitals, churches, etc.) that
140 may be a banner or pennant, constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or
141 other light materials, with or without light frames, intended to be displayed outdoors for short periods of
142 time. Temporary identification signs may be displayed for a period of no more than 180 days.

143 *Temporary sign* means any sign, banner, pennant, balloon or advertising display constructed of paper,
144 cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames,
145 intended to be displayed outdoors for a short period of time. Temporary signs may be posted for a period
146 of not more than ~~30~~ 60 days or until 24 hours after the event, whichever is shorter.

147 *Walking advertisers* means persons carrying or wearing portable advertising signs or costumes designed
148 to advertise a business, event sale or season/holiday. The advertiser must remain on private property
149 and not block the view or path or disrupt motorized or nonmotorized vehicles, or pedestrians.

150
151 *Wall sign* means a sign that is either painted on a wall or its facing, or is painted in such a way that it
152 gives the visual appearance of being painted on a wall or facing by not having a frame or separation
153 from the wall or facing.

154
155 *Wind sign* means a sign consisting of one or more banners, flags, pennants, ribbons, spinners, streamers
156 or captive balloons, or other objects or material fastened in such a manner as to move upon being
157 subjected to pressure by the wind or breeze.

158 *Window sign* means a sign which is painted on, applied or attached to, or located within three feet of the
159 interior of a window, which sign can be seen through the window from the exterior of the structure.

160

1 CHAPTER 10-15 SIGN REGULATIONS

2 10-15-1 (Reserved For Future Use) **Purpose**

3 10-15-2 Permit Required

4 10-15-3 Application For Permit

5 10-15-4 Fee For Permit

6 10-15-5 Permitted Signs; Table

7 10-15-6 Rules, Regulations, And Requirements

8 10-15-7 Penalty, Confiscation Of Signs, **Appeals**

9 10-15-8 Illumination

10 10-15-9 Electronic Message Displays (EMD)

11
12 State law reference—Billboards, U.C.A. 1953, § 10-9a-513.

13 10-15-1 (Reserved For Future Use)

14 HISTORY

15 *Adopted by Ord. 06-2022 on 9/21/2022*

16
17 10-15-1 Purpose

18 The purpose of this sign ordinance is to protect and promote the health, safety and general welfare of City
19 residents and businesses by regulating the design, materials, size, construction, installation, location and
20 maintenance of signs and sign structures in a manner consistent with the First Amendment of the United States
21 Constitution and the Constitution of the State of Utah in order to achieve the following goals and objectives:

- 22 A. To minimize distractions and obstructions that may be caused by signs and thereby reduce potential
23 hazards to motorists and pedestrians;
- 24 B. To preserve and improve the natural beauty and aesthetic quality of the City by reducing the visual clutter
25 caused by an excess of signs and to thereby increase the desirability of the City as a place to live and work
26 and as an attraction for nonresidents to visit;
- 27 C. To encourage signs that are harmonious with the property on which they are located;
- 28 D. To safeguard and enhance property values;
- 29 E. To provide for ample and adequate means of communication of both commercial and noncommercial
30 messages to the public;
- 31 F. To preserve the residential character of residential neighborhoods and residential zones; and
- 32 G. To reduce the incompatibility between signs and their surroundings.

33
34 10-15-2 Permit Required

35 Unless otherwise provided in this chapter, all signs erected, altered or relocated within the city shall require a sign
36 permit prior to its erection, installation, alteration or relocation, and must be in compliance with the provisions of
37 this chapter.

38
39 (Code 1998, § 10-15-2; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 003-2014, 7-8-2014; Ord. No.
40 2016-019, 8-9-2016)

41 HISTORY

42 *Adopted by Ord. 06-2022 on 9/21/2022*

43
44 10-15-3 Application For Permit

45 Forms for a sign permit will be available in the city office during regular business hours. The permit application
46 shall contain the following:

- 47 A. *Site plan.* Sign permit applications must contain a site plan drawn to scale indicating the location of the
48 proposed signage, existing signage, existing and future buildings, property lines, streets, sidewalks,
49 landscaped areas, driveways and clear-view (see PCC chapter 9) areas on corners, driveways or
50 intersections.
- 51 B. *Sign drawing.* A drawing to scale indicating the type of sign, proposed sign dimensions, construction
52 specifications, electrical components and wiring, method of attachment, and illumination specifications.
- 53 C. *Elevation.* An elevation drawing of existing and/or future buildings that will display the attached signage.

Chapter 10-15 Sign Regulations

DRAFT: 02/28/2024 includes PC comments

Page 1 of 7

(Code 1998, § 10-15-3; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 12-233; Ord. No. 003-2014, 7-8-2014; Ord. No. 2016-019, 8-9-2016)

HISTORY

Adopted by Ord. 06-2022 on 9/21/2022

10-15-4 Fee For Permit

Sign permit applications will be reviewed and fees accessed according to a fee schedule established by resolution of the city council and/or fees established by the International adopted Building Code.

(Code 1998, § 10-15-4; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 003-2014, 7-8-2014; Ord. No. 2016-019, 8-9-2016)

HISTORY

Adopted by Ord. 06-2022 on 9/21/2022

10-15-5 Permitted Signs; Table

The signs described in the table as provided in this section shall be allowed within the provisions specified therein. Any sign not specifically permitted by this chapter is prohibited. Unless noted otherwise, the sign dimension regulations identified below are measured in linear feet.

Types	Structure			Face			Permitted Zones	Illumination Allowed	Permit Required	Additional Regulations
	Area Max. (sq. ft.)	Height Max. Linear ft.	Height Min. Linear ft.	Area Max. (sq. ft.)	Height Max	Height Min				
A-frame	8 10	4 5					CGD, CHD, CND, MXD All	None	No	
Attached										
Awning sign		12 15	9				CGD, CHD, CND, MXD	In	Yes	Note 1
Ballpark advertising banner				60			All	No	No	
Banner Blade Sign (Feather flag)		12	2	20			CGD, CHD, CND, MXD	No	No	
Blade sign	2		9				CGD, CHD, CND, MXD	None	No	
Business sign	See ground, low-profile, nameplate, projecting, wall, highway, and on-premises signs.									
Electronic message	40	14					CGD, CHD, CND, MXD	Pr	Yes	Note 8
Flat sign	200	35					CGD, CHD, CND, MXD	In-F1-Ne	Yes	Note 2-and 5

Types	Structure			Face			Permitted Zones	Illumination Allowed	Permit Required	Additional Regulations
	Area Max. (sq. ft.)	Height Max. Linear ft.	Height Min. Linear ft.	Area Max. (sq. ft.)	Height Max	Height Min				
Ground	160	14					CGD, CHD, CND, MXD	In-F1-Ne	Yes	Note 7
Highway sign	222	35					CGD, CHD	None	Yes	
Home business sign	3						Residential and AG	None	No	
Identification	12	8					All	In-F1		Note 4
Inflatable							CGD, CHD, CND, MXD	None	Yes	Note 3
Low profile	12	4	2				CGD, CHD, CND, MXD	In	Yes	
Menu sign	24	6					CGD, CHD, CND, MXD	Pr-In	Yes	
Monument	100	7					CGD, CHD, CND, MXD	In-F1-Ne-Pr	Yes	
Nameplate	4	8					All	None	No	
Off-premises sign										Note 3
Political sign							All			
Projecting sign	16	14					CGD, CHD, CND, MXD	In-F1-Ne-Pr	Yes	Note 2
Property sign	32	8					All	None	No	
Roof	32						CGD, CHD, CND, MXD		Yes	Note 10
Service sign	18	8					All	In	Yes	
Street banner sign									Yes	
Street Sign							All			
Temporary	32						All	None	No	Note 3
Temporary identification sign	32	35					CGD, CHD, CND, MXD	None	Yes	Note 9

Types	Structure			Face			Permitted Zones	Illumination Allowed	Permit Required	Additional Regulations
	Area Max. (sq. ft.)	Height Max. Linear ft.	Height Min. Linear ft.	Area Max. (sq. ft.)	Height Max	Height Min				
Tower	-	-	-	-	-	-	-	-	-	-
Walking advertisers							All		No	
Wall sign	6	8					CGD, CHD, CND, MXD	In	Yes	11
Wind sign	See banner blade, feather flag									
Window sign							CGD, CHD, CND, MXD	None	No	

Notes:

1. Width cannot exceed frontage of building.
2. May not project above roof line.
3. Temporary signs must May be posted/anchored for a period of not more than 60 days or removed within 24 hours of event whichever is shorter.
4. Permit not required if no illumination.
5. Or 20 percent of building face, whichever is smaller.
6. Must have a conditional use permit and Shall not any be located closer than 500 250-foot intervals.
7. One per street frontage with a maximum of two (separated by a minimum of 500 feet). One sign shall be allowed for each separate building or building pad of a commercial complex; and shall be located no closer than 100 feet from any other sign on the same parcel or commercial complex.
8. Must have a conditional use permit and not any closer than 100-foot intervals.
9. May be displayed for a period of no more than 180 days.
10. The height of the sign face of roof signs shall not exceed 20% of the building height or ten feet, whichever is less.
11. Murals or wall art that does not contain any commercial messaging or commercial copy is not considered a sign. Any mural or wall art with a commercial message or copy is regulated as a wall sign.

Illumination Codes:

1. Dir – Direct – lighting from the sign itself.
2. Fl – Fluorescence
3. In – Indirect – lighting shining on but not directly from the sign
4. Int – Internal – light comes from inside of the sign.
5. Ne – Neon – brightly glowing, electrified glass tubes or bulbs that contain rarefied neon or other gases.
6. Pr – Projection – uses a built-in reflector to concentrate light in a specific direction.
7. Strobe – A type of specialized lamp that produces a continuous series of short, bright flashes of light. Strobe lighting associated with a sign is prohibited.

(Code 1998, § 10-15-5; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 003-2014, 7-8-2014; Ord. No. 2016-019, 8-9-2016)

HISTORY

Adopted by Ord. 06-2022 on 9/21/2022

107 10-15-6 Rules, Regulations, And Requirements

- 108 A. *Animated, flashing, intermittent signs.* Animated, **strobing, lights replicating public safety or law**
109 **enforcement**, flashing and intermittent signs shall not be permitted in any zone, except when deemed
110 necessary by the city for public safety. These signs are different than electronic message signs, as defined
111 in PCC 1-3-2.
- 112 B. *Construction standards.* All signs erected in the city shall comply with the current standards of the
113 National Electrical Code, the ~~International~~ **adopted** Building Code, and all the provisions of this title.
- 114 C. *Illumination.* Signs may be illuminated as indicated in the table provided in PCC 10-15-5; and shall be
115 subject to the conditions listed in PCC 10-15-8.
- 116 D. *Maintenance.* All signs shall be maintained in a neat and presentable condition. Those signs damaged by
117 weather conditions or by accident shall be repaired within 30 days or shall be replaced or removed. The
118 removal of signs shall be at owner's expense.
- 119 E. *Public property.* No sign or other device, banner, or marker shall be located on or in public property
120 except signs for city-sponsored events, regulatory and/or information street signs with the exception of
121 placement of the official American flag and only in park strips that are in the city right-of-way. Flag display
122 shall be allowed on city park strips on designated state and federal holidays from sunrise to sunset and
123 must follow flag etiquette as described on the defense.gov website.
- 124 F. *Unsafe signs.* Any sign or portion thereof declared unsafe by the building inspector, or other designated
125 city employee/official, must be restored to a safe condition within 30 days of mailing or otherwise fiving
126 notice of the unsafe condition or shall be removed within the same 30-day period.
- 127 G. *Holiday decorations and banners.* Holiday decorations and banners placed by the city are not subject to
128 the requirements of this chapter, except that they are safe. Similar decorations and banners placed by
129 residents on private property are not subject to the requirements of this chapter except for the
130 consideration for safety and shall not constitute a nuisance, and they shall be entirely on private property.
- 131 H. *Traffic hazard.* No sign shall be erected at the intersection of any streets in such a manner as to obstruct
132 free and clear vision; or at any location where by reason of the position, shape or color it may interfere
133 with, obstruct the view of, or be confused with any authorized traffic sign, signal or device or which makes
134 use of the words "stop," "drive-in," "danger," or any other words, phrases, symbols or characters in such a
135 manner as to interfere with, mislead or confuse traffic.
- 136 I. *Trip hazard.* To minimize trip hazards, all signs must be a minimum of 24 inches in height.
- 137 J. *Exempt.* The following are not considered signs for the purpose of this chapter:
138 1. Mail boxes;
139 2. Address names and numbers;
140 3. National and state flags (flag poles on residential properties shall be no taller than 35 feet in height).
- 141 K. *Closure or relocation of a business, institution, or nonprofit business/organization.* Business signs must be
142 removed within 30 days after a business, institution, or nonprofit business/organization no longer exists
143 at that location.
- 144 L. **Inflatable signs. Inflatable signs require a sign permit. No more than two inflatable signs shall be allowed**
145 **per building at any one time. They must be securely anchored and displayed for no more than 60 days.**
- 146 M. **If a sign meets the definition of more than one sign type, the least restrictive will apply.**
147

148 (Code 1998, § 10-15-6; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 12-233; Ord. No. 003-2014, 7-
149 8-2014; Ord. No. 2016-019, 8-9-2016; Ord. No. 009-2021)

150 HISTORY

151 Adopted by Ord. 06-2022 on 9/21/2022

152
153 10-15-7 Penalty, Confiscation Of Signs, Appeals, Nonwaiver

- 154 A. *Penalty.* Any person who fails to abide by the provisions of this chapter shall be guilty of a Class C
155 misdemeanor and subject to penalty as provided in PCC 1-4-1.
- 156 B. *Confiscation of signs.* The public works director, or designee, may confiscate any sign located on public
157 property in violation of this chapter or any other city ordinance. Confiscated signs shall be stored at a
158 location determined by the public works director, or designee, for a period of 30 days; during which time,
159 the owner or person having charge, control, or benefit of the confiscated sign, may redeem the sign after

payment of any applicable penalties. The city shall not be liable for damages incurred to signs as a result of their confiscation. Signs not redeemed within 30 days may be destroyed.

- C. *Liability for damages.* In addition to civil penalties, sign owners and persons having charge, control or benefit of any sign erected in violation of this chapter shall be liable for any damages caused to public property, public facilities or public utilities by reason of placement, attachment and/or removal of such unlawful signs.
- D. Any person who has been ordered by the city to alter or remove any sign, or any person whose application for a sign permit has been refused, may appeal to the administrative appeals hearing officer by filing a written appeal with the city recorder, following the process in Section 2-5-3 Appealing Land Use Authority's Decision, of this code. Upon filing of an appeal, the city shall take no further action with regard to the removal of the sign involved until the administrative appeals hearing officer makes a final decision on the appeal. However, if the city finds that the sign presents an immediate or serious danger to the public, the city shall proceed immediately to have the sign altered or removed.
- E. The city's failure to take appropriate action against violations of this Chapter shall not be a waiver of any of the rights of the city as set forth in this Chapter.

(Code 1998, § 10-15-7; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 003-2014, 7-8-2014; Ord. No. 2016-019, 8-9-2016)

HISTORY

Adopted by Ord. 06-2022 on 9/21/2022

10-15-8 Illumination

Illuminated signs shall be subject to the following conditions:

- A. Any direct light used for the illumination of a sign shall be shielded so that the beams or rays of light will not shine directly onto surrounding areas.
- B. Neither the direct nor the reflected light from any light sources shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
- C. Signs in residential and agricultural zones shall be nonilluminated, unless illumination is clearly required for safety purposes.
- D. Signs in commercial zones may be illuminated, provided they do not shine directly into a residential zone.
- E. Lights used for direct illuminated signs may extend from the sign a distance not to exceed five feet, provided such lights are shielded and are on private property.
- F. Individual incandescent bulb illumination which is designed to be an integral part of a sign, marquee, canopy, architectural projection, or building facade embellishment shall be permitted as provided:
 - 1. Frosted, translucent or diffused bulb: 25 watt maximum per bulb;
 - 2. Clear, transparent or bare bulb: 7 1/2 watt maximum per bulb;
 - 3. Such light shall not blink, flash, move, scintillate, flicker, vary in intensity or color or use electrical pulsations, with the exception of those placed behind rigid, permanently affixed translucent panels and are approved by conditional use. Time-temperature-date signs incorporating the use of blinking lights shall also be permitted if a conditional use permit is granted.
- G. **Strobe lighting associated with a sign is prohibited.**

(Code 1998, § 10-15-8; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 003-2014, 7-8-2014; Ord. No. 2016-019, 8-9-2016)

HISTORY

Adopted by Ord. 06-2022 on 9/21/2022

10-15-9 Electronic Message Displays (EMD)

Electronic message displays shall conform to the following:

- A. EMD shall be allowed as part of a monument or freestanding sign in all commercial zones.
- B. Permits shall be required for all EMD signs pursuant to PCC 10-15-2. Before a permit is issued, the applicant must first obtain a conditional use permit.
- C. Off-premises advertising on an EMD is prohibited with the exception of public service announcements.

- 213 D. Operators of EMD are encouraged to provide opportunities for the placement of public service
214 announcements on their message boards.
- 215 E. The minimum spacing between EMD signs shall be 100 feet.
- 216 F. Auto-dimming is required.
- 217 G. The minimum time for sign messages shall be three to five seconds.
- 218 H. A maximum of 50 percent of the EMD sign may be dedicated to electronic messaging.
- 219 I. EMD signs facing residential housing units shall not be placed such that the housing unit falls within an
220 area formed by an arc projecting from the face of the sign at an angle of 15 degrees and extending a
221 distance of 300 feet in the direction of the projection.
- 222 J. EMD monument signs are not to exceed six feet in height and the base shall not exceed two feet in height.
- 223 K. Prohibited transitions:
- 224 1. Flashing.
- 225 2. Travel.
- 226 3. Scroll.
- 227 4. Video.
- 228 L. Permitted transitions:
- 229 5. Dissolve.
- 230 6. Fade.
- 231 7. Frame.
- 232 8. Animation, six second maximum.
- 233 M. Public service announcements. A mobile EMD that is used for the purpose of displaying a public service
234 announcement, of a non-commercial and temporary nature, is permitted as a temporary sign and does
235 not require a conditional use permit.

236
237 (Code 1998, § 10-15-9; Ord. of 12-13-2005; Ord. No. 008-2009, 10-13-2009; Ord. No. 003-2014, 7-8-2014; Ord. No.
238 2016-019, 8-9-2016)

239 HISTORY

240 Adopted by Ord. [06-2022](#) on 9/21/2022

241