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21.52.040 Prohibited signs.

Those classes of signs designated in this section are expressly prohibited and shall not be erected in any zoning district.

- A. Bench Signs. Bench signs as defined in Section 21.52.020 (Definitions) are prohibited.
- B. Conflict with Traffic Control Signs. Any sign or sign structure that by color, wording, or location resembles or conflicts with any traffic control sign or device is prohibited.
- C. Feather Signs. Feather signs as defined in Section 21.52.020 (Definitions) are prohibited.
- D. Inflatable Signs. Inflatable signs as defined in Section 21.52.020 (Definitions) are prohibited.
- E. Flashing or Moving Signs. Any sign that rotates (except for flags, pennants, and other similar types of signs), flashes, changes, reflects, blinks, or appears to do any of the foregoing-except for those signs that only portray time and temperature-is prohibited.
- F. Off-Premises Signs. Off-premises signs are prohibited, except for billboards (see Title 19), authorized temporary signs, and directory signs that are in conformance with this chapter, or any other off-premises sign that is allowed by this chapter.
- G. Pole Signs. New pole signs are prohibited except as approved as a highway-oriented sign consistent with Subsection 21.52.080(H) (Highway Oriented Signs).
- H. Traffic Hazards. Any sign that creates a safety hazard by obstructing the clear view of pedestrian and vehicular traffic is prohibited.
- I. Vehicle or Trailer-Mounted Signs. Vehicle-mounted signs as defined in Section 21.52.020 (Definitions) are prohibited. This section is not intended to prohibit the display of commercial message that may cover all or part of a vehicle and that serves the purpose of advertising a commercial message as long as that vehicle is in operation and whose primary purpose is for regular transportation. The following criteria may be used in determining whether the primary purpose of the motor vehicle is a sign. It is not necessary that any one or all the listed criteria are met in order to determine that a sign is a prohibited vehicle-mounted sign:
 - 1. Whether the vehicle is operational, currently registered, and licensed to operate on public streets when applicable.
 - 2. Whether the vehicle remains stationary while prominently displaying signage during business hours.
 - 3. Frequency and location of parking designed to expose signage to public view.

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4. Whether the vehicle is routinely used in the daily business operation.
5. Whether the signage contains directional copy relevant only to the immediate vicinity.

This prohibition also applies when:

- (a) The advertising medium is a separate structure or device attached to the vehicle.
 - (b) The copy is readily changeable.
 - (c) The sign or device exceeds nine square feet and is parked on or near business premises primarily to advertise or direct attention to that business.
- J. **Obsolete Signs.** Signs that no longer identify a bona fide business or activity conducted on the premises shall be removed within sixty (60) days of business closure.
- K. **Obstruction of Ingress or Egress.** Signs shall not block free ingress or egress to any door, window, or fire standpipe, except as required or allowed by law.
- L. **Signs in Public Right of Way.** Signs located within or encroaching upon any public property or public right of way are prohibited, except Governmental, regulatory, traffic, or any other signs as required by law.

21.52.090 - Temporary signs.

- A. **Purpose.** In addition to Section 21.52.010 (Purpose and Applicability) of this chapter, the purpose of this section is to ensure that temporary signs do not create a distraction to the traveling public by limiting the proliferation of temporary signs and eliminating aesthetic blight and litter that are detrimental to the public's health, safety, and general welfare.
- B. **General Standards for All Temporary Signs.**
1. **Temporary Sign Content Neutrality.** All regulations and standards in this section are to be exercised in light of the city's content neutrality policy. These provisions are not intended to limit, censor, or restrict free speech.
 2. **Relationship to Permanent Sign Regulations.** The number and area of temporary signs shall not be included in the calculation of permanent sign area.
 3. **Secure Placement.** All temporary signs shall be installed securely in the ground or attached to a building. Banner signs shall be installed on a building wall.

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4. Permitting. Temporary signs shall be exempt from fee and permit requirements unless a modification is requested for temporary commercial signs consistent with Section 21.52.060 (Sign Permit, Sign Program, and Modification Requirements).

C. Temporary Commercial Signs

1. Location.

- a. Temporary Commercial Signs. Temporary commercial signs shall be allowed:

- i. In residential zoning districts:

- (a) On properties with a legally established business that is the primary use on the property (specifically excluding home occupation businesses, family day care homes, limited residential care facilities, and similar uses where residential use is the primary use on the property);
 - (b) On properties where a city building permit has been issued and is actively under construction;
 - (c) On properties where there is a garage, yard, estate sale; and
 - (d) On properties listed for sale or lease.

- ii. In nonresidential zoning districts.

2. Size and Quantity. Temporary signs may be up to 32 square feet in area but shall not exceed 6 feet in height when placed on a building or tenant space frontage. For properties without a building, temporary signs shall not collectively exceed 32 square feet in total area.
3. Quantity. No property shall have more than two temporary signs at one time. In the case of a multi-tenant center, no business shall have more than two temporary signs at any one time.
4. Duration and Removal. Temporary signs shall be posted for no more than thirty consecutive days, separated from other occasions by a period of not less than thirty days, and for no more than a cumulative ninety days within any calendar year. Any such sign shall be removed within seven days of the conclusion of any time-specific event associated with such signage. Temporary construction signs shall be removed at time of issuance of the certificate of occupancy.

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5. Exception for New Businesses. During the first thirty days that a new business is open, there are no limitations on the size, location, and nature of a banner sign, as long as the sign(s) does not adversely affect the public health, safety, or welfare.
- D. Temporary Noncommercial Signs
1. Location. Temporary noncommercial signs shall be allowed on any property in residential zoning districts. Temporary signs are allowed on private property only with the permission of the property owner or lawful occupant of the premises, including tenants or residents who have legal authority to place signs on the property
 2. Size and Quantity. Temporary signs shall not exceed six square foot per linear foot of building or tenant space frontage.
 3. Duration and Removal. Temporary noncommercial signs may be posted for a total of ninety days in a calendar year. If a temporary noncommercial sign is related to a specific event, it shall be removed no later than seven days following said event.
 4. Speech. In each instance and under the same conditions to which this chapter permits any sign, a sign containing an ideological, religious, or other noncommercial speech shall be permitted wherever commercial signage is permitted.

21.52.100 - Nonconforming signs—Copy changes.

A nonconforming sign shall not be structurally altered, increased in area, relocated, or used or modified in a manner that would change the physical characteristics of the sign. Changes to sign copy on nonconforming signs shall require a sign permit subject to review and approval by the development review committee.

21.52.110 - Administration and Enforcement.

A. Abatement

1. Nuisance Abatement. Signs not in compliance with this chapter may be declared to be a public nuisance, and be abated in compliance with the requirements of the city's Municipal Code Chapter 9.06 (Nuisance Abatement). Alternatively, signs not in compliance with this Chapter and deemed to be a minor violation by the enforcement officer may be enforced through the city's administrative citation process as set forth in Chapter 1.03 (Administrative Citation) of the Municipal Code.
2. Summary Abatement. Signs located in the public right-of-way may be declared to be a public nuisance subject to summary abatement by the

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city's enforcement official, as defined in Municipal Code Chapter 9.06 (Nuisance Abatement). In addition to any criminal or civil penalties prescribed by law, the actual costs of abatement of such signs shall become a debt owed to the city by the person responsible for or causing placement of the sign.

B. Abandoned Signs

1. **Change in Use.** Any sign advertising a use, occupancy or product that has not existed for a period of one hundred eighty consecutive calendar days shall be deemed obsolete or abandoned. It shall be unlawful for any sign owner, the occupant of such premises, or the owner of any such premises to fail or refuse to remove an abandoned or obsolete sign or sign support, pole or structure following an order to do so.
2. **Expiration of Event.** The property owner or person responsible for the installation of a temporary sign authorized by this chapter relating to a specific event shall remove the sign promptly following the expiration of the event unless different time limits apply to the sign as specifically provided for in this chapter. Any such sign relating to a specific event shall be deemed obsolete or abandoned seven days following said event.

If the city removes the sign following its abandonment, the removed sign will be held by the city for a period of thirty days and the property/sign owner notified of the same. Failure to respond to the notification may result in the destruction of the sign or disposal by the city.

- C. **Failure to Maintain.** All signs shall be kept in a good state of repair and preservation. A sign may be deemed abandoned if, after ninety days written notice to the permit holder, the permit holder has failed or refused to maintain the sign. Upon such declaration, the sign may be considered abandoned and abated as provided in Subsection 21.52.110(B) (Abandoned Signs) of this section.
- D. **Hazardous or Unsafe Signs.** The enforcement official, upon identification of a hazardous or unsafe sign, shall give written notice to the property owner and/or party responsible for the sign or the condition or conditions that render the sign hazardous or unsafe, and an order to abate the public nuisance caused by the existence of the hazardous or unsafe sign.

Hazardous and unsafe signs include, but are not limited to, signs that obstruct views of pedestrian and vehicular traffic at street intersections or driveways, signs that create a glare or other visual distraction that impedes a driver's ability to see, and signs that are dilapidated, structurally unsound or pose a fire threat.

The enforcement official shall determine an appropriate time period for abatement of the public nuisance based on the degree of hazard. At the expiration of the time period, if the hazard has not been voluntarily abated, the enforcement official

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shall proceed to abate the nuisance in compliance with the procedures contained in Municipal Code Chapter 9.06.

- E. Right of Entry. When it is necessary to make an inspection to enforce the provisions of this chapter, or when the enforcement official has reasonable cause to believe that there exists any sign or a condition that makes such sign unsafe, abandoned, illegal or nonconforming, the enforcement official may petition the court to enter the lot, building, or premises on which such sign is located at all reasonable times to inspect the sign or to perform any duty imposed by this chapter.