

Ordinance No. 00135

(Council Minutes 97/07/21)

ORDINANCE NO. 135

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AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 18.45 of the Lakewood Municipal Code providing for the sign code

WHEREAS, at the time of the incorporation of the City of Lakewood, the City Council put into place sign code regulations, based to a significant extent, upon the preexisting Pierce County Regulations, with some modifications as indicated in the public testimony and through the efforts of members of the community who participated in development of draft, interim sign codes; and,

WHEREAS, subsequent to the incorporation of the City of Lakewood, the City engaged in a review of those interim sign code provisions, meeting with members of the public, the Chamber of Commerce and others involved in sign code issues, to develop modifications of the sign code which resulted in further customization of the sign code which resulted in further customization of the sign code to meet the particular needs of the City of Lakewood; and,

WHEREAS, also intended early on, the City commissioned a sign inventory to determine the extent of signs that might otherwise be out of compliance with the interim regulations that were developed; and,

~ ~ ~ ~ ~ WHEREAS, at the direction of the City Council, City staff was authorized to review the sign code and work with members of the community and the Chamber of Commerce to identify the areas where clarification was needed, where enhanced sign code provisions were appropriate and other methods to meet the sign code needs of the community; and,

~ ~ ~ ~ ~ WHEREAS, as a result of those efforts, and incorporating the results of the sign code inventory, the City, again, working with the Chambers of Commerce, the Planning Advisory Board and other members of the community, developed draft changes to the sign code which sought to accomplish appropriate changes to the sign code, custom designed to best meet the needs of the community, and address the concerns about the impact of inappropriate signs within the City; and,

~ ~ ~ ~ ~ WHEREAS, a public hearing on the proposed modifications to the City of Lakewood sign code was held before the City of Lakewood Planning Advisory Board on the 16th day of July, 1997, to consider the proposed changes and to hear the comments and concerns of all persons wishing to speak to said issue, after which the Planning Advisory Board recommended approvals consistent with the provisions herein contained.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1.~ ~ ~ ~ ~ That Chapter 18.45 of the Lakewood Municipal Code be, and the same hereby is, amended to read as follows:

Chapter 18.45

Signs

Sections:

- 18.45.010~ ~ ~ ~ ~ Code Adopted.
- 18.45.020~ ~ ~ ~ ~ Purpose.
- 18.45.030~ ~ ~ ~ ~ Definitions.
- 18.45.040~ ~ ~ ~ ~ Administration and Enforcement.
- 18.45.050~ ~ ~ ~ ~ Permits Required.
- 18.45.060~ ~ ~ ~ ~ ~~Applications for Sign Permits Prohibited Signs.~~
- 18.45.070~ ~ ~ ~ ~ ~~Prohibited Signs Exempted Signs.~~
- ~~18.45.075~ ~ ~ ~ ~ Exemptions.~~

- 18.45.080 Requirements Applicable to All Signs.
- 18.45.090 Permit Issuance Billboards.
- 18.45.100 Plans Filed Signs in the OSR Zone.
- 18.45.110 Individual Signs Signs in the MSF Zone.
- 18.45.120 Compliance With Zoning Regulations Signs in the HRD Zone.
- 18.45.130 Conflicting Regulations Signs in the EC, MUC, CC, NC and MUD Zones.
- 18.45.140 Permits Issued to Whom Temporary Signs (No Permit Required).
- 18.45.150 Permit Fees Temporary Commercial Signs (Permit Required) in the EC, MUC, CC, NC and MUD Zones.
- 18.45.160 Right of Entry Non-conforming Signs.
- 18.45.170 Sign Record Removal of Signs Adjacent to State Highways.
- 18.45.180 Liability Sign Removal Provisions. Sign Installed in Violation of the Code.
- 18.45.190 Revocation of Permits Removal of Signs - Vacancy.
- 18.45.200 Nuisance Declared Abatement Severability.
- 18.45.220 Maintenance of Signs
- 18.45.240 Establishment of Property Lines-
- 18.45.260 Marquee Canopy Awnings Eyebrow-
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- 18.45.290 Billboards: General Requirements-
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- 18.45.410 Temporary Residential Development Area Signs-
- 18.45.415 Temporary Signs-
- 18.45.416 Grand Opening Signs-
- 18.45.420 Nonconforming Signs
- 18.45.425 Removal of Signs Adjacent to State Highways-
- 18.45.430 Sign Removal Provisions-
- 18.45.440 Removal of Sign - Time Period-
- 18.45.450 Penalty for Violations-
- 18.45.460 Severability-
- 18.45.950 Exhibits A and B

18.45.010 Code Adopted.

These Sign Code Regulations are adopted as the Sign Code for the City of Lakewood. (Ord. 113 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.020 Purpose.

To control and manage signs in order to increase the effectiveness of individual signs. As the number, size and intensity of signs increase without regard to quality and placement, the impact of the individual sign is diminished.

To control signs to reduce dangerous conflicts between traffic control signs and advertising signs, thus destroying the effectiveness of both. The uncontrolled use of signs and their insistent and distracting demand for attention can be a threat to public safety, detract from the enjoyment of the natural beauty of the city, and be injurious to property values of both residential and commercial properties.

To promote the safety, comfort and well-being of the users of the streets in the City; reduce distractions and obstructions from signs which would adversely affect traffic safety, and alleviate hazards caused by signs encroaching upon public ways.;

To enhance the city's visual character by requiring new and replacement signage which is creative and distinctive, compatible with the surroundings, appropriate to the type of activity to which it pertains, expressive of the identity of individual proprietors or of the community as a whole, and appropriately sized in its context, so as to be easily readable.;

To permit and encourage the design of signs which are responsive to the needs of the public in locating a business establishment by identification, address and product and/or service information. (Ord. 113 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.030 Definitions.

For the purpose of this Chapter, certain abbreviations, terms, phrases, words and their derivatives shall be construed as follows:

A. Abandoned Sign. A non-conforming sign which no longer advertises or identifies a legal business establishment, product, or activity for a period of thirty (30) days.

B. A-Frame, A board and similar signs. A temporary, portable, freestanding, and self supporting type sign which may be either single or double faced small type signs, either single or double faced, portable or permanently installed, upon which is generally placed advertising copy denoting products or services being offered upon the premises on which such signs are placed. Such signs may also bear other messages or copy.

C. Alteration. Any change in size, shape, position, location, construction, or supporting structure of a sign. A change in copy is not an alteration.

D. Animated Sign. A sign which has any visible moving part, flashing or osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means.

E. Area, or Surface Area of Sign, or Sign Face Area. means the greatest area of a sign, visible from any one (1) viewpoint, enclosed within not more than three (3) rectangles or squares, excluding the sign support structure which does not form part of the sign proper or of the display. Surface area includes only one (1) face of a two (2)-faced sign. The net geometric area enclosed by a display surface including the outer extremities of all letters, characters, graphics, and delineations. The area does not include structural supports of signs unless the structural supports serve as a graphic element of the display.

F. Awning. A shelter extending from the exterior wall of a building and composed of non-rigid materials except for the supporting framework, means any structure made of cloth or metal with a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

G. Awning Sign. Any sign painted on, attached to, or supported by an awning.

H. Balloon. means a decorative inflatable device with a diameter of less than eighteen (18) inches generally composed of a thin layer of latex or mylar into which a gas, typically helium, is inserted in order to cause it to inflate, rise and/or float in the atmosphere.

I. Banner. means a typically rectangular or square shaped sign, of cloth or other similar material, bearing a commercial message, motto, or slogan. A banner may have a message, and/or display a colorful graphic or symbol. It can vary in size, color, and design. A banner may be hung over a street, on a fence, across or near an entrance to a place of business, on a building etc. A banner may either be temporary or permanent.

J. Blimp. means an advertising device with a diameter or combined diameter of eighteen (18) inches or larger that is inflated by some means and is used to attract attention, advertise, promote, market or display goods and/or services. These devices include large single displays or displays of smaller balloons connected in some fashion to create a larger display.

K. Billboard. means a pre-printed or hand painted changeable advertising copy sign with a billboard face height of not less than twelve (12) feet, and a billboard face width of not less than twenty-four (24) feet 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 which supports a billboard and any billboard faces attached thereto.

L. Billboard Face. means that portion of a billboard, exclusive of its structural support, on which changeable advertising copy is displayed either by affixing pre-printed poster panels or by painted copy.

M. Building Facade or Facade. The dimensional area of a building which faces and generally parallels a public

street. Where a building faces two (2) or more streets, the frontage containing the principal street address shall be designated as the building frontage. means the exterior walls of a public building exposed to public view or that wall viewed by persons not within the building.

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J. Building line means a line established by ordinance beyond which no building or structure may extend.

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K. Building Official means the officer or other person charged with the administration and enforcement of this Code or his duly authorized deputy.

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L. Business sign means a sign located on the premises of the business with which it is associated.

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M. Canopy means any structure, other than an awning, made of cloth or metal with metal framework attached to a building or carried by a frame supported by the ground.

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N. Canopy sign means any sign erected upon, against or directly above a canopy.

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N.O. Change in Nature means an expansion or alteration of a the building or structure housing the business(es) in excess of twenty-five (25)% percent of the existing building value, a change in the type of business, or a change in the name and ownership of the business and/or property which would require a change in signage.

O.P. Clusters of Flags means more than two (2) groupings of more than three (3) flags on a tax parcel or any other disbursement of flags on a single tax parcel. A national and state flag may be flown in addition to entryway flags. For example: A maximum of two (2) groupings of no more than three (3) flags each may be permitted at one (1) entryway into a property. Flags within the grouping shall be placed within a twenty (20)-foot radius. Flags shall be maintained in good condition. For the purposes hereof, a flag means a piece of cloth or other similar material, varying in size, shape (usually rectangular), color, and design, attached to one end of a staff or cord. A flag is used as a symbol of a nation, state, city or organization.

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Q. Commercial center (small) means a group of two or more commercial businesses on a single parcel of land with a right of way frontage of 300 feet or less along its primary frontage.

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R. Commercial center (medium) means at least three but less than 20 businesses on contiguous land under one ownership with right of way frontage of at least 300 feet but less than 800 feet along its primary frontage.

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S. Commercial center (large) means over 20 or more separate and distinct businesses on contiguous land under one ownership with right of way frontage of at least 800 feet along its primary frontage.

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P.T. Construction sign means an temporary informational sign which identifies the architect, engineers, contractors and other individuals of firms involved with the construction of a building, and/or announcing the name and/or character of the building or the enterprise which will occupy the building, which sign is erected during the building construction period. A construction sign may also announce the expected completion date or the date on which the business or enterprise is expected to open/commence business.

U. Display surface means the area made available by the sign structure for the purpose of displaying the advertising message.

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V. Electric sign means any sign containing electrical wiring, but not including signs illuminated by exterior light source.

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Q. Emitting Sign. A sign which emits sound, odor, or visible matter such as smoke or steam.

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R. Flag means a piece of cloth or other similar material, varying in size, shape (usually rectangular), color, and design, affixed to a staff or pole. A flag is used as a symbol of a nation, state, city, organization, or it may be decorative but may not be used as an advertisement. Flags shall be maintained in good condition.

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S. Free Standing Sign. A sign which is self supported on a structure used exclusively for the support of the sign or for a group of signs.

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W. 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.

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T. Frontage means the linear measurement of a single parcel boundary abutting a public street right of way. Multi-tenant complexes with shared access points from a public street, and parcels with contiguous ownership, shall be considered a single frontage for determination of eligibility for free standing signs. Frontage measurements may be combined for a single frontage measurement.

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U. Grade means the elevation or level of the street (or parking lot) closest to the sign to which reference is made, as measured at the street centerline, or the relative ground level in the immediate vicinity of the sign.

V. Ground Sign A free standing sign which is affixed in or upon the ground with no air space between the ground and the sign face. A monument sign is a ground sign.

W. Hearing Examiner

A person appointed by the City Manager and authorized to act in a decision making role involving administrative and quasi-judicial matters as granted by ordinance and consistent with the provisions of Chapter 35A.63 RCW.

X. Height of Sign

The height of a sign is measured from the grade of the parcel to the highest portion of the sign structure. Berms, pedestals, or other structural, supporting, or landscaping methods which elevate the height of a sign above the grade of the parcel shall be included in determining the height of a sign.

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Y. Incidental Signs Signs, emblems, and decals attached to a primary building which are 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, and phone booths. Incidental signs are not intended to be visible or legible from a public vehicle right of way.

Z. Land Subdivision Sign

A temporary real estate sign used to identify a residential land subdivision.

AA. Marquee

means a permanent projecting sign roofed structure extending from part or all of a building face and constructed of some durable material which may or may not project over a public right-of-way attached to and supported by a building.

BB. Marquee Sign Any sign painted on, attached to, or supported by a marquee.

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CC. Major Commercial Center means a single parcel under one ownership in the Mixed Use Zone which is comprised of more than two (2) businesses, more than two-hundred thousand (200,000) feet of commercial buildings, and has a minimum of five hundred (500) feet of street frontage.

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DD. May means permissible and shall be solely the decision of Community Development City Manager or designee.

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EE. Monument sign means a ground mounted, fixed sign with a height of up to fifteen (15) feet above the average ground elevation. The base (not included in the sign surface area calculation) is attached to the ground as a wide base of solid construction.

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FF. Multiple Occupancy Building means a single structure housing more than one retail business office or commercial venture.

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GG. Multiple Building Complex means a group of structures housing more than one retail business, office or commercial venture, and generally under one ownership and control.

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HH. Mural A picture on an exterior surface of a structure. A mural is a sign only if it is related by language, logo, or pictorial depiction to the advertisement of any product or service or the identification of any business.

II. Non-conforming A sign which was validly installed under the laws or ordinances in effect at the time of installation, but which is in conflict with the provisions of the City of Lakewood Sign Code means a sign or sign structure erected prior to this Code that does not conform to the provisions as contained in this Chapter.

JJ. Nonstructural trim means the molding, battens, caps, nailing strips, latticing, cutouts, or letters and walkways which are attached to the sign structure.

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KK. Off-Premise Sign means a sign which advertises a business or service which is not located on the site where the sign is displayed.

LL. 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.

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GG. Painted signs means a sign or sign structure, non-electrical in nature, except such signs may have illumination from an exterior light source.

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GGHH. Parapet means that portion of a building wall which extends above the roof of the building.

HHH. Pennant means a tapered device having a distinctive triangular form. Pennants may advertise a commercial message, motto, or slogan. A pennant may have a message, or may display a colorful graphic or symbol. It can vary in size, color, and design. Pennants may either be affixed to a staff or cord, or hung over a street, on a fence, across or near an entrance to a place of business, on a building etc. A pennant may either be temporary or permanent.

JJJ. Person means one or more persons, human beings, associations, corporations, partnerships, or organizations with legal rights and duties, whether acting by themselves or by a servant, agent, employee, or guardian of either sex, an association, co-partnership, or a corporation, whether acting by themselves or by a servant, agent, employee, guardian or trustee; the singular shall be understood to include the feminine.

JJK. Pole sign means a free-standing sign where the sign face is elevated above the site grade by structural supports any sign, electric or otherwise, hung, supported or cantilevered from structural steel, pipe, other materials or combinations of same and mounted in concrete.

KK. Political Signs A temporary sign designed for the purpose of supporting or opposing a candidate, proposition, or other measure at an election.

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LL. Portable sign means any sign which is manifestly designed to be transported, including by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support constructed without wheels is converted to an A or T Frame sign, or attached temporarily or permanently to the ground since this characteristic is based on the design of such a sign. It is characteristic of such a portable sign that the space provided for advertising matter consists of a changeable copy sign.

MM. Projection means the distance by which a sign extends beyond its means of support.

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MM. Projecting Sign is a wall sign, structurally supported by, and extending at an angle or perpendicular from the wall.

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NNN. Readerboard, Changeable Message Sign means a sign or part of a sign which the letters are readily replaceable such that the copy can be changed on which the letters are readily replaceable such that the copy can be changed from time to time at will.

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OO. Revolving sign means any sign or sign structure that revolves or partially revolves by means of some mechanical method.

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OO_PP. Roof sign means a sign or sign structure erected upon, against or directly above a roof or above the parapet of a building, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.

PPNN. Seasonal Decorations Temporary holiday messages, displays, or lighting, celebrating national, state, and local holidays or holiday seasons.

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QQ. Sign shall mean and include every device, frame, letter, figure, character, mark, plane, point, design, picture, logo, stroke, stripe, trademark, plane, point, design, picture, logo, stroke, stripe, trademark, or reading matter, which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of the general public; and shall include all parts, portions, units, and materials composing the same, together with the frame, background, and supports or anchoring thereof. The term does not include merchandise located within three (3) feet of a window. means any device, structure, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, or written copy for the purpose of advertising or identifying any establishment, product, goods or service.

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1. Double face means a sign carrying advertising on both faces.

2. Freestanding sign means a sign which is supported on a structure used exclusively for the support of the sign or for a group of signs.

3. Horizontal sign means a projecting sign having a greater horizontal than vertical dimension.

4. Marquee sign means any sign affixed to any marquee.

5. Off-premise sign means a sign which advertises a business or service which is not located on the site where the sign is displayed.

6. ~~Single face" means a sign carrying advertising on one surface only.~~

7. ~~Subdivision sign" means signs used to identify a land development which is to be or was accomplished at essentially one time.~~

8.

RR. ~~Temporary Sign" means a sign intended to be displayed for a limited time and which is not permanently mounted, 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. Construction signs, grand opening displays, real estate signs, open house signs, and residential land development are included in this category.~~

9. ~~Vertical sign" means a projecting sign having a greater vertical than horizontal dimension.~~

SS. ~~Vehicle Sign" means using a vehicle, sign on a vehicle, or trailer for advertising purposes rather than transportation. Vehicles or trailers with advertising parked in a location visible from a public right of way, not including designated loading areas, shall be considered a vehicle sign. Temporary signs placed on vehicles for sale, rent, or lease are vehicle signs. Temporary signage depicting price and model year on a for sale or lease vehicle's windshield, which does not cover more than fifty (50) percent of the windshield, shall not be considered a vehicle sign. Vehicles that are for rent, which have permanent signage, such as U-Haul moving trucks, shall not be considered vehicle signs.~~

TT. ~~Wall sign" means any sign painted on or attached directly to or erected against and supported by a building wall, or facade or fence, with the exposed face of the sign in a plane parallel to the portion of the structure to which it is attached; including window signs which are permanently attached.~~

UU. ~~Window Sign" means all signs located inside and affixed to or within three (3) feet of a window of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three (3) feet of a window.~~

RR. ~~Sign structure" means the supports, uprights, braces and framework of the sign.~~

SS. ~~Special displays" means and includes displays of merchandise, animals, balloons, cars, airplanes, and/or other objects used to attract attention for purposes of advertising. Special displays shall not be included as "signs" as that term is used in this Code.~~

TT. ~~Structure" means that which is built or constructed, an edifice or building of any kind, or any piece or work artificially built up or composed of parts joined together in some definite manner.~~

UU. ~~Uniform Building Code" (UBC) means the current version of the Uniform Building Code, published by the International Conference of Building Officials. (Ord. 135 § 1 (part), 1997; Ord. 113 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)~~

18.45.040 Administration and Enforcement.

The administration and enforcement authority shall be the City Manager or designee.

A. ~~Code Administrator. The Code Administrator of the Sign Code of the City of Lakewood is the City Manager or designee. The administrator is authorized and directed to enforce and carry out all provisions of this code, both in letter and spirit, with vigilance and with all due speed. To that end, the administrator is further empowered to delegate the duties and powers granted to and imposed upon him/her under this code. As used in this code, Code Administrator" includes his/her authorized representative.~~

B. ~~Inspection by Code Administrator. The Code Administrator or designee is empowered to enter or inspect any building, structure or premises in the city, upon which, or in connection with which a sign, as defined by this code, is located, for the purpose of inspection of the sign, its structural and electrical connections, and to insure compliance with the provisions of this code. Such inspections shall be carried out during business hours, unless an emergency exists.~~

C. ~~Compliance With Zoning Regulations. Only signs of the type or types as designated by the City Zoning Regulations shall be permitted in the respective zoned areas.~~

D. ~~Conflicting Regulations. If any portion of this Code shall conflict with any other regulation, the most restrictive shall apply.~~

E. ~~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 for 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 or ordinance.~~

F. Nuisance Declared - Abatement. Signs constructed, altered or maintained in violation of the provisions of this Code are declared to be public nuisances. When judgment is rendered against any person, firm or corporation finding them guilty of violating any provisions of this Code, the court may, in addition to or in lieu of imposing other penalties, order the defendant or defendants in such action to forthwith abate and remove such nuisance, and if the same is not done by such offender within forty-eight (48) hours, the same shall be abated and removed by any officer authorized by order of the court. In the event the owner of such sign cannot be found or refuses to comply, the Code Administrator or Office authorized by the Court shall have the non-conforming sign removed. The cost of removing the sign plus administrative costs will be charged to the property owner.

G. Penalty for Violations. It shall be unlawful for any person, firm or corporation to erect, construct, 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 Code.

H. Any person, firm or corporation violating any of the provisions of this Code shall be subject to a Class 1 civil infraction citation as defined in the City's Enforcement Ordinance.

I. Application for Variances. Applications for variance of setback, height and size requirements shall be made with the Code Administrator. (Ord. 135 § 1 (part), 1997; Ord. 113 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.050 Sign Permits-Required.

A. Individual Signs. Each individual sign shall require a separate permit.

B. Non-Conforming Sign Permits.

1. A permit is required for each non-conforming sign within the City of Lakewood.

2. The permit shall include the necessary information pertaining to the non-conforming status of the sign for administrative tracking, public notice, amortization (if applicable), and removal of the sign in accordance with this chapter.

3. All property owners, lessors, or businesses with control of a non-conforming sign within the City of Lakewood shall obtain a non-conforming sign permit for each non-conforming sign within ninety (90) days of notification by the City of Lakewood.

4. No fee shall be charged for the required non-conforming sign permits which are obtained within ninety (90) days of notification by the City of Lakewood. Owners of signs who have not obtained the required permit prior to the stated deadline, shall be assessed a permit fee for administration of the permit and a penalty for failing to comply with the provisions of this Code.

C. New Sign or Sign Modification Permit. No sign shall hereafter be erected, re-erected, constructed, or altered, except as provided by this Code, and provided that a sign permit for the same has been issued by the Code Administrator, City Manager or designee. For the purposes hereof, alteration shall not include maintenance as defined that term is used in Sections 18.45.080 and 18.45.160 of this code. Also, any sign for which a building permit is required under the UBC must obtain a building permit. A sign permit shall be required for each sign installed at one time on contiguous property. A New Sign or Sign Modification permit shall become null and void if the work for which the permit was issued has not been completed within six (6) months of issuance.

D. Temporary Commercial Sign Permits. A permit is required for Grand Opening, Sale and Event, and A-Frame temporary commercial signs. Requirements and restrictions for temporary signs are listed in section 18.45.150.

18.45.150

1. Temporary Commercial Sign Permits may not be issued for single family or duplex dwellings.

18.45.150

2. A maximum of three (3) Temporary Commercial Sign Permits may be issued to a location within a one (1) year period.

18.45.150

3. A location is limited to one (1) permit at any time.

18.45.150

4. Failure to comply with the conditions outlined in this chapter and the issued permit shall result in forfeiture of deposits, enforcement pursuant to Section 18.45.040, and the subject applicant, business, and location shall be ineligible for a temporary permit for a period of one (1) year.

5. Deposit. A deposit, along with an affidavit stating that the applicant for a temporary sign will comply with all provisions of this section, shall be submitted prior to the issuance of a temporary sign permit. The affidavit shall state that all temporary signs must be removed on the

day the permit expires. The deposit shall be four (4) times the permit fee. If the applicant fails to remove signs in the time required and the City must enforce pursuant to Section 18.45.100 and 18.45.150, the deposit shall be forfeited and the applicant will not be eligible for another temporary sign permit for a period of one (1) year.

E. Applications for Sign Permits. Any person entitled to apply for and receive a sign permit shall make application on forms provided for that purpose at the office of the Code Administrator. Such application shall contain the following information:

1. Name and address of applicant;

2. Name and address of location of sign erection;

3. Provide a reasonable sketch on eight and one-half (8 1/2) by eleven (11) inch paper of the proposed sign erection giving all sizes and measurements including footing details, height and proposed location of the sign on the property;

4. The Code Administrator may require the filing of plans or other pertinent information where in his opinion such information is necessary to insure proper compliance with this Code;

5. The type of sign and number of faces;

6. An affidavit that the written consent of the owner or person in legal possession of the property to which or upon which the sign is to be erected has been obtained; and;

7. Establishment of Property Lines.

a. 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.

b. In the event of a dispute or discrepancy in the establishment of the property lines involved, the Code Administrator may order an independent survey where, in his opinion, such information is necessary to insure compliance with this Code.

F. Permits Issued to Whom. Sign permits shall be issued only to the firm, company, corporation or person making the installation and shall not be transferable.

G. Permit Fees. Permit fees shall be as set forth in the City's Fee Resolution.

H. Revocation of Permits. The Code Administrator is authorized and empowered to revoke any sign permit issued by him/her upon failure of the holder thereof to comply with any provision or provisions of the Code.

I. Sign Record. The Code Administrator shall maintain a list of all currently permitted signs, including the status of such signs and shall make the list available for public inspection.

J. Permit Issuance. It shall be the duty of Code Administrator, upon the filing of an application for a sign permit, to investigate the same, and if it shall appear to be in compliance with all the requirements of this Code, he shall then issue the permit. The Code Administrator shall not issue a permanent or new, modification, or temporary sign permit if it is determined that any temporary sign on the premise does not comply with the provisions of this code. (Ord. 135 Â§ 1 (part), 1997; Ord. 113 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.060 Applications for Sign Permits Prohibited Signs. Any person entitled to apply for and receive a sign permit shall make application on forms provided for that purpose at the office of City Manager or designee. Such application shall contain the following information:

1. Name and address of applicant;

2. Name and address of location of sign erection;

3. Provide a reasonable sketch on eight and one-half by eleven inch paper of the proposed sign erection giving all sizes and measurements including footing details, height and proposed location of the sign on the property;

4. The City Manager or designee may require the filing of plans or other pertinent information where in his opinion such information is necessary to insure proper compliance with this Code, as is provided in Section 18.35.200;

5. The type of sign and number of faces;

6. An affidavit that the written consent of the owner or person in legal possession of the property to which or upon which the sign is to be erected has been obtained. Except as indicated by this chapter, the following signs or displays are prohibited:

-
A. Portable signs.

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B. Temporary signs not in compliance with this chapter.

-
C. Private signs on utility poles or traffic and other public sign posts.

-
D. 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".

-
E. Signs located in the public right-of-way or on City-owned or leased property, except where permitted in this chapter.

-
F. Poster, pennants, banners or streamers, string of lights, blinking lights or flashing 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 reasonable seasonal decorations or temporary signs as provided for in Section 18.45.140 and Section 18.45.150 of this chapter.

-
G. Animated signs, except those displaying message changes at intervals of five (5) seconds or longer, and/or cycling time and temperature.

-
H. Signs erected at intersections of any streets in such a manner as to materially obstruct free and clear vision.

-
I. No three-dimensional statue, caricature or representation of persons, animals or merchandise shall be used as a sign or incorporated into a sign structure. Provided that three-dimensional statue, caricature or representation of persons, animals or merchandise may be permitted if approved as temporary signs under Section 18.45.150. Barber shop poles less than four (4) feet in height are excluded from this provision.

-
J. Vehicle signs.

-
K. No public address system or sound devices shall be used in conjunction with any sign or advertising device.

-
L. Obscenity. 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.

-
M. Abandoned signs.

-
N. Signs painted on or attached to bus benches.

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O. Fence signs. No sign shall be used as a fence nor shall any fence be used as a sign nor shall any sign be attached to a fence.

-
P. Off premise signs except temporary signs in accordance with Section 18.45.140.

-
Q. Billboard signs.

-
R. Roof signs.

-
S. Emitting signs.

-

T. A-Frame signs not displayed in accordance with Sections 18.45.050 and 18.45.150

Â (Ord. 135 Â§ 1 (part), 1997; Ord. 113 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.070A Prohibited Signs Exempt Signs

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

A. Portable signs including, but not limited to, sandwich/A-frame signs and mobile readerboard signs, and excluding signs permitted under Section 18.45.075 as temporary signs. Provided that A-Frame signs may be permitted as a special temporary sign subject to the following limitations and restrictions:

1. The A-Frame sign must be located on private property at the location identified on the special A-Frame sign permit, provided that in no event shall the sign be located within ten (10) feet of the public right-of-way;
2. The Permit shall be for a one (1) year period only, and any new or renewal permits must be applied for each year for which the special A-Frame sign permit is sought;
3. The A-Frame sign shall conform to the size and description parameters as follows:
 - (a) The size of the A-Frame sign shall not exceed 2 feet in width by 3 feet in height, total outside dimensions;
 - (b) The A-Frame sign shall consist of painted sign surfaces, with no raised or relief surfaces, lettering, designs or images; and;
 - (c) The A-Frame sign shall not have any lighting or illumination, nor shall the A-Frame sign have any reflective lettering, designs, images or background surfaces.
4. The business applying for a special A-Frame sign permit shall be in full compliance with all of the requirements of the City's sign code and zoning code, and continued compliance shall be a condition of the permit;
5. A business that has any other type of free standing signs, roof signs, or billboard signs on the same property as the business, whether specific to that business or as a part of a business complex or group of businesses at the same location, shall not be eligible to apply for or be granted a special A-Frame sign permit;
6. Only retail businesses as identified in the Standard Industrial Code (SIC) for the business shall eligible to apply for or be granted a special A-Frame sign permit;
7. Any A frame sign for which a special A-Frame sign permit has been granted shall be posted with a current permit tag issued by the City, which permit tag shall be conspicuously visible on the face of the A-Frame sign; and;
8. Any A-Frame sign not conforming to the requirements of this section shall be subject to immediate removal and forfeiture.

B. Private signs on utility poles;

C. 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".

D. Signs located in the public right-of-way or on City-owned or leased property, except where permitted in this chapter; and

E. Poster, pennants, banners or streamers, string of lights, blinking lights or flashing 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 Section 18.45.075 and Section 18.45.416 of this code as grand opening displays, or the following other exceptions:

1. National, state, and City flags when properly displayed;

2. Signs, banners, pennants, string of lights not exceeding a total distance of the lesser of the street frontage of the business property or one hundred feet, and clusters of flags approved as temporary signs; and

3. Balloons as approved as temporary signs.

F. Changing message center signs, where the message changes more frequently than every five (5) seconds, except for display of time and temperature.

G. 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 regulations as specified in the Uniform Building Code.

H. Signs erected at intersections of any streets in such a manner as to materially obstruct free and clear vision.

I. No three dimensional statue, caricature or representation of persons, animals or merchandise shall be used as a sign or incorporated into a sign structure. Provided that three dimensional statue, caricature or representation of persons, animals or merchandise may be permitted if approved as temporary signs under Section 18.45.415. Barber shop poles are excluded from this provision.

J. Any sign attached to or placed upon a vehicle or trailer parked 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. No public address system or sound devices shall be used in conjunction with any sign or advertising device.

L. ~~Obscenity.~~ 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.

M. ~~Fire Safety 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.

N. ~~Abandoned signs~~

O. ~~Signs painted on or attached to bus benches.~~

P. ~~No sign shall be used as a fence nor shall any fence be used as a sign nor shall any sign be attached to a fence.~~

Q. ~~Off premise signs.~~

R. ~~Billboard signs.~~

S. ~~Roof signs.~~

T. ~~Window signs in excess of 30% of the area of the window being so used.~~

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A. Exemption from the sign permit requirements 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.

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B. A sign permit is ~~not~~ required for the following signs:

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1. Professional nameplates not exceeding two (2) square feet in area.

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2. Plaques, tablets or inscriptions indicating the name of a building, date of erection, commemorative information, or historic designation provided it is:

a. an integral part of the building structure;

attached to the building;

b. attached flat to the face of the building;

attached to the building;

c. non-illuminated; and

attached to the building;

d. a maximum four (4) square feet in surface area.

-

3. Signs of the state, city or public service companies indicating or warning of danger; aids to service or safety; traffic control or traffic direction signs; City sponsored program signs; and "no soliciting," "no trespassing" or "tow-away zone" signs.

-

4. Painting, repainting or cleaning of any sign, unless a structural change is made, while sign is still in position.

-

5. Signs required by law, or intended to notify the public of public meetings or hearings, and official or legal notices issued and posted by any public agency or court.

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6. Incidental signs, which shall not exceed two (2) square feet in surface area, provided that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency. Incidental signs are signs, 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.

-

7. Standard size City, State, or Federal flags.

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8. Religious symbols;

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9. The flag of a commercial firm or institution, provided no more than one (1) flag is permitted per business premises, and further provided the flag does not exceed twenty (20) square feet in surface area nor extend more than eight (8) feet above a building.

-

10. Signs on structures or improvements intended for a separate use, such as phone booths, charitable donation containers, and recycling boxes.

-

11. Building addresses with numbers and letters not more than ten (10) inches in height.

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12. Signs not oriented or intended to be visible or legible from a right-of-way, public access, other property, or from the air.

-

13. Signs inside of a building except window signs and except for strobe lights or flashing neon lights visible from a right-of-way, other property or from the air.

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14. Painted architectural wall decorations and/or highlights.

-

15. Signs affected by stipulated judgments to which the City is a party, entered by courts of competent jurisdiction..

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16. Strings of incandescent lights in non-residential zones where the lights do not exceed:

a. five (5) watts per bulb.

b. the bulbs are placed no closer than six (6) inches apart, and

c. do not flash or blink in any way.

-

17. Strings of incandescent lights in residential zones which do not unreasonably impact adjacent properties or street with glare.

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18. Reasonable seasonal decorations within the appropriate public holiday season. However, such displays shall be removed within five (5) days following the end of the public holiday season.

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19. Signs on private property when such signs are solely designated to direct pedestrians or vehicular traffic while on the parcel of real estate on which the signs are located.

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20. Signs on private property which are required by any law or ordinance.

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21. Non-illuminated signs not exceeding four (4) square feet placed on lawns or buildings or in windows and containing a noncommercial political, religious or personal message. (Ord. 135 Â§ 1 (part), 1997; Ord. 113 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.075 Exemptions:

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A. Exemption from the sign permit request 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 will not be required for the following signs:

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1. Professional nameplates not exceeding two (2) square feet in area;

2. Signs denoting the architect, engineer or contractor, when placed upon the premises while construction work is in progress. Said signs not to exceed thirty-two (32) square feet in area; and must be placed at least five (5) feet back from the property line;

3. 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 (4) square feet in surface area;

4. Signs of the state, city or public service companies indicating danger, aids to service or safety, traffic control or traffic direction signs or Adopt-A-Road Litter Control Program signs, or "no soliciting," "no trespassing" or "tow-away zone" signs;

5. Painting, repainting or cleaning of any sign, unless a structural change is made, while sign is still in position;

6. a. Signs located on private property 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 not be displayed more than sixty days prior to

or ten days after the date of the election for which intended. In cases where a general election follows within fifty-five days of a primary election, those signs for candidates whose names will appear on the ballot in the general election may be displayed during the interim period and up to ten days after the general election. If political signs are not removed within the specified times, they will be subject to removal by the City in addition to any other remedies provided in this Chapter.

b. No political sign shall be erected upon any private property without permission of the resident or owner thereof.

c. Political signs shall not exceed sixteen (16) square feet in area, and shall not obstruct safe visibility of any mobile or pedestrian traffic.

Historic site markers or plaques, gravestones, and address numbers.

8. Signs required by law, or intended to notify the public of public meetings or hearings, including but not limited to:

a. Official or legal notices issued and posted by any public agency or court;

b. Temporary sandwich/A-Frame signs or bulletin board signs; or

c. Traffic directional or warning signs.

9. Incidental signs, which shall not exceed two (2) square feet in surface area, provided that said size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency. Incidental signs are signs, 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.

10. State or Federal flags;

11. Religious symbols; and

12. The flag of a commercial institution, provided no more than one flag is permitted per business premises, and further provided the flag does not exceed 20 square feet in surface area nor extend more than eight (8) feet above a building.

13. Signs on structures or improvements intended for a separate use, such as phone booths, charitable donation containers, and recycling boxes.

14. Building addresses with numbers and letters not more than 10 inches in height.

15. Signs not oriented or intended to be legible from a right-of-way, other property, or from the air;

16. Signs inside of a building except window signs and except for strobe lights or flashing neon lights visible from a right-of-way, other property or from the air;

17. Painted wall decorations;

18. Painted wall highlights;

19. Signs affected by stipulated judgments to which the City is a party, entered by courts of competent jurisdiction;

20. Interior window signs that do not exceed 30% of the window area being so utilized;

21. Strings of incandescent lights in non-residential zones where the lights do not exceed 5 watts per bulb, the bulbs are placed no closer than 6" (six inches) apart and do not flash or blink in any way. Strings of lights in residential zones are not regulated.

22. Temporary signs painted or placed upon a window in a non-residential zone, when such signs do not obscure more than thirty percent of such window area, and are maintained for a period not exceeding seven days. Signs which remain longer than seven days will be considered permanent and must comply with the provisions of this code for permanent signs.

a. Temporary, non-illuminated real estate signs (not more than one per tax lot), located on the property which is for sale or lease, or construction signs not exceeding six square feet in residential areas or twelve square feet in commercial and industrial areas, provided said signs are removed fifteen days from the sale, lease or rental of the property or within seven days of completion of the project.

b. "Open House" signs for the sale of residential property (not more than one [1] per open house) located on the property which is for sale, and during the time of the open house only. Additionally, not more than three (3) directional signs leading to the open house during the time of the open house only, with each of the directional signs being not more than one thousand feet from the premises of the open house, which directional signs may not be located on public right-of-ways and may not interfere with pedestrian or vehicular traffic. Open house signage shall not be permitted at any one location on more than ten (10) days in any one year.

24. Temporary non-illuminated signs not exceeding 16 square feet for charitable fundraising events placed by non-profit 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.

25. Signs on private property when such signs are solely designated to direct pedestrians or vehicular traffic while on the parcel of real estate on which the signs are located.

26. Signs on private property which are required by any law or ordinance

27. Non-illuminated signs not exceeding 4 square feet placed on lawns or buildings or in windows and containing a noncommercial political, religious or personal message.

18.45.080 Requirements Applicable to All Signs

A. Signs which are allowed to fall into a state of disrepair to the extent the sign is unsightly, broken, or hazardous may be declared a nuisance by the Code Administrator and shall be abated.

B. 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 regulations as specified in the Uniform Building Code.

C. Fire Safety 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.

D. 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, or be hazardous to a motorist's ingress and egress from parking areas of any way open to the public.

E. Maintenance. All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five (5) days after receiving notice from the Code Administrator. The premises surrounding a freestanding sign shall be free and clear of rubbish and the landscaping area free of weeds. (For maintenance of non-conforming signs, see Section 18.45.160).

F. Illumination. Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians and motorists. Undue brightness is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street.

G. Placement.

1. No person may erect a sign which is affixed to a fence, utility pole, structure, tree, shrub, rock or other natural object.

2. Signs shall not be mounted on roofs or extend above the roof line (unless mounted on a parapet wall which extends above the roof sign, in which case the sign may not extend above the top of such parapet).

3. No projecting sign shall extend into a vehicular public way, or be less than ten (10) feet above a pedestrian way.

4. No sign together with any supporting framework shall extend to a height above the maximum building height allowed in a district.

5. Signs shall not cover architectural details such as, but not limited to, arches, sills, moldings, cornices, and transom windows.

6. Signs shall not obstruct traffic signals. The issuance of a sign permit as regulated by this Code shall not relieve the permit holder from fully complying with the State of Washington law or any other law governing the obstruction of any authorized traffic sign, signal or device.

7. Signs shall not obstruct vision clearance. No signs in excess of two and one-half (2 1/2) feet in height shall be placed in the vision clearance area. The vision clearance area is triangle shaped. The intersection of the right of ways is the base of the triangle. The two legs of the triangle are measured to a point along each right of way twenty-five (25) feet from the intersection.

8. Signs shall not be placed within the 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 a public street or right-of-way of any public street in the City of Lakewood without the express permission, in writing, of the Code Administrator, and any such foreign objects now upon the highways or public highway rights-of-way as designated in this Section are declared illegal, except for those now in place with written permission of the Code Administrator; and provided, that this Section shall not apply to mailboxes and attached newspaper boxes, placed on the City right-of-way, where these are placed as far removed from the driving portion of the right-of-way as possible, except that the placement shall be subject to approval of the Code Administrator. In the event the owner of such sign cannot be found or refuses to comply, the Code Administrator shall have the non-conforming sign removed. The cost of removing the sign plus administrative costs will be charged to the property owner.

9. Signs which the Code Administrator determine are so located as to present a hazard to the public may be

immediately removed without prior notice. Any signs located in any traffic island, whether commercial, directional, political or otherwise, shall be considered to present a hazard to the public, including an interference with traffic visibility, or a danger to pedestrians or landscaping and irrigation systems, and an attractive nuisance, and shall be subject to immediate removal. For the purposes hereof, "traffic island" means any portion of the public right-of-way that is located within or surrounded by the paved portion of the right-of-way but which is not used for vehicular travel.

H. Setback Lines. The setback point, if any, shall be that portion of any sign or sign structure that is closest to the property line.

I. Identification. Any sign constructed or affixed to a building or other structure after the effective date of this Ordinance must contain within its contents an identification in English of the business to aid public safety and emergency responses in locating the advertised business.

J. Electric Power Lines - Clearance. Horizontal and vertical clearance of signs or sign structures from energized power lines shall not be less than twelve feet. (Ord. 135 § 1 (part), 1997.)

18.45.090 Permit Issuance Billboards.

It shall be the duty of the City Manager or his duly authorized representative, upon the filing of an application for a sign permit, to investigate the same, and if it shall appear to be in compliance with all the requirements of this Code, he shall then issue the permit. The City Manager or designee shall not issue a permanent or temporary sign permit if it is determined that any temporary sign on the premise does not comply with the provisions of this code.

A. The total number of billboard faces within the City of Lakewood shall not exceed the total number of billboard faces existing on the date of incorporation.

B. The demolition or removal of any billboard reduces the number of allowable billboard faces by the number removed.

C. In the event that the City of Lakewood 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.

D. Any billboard sign in existence on the date of incorporation, or on the effective date of annexation, shall be considered non-conforming.

E. Except as provided in Sections F and G, following, billboards shall not be altered with regard to size, shape, orientation, height, or location.

F. 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 ninety (90) days of permit issuance.

G. Ordinary and necessary repairs which do not change the size, shape, orientation, height, or location of billboards shall not require a permit. Billboard copy replacement may occur at any time and is also exempt from the requirement for a permit.

H. Billboards which have any moving parts shall not be modified or maintained.

I. Billboards shall not be modified or maintained which have any projections that extend more than three (3) feet out from the surface of the billboard face.

J. Billboards shall not be modified or maintained which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights. Billboards shall not include lighting unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the highway 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 Code Administrator, shall be adjusted in accordance with the instructions of the Code Administrator. (Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.100 Plans Filed Signs in the OSR Zone.

The City Manager or designee may require the filing of plans or other pertinent information where in his opinion such information is necessary to insure compliance with this Code.

The following signs, when displayed in accordance with this chapter, are allowed within the OSR zone:

A. Nameplates.

1. Not more than one per building;

2. not greater than two (2) square feet in gross area;

3. not over four (4) feet in height if detached from the building; and

4. non-flashing.

B. Temporary signs in accordance with Section 18.45.140.

C. Recreational and information signage for public and private parks and open space are allowed through Administrative approval of the Code Administrator. (Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.110 Individual Signs in the MSF Zone.

Each individual sign shall require a separate permit.

The following signs, when displayed in accordance with this chapter, are allowed within the MSF zone:

A. Nameplates.

A.

1. Not more than one per building;

2. not greater than two (2) square feet in gross area;

3. not over four (4) feet in height if detached from the building; and

4. non-flashing.

B. Type II home occupation sign.

1. One (1) home occupation sign is permitted.

A. maximum two (2) square feet of face area; and

B. attached to the residence or accessory building or displayed in a window.

C. maximum height of six (6) feet.

C. Public School, Civic Community Centers, and Church Signs.

1. Public Schools and churches are allowed wall and awning signs in accordance with Section 18.45.110.

A. maximum height of six (6) feet.

2. Public Schools, Civic Community Centers, and churches are allowed a free standing pole or ground sign. The pole sign may have a maximum height of twelve (12) feet and a sign face area of thirty-six (36) square feet. The ground sign may have a

maximum height of seven (7) feet and a sign face area of thirty (30) square feet.

D. Temporary signs in accordance with Section 18.45.140. (Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.120 Compliance With Zoning Regulations Signs in the HRD Zone.

Only signs of the type or types as designated by the City Zoning Regulations shall be permitted in the respective zoned areas.

The following signs, when displayed in accordance with this chapter, are allowed within the HRD zone:

A. Nameplates.

1. Not more than one per lot.

2. not greater than two (2) square feet in gross area.

3. not over four (4) feet in height if detached from the building, and

4. non-flashing.

B. Type II home occupation sign.

1. One (1) home occupation sign is permitted.

not greater than two (2) square feet in gross area.

2. maximum two (2) square feet of face area; and

not over four (4) feet in height if detached from the building, and

3. attached to the residence or accessory building or displayed in a window.

C. Temporary signs in accordance with Section 18.45.140.

D. Apartment Complex with five (5) or more dwelling units.

1. One (1) ground or monument sign per primary access drive.

2. Each sign shall have a maximum sign face of twenty (20) square feet, a maximum height of seven (7) feet, and may include a landscaped berm. (Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.130 Conflicting Regulations Signs in the EC, MUC, CC, NC and MUD Zones.

If any portion of this Code shall conflict with any other regulation the most restrictive shall apply.

The following signs, when displayed in accordance with this chapter, are allowed within the EC, MUC, CC, NC and MUD zones:

A. Nameplates.

1. Not more than one per building.

2. not greater than two (2) square feet in gross area.

3. not over four (4) feet in height if detached from the building, and

4. Non-flashing.

B. Wall, projecting, awning, and permanent window signs are allowed within the zones in accordance with Table 18.45-130A below.

TABLE 18.45.130A

WALL, PROJECTING, AWNING, AND WINDOW SIGNS

Limitations
1 Maximum Sign Face Area
Wall Signs 1 primary sign per street frontage

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Max. 18 inches in thickness

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-

Combined area of all wall, awning, projecting, and window signs shall not exceed:

10% of the building street facade

Awning Signs -or

Projecting Signs Max. Area is

16 square feet per face.

Max. Projection is

4 feet 200 square feet.

whichever is less

Window Signs Max. 30% of each window

Table Notes:

1. Review Sections 18.45.080 Requirements Applicable to All Signs and 18.45.060 Prohibited Signs for specific limitations and requirements.

2. Temporary window signs do not require a Temporary Commercial Sign Permit if the total combined area of all signs does not exceed 10% of the building street facade or 200 square feet, whichever is less.

C. Free standing signs.

1. Free standing signs are allowed within the zones in accordance with Table 18.45-130B below.

TABLE 18.45.130B

FREE STANDING SIGNS

-

Street Frontage¹

Maximum³**Number of Signs Allowed**

Street Frontage

(feet)²**Set Back**²**Height**

(feet)²**Area**

(square feet)¹**Per Each Street Frontage**

<35 NANANA 0

35 - 2508 feet Ground: 7 Ground: 30 1

ground

251 - 5008 feet Pole: 15

Ground: 7 Pole: 40

Ground: 30 1 pole

or

2 ground 5

>500

and

<200,000 square feet of building area 8 feet Pole: 20

Ground: 7Pole: 48

Ground: 301 pole

or

1 ground sign per 250 feet of frontage.^{4, 5}
Major Commercial Centers in the MUC zone Conditional Use Permit for signage⁴.

Table Notes:

-
-
- 1. Street frontage does not include frontage dedicated to driveways.
- 2. Review Sections 18.45.080 Requirements Applicable to All Signs and 18.45.080 Prohibited Signs for specific limitations and requirements.
- 3. See Section 4 below regarding size standards for existing signs.
- 4. Major Commercial Centers sign requirements may be negotiated under that administrative process of a Conditional Use Permit. The signage permitted under a Conditional Use Permit must be proportionate to and follow the intent of the general sign development standards.
- 5. Ground signs must be separated a minimum of 200 feet.
-
- 2. Landscaping for freestanding signs. All permanent free standing signs shall include landscaping at their base to prevent automobiles from hitting the sign-supporting structure and to improve the overall appearance of the installation. The planting area shall be a minimum of one (1) square foot for each square foot of sign surface area and shall include shrubs and ground cover. The landscaped area shall be maintained.
-
- 3. If the landscaping is not installed concurrently with the sign, the applicant for a new sign permit shall provide a performance guarantee in the form of a cash bond, held by the City, amounting to one-hundred and fifty (150) percent of the estimated cost of installing the required landscaping.
-
- D. Temporary signs in accordance with Sections 18.45.140 and 18.45.150.
-
- E. Entrance and Exit Signs. Entrance and exit signs and/or other similarly worded signs when used for the purpose of controlling mobile traffic shall be limited to the following:
 - 1. One (1) sign per entrance or exit.
 -
 - 2. Sign height shall not to exceed thirty-six (36) inches in height
 -
 - 3. Sign width shall not exceed sixteen(16) inches.
 -
 - 4. The maximum sign area shall be six (6) square feet.
-
- F. Entrance and Exit Ways - Ingress and Egress - Gateways. The use of concrete, wood, stone, brick, steel, masonry and/or other similar materials in constructing entrance and exit ways and/or gateways shall be subject to:
 - 1. Location to be approved by the City Manager or designee.
 -
 - 2. Height shall be limited to three (3) feet above natural grade, except when such structures are twenty-five (25) feet from a secondary highway or thirty-five (35) feet from a primary highway.
 -
 - 3. The incorporation of signs, plaques, emblems and/or other similar items in or on such structures shall be by special permission of the Code Administrator

(Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.140 Permits Issued to Whom Temporary Signs (No Permit Required).

Sign permits shall be issued only to the firm, company, corporation or person making the installation and shall not be transferable.

Special Events

(non-profit)administrative

reviewadministrative

reviewadministrative

reviewadministrative

review

Table Notes:

1. Must have property owners or occupants permission.

2. Off-premise signs shall be:

- a. A-frame or picket type signs.
- b. Not be augmented with balloons, streamers, and similar decoration.
- c. Display house address and days of sale/open house.
- d. Posted within one-thousand (1,000) feet (approx. 2/10 of a mile) from the sale.
- e. Not be posted within the public right-of-way (i.e. street shoulder, traffic island) or attached to a utility pole, tree, or sign post.
- f. Posted not more than four (4) times per year.
- g. Posted on day(s) of sale/open house only.

3. Right of way.

4. Construction/subdivision signs shall be:

- a. Posted after the issuance of a Building Permit or approval of the subdivision.
- b. Removed by the date of first occupancy of the premises or when seventy-five (75) percent of the subdivision lots are sold or one (1) year from issuance of the first building permit within the subdivision; whichever is less.
- c. Copy and graphics on the signs are limited to identification of the project and participant and may include only:
 - 1) participating architects, engineers, or other individuals and firms involved in the construction of the building and
 - 2) descriptions of and/or purpose of the building/subdivision.

5. Total wall, projecting, window, and awning sign area may not exceed ten (10) percent of the building street facade or two-hundred (200) square feet which ever is lessor. A Temporary Commercial Sign Permit (Sale or Special Event) shall be required of any additional window signage area in excess of the maximum wall sign area allowed.

C. Garage and estate sale signs not displayed in accordance with this section, or for periods in excess of the time period identified in this section, shall be forfeited and offenders cited. Fines for a first offense shall be a minimum of fifty (50) dollars. Minimum fine amounts shall double with each offense. (Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.150 Permit Fees-Temporary Commercial Signs in EC, MUC, CC NC and MUD Zones.

Permit fees shall be as set forth in the City's Fee Resolution.

Temporary Commercial Signs when displayed in accordance with Table 18.45.150, this section, and for which appropriate permits are issued in accordance with 18.45.050 are permitted.

1. A Temporary Sign Permit is required for the signs identified in Table 18.45.150A.

2. A business applying for a permit for a Temporary Commercial Sign must be in full compliance with all of the requirements of the City's sign code and zoning code.

TABLE 18.45.150

SPECIAL CONDITIONS

TEMPORARY SIGNS (PERMIT REQUIRED)

SIGN TYPE

Signs

Max. Size Permit Period Special Conditions
Grand Opening administrative review

(may include

banners, search lights, streamers, blimps, & balloons, etc.) cumulative sign face area 60 square feet 20 days see B
A-Frame 1 sign 6 square feet per face

2 X 3 feet 1 year see C

Sale or Event 3 signs cumulative sign face area 48 square feet 15 days see D

B. Grand Opening Special Conditions. Within forty-five (45) days of the occasion of a new business locating at a particular premises, that new business may apply for a Grand Opening Temporary Commercial Sign permit.

Grand Opening Special Conditions.

1. For the purposes hereof, an existing business re-locating to a new premises shall be considered eligible for a Grand Opening temporary sign permit if the business relocated to a new premises that is:

a. not less than one thousand (1,000) feet from any part of the prior business location, or

b. the business is relocating to a new location that is at least one and one-half (1 1/2) times the size of the prior location as measured by gross floor area.

Signage is subject to the limitations and conditions identified by the Code Administrator in the issuance of the permit.

2. Signage is subject to the limitations and conditions identified by the Code Administrator in the issuance of the permit.

Grand Opening permit may be combined with a separate Sale and Event Temporary Commercial Sign permit for a maximum combined permit period of thirty-five (35) days.

3. A Grand Opening permit may be combined with a separate Sale and Event Temporary Commercial Sign permit for a maximum combined permit period of thirty-five (35) days.

C. A-Frame Signs Special Conditions.

1. A-Frame signs shall be set back ten (10) feet from the public right-of-way.

2. The A-Frame sign shall conform to the size and description parameters as follows:

a. Sign face copy and graphics shall be painted, with no raised or relief surfaces, lettering, designs or images;

b. no lighting or illumination, nor have any reflective lettering, designs, images or background surfaces.

A-Frame signs may only be displayed during normal business hours.

3. A-Frame signs may only be displayed during normal business hours.

The business applying for a special A-Frame sign permit shall be in full compliance with all of the requirements of the City's sign code and zoning code, and continued compliance shall be a condition of the permit:

4. The business applying for a special A-Frame sign permit shall be in full compliance with all of the requirements of the City's sign code and zoning code, and continued compliance shall be a condition of the permit:

5. A business that has any other type of free standing signs, roof signs, or billboard signs on the same property as requested permit, whether specific to that business or as a part of a business complex or group of businesses at the same location, shall not be granted an A-Frame sign permit.

6. The A-frame sign shall be posted with a current permit tag issued by the City, and the tag shall be conspicuously visible on the face of the A-Frame sign; and,

7. Any A-Frame sign not conforming to the requirements of this section shall be subject to immediate removal and forfeiture.

D. Sale or Event Signs Special Conditions. Signs shall setback a minimum of five (5) feet of the public right-of-way and not be within any pedestrian, bicycle, or vehicular way. (Ord. 135 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.160 Right-of-Entry Non-conforming Signs.

Upon proper presentation of credentials, the City Manager or designee or his duly authorized representative may enter at reasonable times any building, structure or premises within the City to perform any duty imposed upon him by this Code.

A. Except as provided in this chapter, signs which are not prohibited in this chapter, except for billboards, for which a permit was issued by Pierce County prior to February 28, 1996 and which do not conform to the provisions of this chapter, but which were constructed, erected or maintained in compliance with all previous Pierce County regulations, shall be regarded as non-conforming.

B. Any non-conforming sign which is structurally altered, relocated or replaced shall immediately be brought into compliance with all of the provisions of this chapter, except the repairing and restoration of a sign to a safe condition. Such repairs and restoration may take place either on site or away from the site. Normal maintenance shall be permitted on any part of a sign or sign structure without loss of non-conforming status.

C. Any non-conforming sign used by a business, shopping center, or business complex must be brought into conformance prior to any expansion or change in use which requires a Site Review, Conditional Use Permit, or a change in nature as defined by this chapter. All non-conforming signs must be brought into conformance with the same provisions as are required for new signs. No building permits for new construction may be issued until compliance with this provision is assured.

D. A non-conforming sign or sign structure shall be removed within ninety (90) days if the building containing the use to which the sign is accessory is demolished or destroyed to an extent exceeding twenty-five (25) percent of the building's appraised value.

E. A non-conforming sign or sign structure damaged by Acts of God (such as earthquakes, floods and wind), vandalism, fire or other casualty may be repaired and restored as a non-conforming sign or sign structure if the cost of the repair and restoration is less than twenty-five (25) percent of the cost of replacing the sign with a conforming sign. However, the signs must be repaired or restored to their original design or to a more conforming design.

F. A non-conforming sign which is in such a state of disrepair that the cost of repair and restoration of the sign is more than twenty-five (25) percent of the value of the sign, or where the sign may become a danger to the public or is unsafe as determined by the Building Official, shall be removed rather than repaired.

G. Legally permitted roof signs on the effective date of this ordinance which do not extend vertically above the highest point of the roof line shall be considered to be in conformance with this ordinance; provided, however, that any roof sign in existence upon the effective date of this ordinance which does extend above the highest point of the roof line shall be considered non-conforming and shall be allowed to amortized according to the schedule listed in Sections 18.45.160 K and L.

H. If the sign constitutes a traffic hazard not created by relocation of streets or highways or by acts of the City, as determined by the Code Administrator.

I. Variances can be granted using the variance procedure of this ordinance to alleviate unusual hardships or extraordinary circumstances which exist in bringing non-conforming signs into conformity. The variance granted shall be the minimum required to alleviate the hardship or extraordinary circumstance.

J. Non-conforming free-standing signs permitted prior to February 28, 1996, and which meet the characteristics described in Table 18.45.160, shall follow all the provisions of this chapter, but are exempt from the deadline for removal of non-conforming signs stated in section 18.45.160.K.

TABLE 18.45.160

MAXIMUM CHARACTERISTICS OF EXISTING SIGNS

Sign Height

(feet) Sign Area

(square feet)

22.6 to 2596

less than, or equal to

22.5

K. Non-conforming signs which do not meet the standards described in Table 18.45.160 shall be removed, or modified to conform with the new sign standards by December 31, 2005.

Any signs not removed within the time limit herein stated shall be deemed a public nuisance, subject to the removal provisions of this chapter, and shall be removed by the City if the sign owner or property owner fails to do so after being so ordered by the Code Administrator. Costs, including administrative and indirect costs, of said removal shall be borne by the sign and/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. Amortization. To ease the economic impact of the Code on businesses with substantial investment in signs in existence on the date of incorporation of the City of Lakewood, and which do not conform to the standards of Table 18.45.130, this section provides for a limited period of use for a non-conforming sign in its existing state. During this period, it is expected that the sign may be amortized on federal income taxes; however, whether it may be so amortized shall not affect the application of this section. Similar treatment is accorded signs in areas annexed to the City.

M. Non-conforming signs which do not meet the standards described in Table 18.45.160 and which must be removed, or modified to conform with the new sign standards by December 31, 2005 may be modified to the standards described in Table 18.45.160, thus eliminating the removal or conformance compliance deadline; provided:

1. The sign owner applied for a non-conforming sign permit and sign modification permit within sixty (60) days of enactment of this ordinance; and

2. Construction of the sign modification is initiated within ninety (90) days of receipt of the permit and all conditions of the permit are met.

N. Signs in existence on the effective date of this chapter which do not comply with provisions regulating prohibited signs (Section 18.45.060) or temporary signs (18.45.140 and .150) shall be made to conform within ninety (90) days from written notice given by the Code Administrator.

(Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.170 Sign-Record Removal of Signs Adjacent to State Highways.

The City Manager or designee shall maintain a list of all currently permitted signs, including the status of such signs and shall make the list available for public inspection.

In accordance with RCW 47.42.107, just compensation shall be paid for removal of any existing non-conforming sign which is governed by the Highway Advertising Control Act. At such time as the sign would have to be removed under Section 18.45.420.D, the City Council shall have the discretion to decide whether or not the sign shall be removed at that time, or whether an extension of time should be granted. In deciding whether or not to grant an extension of time, the amount of just compensation, which will include consideration of sign depreciation; the amortization period; the condition; age; size; and location of the sign; and other factors may be considered. If the Council does grant an extension of time, it shall be for a finite period of time, at which point the Council will reconsider the issue. There shall be no limit on the number of times the Council may extend the time period. (Ord. 135 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.180 Liability Sign Removal Provisions: Signs Installed in Violation of Code.

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 for 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 or ordinance

A. All signs erected after the effective date of this ordinance, which are in violation of any provisions of this ordinance, shall be removed or brought into conformance with the requirements of the City Code upon written notice by the Code Administrator within the following time periods:

1. temporary non-structural signs shall be brought within conformance within twenty-four (24) 24 hours of notice by the Code Administrator, provided that after one (1) such notice or warning an infraction citation may thereafter be issued immediately without any further advance notice requirements or periods of opportunity for correction; and

2. permanent signs shall be brought into conformance within thirty (30) days, provided that the Code Administrator has the discretion to grant a longer period of time for conformance where special circumstances exist which would warrant a longer period of time. For the purposes hereof, the written notice by the Code Administrator shall include but not be limited to written warnings, correspondence, or any other form of writing indicating the general nature of the sign code non-conformity and/or violation of the sign code, provided that after one such notice or warning an infraction citation may thereafter be issued immediately without any further advance notice requirements or periods of opportunity for correction.

B. If the owner of the sign, building, structure or premises fails to comply with the written order, the Code Administrator may then cite the owner into court subject to the City's Enforcement Ordinance.

-

C. All signs and sign structures non-conforming in the structural requirements as specified in the UBC which as a consequence are a hazard to life and property, or which by its condition or location present an immediate and serious danger to the public, shall be discontinued or made to conform within the time the Code Administrator may specify. In the event the owner of such sign cannot be found or refuses to comply with the order to remove, the Code shall then have the dangerous sign removed and the owner cited. The cost of removing the sign plus administrative costs will be charged to the property owner.

-

D. Any person who owns or leases a non-conforming or abandoned sign or sign structure shall remove such sign or sign structure when the sign has been abandoned:

-

1. If the person who owns or leases such sign fails to remove it as provided in this Section, the Code Administrator shall issue the owner of the building, structure or premises upon which such sign is located, sixty (60) days written notice to remove it:

-

2. If the sign has not been removed at the expiration of the sixty (60) days' notice, the Code Administrator 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 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. (Ord. 135 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.190 Revocation of Permits Removal of Signs - Vacancy

-

The City Manager or designee is authorized and empowered to revoke any sign permit issued by him/her upon failure of the holder thereof to comply with any provision or provisions of the Code.

A. Upon the vacation of occupancy of a premise where a non-conforming sign is or has been maintained, the owner shall have the non-conforming sign removed not later than thirty (30) days after such vacation. If the owner fails to comply with the provisions of this Section, the Code Administrator shall issue a notice to the owner to remove the sign within ten (10) days or be cited for the violation of this Code.

-

B. Upon the vacation of occupancy of a premises where a sign is maintained which is in full conformance with the provisions of this Code, including maintenance provisions, and the sign structure is of a type that could reasonably be used by subsequent occupants of the vacated premises, the sign structure may remain so long as the sign copy or is removed, provided that if the next occupant of the premises does not use the sign by inserting the new occupant's copy or message in the sign structure, the sign structure shall be removed within thirty (30) days after the occupancy of the new occupant commences. Upon failure to comply with the provisions of this Section, the Code Administrator shall issue a notice to the owner to remove the sign within a ten-day (10) period or be in violation of this Code. (Ord. 135 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.200 Nuisance Declared-Abatement Severability.

Signs constructed, altered or maintained in violation of the provisions of this Code are declared to be public nuisances. When judgment is rendered against any person, firm or corporation finding them guilty of violating any provisions of this Code, the court may, in addition to or in lieu of imposing other penalties, order the defendant or defendants in such action to forthwith abate and remove such nuisance, and if the same is not done by such offender within forty-eight (48) hours, the same shall be abated and removed by any officer authorized by order of the court. In the event the owner of such sign cannot be found or refuses to comply, the City Manager or designee or Office authorized by the Court shall have the non-conforming sign removed. The cost of removing the sign plus administrative costs will be charged to the property owner.

If any provision of this Chapter or its application to any person or circumstance is found to be invalid, the remainder of the Chapter or the application of the provision to other persons or circumstances shall not be affected. (Ord. 135 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.220 Maintenance of Signs:

-

Signs which are allowed to fall into a state of disrepair to the extent the sign is unsightly, broken, or hazardous may be declared a nuisance by the City Manager or designee and shall be abated in accordance with Section 18.45.200. (Ord. 59 Â§ 1 (part), 1996.)

18.45.240 Establishment of Property Lines:

-

A. 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.

B. In the event of a dispute or discrepancy in the establishment of the property lines involved, the City Manager or designee may order an independent survey where, in his opinion, such information is necessary to insure compliance with this Code.

(Ord. 59 Â§ 1 (part), 1996.)

18.45.260Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Marquee-Canopy-Awnings-Eyebrow.

A.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - No sign shall be designed as a marquee, canopy, awning or eyebrow, either in part or whole, that will change the required setback or setbacks for the building to which it may be attached.

B.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Signs may be placed on the outer face of a marquee provided they shall not exceed eighteen inches in thickness and such marquees are constructed as specified by the Uniform Building Code.

(Ord. 59 Â§ 1 (part), 1996.)

18.45.270Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Wall Signs.

Wall signs shall not exceed eighteen (18) inches in thickness. (Ord. 59 Â§ 1 (part), 1996.)

18.45.280Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Street Banners-Decorations.

Street banners, decorations and/or other similar items shall not be permitted, except by special permit issued by the City Manager or designee, and shall comply with the regulations governing such items. (Ord. 59 Â§ 1 (part), 1996.)

18.45.290Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Billboards: General Requirements.

A.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - The total number of billboard faces within the City of Lakewood shall not exceed the total number of billboard faces existing on the date of incorporation.

B.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - The demolition or removal of any billboard reduces the number of allowable billboard faces by the number removed.

C.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - In the event that the City of Lakewood 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.

D.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Any billboard sign in existence on the date of incorporation, or on the effective date of annexation, shall be considered non-conforming.

E.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Except as provided in Sections F and G, following, billboards shall not be altered with regard to size, shape, orientation, height, or location.

F.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Removal or demolition of a billboard shall require the issuance of a demolition permit for the removal of the existing billboard.Â Â - Billboard removal or demolition shall be completed within 90 days of permit issuance.

G.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Ordinary and necessary repairs which do not change the size, shape, orientation, height, or location of billboards shall not require a permit. Billboard copy replacement may occur at any time and is also exempt from the requirement for a permit.

H.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Billboards which have any moving parts shall not be modified or maintained.

I.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Billboards shall not be modified or maintained which have any projections that extend more than three feet out from the surface of the billboard face.

J.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Billboards shall not be modified or maintained which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights.Â Â - Billboards shall not include lighting unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the highway 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.Â Â - Signs found to be too bright, in the opinion of the City Manager or designee, shall be adjusted in accordance with the instructions of the City Manager or designee.

(Ord. 59 Â§ 1 (part), 1996.)

18.45.300Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Signage Regulations, Generally.

A.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Visibility.Â Â - 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, or be hazardous to a motorist's ingress and egress from parking areas of any way open to the public.Â Â - No sign shall be located so as to physically obstruct any door, window or exit from a building.

B.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Maintenance.Â Â - All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety and repair.Â Â - If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five (5) days after receiving notice from the City Manager or designee.Â Â - The premises surrounding a freestanding sign shall be free and clear of rubbish and the landscaping area free of weeds.Â Â - (For maintenance of non-conforming signs, see Section 18.45.165).

C.Â Â Â Â Â Â Â Â Â Â Â Â Â Â - Illumination.Â Â - Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians and motorists.Â Â - Undue brightness is illumination in excess of that which is reasonable necessary to make the sign reasonably visible to the average person on an adjacent street.

D. Placement

- 1. No person may erect a sign which is affixed to a fence, utility pole, or structure, or tree, shrub, rock or other natural object.
- 2. Signs shall not be mounted on roofs or extend above the roof line (unless mounted on a parapet wall which extends above the roof sign, in which case the sign may not extend above the top of such parapet).
- 3. No projecting sign shall extend into a vehicular public way, or be less than ten (10) feet above a pedestrian way.
- 4. No sign together with any supporting framework shall extend to a height above the maximum building height allowed in a district.
- 5. Signs shall not cover architectural details such as, but not limited to, arches, sills, moldings, cornices, and transom windows.
- 6. Signs shall not obstruct traffic signals. The issuance of a sign permit as regulated by this Code shall not relieve the permit holder from fully complying with the State of Washington law or any other law governing the obstruction of any authorized traffic sign, signal or device.
- 7. Signs shall not obstruct vision clearance. No signs in excess of two and one-half feet in height shall be placed in the vision clearance area. The vision clearance area is the triangle formed by a line connecting points twenty-five feet from the intersection of property lines.
- 8. Signs shall not be placed within the 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 a public street or right-of-way of any public street in the City of Lakewood without the express permission, in writing, of the City Manager or designee, and any such foreign objects now upon the highways or public highway rights-of-way as designated in this Section are declared illegal, except for those now in place with written permission of the City Manager or designee; and provided, that this Section shall not apply to mailboxes and attached newspaper boxes, placed on the City right-of-way, where these are placed as far removed from the driving portion of the right-of-way as possible, except that the placement shall be subject to approval of the City Manager or designee. In the event the owner of such sign cannot be found or refuses to comply, the City Manager or designee shall have the non-conforming sign removed. The cost of removing the sign plus administrative costs will be charged to the property owner.
- 9. Signs which the City Manager or designee finds are so located as to present a hazard to the public may be immediately removed without prior notice. Any signs located in any traffic island, whether commercial, directional, political or otherwise, shall be considered to present a hazard to the public, including an interference with traffic visibility, or a danger to pedestrians or landscaping and irrigation systems, and an attractive nuisance, and shall be subject to immediate removal. For the purposes hereof, traffic island means any portion of the public right-of-way that is located within or surrounded by the paved portion of the right-of-way but which is not used for vehicular travel.

E. Setback Lines:

Setbacks for signs. The setback point, if any, shall be that portion of any sign or sign structure that is closest to the property line.

F. Identification:

Any sign constructed or affixed to a building or other structure after the effective date of this Ordinance must contain within its contents an identification in English of the business to aid public safety and emergency responses in locating the advertised business.

(Ord. 113 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.310 Sizes and Types of Signs Permitted in Various Zones.

A. Chart Purpose. A description designating the various zones and sizes and types of signs permitted in each zone appears in Subsection D of this Section:

B. Application for Variances. Applications for variance of setback, height and size requirements shall be made with the City Manager or designee.

C. Temporary signs in all zones. One temporary sign shall be allowed per contiguous lot or business entity subject to the provisions of Section 18.45.415

D. Where Permitted:

GROUP I: MSF, HRD, NG, EC, OSR

- 1. Nameplates, not more than one per building, not greater than two square feet in gross area, not over four feet in height if detached from the building, and non-flashing.
- 2. Identification signs (one (1) per building) and real estate signs, not greater than twenty (20) square feet in area, not greater than five (5) feet in height, and non-flashing.
- 3. Construction signs, not greater than sixteen (16) square feet in area, not greater than five (5) feet in height, and non-flashing.

GROUP II: MUC, CG, OLB-1, OLB-2:

1. ~~Signs~~ - Nameplates, identification, real estate and construction signs, as permitted in ~~Group I~~ above.

2. ~~Signs~~ - Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;

3. ~~Signs~~ - Freestanding signs:

~~One freestanding sign not exceeding 32 square feet per sign face, except that the sign area for a medium commercial center may not exceed 36 square feet per sign face and the sign area for a large commercial center may not exceed 60 square feet per sign face, is permitted, provided that the corner lots with a street frontage of more than 100 feet in each of two streets shall be permitted two freestanding signs, one on each frontage and provided further that large commercial centers will be allowed up to two freestanding signs on a frontage;~~

a. ~~Those properties which contain existing signage as of the effective date of this ordinance, and are permitted two freestanding signs on a frontage, may combine the total sign area of the two freestanding signs onto a single sign to determine compliance.~~

b. ~~The maximum height for freestanding signs shall be 12 feet, except that freestanding sign(s) for a small commercial center have a maximum height of 15 feet and for a medium and large commercial center a maximum height of 20 feet is allowed. Provided however, that single businesses whose property is within 150 feet of freeway right of way will be allowed to have signs utilizing the medium commercial center standards.~~

~~GROUP III - MUD~~

1. ~~Signs~~ - Wall signs are permitted, provided they do not total an area more than 15 percent of the building facade on which they are located;

A. ~~Signs~~ - Freestanding signs:

a. ~~One freestanding sign not exceeding 32 square feet per sign face, except that the sign area for a medium commercial center may not exceed 36 square feet per sign face and the sign area for a large commercial center may not exceed 60 square feet per sign face, is permitted, provided that the corner lots with a street frontage of more than 100 feet in each of two streets shall be permitted two freestanding signs, one on each frontage and provided further that large commercial centers will be allowed up to two freestanding signs on a frontage;~~

b. ~~Those properties which contain existing signage as of the effective date of this ordinance, and are permitted two freestanding signs on a frontage, may combine the total sign area of the two freestanding signs onto a single sign to determine compliance.~~

c. ~~The maximum height for freestanding signs shall be 12 feet, except that freestanding sign(s) for a small commercial center have a maximum height of 15 feet and for a medium and large commercial center a maximum height of 20 feet is allowed. Provided however, that single businesses whose property is within 150 feet of freeway right of way will be allowed to have signs utilizing the medium commercial center standards.~~

(Ord. 128 Â§ 4, 1997; Ord. 114 Â§ 2 (part), 1997; Ord. 113 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996)

18.45.350 - Planter Boxes - Bumper Guards - Shrubs - Plants

(Repealed Ord. 113 Â§ 1 (part), 1997.)

18.45.360 - Entrance and Exit Signs

A. Entrance and exit signs and/or other similarly worded signs when used for the purpose of controlling mobile traffic shall be limited to the following:

1. ~~Number:~~ - Only one sign for each entrance or exit.

2. ~~Horizontal:~~ - Not to exceed thirty-six inches in height above ground level. - The maximum size shall be six square feet.

3. Vertical: Not to exceed sixteen inches in width. The maximum size shall be six square feet.

See also Section 18.45.320 covering visibility.

(Ord. 59 Â§ 1 (part), 1996.)

18.45.370 Entrance and Exit Ways – Ingress and Egress – Gateways

The use of concrete, wood, stone, brick, steel, masonry and/or other similar materials in constructing entrance and exit ways and/or gateways shall be subject to:

A. Location to be approved by the City Manager or designee.

B. Height shall be limited to three (3) feet above natural grade, except when such structures are twenty-five feet from a secondary highway or thirty-five feet from a primary highway.

C. The incorporation of signs, plaques, emblems and/or other similar items in or on such structures shall be by special permission of the City Manager or designee.

(Ord. 59 Â§ 1 (part), 1996.)

18.45.390 Electric Power Lines – Clearance:

Horizontal and vertical clearance of signs or sign structures from energized power lines shall not be less than twelve feet. (Ord. 59 Â§ 1 (part), 1996.)

18.45.410 Temporary Residential Development Area Signs:

Temporary signs or sign structures designating residential development areas may be permitted upon receiving special permission from the Community Development Department. Such signs or sign structures shall be limited to a two-year period. (Ord. 59 Â§ 1 (part), 1996.)

18.45.415 Temporary Signs:

A. Authorization:

The City Manager or designee shall be empowered to authorize temporary signs not exempted by Section 18.45.070.A and E. The City Manager or designee shall attach such conditions to the issuance of a permit for a temporary sign as may be necessary to ensure discontinuance of the use of the sign in accordance with the terms of the authorization, and to ensure substantial compliance with the purpose of this title.

B. Issuance Authority:

The City Manager or designee may issue temporary sign permits which shall not exceed three periods of up to fifteen calendar days per period per year, provided that none of the periods of up to fifteen calendar days shall be consecutive.

C. Types of locations of temporary signs shall be as follows:

1. The total number of temporary signs shall not exceed three for any use at any one permitted period of time; such signs are not permitted for single family and duplex dwellings.
2. The total area of temporary sign shall not exceed 24 square feet and no more than 12 square feet per face; such signs are not permitted for single family and duplex dwellings. The permitted area for a banner shall be no more than 24 square feet per face with the total sign area not to exceed 48 square feet.

D. Location shall not be less than 5 feet from a street property line, not within any pedestrian, bicycle, or vehicular way and shall meet all other placement requirements of Section 18.45.300 D.

E. Attachment:

Temporary signs may not be permanently attached to the ground, building, or other structures.

F. ~~18.45.100~~ Deposit:

A deposit, along with an affidavit stating that the applicant for a temporary sign will comply with all provisions of this section, shall be submitted prior to the issuance of a temporary sign permit. The affidavit shall state that all temporary signs must be removed within three (3) working days after the expiration of the permit. The deposit shall be four (4) times the permit fee. If the applicant fails to remove signs in the time required and the City must enforce pursuant to Section 18.45.100 and 18.45.150, the deposit shall be forfeited and the applicant will not be eligible for another temporary sign permit for a period of 12 months.

G. ~~18.45.150~~ Removal:

Each sign permit shall specify a removal date for streamers, banners, pennants, A-Frame signs, and other temporary signs. The applicant, the owner of the premises, and the owner of the devices shall be jointly and severally responsible for the prompt removal of such temporary signs at the termination of the specified time period.

(Ord. 113 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.416 ~~18.45.150~~ Grand Opening Signs:

Upon the occasion of a new business locating at a particular premises, that new business may be authorized to apply for a special "Grand Opening" temporary sign permit to advertise the new business for a period not to exceed twenty days within forty-five (45) days of the date the new business commences operations at the new location. The limitation on advanced advertising does not, however, prohibit the "construction signs" permitted under this Chapter. For the purposes hereof, an existing business re-locating to a new premises shall be considered eligible for a special "Grand Opening" temporary sign permit if the business relocated to a new premises that is not less than one thousand feet from any part of the prior business location or if the business is relocating to a new location that is at least one and one-half (1-1/2) times the size of the prior location as measured by gross floor area. Persons or businesses issued a special "Grand Opening" temporary sign permit shall be authorized to use blimps, search lights and streamers, as well as other signs and displays permitted as temporary signs, subject to the limitations and conditions identified by the Community Development Director in the issuance of the special "Grand Opening" temporary sign permit. It is provided, however, that the operator of a new business or a business that has moved to a new location may consecutively follow the permitted special "Grand Opening" temporary sign activity with a permitted use of temporary signs for an additional period of up to fifteen days, pursuant to Section 18.45.415 (B) of this Code. (Ord. 113 Â§ 1 (part), 1997.)

18.45.420 ~~18.45.150~~ Nonconforming Signs

A. Any sign which is structurally altered, relocated or replaced shall immediately be brought into compliance with all of the provisions of this chapter, except the repairing and restoration of a sign to a safe condition. Such repairs and restoration may take place either on-site or away from the site. Normal maintenance shall be permitted on any part of a sign or sign structure without loss of non-conforming status. Non-conforming signs which are damaged may be repaired depending on the extent of the damage (see section 18.45.420 B).

B. A nonconforming sign or sign structure damaged by Acts of God (such as earthquakes, floods and wind), vandalism, fire or other casualty may be repaired and restored as a non-conforming sign or sign structure if the cost of the repair and restoration is less than 50% of the cost of replacing the sign with a conforming sign. However, the signs must be repaired or restored to their original design or to a more conforming design.

C. A non-conforming sign which is in such a state of disrepair that the cost of repair and restoration of the sign is more than 50% of the value of the sign shall be removed rather than repaired

D. For purposes of this title, a sign face or message change shall be subject to the following provisions:

1. A sign face or message change on a nonconforming sign is not allowed as an alteration when the affected property and sign structure have not been used for an ongoing business for greater than 90 days;
2. A sign face or message change shall be allowed as an alteration only for existing conforming signs;
3. No sign permit shall be required for allowable sign face or message changes;
4. Signs in existence on the effective date of this chapter which do not comply with provisions regulating prohibited signs (Section 18.45.070) or temporary signs (18.45.415) shall be made to conform within ninety (90) days from written notice by mail given by the City Manager or designee.

E. Roof signs on the effective date of this ordinance which do not extend vertically above the highest point of the roof line shall be considered to be in conformance with this ordinance; provided, however, that any roof sign in existence upon the effective date of this ordinance which does extend above the highest point of the roof line shall be considered nonconforming and shall be allowed to amortize according to the schedule listed in Section 18.45.420 F.

F. Except as provided in this chapter, signs for which a permit is issued by Pierce County prior to February 28, 1996 which do not conform to the provisions of this Chapter, but which were constructed, erected or maintained in compliance with all previous Pierce County regulations, shall be regarded as nonconforming. To provide a reasonable opportunity for the owner to benefit from the investment made in the sign (each non-conforming sign and sign structure shall be allowed to be displayed for a period of 10 years from the date of its installation or from the date in which repair or maintenance was most recently performed under permit from Pierce County if such repair exceeded 50% of the then current value of the sign being repaired or maintained). After this time has expired, non-conforming signs and sign structures shall be removed or otherwise brought into compliance with this Code. The table below establishes a fair and equitable time schedule for such compliance.

It is provided, however, that the amortization table below shall not be in effect for one year from the effective date of this Ordinance for freestanding or roof signs which were properly permitted by Pierce County prior to February 28, 1996, and which are in non-compliance with this Chapter. During the period prior to the amortization table taking effect for freestanding or roof signs which are in non-compliance with this Chapter, the City shall have prepared a sign inventory to be presented to the Council. The Council will review the sign inventory and make any amendments to this Ordinance the Council may deem appropriate

Date of Permitting - Date of Required Removal

1/01/93 - 2/27/96 - 12/31/05

1/01/90 - 12/31/92 - 12/31/02

prior to 12/31/89 - 12/31/00

Any signs not removed within the time limit herein stated shall be deemed a public nuisance, subject to the removal provisions of this chapter, and shall be removed by the City if the sign owner or property owner fails to do so after being so ordered by the City Manager or designee. Costs of said removal shall be borne by the sign and/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.

G. Any non-conforming sign used by a business, shopping center, or business complex must be brought into conformance prior to any expansion or change in use which requires a Site Review, Conditional Use Permit, or a change in nature as defined by this Ordinance. All nonconforming signs must be brought into conformance with the same provisions as are required for new signs. No building permits for new construction may be issued until compliance with this provision is assured.

H. A non-conforming sign or sign structure shall be removed within thirty (30) days if the building containing the use to which the sign is accessory is demolished or destroyed to an extent exceeding fifty percent (50%) of the building's appraised value.

I. Variances can be granted using the variance procedure of this ordinance to alleviate unusual hardships or extraordinary circumstances which exist in bringing nonconforming signs into conformity. The variance granted shall be the minimum required to alleviate the hardship or extraordinary circumstance.

J. Freestanding signs permitted prior to 2/28/96 will not be considered non-conforming if they are within 25% of the height and area requirements prescribed for freestanding signs except that freestanding signs of 35 feet or less in height located on business property located within 150 feet of the right of way of a freeway shall not be considered non-conforming by reason of right.

(Ord. 59 § 1 (part), 1996.)

18.45.425 - Removal of Signs Adjacent to State Highways.

In accordance with RCW 47.42.107, just compensation shall be paid for removal of any existing non-conforming sign which is governed by the Highway Advertising Control Act. At such time as the sign would have to be removed under Section 18.45.420.D, the City Council shall have the discretion to decide whether or not the sign shall be removed at that time, or whether an extension of time should be granted. In deciding whether or not to grant an extension of time, the amount of just compensation, which will include consideration of sign depreciation; the amortization period; the condition; age; size; and location of the sign; and other factors may be considered. If the Council does grant an extension of time, it shall be for a finite period of time, at which point the Council will reconsider the issue. There shall be no limit on the number of times the Council may extend the time period.

(Ord. 59 § 1 (part), 1996.)

18.45.430 - Sign Removal Provisions:

A. All signs erected after the effective date of this ordinance, which are in violation of any provisions of this ordinance, shall be removed or brought into conformance with the requirements of the City Code upon written notice by the City Manager or designee within the following time periods: (1) temporary non-structural signs shall be brought within conformance within 24 hours of notice by the City Manager or designee, provided that after one such notice or warning an infraction citation may thereafter be issued immediately without any further advance notice requirements or periods of opportunity for correction; and (2) permanent signs shall be brought into conformance within thirty (30) days, provided that the City Manager or designee has the discretion to grant a longer period of time for conformance where special circumstances exist which would warrant a longer period of time. For the purposes hereof, the written notice by the City Manager or designee shall include but not be limited to written warnings, correspondence, or any other form of writing indicating the general nature of the sign code non-conformity and/or violation of the sign code, provided that after one such notice or warning an infraction citation may thereafter be issued immediately without any further advance notice requirements or periods of opportunity for correction.

B. If the owner of sign, building, structure or premises fails to comply with the written order, the City Manager or designee may then cite the owner into court subject to the City's Enforcement Ordinance.

C. All signs and sign structures nonconforming in the structural requirements as specified in the UBC which as a consequence are a hazard to life and property, or which by its condition or location present an immediate and serious danger to the public, shall be discontinued

or made to conform within the time the City Manager or designee may specify. In the event the owner of such sign cannot be found or refuses to comply with the order to remove, the City Manager or designee shall then have the dangerous sign removed and the owner cited. The cost of removing the sign plus administrative costs will be charged to the property owner.

D. Any person who owns or leases a non-conforming or abandoned sign or sign structure shall remove such sign or sign structure when the sign has been abandoned:

1. If the person who owns or leases such sign fails to remove it as provided in this Section, the City Manager or designee shall give the owner of the building, structure or premises upon which such 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 City Manager or designee may remove such sign at cost to the owner of the building, structure or premises; and

Costs incurred by the City due to removal, may be made 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.

(Ord. 113 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.440 Removal of Sign - Time Period:

A. Upon the vacation of occupancy of a premise where a nonconforming sign is or has been maintained, the owner shall have the nonconforming sign removed not later than thirty (30) days after such vacation. If the owner fails to comply with the provisions of this Section, the City Manager or designee shall issue a notice to the owner to remove the sign within ten days or be cited for the violation of this Code.

B. Upon the vacation of occupancy of a premises where a sign is maintained which is in full conformance with the provisions of this Code, including maintenance provisions, and the sign structure is of a type that could reasonably be used by subsequent occupants of the vacated premises, the sign structure may remain so long as the sign copy or message is removed, provided that if the next occupant of the premises does not use the sign by inserting the new occupant's copy or message in the sign structure, the sign structure shall be removed within thirty (30) days after the occupancy of the new occupant commences. Upon failure to comply with the provisions of this Section, the City Manager or designee shall issue a notice to the owner to remove the sign within a ten-day period or be in violation of this Code.

(Ord. 113 § 1 (part), 1997; Ord. 59 § 1 (part), 1996.)

18.45.450 Penalty for Violations:

A. It shall be unlawful for any person, firm or corporation to erect, construct, 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 Code

B. Any person, firm or corporation violating any of the provisions of this Code shall be subject to a Class 1 civil infraction citation as defined in the City's Enforcement Ordinance.

(Ord. 59 § 1 (part), 1996.)

18.45.460 Severability:

If any provision of this Chapter or its application to any person or circumstance is found to be invalid, the remainder of the Chapter or the application of the provision to other persons or circumstances shall not be affected. (Ord. 59 § 1 (part), 1996.)

18.45.950 Exhibits A and B

(Attachments)

Section 2. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 21st day of July, 1997.

Attest: Bill Harrison, Mayor

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

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