

Ordinance No. 00177

[\(Council Minutes 98/07/06\)](#)

ORDINANCE NO. 177

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 the City's initial sign codes; and,

WHEREAS, several times since incorporation, the City has engaged in a review of its 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, as a result of such review, and in an effort to address concerns identified by representatives of the Chambers of Commerce and other members of the community, City Staff has developed proposed changes to the sign code to meet the needs of the community, and address the identified concerns; 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 13th day of May, 1998, 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 Sign Permits.
- 18.45.060 Prohibited Signs.
- 18.45.070 Exempted Signs.
- 18.45.080 Requirements Applicable to All Signs.
- 18.45.090 Billboards.
- 18.45.100 Signs in the OSR Zone.
- 18.45.110 Signs in the MSF Zone.
- 18.45.120 Signs in the HRD Zone.
- 18.45.130 Signs in the EC, MUC, CC, NC, MUD, OLB-1, and OLB-2 Zones.
- 18.45.140 Temporary Signs (No Permit Required).
- 18.45.150 Temporary Commercial Signs (Permit Required) in the EC, MUC, CC, NC, MUD, OLB-1, and OLB-2 Zones.
- 18.45.160 Non-conforming Signs.
- 18.45.170 Removal of Signs Adjacent to State Highways.
- 18.45.180 Sign Removal Provisions, Sign Installed in Violation of the Code.
- 18.45.190 Removal of Signs - Vacancy.
- 18.45.200 Severability.

18.45.950

18.45.010 - Code Adopted

These Sign Code Regulations are adopted as the Sign Code for the City of Lakewood. (Ord. 59 Â§ 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. 59 Â§ 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." means a temporary, portable, freestanding, and self supporting type sign which may be either single or double faced.

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", "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.

F. "Awning." A shelter extending from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

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, across or near an entrance to a place of business, on a building etc.

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.

N. "Change in Nature" means an expansion or alteration of a 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.

O. (Left blank intentionally.)

P. "Construction Sign" means temporary informational sign erected during the construction period.

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

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.

R.1 "Flag Pole" means a staff or pole on which a flag can be flown. A flag pole may be freestanding or attached to a building.

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.

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.

U. "Grade", "Finished Grade" means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within an area between the structure and property line or where the property line is more than five (5) feet from the structure, between the structure and a line five (5) feet from the structure.

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.

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 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.

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

CC. "Major Commercial Center" means one or more contiguous lots or Pierce County Assessor's tax parcel(s) under one ownership in the Major Urban Center 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.

DD. "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.

EE. "Non-conforming." Means a sign meeting the requirements of Section 18.45.160.A .

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

FF.1 "Open House" means a temporary real estate event where a property owner, or representative, opens a structure or structures on one or more contiguous Pierce County Assessor's tax parcel(s) with single or the same ownership, to be inspected by the general public for the sole purpose of sale, rent, or lease of a structure(s) on that parcel(s). The property owner, or representative, is present on the parcel during the period the structure(s) is open to the general public.

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

HH. "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, across or near an entrance to a place of business, on a building etc.

II. "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.

JJ. "Pole Sign" means a free-standing sign where the sign face is elevated above the site grade by structural supports.

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

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

NN. "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.

OO. "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.

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

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.

RR. "Temporary Sign" means a sign intended to be displayed for a limited time and which is not permanently mounted.

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, 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.

VV. "Uniform Building Code" (UBC) means the current version of the Uniform Building Code, published by the International Conference of Building Officials.

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

18.45.040 - Administration and Enforcement

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

18.45.050 - Sign Permits

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. For the purposes hereof, "alteration" shall not include maintenance as 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.

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

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

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

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 ½) 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 the 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 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 Å§ 1 (part), 1997; Ord. 113 Å§ 1 (part), 1997; Ord. 59 Å§ 1 (part), 1996.)

18.45.060 Prohibited Signs

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

A. Portable signs.

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, 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.

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, Provided that this prohibition shall not apply to signs of the state, city or public service companies, or property owner indicating or warning of danger; aids to service or safety; traffic control or traffic direction signs; and "no soliciting," "no trespassing" or "tow-away zone" signs.

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

Q. Billboard signs not addressed in Section 18.45.090.

R. New Roof signs and roof signs which are not considered non-conforming in accordance with Section 18.45.160.A.

S. Emitting signs.

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

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

18.45.070 - Exempt Signs

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.

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

1. Professional nameplates not exceeding two (2) square feet in area.
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;
 - b. attached flat to the face of the building;
 - c. non-illuminated; and
 - 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.~~
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.
8. Religious symbols;
9. The flag of a commercial firm or institution, provided no more than one (1) flag is permitted per Pierce County Assessor's tax parcel, and further provided the flag does not exceed twenty (20) square feet in surface area.
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.
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.
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..
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.
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.
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.
20. Signs on private property which are required by any law or ordinance.
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

~~-Exemptions~~

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

18.45.080 - Requirements Applicable to all Signs

A. 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 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, 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 the full length of the building facade, 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 zone .

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 ½) 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, 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. It is provided, however, that directional and traffic-control signs may be installed by the City in traffic islands where such signs are deemed appropriate and necessary for traffic flow and traffic safety. 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. Also for the purposes hereof, "directions and traffic-control signs" means any traffic-control device as defined in RCW 46.04.611 and/or any signs that identify or direct traffic to civic, governmental or community offices or locations.

H. 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.

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.

K. Flag Poles. No flag pole shall extend to a height above the maximum building height allowed in the zone. Flag poles greater

than six (6) feet in height require a building permit. All flag poles shall be set back eight (8) feet from the right-of-way and all property lines. Flag poles greater than twenty-five (25) feet in height shall be set back an additional foot for each foot in height above twenty-five (25) feet. (Ord. 135 Å§ 1 (part), 1997.)

18.45.090 - Billboards

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

18.45.100 - Signs in the OSR Zone

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.

Recreational and information signage for public and private parks and open space are allowed through Administrative approval of the Code Administrator. D. Up to three (3) freestanding flag poles per Pierce County Assessor's tax parcel. (Ord. 135 Å§ 1 (part), 1997; Ord. 59 Å§ 1 (part), 1996.)

18.45.110 - Signs in the MSF Zone

The following signs, when displayed in accordance with this chapter, are allowed within the MSF 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. Type II home occupation sign.

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

2. maximum two (2) square feet of face area; and
3. attached to the residence or accessory building or displayed in a window.

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.
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.

3. Up to three (3) freestanding flag poles per tax parcel

D. Temporary signs in accordance with Section 18.45.140.

E. Non-conforming uses, as identified in LMC 18.35.130, in the MSF Zone are allowed free-standing signage in accordance with the following:

1. One (1) freestanding sign,
 2. Maximum sign height is four (4) feet from grade.
 3. Maximum sign area per sign face is ten (10) square feet.
 4. A landscaped berm or decorative brick designed in accordance with 18.45.130.G.
 5. An apartment complex with more than five dwelling units may have up to six (6) flag poles per tax parcel.
- F. One (1) flag pole per tax parcel. (Ord. 135 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.120 - Signs in the HRD Zone

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

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.3. Up to six (6) flag poles per tax parcel.

E. Non-conforming uses in the HRD Zone are allowed free-standing signage in accordance with the following:

1. One (1) freestanding sign,
2. Maximum sign height is seven (7) feet from grade.
3. Maximum sign area per sign face is twenty (20) square feet.
4. A landscaped berm or decorative brick designed in accordance with 18.45.130.G.

F. One (1) flag pole per tax parcel.

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

18.45.130 Signs in the EC, MUC, CC, NC, MUD, OLB-1, and OLB-2 Zone

The following signs, when displayed in accordance with this chapter, are allowed within the EC, MUC, CC, NC, MUD, OLB-1, and OLB-2 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

Limitations¹Maximum Sign Face Area

Wall Signs¹ primary sign per street frontage

--

Max. 18 inches in thickness

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

10% of the building street facade

1 primary sign per street frontage

--

Max. 18 inches in thickness

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

10% of the building street facade

Awning Signs--or

--or

Projecting SignsMax. area is

16 square feet per face.

Max. projection is

4 feet200 square feet,

whichever is less

Max. area is

16 square feet per face.

Max. projection is

4 feet200 square feet,

whichever is less

Window Signs²Max. 30% of each window

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.

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

Maximum-Number of Signs Allowed

Street Frontage

(feet)Set Back²Height

(feet)Area

(square feet)Per Each Street Frontage¹

<35 NANANA 0

35 - 2508 feet Ground: 7 Pole: 30 1

ground

251 - 5008 feet Pole: 15

Ground: 7 Pole: 40

Ground: 301 pole

or

2 ground 4

>500

and

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

Ground: 7 Pole: 48

Ground: 301 pole

or

1 ground sign per 250 feet of frontage 4

Major Commercial Centers in the MUC zone Conditional Use Permit for signage 3.

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. Major Commercial Centers sign requirements may be negotiated under the 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.
4. Ground signs must be separated a minimum of 200 feet..

1. Street frontage does not include frontage dedicated to driveways.
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.

Sign width shall not exceed sixteen(16) inches. 4. The maximum sign area shall be six (6) square feet.

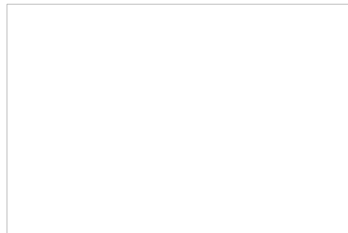
F. Entrance and Exit Ways - Ingress and Egress - Gateways. The use of concrete, wood, stone, brick, steel, masonry and/or other similar materials in constructing entrance and exit ways and/or gateways shall be subject to:

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

G Landscaped berms and decorative block edged berms

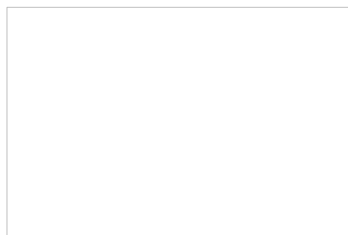
1. Landscaped berms or decorative block edged berms of two (2) feet or less in height shall not be included in the height calculations of a ground sign.
2. Landscaped berms must have a height-to-width ratio of not more than one-to-three (1:3) to be consider a landscaped berm. Berms with a greater ratio shall be included in the height calculations of the sign.

Figure 18.45.130.G-1



3. As an option, a monument sign may be placed in a landscaped island enclosed by decorative landscaping block or other City approved retaining material. The maximum height of the landscaping island is two (2) feet. The landscaping island and sign height shall not exceed nine (9) feet nor the sign structure hight exceed seven (7) feet above the top of the landscaping island. The required landscaping, equal to the size of the sign face, shall be enclosed within the landscaping island. The landscaping must extend above the top of the landscaping block.

Figure 18.45.130.G-2



4) Plans submitted for sign permits must clearing indicate the use of a landscaped berm or landscaped block edged berm .

H. Flag poles. Up to six (6) flag poles per tax parcel are permitted, providing a maximum of one (1) per tax parcel utilized for a single-family dwelling unit.

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

18.45.140 - Temporary Signs No Permit Required

- Temporary Signs No Permit RequiredA. The temporary signs, when displayed in accordance with this chapter, identified in Table 18.45.140A are permitted and no sign permit is required.

TABLE 18.45.140A

TEMPORARY SIGNS (NO PERMIT REQUIRED) BY ZONE

ZONE

SIGN TYPE

OSR

MSF

HRDEC, MUC, CC,

NC, MUD

Politicalnoyesyesyes

noyesyesyes

Garage/Estate Salenoyesyesresidential uses only

noyesyesresidential uses only

Residential

For Sale/Rentnoyesyesresidential uses only

noyesyesresidential uses only

Commercial, Industrial Buildings or Undeveloped Land

For Sale/Leasenoundeveloped lots

> 2 acresyesyes

noundeveloped lots

> 2 acresyesyes

Construction-

Subdivision Signsnoyesyesyes

noyesyesyes

Contractor Signsno yes yes yes

no yes yes yes

Window Signsnono1no1yes

nono1no1yes

Special Events

(non-profit)yes2 yes2

yes2 yes2

Table Notes:

yes2 yes2

yes2 yes2

Table Notes:

1. Window signs are allowed for Type 2 home occupations.

2. Requires Administrative Review

Note: AR means Administrative Review.

B. Table 18.45.140B identifies the special conditions for temporary signs which do not require a permit.

1. Window signs are allowed for Type 2 home occupations.
2. Requires Administrative Review

Note: AR means Administrative Review.

B. Table 18.45.140B identifies the special conditions for temporary signs which do not require a permit.

TABLE 18.45.140B

SPECIAL CONDITIONS - TEMPORARY SIGNS (NO PERMIT REQUIRED)

SIGN TYPE On-Property Off-Premise Max. Size Set Backs

Political yes 1 NA 4 square feet per sign face NA

yes 1 NA 4 square feet per sign face NA

Garage/Estate Sale 1 sign yes 1, 2

3 signs 4 square feet per sign face 0 feet,

not within ROW 3

1 sign yes 1, 2

3 signs 4 square feet per sign face 0 feet,

not within ROW 3

Residential

For Sale/Rent 1 sign per street frontage no 4 square feet per sign face 0 feet,

not within ROW 3

1 sign per street frontage no 4 square feet per sign face 0 feet,

not within ROW 3

"Open House" 1 sign yes 1, 2

4 signs 4 square feet per sign face 0 feet,

not within ROW 3

1 sign yes 1, 2

4 signs 4 square feet per sign face 0 feet,

not within ROW 3

Commercial, Industrial Building or Undeveloped Land

For Sale/Lease 1 sign per street frontage no 8 square feet per sign face 10 feet from ROW 3

15 feet from property line

1 sign per street frontage no 8 square feet per sign face 10 feet from ROW 3

15 feet from property line

Construction -

Subdivision Signs 41 per street frontage no 32 square feet per sign face,

10 feet high 10 feet from ROW 3,

15 feet from property line

1 per street frontage no 32 square feet per sign face,

10 feet high 10 feet from ROW3,

15 feet from property line

Contractor Signs

noyesyesyes

Window Signs

yesnomax. 30% of window--

Special Events

(non-profit)administrative

reviewadministrative

reviewadministrative

reviewadministrative

review

Table Notes:

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.

A-frame or picket type signs.

b. Not be augmented with balloons, streamers, and similar decoration.

Not be augmented with balloons, streamers, and similar decoration.

c. Display house address and days of garage/estate sale.

Display house address and days of garage/estate sale.

d. Posted within one-half mile from the sale.

Posted within one-half 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.

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.

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.

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.

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 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.

6. Contractor sign copy is limited to information about the contractors involved in the work on the site and may not provide product information or endorsements. Signs may be posted only during the duration of the construction actively on the site or two (2) months, whichever is less.

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.

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. D. An "Open House" is a temporary event. Temporary signage for an "Open House", permitted under LMC 18.45.140, shall not be displayed for more than two (2) connective days and shall only be displayed during the time the structure(s) are open to the general public. (Ord. 135 Å§ 1 (part), 1997; Ord. 59 Å§ 1 (part), 1996.)

18.45.150 Temporary Commercial Signs in EC, MUC, CC, NC, MUD, OLB-1, and OLB-2 Zones

A. 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. The Code Administrator may allow the issuance of a Temporary Commercial Sign permit to a business which has a non-conforming sign, as long as the sign is in compliance with the non-conforming sections of the Sign Code.

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. The Code Administrator may allow the issuance of a Temporary Commercial Sign permit to a business which has a non-conforming sign, as long as the sign is in compliance with the non-conforming sections of the Sign 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
				see D
Sale or Event	3 signs	cumulative sign face area 48 square feet	15 days	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"

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 ½) times the size of the prior location as measured by gross floor area.

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

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.~~

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

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

18.45.160 - Non-Conforming Signs

- Non-Conforming SignsA. Any sign for which a permit was issued by Pierce County prior to February 28, 1996 and which was constructed, erected, and maintained in compliance with applicable Pierce County regulations shall be regarded as non-conforming signs; provided that this subsection shall not be construed to designate signs that are prohibited under section 18.45.060 as non-conforming signs, regardless of the date of permitting, construction, erection, or compliance with permit requirements.

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.

1. The Code Administrator, under the following conditions may allow the change of a sign face of a non-conforming sign provided:

a. For single-tenant and multi-tenant free standing signs:

- 1) The sign has an existing Non-Conforming Sign Permit.
- 2) The sign is in compliance with 18.45.160.C and other sections of this Chapter which may require compliance.
- 3) The proposed sign face change does not increase the non-conforming nature of the sign.

b. For multi-tenant free standing signs, where an action subject to 18.45.160.C has occurred:

- 1) The sign has an existing Non-Conforming Sign Permit.
- 2) The sign face change does not constitute more than thirty-three (33) percent of the sign face area.
- 3) Sign face changes within a four (4) year period do not cumulatively total more than fifty (50) percent of the sign face area.

2.. The Code Administrator, after Administrative Review, may grant the issuance of a wall sign permit for an individual tenant of a multi-tenant complex which has a non-conforming sign provided:

- 1) The applicant does not own or control a non-conforming sign on the parcel; and

2) The wall sign conforms to the provisions of this chapter for new signs.

3) All non-conforming signs on the subject parcel are in compliance with the Sign Code.

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 25 feet high
96 square feet	less than, or equal to
	22.5 feet high
128 square feet	

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

18.45.170 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. 135 Å§ 1 (part), 1997; Ord. 59 Å§ 1 (part), 1996.)

18.45.180 - Sign Removal Provisions: Signs Installed in Violation of Code

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 into conformance within twenty-four (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 Å§ 1 (part), 1997; Ord. 59 Å§ 1 (part), 1996.)

18.45.190 - Removal of Signs - Vacancy

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

18.45.200 - 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. 135 Â§ 1 (part), 1997; Ord. 59 Â§ 1 (part), 1996.)

18.45.220 - 18.45.460 -

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

(expansion)

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 6th day of July, 1998.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

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