

Chapter 22.26
SIGN REGULATIONS

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22.26.001 Purpose. 

The overall purpose of this chapter is to enhance and maintain the aesthetic character, to promote the public health, safety and general welfare, and to increase the effectiveness of visual communication in the city. This chapter is also intended to avoid visual clutter that may adversely impact traffic and pedestrian safety or that may be adverse to property values, business opportunities and the city's overall appearance. The purpose of this chapter is implemented by controlling the design, construction, location, use, maintenance and quality of materials of all sign structures. (Ord. 1322 § 1, 2003).

22.26.002 Authority. 

The director may approve, approve with conditions, modify and approve with conditions, or deny an application for a sign permit. A sign permit shall be approved when the director has determined that a proposed sign will comply with all requirements of this chapter and, when applicable, the requirements of the International Building Code or Uniform Sign Code. (Ord. 1473 § 1, 2009; Ord. 1322 § 1, 2003).

22.26.003 Application procedures. 

Sign permit review is classified as a Type II application. The processing procedures for this type of application are described in Chapters 22.05, 22.06, 22.07, 22.08, 22.09 and 22.10 FMC. (Ord. 1322 § 1, 2003).

22.26.004 Permit requirements. 

No sign shall hereafter be erected, re-erected, constructed, altered, or maintained, except as provided by this chapter. A sign permit shall be obtained prior to any sign being erected, re-erected, constructed, or altered, unless said sign is exempt from the permit requirements of this chapter pursuant to FMC 22.26.012. In addition, a building permit shall be obtained prior to the installation or modification of any sign for which a building permit is required under the International Building Code. A separate permit shall be required for each non-exempt sign installed, except if a sign is part of a group of signs being installed at one time on a single supporting structure, only one permit shall be required. (Ord. 1473 § 2, 2009; Ord. 1322 § 1, 2003).

22.26.005 Submittal requirements. 

Application for a sign permit shall be submitted on forms provided by the department with the following items:

- (a) Two copies of a scaled site plan showing the location of the affected lot, building(s) and sign(s);
- (b) Two copies of a scaled drawing of the proposed sign or sign revision showing dimensions, area, height, structural footing details, method of attachment, type of illumination, and other construction details;
- (c) Two copies of supporting documentation including material specifications, calculation for dead load and wind pressure, photographs of site and building marked to show where sign is proposed, and any other information required by the director to ensure compliance with applicable code requirements;
- (d) Written consent of the sign owner and the owner of the building, structure, or property where the sign is to be erected;
- (e) A nonrefundable filing fee in accordance with the planning services fee schedule established by council resolution;
- (f) Documentation demonstrating that the sign installer has a valid Washington State contractor's license when a sign requires a building permit, unless the sign is being installed by the owner of the sign.

The director may waive submission of specific plans, specifications or supporting documentation when such information is not necessary to determine compliance with applicable code requirements. (Ord. 1322 § 1, 2003).

22.26.006 Master sign plans. 

- (a) Before a sign permit may be issued for any commercial multi-tenant building constructed after the effective date of this chapter, or for any existing multi-tenant building whose exterior will be altered to the degree that existing signage will be replaced, a master sign plan shall be submitted to, and approved by, the city. Master sign plans shall be approved through the site plan review, development plan review, or conditional use permit process, as appropriate. Existing multi-tenant buildings may have master sign plans approved by the director in order to simplify the permitting process for individual signs at a later date. Individual buildings located within a multi-building complex may have separate master sign plans.
- (b) Master sign plans shall indicate the amount, location, and type of signage allocated to each tenant space. The number of sign types, such as awning signs, cabinet signs, individual graphics, pan-channel

sign graphics, sandblasted or carved wood signs, flat wood signs with hand painted or vinyl graphics, and neon signs, shall be limited to ensure visual continuity from one tenant space to the next within a building. If more than one sign type is used on a single building, the sign types shall have at least two of the following design elements in common with each other:

- (1) Common colors on the background or text;
- (2) Common lettering style;
- (3) Common size (e.g., a specified height common to each sign);
- (4) Common materials. (Ord. 1322 § 1, 2003).

22.26.007 Classification and regulation of signs. 

(a) Classification. For descriptive purposes, signs may be classified in the following general categories: entry/exit/incidental, identification, limited duration, and temporary.

(b) Regulation by District. No classification of sign shall be permitted to be constructed, erected or placed within any zoning district unless it is listed as a permitted sign within the zoning classification group set forth in subsection (c) of this section, listed as an exemption in FMC 22.26.009, or authorized as a classified use in this title.

(c) Zoning Classification Groups. For purposes of this regulation, the various zoning classifications are grouped as follows:

- (1) Group 1: PROS, GC, and schools, churches, parks and municipal buildings or facilities in any zone.
- (2) Group 2: R-4, R-4-C, R-6, R-8, R-10-TCD, R-20, and other residential classifications established subsequent to adoption of this chapter.
- (3) Group 3: NO, NC, CO, CC, and other commercial classifications established subsequent to adoption of this chapter. (Ord. 1322 § 1, 2003).

22.26.008 Interpretation of sign allowance table. 

(a) The sign allowance table determines whether a specific sign is allowed in a zoning district or by land use activity. The zoning district or land use activity is identified in the left column and the specific sign allowances are located in the rows of the table.

(b) If no symbol or number appears in the table box at the intersection of the column and row, the sign is not allowed in that category or is not subject to an allowance.

(c) If a number appears in the table box at the intersection of the column and row or in the column or row heading, the sign may be allowed subject to the applicable requirement and specific conditions indicated in the table footnotes.

(d) All applicable requirements shall govern a sign whether or not the requirements are cross-referenced in the table.

(e) The intent of the dimensional requirements, including sign area and height, is illustrated in FMC 22.64.041, Signage.

Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
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Entry/Exit/Incidental Signs

All zones Entry/exit sign (6)	Freestanding	Yes		1	6	4	5	0	
Incidental signs – private (16)	Wall sign	No		2	2	8	5	0	1 per building elevation and no closer than 30 feet apart
	Freestanding	No		2	6	4	5	0	No closer than 30 feet apart on a property
Incidental signs – public	Wall sign	No		8	2	8	5	0	
	Freestanding	No		2	6	4	5	0	Per property

Identification Signs

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
Group 1 – PROS, GC, and schools, churches, parks, municipal buildings in any zone Tenant use/activity	Wall sign (9)	Yes	No internal illumination	1	24	20	5	0	
	Reader board	Yes		1	24	8	5	5	
	Freestanding	Yes	No internal illumination	1	24	8	5	5	Per street frontage
Park advertising copy (7)	Wall sign/banner	Yes	No illumination	2	32	10	5	0	Per facility
Group 2 – R-4, R-4-C, R-6, R-8, R-10-TCD, R-20 Individual dwelling unit Home occupation or daycare	Freestanding	No	No illumination	1	2	4	5	0	
	Window sign (11)/ nameplate	No	No illumination	1	2	8	5	0	
	Wall sign/ nameplate	No	No illumination	1	2	4	5	0	Per tenant
Residential complex/subdivision	Wall sign	Yes	No internal illumination	1	24	4	5	0	
	Freestanding	Yes	No internal illumination	2	24	4	5	0	Per entry

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
On-site nonresidential services	Window sign (11)	Yes	No internal illumination	1	10	8	5	0	
	Awning/marquee sign (14)	Yes	No internal illumination	1	24	8	5	0	
	Wall sign	Yes	No internal illumination	1	24	8	5	5	Per use/building
	Freestanding	Yes	No internal illumination	1	24	8	5	5	Per use/building
Group 3 – NO, NC, CO, CC Single tenant building – principal (1 each)	Wall sign (4)	Yes		1	80	20	5	0	
	Projecting (5)(13)(14)	Yes		1	30	10	5	0	
	Freestanding – static	Yes		1	60	10	5	5	
	Freestanding – changing	Yes		1	60	10	5	5	
Single tenant building – secondary (2 each)	Awning/marquee sign (10)(14)	Yes		1	20	12	5	0	

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
	Wall sign (4)	Yes		1	20	20	5	0	
	Projecting (5)(13)(14)	Yes		1	20	20	5	0	
	Reader board	Yes		1	20	10	5	0	
	Fuel price informational	No		1	2	8	5	0	
	Sandwich – site (8)	No		1	6	4	5	0	
Single tenant building – unlimited	Window sign (11)	No		NA					
Multiple tenant building – principal (1 each)	Wall sign (4)	Yes		1	80	20	5	0	
	Projecting (5)(13)(14)	Yes		1	30	20	5	0	
	Freestanding – static	Yes		1	60	10	5	5	per 150 feet frontage
	Freestanding – changing	Yes		1	60	10	5	5	per 150 feet frontage

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
	Freestanding – in-common (15)	Yes		1	80	10	5	5	in lieu of principal sign
	Fuel price informational	No		1	2	8	5	0	
Multiple tenant building – secondary (2 each)	Awning/marquee sign (10)(14)	Yes		1	20	12	5	0	2 each per tenant
	Wall sign (4)	Yes		1	20	20	5	0	
	Projecting (5)(13)(14)	Yes		1	20	20	5	10	
	Reader board	Yes		1	20	10	5	0	
	Fuel price informational	No		1	2	8	5	0	
	Sandwich – site (8)	No		1	6	4	5	0	
Multiple tenant building – unlimited (15)	Window sign (11)	No		NA					

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
Accessory business structures (17)	Wall sign	Yes		1	20	8	5	5	

Limited Duration Sign

Undeveloped property									
Residential zones	Freestanding	No	Durable	1	24	8	10	0	15 days after closing
Commercial zones	Freestanding	No	Durable	1	24	8	5	0	15 days after closing
Construction	Wall sign	No	Durable	1	24	8	5	0	during construction
	Freestanding	No	Durable	1	24	8	5	0	during construction
Real estate sales/rentals Residential zones	Window sign	No	Durable	1	2	8	5	0	15 days after closing
	Freestanding (8)	No	Durable	1	6	4	5	0	15 days after closing

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
Commercial zones (12)	Window sign	No	Durable	1	24	8	5	0	15 days after closing
	Wall sign	No	Durable	1	24	8	5	0	15 days after closing
	Freestanding (8)	No	Durable	1	24	8	5	8	15 days after closing
Real estate sales – directional Residential zones	Freestanding (8)	No	Durable	4	2	2	5	0	15 days after closing

Temporary Signs

Open house – real estate sales	Sandwich – directional	No		4	6	4	5	0	Daily during attendance
	Sandwich – site (8)	No	Durable	1	6	4	5	0	Daily during attendance
Special event – sales, charities, etc. Schools, churches, parks	Sandwich – directional (8)	No		6	6	4	5	0	5 days after event
	Sandwich – site (8)	No		1	6	4	5	0	5 days after event

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
	Window banner	No		1	16	8	5	0	5 days after event
	Wall sign/banner	No		1	80	20	5	0	5 days after event
	Reader board – portable	No		1	18	4	5	0	5 days after event
Residential zones	Sandwich – directional (8)	No		3	6	4	5	0	Daily during event
	Sandwich – site (8)	No		1	6	4	5	0	Daily during event
Commercial zones	Sandwich – directional (8)	No		6	6	4	5	0	5 days after event
	Sandwich – site (8)	No		1	6	4	5	0	5 days after event
	Window banner	No		1	40	8	5	0	5 days after event
	Wall sign/banner	No		1	80	20	5	0	5 days after event
	Reader board – portable	No		1	18	4	5	0	5 days after event

	Type of Sign	Permit Requirement	Material Restrictions	Number of Signs	Allowable Surface Area in SF (1)	Height in Feet (2)	Setback from Adjacent Property Line (3)	Setback from ROW in Feet (3)	Other Limitations
Political	Freestanding	No		NA	6	4	5	0	10 days after election

(1)The area within a continuous perimeter enclosing the outer limits of the sign face, but not including structural elements, which are not a part of the display. The area of a two-sided sign equals the area of one side. The area of a spherical, cubical, or polyhedral sign equals one-half the total surface area.

(2)Height – measured from the average finished grade five feet from the sign foundation.

(3)Setback – shall be that portion of any sign or sign structure that is closest to the property line or ROW line.

(4)Wall signs include marquees, canopies, awnings, and eyebrows – not to exceed 18 inches in thickness.

(5)Projecting signs may not extend more than six inches above the wall, roof, or parapet, or five feet from the building wall.

(6)One for each exit or entrance to a surface parking area or parking structure.

(7)Wall signs include signs placed on fences.

(8)Square feet per one face of a two-sided sandwich board or freestanding sign.

(9)But not covering more than 15 percent of the building facade on which the sign is located.

(10)Awnings, marquees, and canopies shall be placed between eight and 16 feet above ground level and signage shall not cover more than 65 percent of the awning face.

(11)Window signs shall be transparent and not cover more than 25 percent of the window area in which the sign is placed.

(12)If building is less than 10 feet from the property line, the sign shall be placed on the building or in a window.

(13) Freestanding or projecting signs that extend over sidewalks, and awnings, marquees, and canopies shall be placed between eight and 16 feet above ground level.

(14) Any sign that extends over a parking stall or off-street parking entrance shall provide a vertical clearance of at least 14 feet.

(15) A multiple tenant sign allowed in lieu of one primary sign.

(16) Private incidental signs must be for an original purpose and may not simply repeat the same message over and over.

(17) Signage on all sides of ATM, kiosk or booth may count as one sign.

(Ord. 1490 § 1, 2009; Ord. 1322 § 1, 2003).

22.26.009 General provisions. 

- (a) Signs shall not be placed or erected on or over any public street, public alley, or any other public property including rights-of-way or utility easements within the corporate limits of the city, except as expressly provided for in this chapter. Any sign placed upon private property shall require the permission of the property owner.
- (b) No sign shall be erected or placed in a manner that will block or impair or impede pedestrian or vehicular traffic on streets, alleys, driveways, or points of ingress-egress, or conflict with the clear vision triangle standards in FMC 22.58.005.
- (c) Where permitted, signs may be directly or indirectly lighted; provided, said lighting is directed away from any adjacent residential uses or other sensitive uses that could be negatively impacted by indiscriminate lighting.
- (d) Each sign shall be adequately constructed in accordance with the requirements of the International Building Code and Uniform Sign Code, as amended.
- (e) Signs containing electrical circuitry shall meet the requirements of the National Electrical Code and of all state laws and shall include an approved testing lab sticker.
- (f) The holder of a valid sign permit, for the duration thereof, shall have the right to change the advertising copy on the structure or sign for which the permit was issued, without being subject to review by the director or payment of additional fees; provided, that such changes conform to this chapter in terms of colors, graphics, materials, illumination and other applicable standards.
- (g) Exposed sign support braces and angle irons are prohibited unless they are a decorative element in the sign structure (e.g., wrought iron "S" curve braces) or unless there are no other practical means of supporting the sign. (Ord. 1473 § 3, 2009; Ord. 1322 § 1, 2003).

22.26.010 Special provisions by zone group and sign classification. 

- (a) Identification Signs.
 - (1) Single Tenant Business Buildings. Each business in zone group 3 shall be allowed one business sign designated as the principal sign and up to two secondary business signs. Single tenant occupancies shall be limited to one freestanding sign per premises.
 - (2) Multi-Tenant Business Buildings and Multi-Building Business Complexes. Each multi-tenant building or multi-building complex in zone group 3 shall be permitted one principal freestanding business sign for up to each 150 feet of frontage, or in lieu thereof one freestanding in-common sign that identifies two or more uses on the premises, and up to two secondary business signs per tenant.
 - (3) Accessory Business Structures. A freestanding structure housing a commercial activity that is accessory to the principal commercial tenant of a site in zone group 3, such as an ATM kiosk, shall be permitted one wall sign. This sign may be separated into individual components, meaning that sign graphics located on each wall or face of the structure may be combined in terms of their area and count as one sign; provided, that the total sign area does not exceed the maximum allowed in FMC 22.26.008.

This sign may be permitted in addition to principal and secondary business signs allowed in subsections (a)(1) and (2) of this section.

(4) Advertising Copy Located on City Park Facilities. Nonilluminated advertising signs and banners may be placed on fences, walls, backstops and other structures in city park facilities subject to limits specified in the sign allowances table.

(b) Limited Duration Signs.

(1) Off-Premises Residential Directional "Real Estate For Sale" Signs. Signs directing pedestrian or vehicular traffic to residential properties for sale are permitted only during times when the property for sale has been posted with an on-premises "real estate for sale" sign. The sign may be placed along the periphery of a roadway, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device. No more than four off-premises directional "real estate for sale" signs are permitted to advertise a single property that is for sale.

(c) Temporary Signs.

(1) Residential Directional "Open House" Signs. These signs are permitted only during daylight hours and during times in which the broker/agent or seller or an agent is in attendance at the property for sale. The sign may be placed along the periphery of a roadway, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device.

(2) Political Signs. Political signs may be placed upon the periphery of a public roadway provided they do not interfere with traffic, whether vehicular or pedestrian, or interfere with the use of any residential or commercial property. Political signs may be placed upon privately owned property with the consent of the property owner.

(3) Grand Opening and Special Event Displays. Temporary signs, posters, portable reader boards, banners, strings of lights, clusters of flags, blinking lights, balloons and searchlights are permitted only to announce the opening of a completely new enterprise, the opening of an enterprise under new management, or a special event. All such materials shall be removed immediately upon the expiration of the opening period. Use of the above-described devices within the limits specified shall be an exception to the general prohibitions contained in this chapter. Such displays are allowed only on the premises where the enterprise so advertised is located.

(4) Garage or Yard Sale Signs. No individual lot shall be allowed more than one garage/yard sale sign in a single quarter of any calendar year. Only one sign per sale may be placed in any intersection under the following conditions:

(A) No garage/yard sale sign shall be placed, affixed, stapled, glued, or taped to any utility pole, street sign, tree, stop sign, fence, etc.;

(B) No garage/yard sale sign shall be placed on any roadway or sidewalk, nor in any public right-of-way in a manner as to interfere with traffic, both vehicular and pedestrian, or interfere with any residential, commercial or industrial property;

(C) No garage/yard sale signs shall be placed on public or private property for more than 96 hours, regardless of the length of the sale.

(5) Except as otherwise provided or limited, no temporary sign shall be erected, re-erected, or maintained for more than 120 days, unless permitted as provided hereafter. For the purpose of this regulation, any sign of similar content erected subsequent to the original temporary sign shall be considered as the original sign for the time limitation contained herein. Temporary construction, incidental, political and real estate signs as defined and provided herein may exceed the 120-day time limit upon a proper showing of business necessity or public purpose and the granting of a permit as provided hereafter. (Ord. 1490 § 2, 2009; Ord. 1322 § 1, 2003).

22.26.011 Illumination standards.

Signs may be illuminated only during those hours that the business being advertised is open for business, except that businesses located in a community commercial or community office zone may keep signs illuminated permanently if located more than 300 feet away from a residence. It is the intent of this section to allow illuminated signs but to ensure that they do not create glare or unduly illuminate the surrounding area. The applicant shall provide the planning commission or director with sufficient technical and design information to demonstrate that the following provisions are met:

(a) Externally Illuminated Signs.

- (1) The average level of illumination on the vertical surface of the sign shall not exceed three foot-candles, and the uniformity ratio (the ratio of average to minimum illumination) shall not exceed two to one.
- (2) Lighting fixtures illuminating signs shall be carefully located, aimed, and shielded so that light is directed only onto the sign facade. Lighting fixtures shall not be aimed toward adjacent streets, roads, or properties.
- (3) Light fixtures illuminating signs shall be of a type such that the light source (bulb) is not directly visible from adjacent streets, roads, or properties.
- (4) To the extent practicable, fixtures used to illuminate signs shall be top-mounted and directed downward (i.e., below the horizontal).

(b) Internally Illuminated Signs. In order to prevent internally illuminated signs from becoming light fixtures in their own right, it is the intent of this section that such signs consist of light lettering or symbols on a dark background. The lightness or darkness is a function of the luminous transmittance of the translucent surface material, and the light source. The higher the luminous transmittance, the lighter the color.

- (1) The lettering or symbols shall constitute no more than 40 percent of the surface area of the sign.
- (2) The luminous transmittance for the lettering or symbols shall not exceed 35 percent.
- (3) The luminous transmittance for the background portion of the sign shall not exceed 15 percent.
- (4) Light sources shall be fluorescent tubes, spaced at least 12 inches on center, mounted at least three and one-half inches from the translucent surface material. The director may approve alternative light sources that are functionally equivalent. (Ord. 1533 § 1, 2013; Ord. 1322 § 1, 2003).

22.26.012 Exemptions.

The following are exempt from the permit requirements of this chapter:

- (a) Painting, repainting, cleaning, repairing and other normal maintenance, unless structural or electrical changes are made;
- (b) Temporary signs and decorations that are customary for special holidays and that are erected on private property;
- (c) City entrance signs, street banners, decorations, time/temperature signs, and/or similar items located in the city street right-of-way;
- (d) Group 3 window, sandwich, and fuel price information signs;
- (e) Bona fide religious symbols;
- (f) Memorial signs or tablets, names of building, dates of erection and the like;
- (g) Traffic or pedestrian control signs, signs required by law, or signs indicating scenic or historic points of interest that are erected by or on the order of a public officer in the performance of his public duty;
- (h) Sculptures, fountains, mosaics, and design features that do not incorporate advertising or identification;
- (i) The flag of governments or noncommercial institutions such as schools, with the poles treated as structures;
- (j) Official public notices of federal, state or local governments, official court notices;
- (k) Incidental signs;
- (l) Signs not intended to be viewed by the public from the street right-of-way which are not visible from adjacent property;
- (m) Lettering or symbols painted directly onto or flush-mounted magnetically onto an operable vehicle;
- (n) Identification signs upon recycling collection containers for public, charitable or nonprofit organizations;
- (o) Emblems of local nonprofit organizations and community service clubs, including signs less than two square feet which identify their meeting place and time;
- (p) Home occupation signs, and address signs with numbers and letters not more than 10 inches in height;
- (q) Political signs;
- (r) Residential real estate sales/rental signs, commercial real estate window signs, open house;
- (s) Temporary residential signs such as yard/garage sale signs. (Ord. 1322 § 1, 2003).

22.26.013 Prohibited signs. 

From and after the effective date of the ordinance codified in this chapter, it is unlawful for any person to maintain, erect or place within the city:

- (a) A swinging projecting sign;
- (b) Strings of lights, banners, balloons, pennants, ribbons, streamers, spinners, rotating or blinking lights, or similar devices, except those that are used for official city purposes, or a specific business grand opening or special event pursuant to a sign permit;
- (c) Signs attached to or placed upon a vehicle or trailer parked on private or public property. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during the normal course of business. This does not include automobile for sale signs or signs attached to franchised buses or taxis;
- (d) Private signs placed in or upon a public right-of-way, except as expressly provided herein;
- (e) Any sign that constitutes a traffic hazard or detriment to traffic safety because of its size, location, movement, content, or method of illumination or that obstructs the vision of drivers or detracts from the visibility of any official traffic control device because it diverts or tends to divert the attention of drivers of moving vehicles away from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians, or which by its glare or by its method of illumination constitutes a hazard to traffic. No sign may use words, phrases, symbols or characters in such a manner as to interfere with, mislead, or confuse the steady and safe flow of traffic;
- (f) Any sign or advertising structure or supporting structure that is torn, damaged, defaced or destroyed;
- (g) Any sign, including the sign structure, which no longer advertises a bona fide business or product. Any such sign shall be taken down and removed by the owner, agent or person having the beneficial use of the land, building or structure within 90 days after written notification from the director;
- (h) Signs attached to utility poles, trees, rocks or other natural features;
- (i) Signs attached to benches on public rights-of-way;
- (j) Billboards; roof signs, including signs painted directly on the roof surface; revolving and flashing signs; portable reader board signs, except for temporary special events; off-premises signs, except as specifically allowed in this chapter; and all other signs not otherwise specifically authorized or exempted by this chapter. (Ord. 1322 § 1, 2003).

22.26.014 Nonconforming signs. 

Except for temporary signs, limited duration signs, and incidental signs, as defined herein, signs legally established prior to the adoption of this chapter that do not conform with the regulations provided herein with regard to type, number, size, height, illumination, or location of signs shall be allowed to remain as legal nonconforming signs until the sign is removed, moved or structurally or electrically changed. In such cases where a nonconforming sign is moved or changed, the sign shall be treated as a new sign and subject to the requirements of this chapter. Changes to a sign face (e.g., a change in advertising copy) may be made to a nonconforming sign; provided, that such changes conform to this chapter in terms of colors, graphics, materials, illumination and other applicable standards. A sign permit for such changes must be obtained. Temporary signs, limited duration signs, and incidental signs that do not conform with the regulations provided herein with regard to type, number, size, height, illumination, or location of signs, shall be brought into conformance with all applicable standards no

later than 90 days from the effective date of the ordinance codified in this chapter. (Ord. 1322 § 1, 2003).

22.26.015 Variances. 

A variance requested from any requirement in this chapter shall be processed in accordance with Chapter 22.74 FMC, except that the criteria for variance approval listed in FMC 22.74.003 shall not be used to determine whether a variance may be granted. Instead, a variance may only be approved if all of the following criteria are satisfied:

- (a) The granting of the variance would not be materially detrimental to the property owners in the vicinity and the variance sought is of minimum sign size, height, and scope to meet the conditions and needs of the applicant; and
- (b) The granting of the variance would not be contrary to the objectives of this chapter; and
- (c) The signage of the property in question cannot be adequately met under the literal interpretation and strict application of the chapter; and
- (d) The granting of the variance is necessary because of special circumstances relating to the property location, topography, shape and size, site distance and limited view to property. (Ord. 1322 § 1, 2003).

22.26.016 Administrative provisions. 

- (a) Duration of a Sign Permit. In the event that a sign permit has not been exercised and the operations authorized under the sign permit have not been completed or substantially completed within 180 days after the date of the permit, the sign permit shall be automatically null and void.
- (b) Revocation of a Sign Permit. The director may, in writing, suspend or revoke a permit issued under provisions of this chapter whenever the permit is issued in error or on the basis of incorrect information or whenever the sign is in violation of any ordinance, regulation or provision of this chapter.
- (c) Interpretation. In all applications for permits where a matter of interpretation arises, the most restrictive definition shall prevail. (Ord. 1322 § 1, 2003).

22.26.017 Liability. 

This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, building, altering, constructing, removing or moving any sign in the city. For damages to anyone injured or damaged either in person or in property by any defect therein; the city, or any agent thereof, shall not be held as assuming such liability by reason of permit or of inspection authorized herein or of certificate of inspection issued by the city or any of its agents. (Ord. 1322 § 1, 2003).