

15.50 SIGN REGULATIONS¹⁰.

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15.50.10 Purpose.

The purpose of this section is:

1. to improve the quality of living and the business environment in the City;
2. to promote and protect the public welfare, health, safety, and aesthetics by regulating existing and proposed advertising signs;
3. to enhance and preserve the natural scenic beauty of the town;
4. to create a more attractive economic and business climate;
5. to encourage installation of pleasing advertising signs that harmonize with buildings, natural settings, neighborhoods, and other signs.

This section is also intended to reduce signs or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over the public rights-of-way, relieve visual pollution, and provide more open space.

This section is further intended to preserve the distinct character and smaller city quality now enjoyed by both the community and visitors alike. And last, this chapter is intended to encourage creativity, imagination, diversity, and signs that are both compatible with and in scale with the character of the business and residential areas they serve.

In addition to the specific standards governing signs in the individual zoning districts, the following standards shall apply:

¹⁰ Code reviser's note: Chapter 15.50 ZMC was previously codified in Chapter 17.22.060 ZMC

- A. Except as otherwise specified, signs are not subject to the setback requirements of this Title for other structures, provided that signs projecting upon a public right-of-way shall be a minimum of ten feet above the sidewalk grade and fourteen feet above the street grade.
- B. Wherever the number of signs is restricted by this Title, the stated number shall mean the maximum number of freestanding signs allowed per lot or per use, whichever would be the lesser number, unless otherwise specified.
- C. No sign shall be erected without first obtaining a building permit in accordance with this Title.
- D. During construction, repair or alteration of a building or public street, temporary signs which denote the architect, engineer, contractor or builder are permitted. Each sign shall be a maximum of thirty two square feet and no more than one such sign shall be permitted for each street frontage. Temporary private ground or wall signs exclusively relating to the safety of the public (e.g., "No Parking Today," "Use Covered Walkway," "Do Not Enter," "Danger," "Loading Zone") may be located as needed for public safety without limitation as to number, size or location.

15.50.020 DEFINITIONS

For purposes of this chapter, the following terms, phrases, words and their derivatives shall be construed as specified in this section:

"Abandoned sign" means any sign which represents or displays any reference to a business or use which has been discontinued for ninety or more consecutive days or for which no valid business license is in effect in the City. Abandoned sign shall also mean any sign remaining in place after a sign has not been maintained for a period of sixty or more consecutive days after notification of such by the City.

"Area" or "sign area" means, for regularly shaped signs, the simple area of the sign. For irregularly shaped signs, the area shall be that of the rectangle, triangle or circle (whichever is smaller) which will wholly contain the sign. The structure supporting a sign shall not be included in determining the area of the sign unless the structure is designed in a way to form an integral background for the display. In the case of a wall mural incorporating commercial wording, the sign area includes only the portion of the mural which contains the wording circumscribed as set forth in this definition.

"Building face" means the outer surface of any building which is visible from any private or public street, highway or alley.

"Commercial" means any activity carried on for a financial gain.

"Community service event" or "civic event" means an event (e.g., festival, parking, fun run and/or meeting) sponsored by a private or public organization, including a school, church or civic fraternal organization.

"Eave line" means the juncture of the roof and the perimeter wall of the structure.

“Erect” means to build, construct, attach, place, affix, raise, assemble, create, paint, draw or in any other way bring into being or establish.

“Height” (of a freestanding sign) means the vertical distance measured from the highest point of the sign structure to the grade of the adjacent street or the surface grade at any point beneath the sign, whichever provides the lowest elevation.

“Maintained” means not broken, torn or ripped securely attached or affixed to the supporting structure, clean in appearance, without chipped, faded or peeling paint, or otherwise in a condition a reasonable person would deem in “good condition.”

“Maintenance” means the cleaning, painting and minor repair of a sign in a manner that does not alter the basic design, size, color or structure of the sign.

“Public and quasi-public signs” means signs typically associated with government or the public sector.

“Right-of-way” means all public streets, alleys and property granted, reserved for, or dedicated to public use for streets and alleys, together with all public property granted to, reserved for, or dedicated to public use including but not limited to walkways, sidewalks, trails, parking, shoulders, drainage facilities, and bikeways, whether improved or unimproved, including the air rights, subsurface rights, and easements related thereto.

“Semi-public body” means any organization operating as a nonprofit activity and serving a public purpose or service and includes, without limitation, such organizations as noncommercial clubs, lodges, theater groups, recreational and neighborhood associations, cultural activities and schools.

“Sign” means any letters, figures, design, symbol, trademark or device, including artificial representations of stock in trade, intended or used to attract attention to any activity, service, place, subject, person, firm, corporation or business. “Sign” does not include actual un-priced stock in trade on display and available for sale. “Sign” includes all structural members and, without limitation, the following types of signs:

1. “Banner/ poster sign” means any sign intended to be hung, with or without framing, and possessing characters, letters, illustrations or ornamentations applied to fabric or any non-rigid material. Flags, governmental insignias, awning signs, and special events/temporary signs, treated elsewhere in this chapter, shall not be considered banner signs.
2. “Bench sign” means a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
3. “Business listing sign” means a sign in which the names of the occupants of a building are given. Business listing signs shall incorporate consistent lettering style, and the individual signs comprising a business listing sign shall be uniform or consistent in size, shape and design.
4. “Commemorative plaque” means a memorial plaque or plate, with engraved or case lettering, which is permanently affixed to or near the structure or object it is intended to commemorate.

5. "Construction sign" means any sign giving the name or names of principal contractors, architects and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.
6. "Directional sign" means a sign giving directions, instructions or facility information (e.g., parking, exit or entrance signs) and which may contain the name or logo of an establishment for identification purposes only.
7. "Directory sign" means a sign on which the names and locations of occupants or the use or uses of a building are listed on a building diagram.
8. "Drive-through menu board sign" means a freestanding or wall sign used for restaurant establishments to display their menu items and prices. The restaurant shall have and maintain provision for automotive drive-through customers in order to be eligible for a drive-through menu board sign.
9. "Existing nonconforming sign" means any sign located within the City limits on the date of adoption or amendment of the ordinance codified in this chapter, which does not conform with the provisions of this chapter, as amended, but which did conform to all applicable laws in effect on the date the sign was erected. Existing nonconforming signs shall not include temporary signs.
10. "Freestanding sign" means a sign, not attached to any building or structure, which is securely and permanently attached to the ground.
11. "Illuminated sign" means any sign internally illuminated, in any manner, by an artificial light source, including all signs lit with neon tubes, either directly or indirectly. Other types of indirectly illuminated signs are not included in this definition.
12. "Incidental sign" means a sign, emblem, or decal informing the public of business hours, facilities or services available on the premises (e.g., open/closed signs, restroom signs and bank card signs)
13. "Integral sign" means any memorial sign, tablet, name or date of erection of a building when cut into any masonry surface or when constructed of bronze or other incombustible material mounted on the face of a building.
14. "Kiosk" means a small structure with one or more sides that is used to direct to facilities or services.
15. "Logo sign" means a sign bearing characters, letters, symbols, or characteristic design which, through trademark status or consistent usage, has become the customary identification for a business.
16. "Noncommercial sign" means a sign that bears only property address numbers, postal box numbers, names of occupants of premises or a Noncommercial opinion sign

17. "Noncommercial opinion sign" means a Statement of one's opinion with no promotion of commercial value." Political signs would be an example
18. "Off-site sign" means a sign which directs attention to a business, profession, product, activity or service which is not conducted, sold or offered on the premises where the sign is located.
19. "Political sign" means a temporary sign advertising a candidate or candidates for public elective office, or a political party, or signs urging a particular vote on a public issue decided by ballot in connection with local, state or national election or referendum.
20. "Portable sign" means any mobile, movable sign or sign structure, which is not securely attached to the ground or any other structure.
21. "Private use sign" means a temporary sign announcing an event, use or condition of personal concern, non-business in nature, including, without limitation, "garage sale" or "lost animal" signs.
22. "Projecting sign" means any sign affixed to any building or wall, the leading edge of which extends beyond such building or wall.
23. "Real estate sign" means any sign which is used to offer property for sale, lease or rent.
24. "Residential development sign" means a sign identifying a recognized subdivision, condominium complex or residential development.
25. "Roof sign" means any sign erected or constructed wholly upon and over the roof of any building and supported on the roof structure; provided, however, that a sign located on a roof of a canopy shall be regarded as a projecting or freestanding sign.
26. "Sandwich board sign" means a portable two-faced, A-frame style sign that is readily moveable and has no permanent attachment to a building, structure, or the ground.
27. "Special event sign" means a sign allowed for a City approved special event. (Part 17.82)
28. "Temporary sign" means a sign not constructed or intended for long-term use.
29. "Trailer sign" means any sign mounted on a vehicle normally licensed by the state as a trailer and used for advertising or promotional purposes.
30. "Wall sign" means any sign painted on or attached to and erected and confined within the limits of the outside wall of any building and supported by such wall or building and which displays only one advertising surface. Awning signs are considered wall signs for the purposes of this definition.
31. "Warning sign" means any sign which is intended to warn persons of danger or prohibited activities such as "no trespassing," "no hunting," and "no dumping."

32. "Window sign" means any sign placed upon the interior or exterior surface of a window or placed inside the structure and oriented so as to be readable or readily recognized on the adjacent street or sidewalk.

15.50.030 Noncommercial signs: In all Residential zones, signs located on the property of a residence, provided the sign is noncommercial in nature;

1. One unlighted sign not exceeding six square feet in area pertaining only to the sale, lease, rent or hire of only the particular building, property or premises upon which displayed; provided, that for corner lots one sign for each street frontage is permitted;
 - a. "Open House" real estate signs shall not be placed within any public right-of-way.
 - b. No more than one "Open House" real estate signs shall be allowed per lot.
2. Nameplates not exceeding two square feet in area bearing only the name and occupation of the occupant(s);
3. One unlighted or externally lighted sign to identify an apartment complex or building, freestanding or otherwise, not to exceed twenty square feet in area;
4. Directional, warning, or safety signs associated with any permitted or conditional use;
5. Temporary private use signs provided the signs are no more than two square feet in area. Private use signs shall not be posted on any utility post, traffic post or street light post. Private use signs shall be removed the day the event or special condition ends;
 - i. No more than one Noncommercial opinion sign shall be allowed per residence

15.50.040 Commercial Signs:

In all Residential zones, signs located on the property of a residence, provided the sign is commercial in nature

- a. Signs for businesses in residential zones shall not exceed four square feet in area and must be approved with a Conditional Use Permit through the Planning Commission and an approved building permit application.

In the C-1 Commercial, C-T Commercial Tourism, M-1 Light Manufacturing, and Public Lands and Churches following requirements must be met to erect a sign:

1. This section applies within Zillah City limits to all existing signs and all signs erected, moved, relocated, enlarged, structurally changed, painted, or altered after the date of adoption of the Zoning Code. All such signs must comply with the requirements of this section.

2. No sign governed by the provisions of this chapter shall be erected, altered or relocated by any person, firm or corporation from and after the date of adoption of the ordinance codified in this section without a permit issued by the City unless such sign is expressly exempted.

15.50.050 Permit Applications.

- A. Application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his/her authorized agent. Such application shall be made in writing on forms furnished by the City. Only fully completed applications shall be accepted by the City.
- B. The application for a building permit shall be accompanied by the following plans and other information:
 - i. The name, address and telephone number of the owner or person entitled to possession of the sign and of the sign contractor or erector;
 - ii. The location by street address of the proposed sign structure;
 - iii. A statement of valuation of the sign;
 - iv. A drawing shall be submitted along with the sign permit application. This drawing shall be on paper capable of being folded and shall become the property of the City. The drawing shall include the following:
 - 1. An accurately colored drawing, to a scale appropriate for showing all detail, of the sign including all mounting structures and devices,
 - 2. An accurately scaled drawing of all building faces to be signed, including the scaled outlines of all existing and proposed signs, in the case of wall and projecting signs,
 - 3. An accurately scaled site plan showing the location of building(s), street(s) and sign(s) in the case of freestanding signs, and
 - 4. The name of the proposed lettering style along with a detailed illustration of the proposed style.
- C. The Building Official shall approve or deny the permit. Each permit application shall be filed with the Building Official at least seven days prior to a regular meeting to be considered at such meeting.
- D. In the event the permit application is denied by the Building Official, and the applicant alleges an error was made in the decision, the applicant may appeal to the Planning Commission.
- E. No permit application shall be reviewed by the Building Official for a sign which has been erected or otherwise put in use after the effective date of the Ordinance codified in this chapter without a permit having been first obtained, until such sign is removed or the use discontinued pending review.

- F. Changes in an approved sign size or design shall not be made without first obtaining a new permit. Minor lettering or color changes and changes in the location of a previously approved sign may be approved by the Building Official without obtaining a new permit.
- G. Individual signs in an approved directory or business listing sign may be added, moved or substituted with signs for new businesses or uses with approval by the Building Official without obtaining a new permit, provided that the design is consistent and the provisions of the original permit are met.

15.50.060 Variance procedures.

- A. Application for a variance from the provisions of this chapter shall be submitted to the planning official for consideration by the Planning Commission. Such authority shall include the right to approve the application with changes or conditions.
- B. Application for a variance shall be submitted to the Planning Official on forms provided by City Hall.
- C. The Planning Commission may accept or approve any variance application if the applicant demonstrates, on the basis of evidence submitted, that:
 - 1. The proposed variance will be consistent with all of the purposes set forth in ZMC 15.50.010 and 17.72; and
 - 2. The granting of the variance will not be injurious to property improvements in the vicinity and zone or detrimental to the public welfare; and
 - 3. Literal or strict interpretation and application of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by others, as a result of some unique or unusual feature or circumstance over which the applicant has no control.
 - 4. Any person aggrieved by the decision of the Planning Commission on a variance application shall have the right to appeal that decision to the City Council; provided that a written notice of appeal is filed with the Planning Official within fourteen days of the decision of the Planning Commission.

15.50.070 Design Review Requirements. Applications for signs shall be reviewed by the Building Official, which shall consider the proposed general design, lettering, arrangement, size, texture, materials, colors, lighting, placement and appropriateness of the proposed sign in relation to other signs and other structures on the premises and contiguous area, in keeping with the intent of this chapter and the Tuscan/Old World theme or as herein amended (Chapter 15.30). All signs permitted within the C-1 Commercial, C-T Commercial Tourism, M-1 Light Manufacturing, and Public Lands and Churches zoning districts of the City shall conform to the following design criteria, unless otherwise provided for in this chapter:

- a. Signs must be compatible in design and color with the Tuscan /Old World theme and with the buildings with which they are associated. Signage shall include Tuscan art elements. Sign design shall conform to examples shown in the Tuscan/Old World Design Standards packet established and adopted by the City of Zillah.
- b. The following styles of lettering, as illustrated in the Tuscan/Old World Design Standards packet established by the City of Zillah shall be required unless other Tuscan lettering is approved by the Planning Commission: Baskerville Old Face, Bookman Old Style, Calisto MT, Engravers MT, Goudy Old Style, Harrington, Lucida Calligraphy, Maiandra GD, Mistral, Papyrus and Poor Richard. Block lettering shall be allowed for a drive-thru menu board sign.
- c. Projecting and freestanding signs must be in harmony with the size and scale of the building or property on which they are to be located.
- d. Signs illuminated by spotlights or indirect lighting shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicular traffic. The lighting of the sign shall be an integral part of the design of the sign and shall be approved by the Building Official.
- e. Logo signs shall meet all design review criteria.
- f. Freestanding and projecting signs may contain only Tuscan/Old World text and artwork as approved by the Building Official. It is the intent of this section to prohibit, on freestanding and projecting signs, logos of chain or franchised businesses.

15.50.080 Exempt Signs. The following types of signs and devices are exempt from the permit requirements of this chapter, provided that any standards or conditions specified in this title are met, and the signs are maintained:

- a. Noncommercial signs shall only be large enough to effectively serve the purpose required;
- b. Menu signs, provided that the menu displayed is the same as that given to the customers, the signs are utilized only for food service establishments and the signs are limited to two signs with a total maximum area of six square feet. Exceptions to the total allowable area for existing menu signs may be made by the Building Official;
- c. Flags and insignia of any government displayed in an approved manner;
- d. Signs of a public body, noncommercial in nature, including, without limitation, public utility information signs, traffic control signs, directional kiosk, and all signs erected by a public officer in the performance of a public duty;
- e. Signs of a semipublic body, noncommercial in nature, including, without limitation, community service informational signs, provided, however, that such signs shall meet the location, size and structural requirements of this chapter;

- f. Directional signs, provided that such signs shall not exceed two square feet in area or four feet in height;
- g. Commemorative plaques and integral signs not exceeding three square feet in area;
- h. Construction signs, provided that there is only one such sign per street frontage of a building, and provided that the area of each sign shall not exceed thirty-two square feet in the C-1 Commercial, C-T Commercial Tourism, M-1 Light Manufacturing, and Public Lands and Churches zoning districts and that all such signs shall be removed within thirty days of completion or occupancy of the building, whichever comes first;
- i. Political signs provided that:
 - i. Area of individual signs shall not exceed four square feet in residential zones and it doesn't exceed two feet in height,
 - ii. Such signs shall not be placed within any public right-of-way,
 - iii. Such signs shall not be placed on Public Lands, and
 - iv. All such signs shall be removed no later than one week after the last election;
- j. Community bulletin board signs, provided that only one such sign per block shall be allowed, that the bulletin board contains no direct advertising of products or services, and that the total allowable ratio of sign area, including the bulletin board, to building front face, shall not be exceeded by more than thirty two square feet;
- k. Incidental signs such as open/close, provided that such signs are erected in accordance with the requirements of this chapter, and all such signs shall not exceed a total of two square feet;
- l. Real estate signs, provided that there is only one such sign per street frontage and that the area of the sign shall not exceed six square feet in area, excluding wrought-iron work and post;
- m. Real Estate "Open House" signs provided that:
 - i. "Open House" signs not shall exceed two feet in height and not be placed within any public right-of-way.
 - ii. No more than one "Open House" sign shall be allowed per lot.
- n. "Special event sign," provided that only one sign shall be allowed on any booth, tent, awning and/or concession area advertising their activity or business. Each sign shall meet the following standards:
 - i. No internal, indirect or backlit illumination of any kind shall be allowed,

- ii. No sign shall exceed four square feet in area,
- iii. The sign shall be removed at the end of the event;
- o. Residential development signs, provided that the sign height does not exceed six feet, the sign is freestanding, and the sign area shall not exceed thirty two square feet;
- p. Temporary community service event signs, provided the signs are installed no more than two weeks prior to the start of said event, the signs are removed no more than two days after the end of the event and also provided that the area of the sign shall not exceed thirty-two square feet in area. Such sign may be made of any material, and may be portable, but shall be professional in appearance and shall be immediately removed if not maintained. The allowed area of this sign is in addition to any other allowed sign area;
- q. Warning signs, provided that the area of the sign does not exceed one square foot in area and not more than one sign is placed per fifty feet of property frontage;
- r. Private use signs, provided the signs are no more than two square feet in area. Private use signs shall not be posted on any utility post, traffic post, public right of way, or street light post. Private use signs shall be removed the day the event or special condition ends;
- t. Illuminated window signs, other than neon signs, placed more than fifteen feet back from the interior window surface or no less than one-half the building depth, whichever is less, not to exceed 30% of window area.
- u. Non-illuminated window signs placed more than three feet back from the interior window surface, not to exceed 30% of window area.
- v. Neon signs placed within a structure and not oriented so as to be readable or readily recognizable on the adjacent street or sidewalk; and
- w. Real estate companies may show photos of listings on bulletin boards or in frames in windows visible from the outside provided the display does not cover more than one-third of the window space.
- x. Banners/Posters that are maintained in good repair, contain the date of installation, and are **adequately** and securely attached to a building or a permitted support structure.

Banners/ Posters- The following apply to banners and posters not covered under any other section of this title or Title 17.

- ✓ ***Banners and posters can only be located on-site of the business or property which is advertising. ALL OFF-SITE SIGNS WILL BE REMOVED.***
- ✓ ***For safety reasons, they cannot be located in the public right-of-way. In addition, the display cannot cause an unreasonable annoyance or inconvenience to users of neighboring properties.***

- ✓ *Banners and/or posters may remain for a period of six (6) months or at the Building Official/ Code Enforcement officer's discretion. At such time banners and/or posters will need to be replaced.*
- ✓ *Membership stickers and signs indicating accepted methods of payment shall not be considered signs provided they are less than one (1) square foot each.*
- ✓ *If a portion of property is purchased or sold off, the amount of square footage allotment for banner(s)/ poster(s) will adjust based on the new number.*
- ✓ *Businesses that have Residential units above them may only count their storefront on the first floor and not the total structure.*
- ✓ *All banner(s)/ poster(s) within the jurisdiction of Washington State Department of Transportation standards and regulations (RCW 47.42 and WAC 468-66) must be met.*
- ✓ *Any banner(s)/ poster(s) affixed to the inside of a window counts towards the total allotment of square footage*

15.50.090 Prohibited Signs. Unless specifically exempted in this chapter, it is unlawful to erect or maintain:

- a. Any sign, including logo signs, which are not compatible in design and color with the Tuscan theme;
- b. Off-site signs;
- c. Signs which have moving parts, or are designed to be moved in any way by the wind;
- d. Portable signs and trailer signs;
- e. Pennants on a rope, balloons and streamers;
- f. Bench signs; and
- g. Roof signs which are located on, project or extend above the eave or parapet line of a main portion of the building.

15.50.100 Location and Number Placements. All signs shall conform to the following sign location and number requirements, unless otherwise provided for in this chapter:

- a. Wall signs shall not be located on more than two sides of any building, unless the building contains individual businesses with separate entrances on more than two streets (alleys included), in which case signs may be located on as many sides as there are separate businesses.
- b. One projecting sign shall be allowed per business per building. In no case shall more than one projecting sign be permitted per exterior building entrance, unless connected together as part of a projecting business listing sign.
- c. Buildings without highway frontage which are located less than ten feet from the front or side property lines may not have a freestanding sign.

15.50.110 Allowable Area of Signs. All signs within the City shall conform to the following area requirements, unless otherwise provided for in this chapter:

- a. Wall Signs. The maximum area for the total of all permitted wall signs shall not exceed three percent of the building face area. This shall include all window and door areas and shall be measured from the sidewalk or ground line to the building eave line. Business names, not exceeding ten square feet, when approved by the Building Official in the design review process, shall not be included in the allowable sign area.
- b. Business Listing Signs. The maximum sign area limit for wall signs may be exceeded for buildings utilizing business listing signs as the primary means of identification, provided that the Building Official finds the overall design compatible with the style and design of the building. In all cases, wall business listing signs shall not exceed two square feet per business or use.
- c. Projecting Signs. The total area of all projecting signs shall not exceed five square feet for an individual business or use. This area is in addition to that allowed in this section. Wrought iron work around or supporting the sign need not be included in the sign area.
- d. Freestanding Signs, Non-highway Location. The maximum sign area for permitted freestanding signs shall be six square feet.
- e. Projecting and Freestanding Business Listing Signs. The maximum sign area limit for projecting and freestanding business listing signs shall not exceed two square feet for each business or use, provided that all projecting and clearance standards can be met.
- f. Banner(s)/ Poster(s) signs. **Not more than Ten percent (10%) to be placed on the building**
 - i. **Multi- Retail establishments**
Ten percent (10%) of Storefront will set the amount for allotment of banner/poster square footage divided by the number of possible occupancies within the structure
 - ii. **Single Business**
 - **Parcel Size: .74 acres and below**
Ten percent (10%) of Storefront will set the amount for allotment of banner/poster square footage
 - **Parcel Size: .75 to 1.44 acres**
300 square foot allotment for the creation of a banner(s)/ poster(s)
 - **Parcel Size: 1.45 to 2.49 acres**
600 square foot allotment for the creation of a banner(s)/ poster(s)

➤ **Parcel Size: 2.5 + acres**
900 square foot allotment for the creation of a banner(s)/ poster(s)

15.50.120 Sign Height and Projection Requirements. All signs permitted within the City shall conform to the following height and projection requirements, unless otherwise provided for in this chapter:

- a. Projecting Signs. Such signs shall not extend more than four feet out from the building face, provided that wrought iron work around or supporting such signs shall not extend more than six feet from the building face or provided the sign does not extend into the public right of way.
- b. Freestanding Signs. Such freestanding signs shall not exceed eight feet in height.
- c. Freestanding Signs, Highway Location. Freestanding highway signs shall not exceed fifteen feet in height.
- d. All Signs. Clearance under the lowest point of any sign which projects out over a public walkway shall not be less than eight feet.

15.50.130 Structural Requirements and Sign Maintenance. All signs shall conform to the following structural and maintenance requirements:

- a. All permitted signs shall be designed, constructed and erected in conformance with the allowable stresses of the materials used. Loads, both vertical and horizontal, exerted on the soil shall not produce stresses exceeding those specified in the most recently adopted building code.
- b. Plans for projecting signs shall be prepared by a State licensed architect or engineer.
- c. Wiring for lighted or indirectly lighted signs shall be installed in accordance with the current state electrical code.
- d. *Sign Maintenance.* All signs must be kept in good repair and in a safe manner at all times. The property owner must repair damaged or deteriorated signs within sixty days of notification by the City. The area surrounding freestanding signs must be kept free of litter, weeds and debris at all times. Signs not repaired within the allowed sixty days shall be considered abandoned signs.

15.50.140 Legal nonconforming signs. Any sign lawfully existing under all codes and ordinances in effect at the time this title is enacted or amended may continue to be maintained and operated as a legal nonconforming sign so long as it remains otherwise lawful; provided, that:

- a. No sign shall be changed in any manner that increases its noncompliance with the provisions of this title; and

- b. If the sign is structurally altered or moved, its legal nonconforming status shall be voided, and the sign will be required to conform to the provisions of this title. Nothing in this section shall be construed to restrict normal structural repair and maintenance.

15.50.150 Compliance and Enforcement. The following penalties and remedies are in addition to the enforcement provisions established in Zillah Municipal Code.

a. **Compliance with Other Applicable Codes.** All signs erected or altered under this chapter must comply with all applicable federal, state and local current regulations relating to signs, including, without limitation, the provisions of the International Building Code. If any provision of this code is found to be in conflict with any provision of any zoning, building, fire, safety or health ordinance or code of the City, the provision which establishes the higher standard shall prevail.

b. **Immediate Removal of Signs.** All signs illegally placed within public right-of-ways or on public utility poles, traffic sign poles, sidewalks or other public property and private use signs that present an immediate and serious danger to the public shall be considered a nuisance and may be immediately removed by the City. All signs removed by the City shall be available for recovery by the owner of such sign for a period of two weeks, after which they will be destroyed. Recovery of any sign removed by the City shall be subject to payment of an administrative fee to partially cover the City's cost in removing and storing the sign. The City shall not be responsible for damages or loss during removal or storage of any signs. This administrative fee shall be in addition to any other penalty imposed pursuant to City code.

- i. **Exception:** Temporary signs printed on paper or other nondurable material may not be available for recovery by the owner.

c. Any unlawful sign which has not been removed within fifteen days after imposition of civil penalty may be removed by the City and the costs charged to the person violating this chapter. If removal costs have not been paid and the sign reclaimed within thirty days of its removal by the City, the City shall be entitled to file with the county auditor a lien against the real estate on which the sign was located to secure repayment of such costs and expenses of removal by the City. The lien may be foreclosed in the manner provided by Washington law for the foreclosure of labor and material man liens. The City may sell or otherwise dispose of the sign so removed and apply the proceeds toward costs of removal. Any proceeds in excess of removal costs shall be paid to the owner of the sign.

d. Abandoned signs as defined in this chapter may be removed by the City and the cost of removal shall be paid by the owner of the sign and shall be a lien on the real estate from which the abandoned sign was removed subject to the same provisions for foreclosure of the lien as provided in this section.

e. **Continued Duty to Correct.** Payment of a monetary penalty pursuant to City code does not relieve a person of the duty to correct the violation.

f. **Attorney Fees.** In any action brought by the City to enforce this chapter or in any action brought by any other person in which the City is joined as a party challenging this chapter, in the event the City is a prevailing party, then the non-prevailing party challenging the provisions of this chapter or the party against whom this chapter is enforced in such action shall pay, in addition to the City's costs, a reasonable attorney fee at trial and in any appeal thereof.