

**Chapter 18.80**  
**SIGN REQUIREMENTS – ALL ZONES**

Sections:

**General Requirements**

- 18.80.010 Purpose.
- 18.80.020 Applicability
- 18.80.030 Subareas, Sign Development and Standards
- 18.80.040 Definitions
- 18.80.050 Sign Standards – General Requirements of On-Premises Signs
- 18.80.060 Permit - Required
- 18.80.070 Permit – Application
- 18.80.080 Fees
- 18.80.090 Sign Permit Review Process
- 18.80.100 Sign Permit and Construction Process

**Sign Area and Maximum Number of Signs**

- 18.80.110 Permitted Number and Sign Areas of Permanent Signs
- 18.80.120 Building Sign Regulations – Commercial Zones
- 18.80.130 Maximum Number of Signs Allowed, All Zones
- 18.80.140 Calculation of Wall Sign Area: Commercial, Industrial, and Manufacturing Uses
- 18.80.150 Sign Area Allowed – CC and UR Zones
- 18.80.160 Sign Areas for Properties Adjacent to or Visible From Interstate Five
- 18.80.170 Calculation of Sign Area: Residential, Public, and Other Uses
- 18.80.180 Sign Requirements in Special Districts

**Sign Types and Design Requirements**

- 18.80.190 Calculation of Sign Area and Sign Design – Sign Types
- 18.80.200 Awning Signs
- 18.80.210 Canopy Signs
- 18.80.220 Community Facilities Signs
- 18.80.230 District Identification Sign
- 18.80.240 Franchise/ Brand Placement Sign
- 18.80.250 Fuel Price Signs
- 18.80.260 Marquee signs
- 18.80.270 Painted Wall Murals
- 18.80.280 Projecting Sign Requirements (Includes Blade Signs)
- 18.80.290 Painted Wall Signs
- 18.80.300 Pedestrian-Oriented Signs
- 18.80.310 Service Organization Signs
- 18.80.320 Sign Support Structures
- 18.80.330 Time and Temperature Devices

<u>18.80.340</u>	Wall Signs
<u>18.11.350</u>	Window signs – Permanent indoor.
<u>18.80.360</u>	Freestanding Signs (Pole and Monument)
<u>18.80.370</u>	Electronic and Illuminated Signs
<u>18.80.380</u>	Off-Site Directional Signs
<u>18.80.390</u>	Portable Freestanding Signs (Including Sandwich Board Signs and T-Frames)
<u>18.80.400</u>	Real Estate Signs, On Premises (For Sale/Lease/Rent)
<u>18.80.410</u>	Temporary Signs
<u>18.80.420</u>	Prohibited Signs
<u>18.80.430</u>	Political Signs
<u>18.80.440</u>	Exempt Signs

### **Administrative Policies**

<u>18.80.450</u>	Conflict with Other Provisions.
<u>18.80.460</u>	Nonconforming signs
<u>18.80.470</u>	Violation
<u>18.80.480</u>	Removal of Unlawful Signs.
<u>18.80.490</u>	Business Closure/ Removal of Signs

## **General Requirements**

### **18.80.010 Purpose.**

The purpose of this chapter is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is the intention of this chapter to:

- A. Enhance and protect property values;
- B. Create a more attractive economic and business climate;
- C. Enhance and protect the physical appearance of the community;
- D. Preserve the scenic and natural beauty of designated areas;
- E. Encourage the integration of signs into building design;
- F. Encourage sign design that is complementary to historic structures within the community;
- G. Promote innovation and excellence of design, lettering and color coordination in the installation of signs;
- H. Promote the use of signs that are in keeping with the pedestrian scale of the City's commercial districts;
- I. Promote the use of signs that provide effective advertising for the business community;
- J. Reduce signs or advertising distractions and obstructions that may contribute to traffic accidents;

- K. Reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way; and
- L. Reduce the impacts that signs may create on adjoining properties.
  
- M. Ensure that the constitutional right of free speech is preserved and protected.

#### **18.80.020 Applicability.**

The provisions of this chapter shall apply to all properties within the City of Ferndale, and may be utilized by commercial properties within the City of Ferndale UGA, subject to approval by Whatcom County Development Services. Planned Unit Developments within the City of Ferndale may vary from the specific standards of this chapter if project-specific standards for signs are identified and made part of the Planned Unit Development Final Approval. Certain provisions of this chapter apply to specific sub-areas of the City, and are identified appropriately. Signs or sign types that are not specifically allowed under this chapter shall be prohibited. No other sign code will be applicable, except as noted herein.

#### **18.80.030 Subareas, Sign Development and Standards**

Subareas within the City of Ferndale are encouraged to establish unique design guidelines within the broad parameters of this chapter. These subareas include areas of the City within the Downtown Core zoned Urban Residential and City Center, while properties zone Central Business may be permitted to establish additional guidelines. The Second Avenue/ Portal Way subarea may also develop design guidelines at a future date provided, subarea design guidelines shall not alter or modify the provisions of this chapter unless such subarea design guidelines have been approved and adopted as an amendment to this Chapter.

### 18.80.040 Definitions.

For the purpose of this chapter, certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this chapter:

“A-frame movable sign” See Movable A-frame sign.

“Abandoned sign” shall mean a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

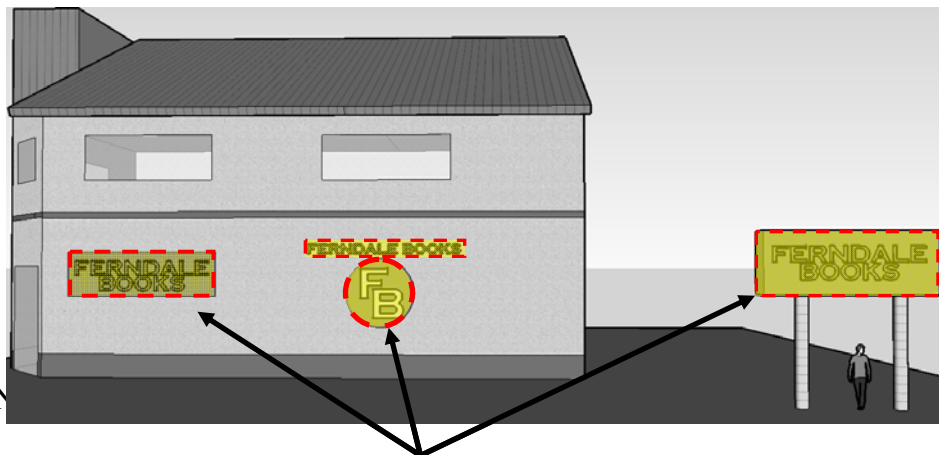
“Address sign” shall mean a sign displaying the street number or name of the occupant of the premises, or both.

“Advertising sign” shall mean a sign directing attention to a business, profession, commodity, service or entertainment conducted, sold or offered elsewhere than upon the lot where the sign is located.

“Animation” shall mean graphic or textual displays which appear to move, flash, change shape, or change color more than once every ten seconds. This shall not include messages that scroll vertically or horizontally.

“Architect, engineer, contractor sign”: See Construction/contractor sign.

“Area of sign” shall mean the sum of all display areas as determined by circumscribing the exterior limits on the mass of each display erected on one (1) sign structure with a circle, triangle, or quadrangle connecting all extreme points. The structure supporting a sign or the painted or architectural background of a sign is not included in determining the area of the sign unless the structure or background is designed in a manner to visually amplify the sign itself.



## **AREA OF SIGN**

“Awning” shall mean an architectural projection roofed with flexible material supported from an exterior wall of a building and/or other sign structures. An awning without advertising copy, logos, trademarks, or other signage shall not be considered a sign.

“Banner” shall mean a flexible material on which a sign is painted or printed and is temporary in nature.

“Billboard” shall mean a large (typically over fifty square feet) ground, wall, or roof sign erected, constructed, or maintained for the purpose of displaying offsite outdoor advertising.

“Blade sign” shall mean a wall-mounted sign perpendicular to the building face. See Pedestrian-oriented sign.

“Building” shall mean any structure used or intended for supporting or sheltering any use or occupancy.

“Build to Zone” shall mean an area of defined width along the frontage of a lot that encompasses a defined minimum percent of the building façade. Both width and percentage are defined by land use zoning within the CC and UR zones of the City of Ferndale.

“Bus shelter sign” shall mean a sign placed at a public bus shelter that provides a directory of store sponsors/tenants, including bus route maps and bus route information.

“Business day” shall mean any day other than a Saturday, Sunday or a legal, state or federal holiday.

“Business identification sign” shall mean a sign that identifies the name of a business.

“Business license year” shall mean the period of time from July 1st to June 30th of each year.

“Business products display sign” shall mean a sign or signs which display and/or

list products offered by the business and are not incorporated into the building design or paint scheme or the primary sign for the business.

“Canopy” shall mean a permanent, rigid architectural projection supported from an exterior wall of a building and/or other structures. A canopy without advertising copy, logos, trademarks, or other signage shall not be considered a sign.

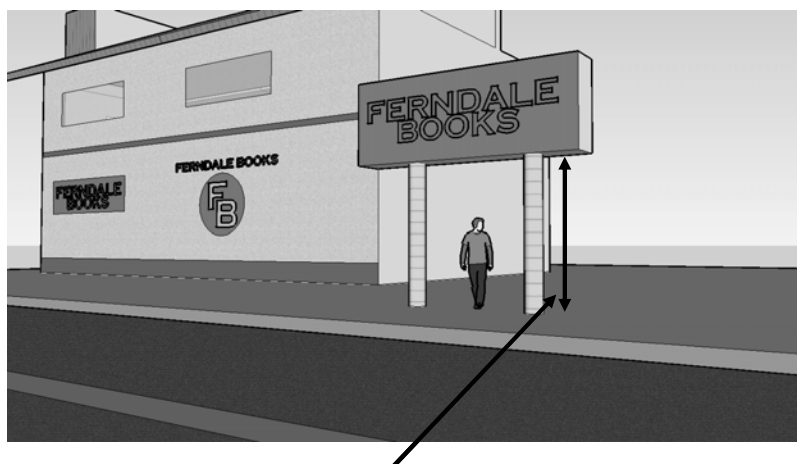
“Changeable copy” shall mean that portion of sign copy which may be easily changed by manual/mechanical means or lighting effects without reworking, repainting, or otherwise altering the physical composition of the sign, for the primary objective of displaying frequently changing copy incident to the sign owner or operator’s business.

“Changeable copy sign” shall mean a reader board or a sign similarly constructed so that its message may be easily changed by manual/mechanical means or lighting effects without reworking, repainting, or otherwise altering the physical composition of the sign, and whose primary function is the capacity to display frequently changing advertising copy incident to the sign owner or operator’s business.

“Changeable image sign” shall mean a sign which changes messages or background by means of electrical, kinetic, solar or mechanical energy.

“City” shall mean the City of Ferndale.

“Clearance (of a sign)” shall mean the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.



**CLEARANCE OF A SIGN**

“Community facilities sign” shall mean any temporary or permanent sign erected and maintained by any public or quasi-public agency, including city, county, school district, special district, state or federal, or by any religious or charitable institution for designation or identification of public, charitable or religious facility property.

“Community facilities directional sign” shall mean a sign that provides directions for any public or quasi-public agency, including City, County, school district, special district, state or federal, or by any religious or charitable institution for designation or identification of public, charitable or religious facility property.

“Construction/contractor sign” shall mean a temporary sign for informational purpose which identifies the architect, engineers, contractors and other individuals, or firms involved with the construction of a building or announcing the character of the building or enterprise, which is erected during the building construction period.

“Convenience Store” shall mean a small retail store, generally open long hours, which sells a variety of staple items, including snacks, groceries, refreshments, and sometimes gasoline. Business establishments which do not sell a variety of items or have substantially reduced hours, such as service stations or coffee shops, shall not be considered convenience stores.

“Credit sign” shall mean a sign advertising that credit is available.

“Curb Mount/ Fuel Price Curb Mount Signs” shall mean a portable sign not larger than six square feet in sign area that is placed on or near a curb. A fuel price curb mount shall mean a curb mount which displays the cash or credit card price for fuel, as may be required for fuel stations. Such signs shall be considered portable signs and shall be subject to the same standards as A Frame, Sandwich Board, and T signs.

“Dilapidated sign” shall mean a sign that is structurally unstable, weathered or faded to the point of being unreadable or difficult to read, or which advertises a businesses or service that no longer exists. Historic signs may be exempted from this requirement by the Zoning Administrator.

“Directional sign” shall mean a sign limited to directional messages, principally for pedestrian or vehicular traffic, such as “one-way”, “entrance”, and “exit”. Directional signs indicating entrance, exit, one-way circulation, drive-up window, etc. and informational signs containing no advertising matter beyond that necessary to accomplish their directional or informational purpose will not be considered advertising signs. See also Information sign.

“District identification sign” shall mean a pedestrian-oriented sign with uniform design specific to a recognized commercial district.

“Double faced sign” shall mean a sign with two (2) faces on opposite sides of each other.

“Downtown City Facilities Site” shall mean a City property within the UR or CC zones.

“EAGLE” shall mean a City of Ferndale points-based development program.

“Electronic Message Center” shall mean a variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix. The City may place restrictions on the maximum size of Electronic Message Centers, as well as place limitations on their brightness. The City will not control the size or content of the messages shown within the message center, so long as the life, safety and general welfare of the public is preserved.

“Electric sign” shall mean any sign containing electrical wiring but not including signs illuminated by an exterior light source.

“Erect” shall mean to build, construct, alter, repair, display, relocate, attach, hang, place, suspend, affix or maintain any sign, and also includes the painting of exterior wall signs.

“Event signs for nonprofit organizations:” See Special or one-time events sign.

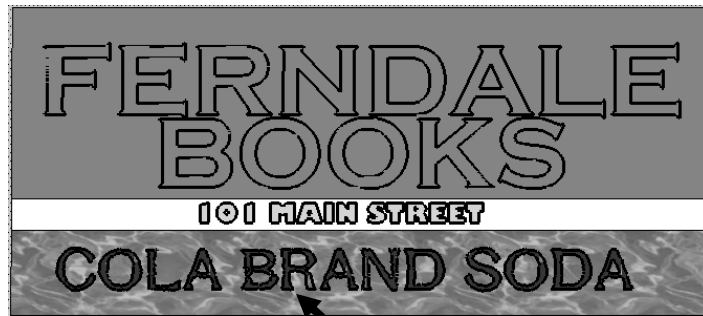
“Facade area” shall mean that portion of a frontal plane owned or leased by a business.

“FDDA” shall mean the Ferndale Downtown Development Association, a citizen association of the City of Ferndale.

“Flags” shall mean a flexible cloth or cloth-like material printed with decorative image, sign message, or symbol of governmental body or other organization, commercial entity, or community organization. See also Banner.

“For sale/rent/lease sign:” See Real estate, for sale/rent/lease sign.

“Franchise / Brand Placement sign” shall mean a sign whose display surface is divided between the product or service advertised and premises identification when the product or service advertised is not the primary product or service line available on the premises.



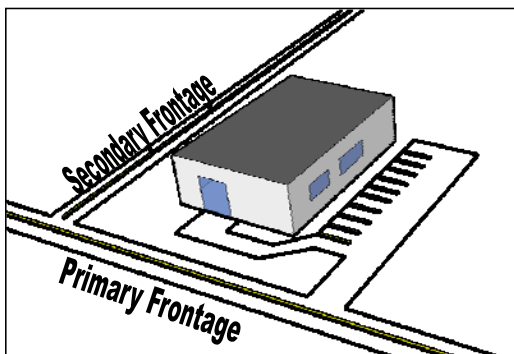
FRANCHISE/ BRAND PLACEMENT SIGN

“Freestanding sign”: See Monument sign.

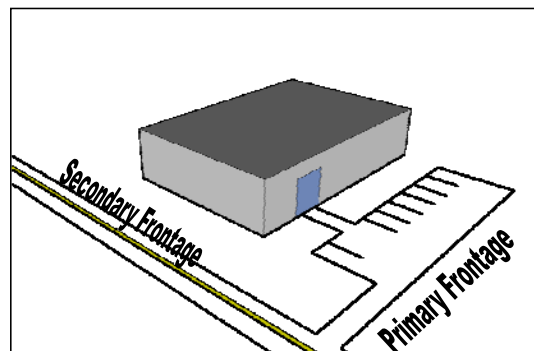
“Front or face, building”: shall mean the outer surface of any building, which is visible from or abuts at its property line, a public or private street, or highway.

“Frontage, primary” shall mean the side of the building providing the main vehicle and/or pedestrian access, and/or the business primary orientation as determined by the Zoning Administrator.

ACCESS FACES STREET

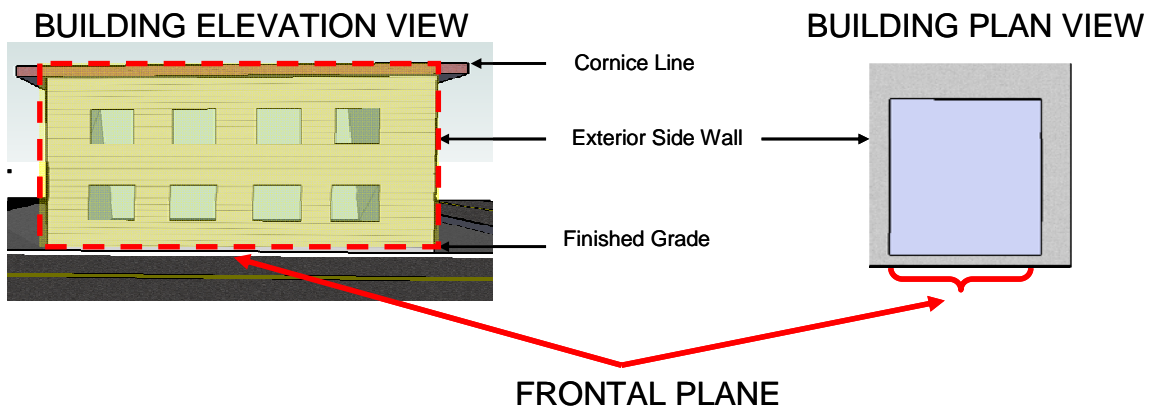


ACCESS FACES PARKING LOT



“Frontage, secondary” shall mean the side of the building other than the main vehicle and/or pedestrian access, as determined by the Zoning Administrator/Manager.

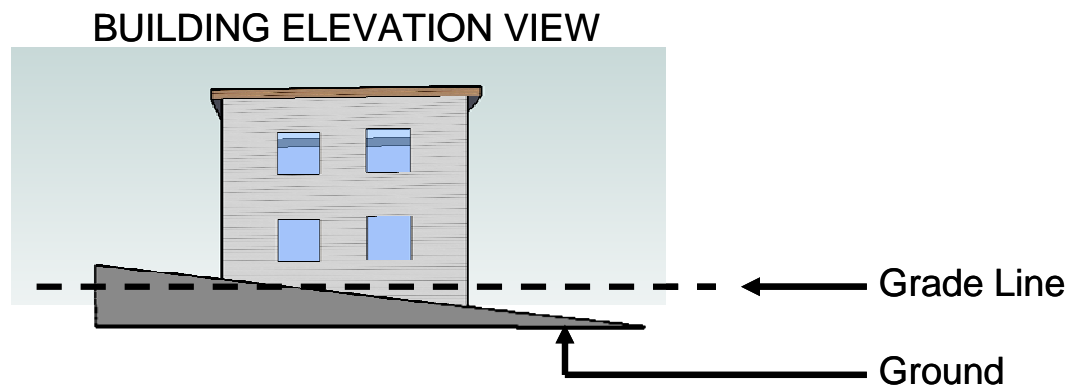
“Frontal plane” shall mean the surface area found within the perimeter bounded by the finished grade line, the cornice line, and exterior side walls not including intermediate walls perpendicular to such surface area.



“Fuel price sign: shall mean a non-movable sign advertising the price of motor fuel.

“Garage/yard sale sign” shall mean a temporary sign advertising the sale of personal property used to dispose of personal household possessions and including sample sales. It is not for the use of any commercial venture.

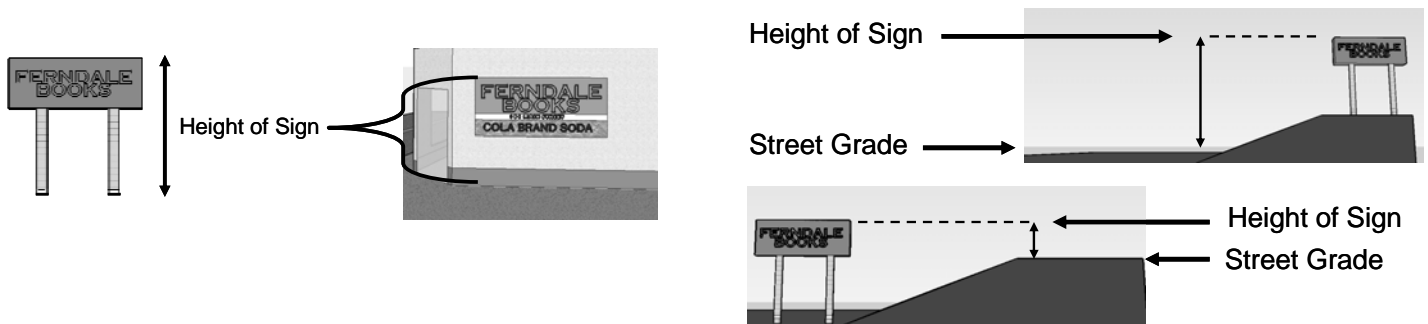
“Grade line” shall mean an imaginary straight line drawn at the mean elevation of the adjacent ground and delineating the intersection of the frontal plane and the plane of the adjacent ground.



“Grand Opening Event” shall mean the celebration or promotional period beginning on or shortly after the date when a new business or use is open for business. Grand opening events must be related to: a change of business location; construction of a new business structure; major remodeling; change of ownership; change of name; or change in the type of business engaged in by an existing business.

“Hearing Examiner” shall mean the person empowered, authorized and charged with the duty to hear all appeals of decisions made by the Zoning Administrator pursuant to FMC 14.11.070

“Height of sign” shall mean, for a freestanding sign, the vertical distance measured from the curb grade of the nearest street to the highest point of the sign or sign structure; and for a sign attached to a building, the vertical distance measured from the building grade to the highest point of the sign or structure.



“Historic sign” shall mean a sign or group of signs which have continued to exist without interruption and in good condition on a structure or site, and are representative of an historic era in the City’s history, no later than 1978.

“Holiday decoration sign” shall mean a temporary sign, in the nature of decorations, clearly incidental to and customarily and commonly associated with any international, national, local or religious holiday.

“Human Directionals” shall include sign twirlers, sign spinners, and human sign holders, and shall mean a person or persons promoting a specific business or product, or event by seeking to capture the attention of passing motorists or pedestrians.

“Illegal sign” shall mean a sign that does not meet the requirements of the sign

regulations of Chapter 18.80 FMC and has not received legal nonconforming status.

“Illuminated sign” shall mean a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

“Indoor window sign:” See Window sign.

“Information sign” shall mean a sign which is incidental and necessary for public safety and convenience and general information that has a purpose secondary to the use of the property on which it is located. See also Directional sign.

“Land use and construction notice sign” shall mean a sign that is used for notification of major land use or construction activity.

“Landmark sign” shall mean a nonconforming sign erected on or before December 31, 1965, that has been determined by the Planning Commission or FDDA to be, or to identify, a significant community landmark.

“Large inflatable object” shall mean a large balloon or balloon-like object, greater than eighteen (18) inches in any dimension, that uses blown air or any gas to keep it inflated.

“Major streets” shall include: Main Street, Vista Drive, Portal Way, Slater Road, Grandview Road, Rural Avenue, Pacific Highway, Thornton Road, LaBounty Drive, and Barrett Avenue

“Mansard” shall mean a sloped roof or roof-like facade architecturally comparable to a building wall.

“Marquee” shall mean any hood or projection above an entrance other than a roof or fascia projecting from the wall of a building.

“Marquee sign” shall mean a sign painted on, attached to, or consisting of an interchangeable copy reader, on a permanent overhanging structure which projects from the face of a building.

“Memorial sign” shall mean a sign, tablet or plaque memorializing a person, event, structure or site.

“Monument sign” shall mean a low profile freestanding sign no greater than five feet tall, affixed to the ground by a solid base that is no less than 75% of the length of the sign. The height of the base shall count against the height of the sign.

“Movable sign, A-frame” shall mean a portable two (2) faced, A-frame or

sandwich board style sign which is readily movable and has no permanent attachment to a building, structure or the ground.

“Multi-business development” shall mean a development which includes two (2) or more businesses which share a single structure or separate structures which are physically attached.

“Multi-business wall sign” shall mean an on-premises sign which identifies tenants and may identify building name for a multi-business development

“Name plate” shall mean a non-electrical on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of tenant/tenants.

“Noncommercial temporary sign:” See Holiday decoration sign.

“Nonconforming sign” shall mean a sign existing at the effective date of the adoption of the ordinance codified in this chapter which could not be built under the terms of this chapter.

“Off-premises directional sign” shall mean a sign erected for the purpose of directing pedestrian or vehicular traffic to a facility, service, or business located on other premises.

“Off-premises sign” shall mean a sign relating, through its message and content, to a business activity, use, product, or service not available on the premises on which the sign is erected.

“On-premises sign” shall mean a sign which carries only advertising strictly applicable to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted, principal services rendered, and goods sold or produced on the premises, name of the business and name of the person, firm, or corporation occupying the premises.

“Open houses” shall mean the welcoming of viewers to a piece of residential real estate which is being offered for sale.

“Outdoor vendor” shall mean an individual or business, generally in a temporary location for a special event, farmers market, or similar, which may or may not conduct its operations in a temporary stall or enclosure.

“Outdoor vendor sign” shall mean a temporary movable A-frame sign that is used for temporary outdoor vendors.

“Painted wall mural” shall mean a mural generally applied to a wall having an insignificant commercial message.

“Painted wall sign” shall mean a permanent sign, mural or graphic design painted directly onto a building surface and having a commercial message or identification.

“Pedestrian-oriented sign” shall mean a permanent, non-illuminated sign, the primary purpose of which is to provide information for pedestrians and bicyclists. Blade signs are a type of pedestrian-oriented sign.

“Pennant” shall mean a string on which hangs a series of tapering, triangular flags.

“Permit Center” shall mean the City of Ferndale’s permit process and its associated departments, which includes but is not limited to the Community Development Department, Building Division, Planning Division, Public Works Department, and City Administration.

“Person” shall mean any person, firm, partnership, association, corporation, company, institution, or organization of any kind.

“Political sign” shall mean a sign which advertises a candidate or candidates for public elective office, a political party, or promotes a position on a public or ballot issue.

“Poster” shall mean a non-weatherproof decorative placard or advertisement, typically printed on only one side, which may or may not be affixed to a flat surface. Outdoor posters are generally prohibited unless contained within a sign cabinet or designated posting location.

“Poster, theater” shall mean a decorative placard or advertisement associated with movie or live theater or playhouse theater.

“Primary sign” shall mean a sign on the primary frontage of the building, as determined by the Zoning Administrator /Manager.

“Principal frontage street” shall mean the street that provides primary access to the building, as determined by the Zoning Administrator/Manager.

“Private property sign” shall mean a sign on private property which limits access, parking admittance, pertains to security provisions, or which defines entrances or exits.

“Projection sign” shall mean a sign that is wholly or partly dependent upon a building for support and which projects more than twelve (12) inches from such building.

“Property line” shall mean the line denoting the limits of legal ownership of property.

“Public notification sign:” See Land use and construction notice sign.

“Public service information sign” shall mean a sign that indicates danger and/or service and safety information.

“Public service sign:” See Service organization sign.

“Pump topper sign” shall mean a small (maximum four square feet per side) sign structure permanently affixed to the top of a fuel pump. Sign copy may be rotated and changed on a periodic basis without further review from the City, subject to FMC 18.80.010 (Purpose)

“Reader board, electric” shall mean an electronic sign which displays or has the capacity to display electronic text, animations, flashing lights, or similar features. See also Reader board, manual.

“Reader board, manual” shall mean a sign or part of a sign on which the letters are readily replaceable such, that the copy can be manually changed from time to time at will. See also Reader board, electric.

“Real estate directional arrow sign” shall mean a portable and temporary directional sign that is intended to assist people finding the location of difficult to locate property that is for sale, rent or lease.

“Real estate sign, for sale, rent, lease” shall mean an on-premises or off-premises sign advertising that the property is for sale or rent.

“Real estate sign, off-premises (open-house signs and directional arrows): shall mean a portable and temporary sign advertising, or assisting people in locating, property that is for sale, rent, or lease.

“Real estate sign, on-premises shall mean a portable and temporary sign or within a monument sign advertising a property that is for sale, rent or lease that is located on the site which is for sale, rent, or lease. This includes temporary signs located at the entrance of subject developments advertising the sale of lots, subdivision, houses or dwelling units.

“Recognized Commercial District” shall mean a commercial area with common development scheme, management, ownership, or promotional program that is established or approved by the City of Ferndale. Recognized commercial districts include the Downtown commercial core.

“Replacement Value” shall mean the cost to replace an existing sign structure with an identical sign structure, as determined by a professional sign company. The City reserves the right to require that the applicant provide bids from at least two sign companies in order to determine the true replacement cost. The City has determined that it is appropriate to use replacement value when administering this chapter as there is no assessed value provided by the Whatcom County Assessor that can be used to identify the relative value of signs.

“Residential sign:” See Nameplate.

“Residential/subdivision identification permanent sign” shall mean a freestanding or wall sign identifying legally established subdivision, condominium or apartment complex.

“Right-of-way” shall mean land occupied, reserved or intended to be occupied by a public street and/or sidewalk. Included are railroad rights-of-way or lands that were previously railroad rights-of-way and now used for public purposes.

“Roof top sign” shall mean a sign erected or constructed wholly upon or over the highest roof of any building and supported solely on the roof structure. Signs standing out horizontally from a mansard roof are considered wall signs. Signs may be allowed on or supported by lower roof structures, but may not project above the mass of the building



“Rotating sign” shall mean any sign or portion of a sign that revolves on a fixed axis.

“Sandwich board sign:” See Movable sign, A-frame.

“Secondary sign” shall mean a sign on the secondary frontage of the building, as determined by the Zoning Administrator.

“Service organization sign” shall mean a sign sponsored by service or fraternal organizations, clubs, and similar organizations located in the City of Ferndale.

“Service sign:” See Public information sign.

“Setback” shall mean the distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

“Shopping Center” shall mean a structure or combination of structures containing two or more businesses in a development, not always built in a linear fashion.

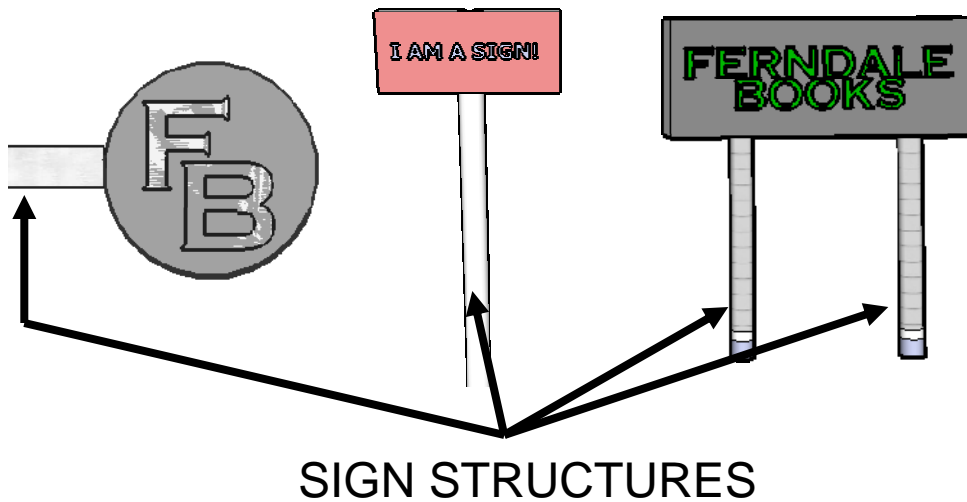
“Sign Area” shall mean the square footage of a sign including bordering and trim, but excluding support structures and other embellishments that are free of lettering, logos, or brand images. Support structures that contain lettering, logos, or brand images shall be included in the sign area calculation. Sign area shall include only one side of a multi-sided sign.

“Sign” shall mean any material, structure, or device, or part thereof, composed of letter or pictorial matter, or on which lettered or pictorial matter is placed when used or located outside or on the exterior of any building, including an inside window display area, for display of an advertisement, announcement, notice, directional matter, or name; and includes sign frames, billboards, readerboards, sign boards, painted wall signs, hanging signs, illuminated signs, pennants, fluttering devices, projecting signs or ground signs; and also includes any announcement, notice, directional matter, or name; and also includes any announcement, declaration, demonstration, display, illustration, or insignia used to advertise or promote the interest of any person or business when the same is placed in view of the general public.

“Sign, primary” shall mean the sign on the primary frontage of the building.

“Sign, secondary” shall mean the sign that is not the primary sign of the business.

“Sign structure” shall mean any structure that supports or is designed to support any sign as defined in this chapter. A sign structure may be a single pole and may or may not be an integral part of the building.



“Signs within a building:” See Window sign.

“Snap frame sign” shall mean a permanent, outdoor wall-mounted sign cabinet, either lit or unlit. Advertising copy for snap frame signs may be rotated and must be in the form of appropriately-sized posters, which may be changed without further review from the City, subject to FMC 18.80.010 (Purpose)/ Snap frame signs shall be considered wall signs.

“Special or one-time events” shall mean activities concerning a political, civic, seasonal, cultural, philanthropic, educational, religious, or organizational event or drive which occur intermittently.

“Street” shall mean a public or private way opened to general public use including all classes of roadways and excepting alleys, driveways, and Interstate 90, but including major internal circulation corridors within parking lots.

“Street frontage” shall mean the side of the building facing a street which abuts the property on which the building is located.

“Street frontage, primary:” See Frontage, primary.

“Street frontage, secondary:” See Frontage, secondary.

“Structure” shall mean anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

“Subdivision/residential:” See Residential subdivision sign.

“Temporary sign:” shall mean any sign intended to be displayed for a limited period of time.

“Tenant directory sign:” See Multibusiness wall sign.

“Umbrella sign” shall mean a commercial/product type sign placed on umbrellas with outside dining tables.

“Wall sign” shall mean any sign attached to and supported by a wall of a building, or the wall of a structure, including a mansard roof, with the exposed face of the sign in a plane parallel to the plane of the wall.

“Window cling sign” shall mean any sign that is affixed to a window or other flat surface that can be quickly removed and re-attached without damaging the surface or the sign. Such signs are typically constructed of flexible plastic or rubber, although more rigid signs may be included in this definition.

“Window sign” shall mean any sign which is painted or mounted onto an exterior of a window pane, or which is hung directly inside the window including advertisements for services or products in the form of decals, emblems, paint, exposed neon, banners, etc., within three (3) feet of the window pane.

“Window sign, temporary indoor” shall mean any sign of a temporary nature displayed within a commercial building on the inside of the glass or in close proximity to the window and intended to be viewed by persons outside of the building.

“Wrap sign” shall mean permanent or semi-permanent signage constructed of vinyl or other materials, which are designed to conform to the contours of a structure or object. Wrap signs shall be considered permanent signs requiring a permit, and their area shall be counted against the total area for the structure or property.

“Zoning Administrator” shall mean the person, or his duly authorized representative, empowered, authorized, and charged with the duty to administrate, interpret, process and approve permits as required by this chapter and approve the sign itself.

#### **18.80.050 Sign Standards – General Requirements of On-Premises Signs.**

General Note: The regulations contained herein provide for a variety of sign types and sizes, and are intended to foster creativity on the part of the applicant. However, this chapter is not intended to guarantee every business or property owners’ expectations for sign size, type, or visibility.

- A. No sign shall obstruct the view of motor vehicle operators entering or leaving any parking area, service drive, private driveway, street, alley or other thoroughfare, and shall not obscure from view pedestrian or bicycle paths nearby. Also provided that provided, that no sign shall be placed within the required clear view triangle as required under FMC 18.72.040 (C) and (D).
- B. Signs may extend over a sidewalk or pedestrian walkway, but shall not project more than eight feet into the sidewalk or two feet from the edge of the curb, whichever is more restrictive. In no case shall signs project over any portion of public right-of-way that is designated for vehicular travel.
- C. All signs and sign structures extending over a sidewalk or similar pedestrian walkway shall have a minimum vertical clearance of eight feet.
- D. All signs and sign structures, including temporary or portable signs, shall be placed at a sufficient distance from the street to allow for the full extension of vehicle doors parked at the adjacent curb.
- E. With the exception of parking space identification signage, no sign or sign structures may be permitted within six feet of ADA-designated parking spaces, unless the proponent can demonstrate that ADA access is unobstructed.
- F. No sign or sign structures may be placed on sidewalks or other designated pedestrian walkways which reduces the available path of travel to less than forty-eight inches, or which obstructs access to crosswalks in the determination of the Zoning Official.

#### **18.80.060 Permit – Required**

- A. A building permit shall be obtained prior to the installation of any freestanding, projecting, awning, wall or marquee sign. Permits shall not be required for exempt signs (see 18.80.440, Exempt Signs). The building permit shall not be issued prior to zoning approval of the sign(s) as provided for in this chapter. For signs using electricity, an electrical permit from the Department of Labor and Industries shall be required.

### **18.80.070 Permit – Application**

- A. To obtain a permit required by this chapter, the applicant shall file an application that shall:
  - 1. Clearly indicate the proposed location of the sign
  - 2. Be accompanied by adequate scaled plans and specifications; showing the design, colors, all dimensions and details of the sign, type of illumination, and proposed location
  - 3. Be signed by the property owner or authorized agent.
  - 4. Include such other information as may be required by the Zoning Administrator to insure compliance with this code and other applicable ordinances; and
  - 5. Be accompanied by the applicable permit fee in accordance with the City's adopted fee schedule.
  - 6. For signs associated with new or proposed structures, the applicant must reference the Site Plan Approval associated with the structure

### **18.80.080 Fees.**

- A. A permit fee shall be required to be paid in accordance with the City of Ferndale's adopted fee schedule.
- B. All electric and illuminated signs require an additional permit from the Washington State Department of Labor and Industries, in accordance with its established permit fee schedule.
- C. In addition to the permit fee, a plan check fee shall be required equal to fifty percent of the permit fee is required on all freestanding signs and signs costing over \$1,000.
- D. If a permit for any sign is denied, up to eighty percent of the total permit fee shall be refunded, based on the amount of staff time already devoted to the review of the application, in the judgment of the Zoning Administrator. The plan check fee, if applicable, shall be non-refundable.
- E. If the Zoning Administrator is required to re-inspect a new sign installation due to a failure on the part of the applicant to abide by the conditions of sign approval, a re-inspection fee, in addition to the permit fee, may be charged equal to fifty percent of the permit fee.

### **18.80.090 Sign Permit Review Process.**

- A. The Zoning Administrator shall review signage applications with

respect to the aspects of the proposal: function of the sign (i.e., building identification, advertising, etc.), and any limitations as to lighting (i.e., unlighted, indirect lighting, internally proposed signs will be compatible with the architecture of the building. In addition, the Zoning Administrator shall have the authority to review and decide the acceptability of all changes of signage and revisions to an approved sign application on locations not on primary street locations.

- B. Temporary Signs: The Zoning Administrator shall review sign permit applications for all temporary signs which require a permit.
- C. The Zoning Administrator shall review a sign application proposed for a new building or development, or a remodeling or expansion of an existing business or use.

#### **18.80.100 Sign Permit and Construction Process.**

- A. Permit Issuance: This permit is issued by the Permit Center and must be obtained prior to the actual installation of a sign.
- B. The applicant shall contact the Permit Center for a wall sign inspection to determine that the dimensions, colors and materials are the same as those shown on the approved plan. For freestanding signs, the applicant shall contact the Permit Center for a footing inspection, followed by a final inspection once the sign has been installed.
- C. Signs requiring phased assembly should be inspected once fully mounted on the wall.

#### **Sign Area and Maximum Number of Signs**

##### **18.80.110 Permitted Number and Sign areas of Permanent Signs**

General Note: The regulations contained herein provide for a variety of sign types and sizes, and are intended to foster creativity on the part of the applicant. However, this chapter is not intended to guarantee every business or property owners' expectations for sign size, type, or visibility.

### **18.80.120 Building Sign Regulations – Commercial Zones**

- A. Each individual business establishment may have a maximum of one primary sign, which is a sign on the primary entrance facade of the building, and one secondary sign, which is a sign on the secondary entrance facade of the building.
- B. A structure may be permitted a maximum of one freestanding sign onsite in addition to the primary and secondary sign. Structures containing more than one business may be permitted a second freestanding onsite sign only if a secondary public or private frontage is identified.
- C. When there is more than one business on a lot, and in the case of shopping centers, the following shall apply:
  - 1. Signage shall be consolidated to provide no more than two freestanding signs per property frontage in the form of freestanding group (or multi-tenant/ multi-business) signs. Such signs shall be separated by a minimum distance of one hundred feet, as measured in a straight line between the closest points of the signs or their support structures.
  - 2. To the greatest extent possible, monument signs less than five feet in height shall be utilized in place of pole signs.

### **18.80.130 Maximum Number of Signs Allowed, All Zones**

- A. No business shall be permitted more than three signs, with no more than one freestanding sign allowed per business. Maximum square footage for all signs in one business may not exceed three hundred square foot total, regardless of building size, location, or type.

### **18.80.140 Calculation of Wall Sign Area: Commercial, Industrial, and Manufacturing Uses**

- A. Primary Sign Areas: Each primary sign shall not exceed the following maximum sign area indicating the **façade area** on which the sign is attached:

FAÇADE AREA	MAXIMUM SIGN AREA
0-100 square feet.	25 square feet*
100-199 square feet	13% or 25 square feet*
200-499 square feet	10%
500-999 square feet	10% or 75 square feet maximum
1,000-1,499 square feet	9% or 100 square feet maximum
1,500-2,999 square feet	8% or 150 square feet maximum
3,000 square feet or greater	8% or 300 square feet maximum

\* Each business, regardless of location, may be permitted one twenty-five square foot sign

- B. Secondary Sign Areas: Each secondary sign, as allowed for the secondary entrance facade of the building, shall be no larger than five (5) percent of the façade area or twenty-five square feet, whichever is less, with a maximum letter height of two (2) feet.
- C. Businesses with no property frontage: Businesses that do not front on any public or private street, pedestrian walkway, or parking lot shall be entitled to signs as part of an on-site directory sign, either freestanding or mounted on the building; nine square feet maximum per tenant.
- D. Businesses within shopping centers shall submit a comprehensive sign plan to the City of Ferndale for review. The sign plan must consist of the applicants' calculations for building frontage and document if and to what extent the applicant will transfer sign square footage from a building to a freestanding sign. Shopping centers shall not be permitted additional signs or signage area except by variance or by attaining Gold or Platinum EAGLE certification.
- E. Multiple Business Development: When multiple business establishments are located within a single building, each business on the first floor may be granted a fifteen square foot sign, regardless of the façade of the building leased by the tenant. Tenants may propose signage greater than fifteen square feet by calculating the portion of façade area owned or leased by the tenant.
  - 1. Tenants above the first floor level whose businesses are not visible from a public or private street, pedestrian walkway, or parking lot, shall be entitled to signs as part of a directory sign, either freestanding or mounted on the building frontage; nine square feet maximum per tenant regardless of façade area.

2. Multiple businesses within one development are encouraged to consolidate signage into one area or sign, which may include a freestanding pole or monument sign. In this event, the size of the sign shall be determined by the number of tenants included in the sign, subject to FMC 18.80.360 1 (B) and 18.80.360 1 (C) i.

- F. **Businesses on Corner Lots:** Businesses occupying buildings on corner lots are encouraged to incorporate wall signs or blade signs at the corner intersection.
- G. **Convenience and Fuel Stations:** Convenience stores and fuel stations are encouraged to identify locations for permanent and temporary signage, including vendor and point of sale advertisements. Curb mounts, pump toppers, window clings, and temporary pole signs are permitted, but shall be included in the calculation of sign area. Convenience stores and fuel stations are encouraged to construct wall-mounted sign cabinets (snap lock signs) in order to reduce and control the appearance of temporary signage, while providing the ability to rotate signage as appropriate.

### **18.80.150 Sign Area Allowed – CC and UR Zones**

Within the CC and UR zones, allowable sign area is as follows:

- A. The maximum total sign area shall be determined by measuring the building façade within the build-to zone. The build-to zone shall be the area from the street frontage to a line parallel to and setback ten feet from the street frontage.
1. The total allowable sign area for a business with a build-to zone shall be one and one-half square feet of sign area per linear foot of building façade within the build to zone. However, each business shall be entitled to a sign with at least a minimum of 25 square feet. The maximum size of any one sign shall be 200 square feet.
  2. For a business with more than one property frontage (i.e. corner properties), each building façade shall be considered separately and be calculated as described above. The total sign area for any single business shall not exceed 300 square feet.

- a. Where applicable, corner buildings are encouraged to construct wall signs facing the corner at or above the second story level.
3. For a business with a rear entrance or parking lot abutting an alley, total sign area shall be one-half foot per linear foot of the property abutting the alley, the maximum size of rear-facing signs shall be thirty square feet.
4. All signage, whether new or a replacement of existing signs, shall be subject to the Downtown Design Standards contained in FMC § 18.87.040 (M).
  - A. Replacement of signage in existing sign cabinets (or similar) shall at a minimum reflect Downtown Design Standards that pertain to sign materials, illumination, colors, and background (FMC § 18.87.040: B, C, E, G, H, I, and J).

#### **18.80.160 Sign Areas for Properties Adjacent to or Visible from Interstate Five**

- A. The City of Ferndale will enforce WAC 468-66-050 (Sign Classifications and Specific Provisions) pursuant to signs on or visible from State Highways. When there is a conflict between the two ordinances, the more restrictive regulations shall be administered.

#### **18.80.170 Calculation of Sign Area: Residential, Public, and Other Uses**

- A. Multiple-Residential. The maximum total sign area for multiple-residential development shall be as follows:
  1. Apartments, condominiums (three to 10 units): 10 square feet, name of complex and address only.
  2. Apartments, condominiums (above 11 units): 32 square feet, name of complex and address only.
  3. Rooming/boardingshouses, nursing homes, group care, family care centers and fraternal organizations: 32 square feet, name of complex/ business and address only.
  4. Development entrance or identification sign: One sign allowed at each entrance into a subdivision, not to exceed 30 square feet in

area. Temporary for sale, lease, or rent signs may be permitted subject to FMC 18.80.410 B (1).

**B. Other Uses**

1. Municipal or public uses: 32 square feet for logo and name, but may include up to an additional fifty square feet for readerboards.
2. Bed and breakfast facilities, nursery schools, day care in residential zones: 10 square feet, name of business and address only. In non-residential zones, such signs are subject to the standards of the applicable zone.
3. Home occupation: One sign, not to exceed two square feet, name of business and address only.

**18.80.180 Sign Requirements in Special Districts**

**A. Commercial or Industrial Planned Unit Development**

Within any area designated as a planned unit development district in accordance with Chapter 18.68 FMC, the following sign area standards shall apply:

1. Individual standards shall be set for each project during the planned unit development application process. Requirements for similar uses discussed in this chapter shall serve as guidelines.
2. All signs, temporary and permanent, shall be approved by the Zoning Administrator pursuant to a coordinated signing program. The program shall coordinate the following items:
  - i. Location, number, size and mode of display.
  - ii. Colors, materials and illumination.
  - iii. Temporary signs – duration of use.

**Sign Types and Design Requirements**

**18.80.190 Calculation of Sign Area and Sign Design – Sign Types**

Once the sign area for a specific use or lot is determined, the applicant shall identify the type(s) of signs that will be utilized, and will use the following to determine the total proposed sign area. The applicant shall show both the proposed sign area and the total allowed sign area on their application. Unless

otherwise noted, sign area shall be calculated based on the Area of Sign calculation described in the definitions at the beginning of this chapter.

#### **18.80.200 Awning Signs.**

- A. Awning signs shall be located only along the frontage of a business
- B. Awning signs shall be limited to street level occupancies
- C. Signs shall not project beyond the face of a building more than eight feet or be within two feet of a curb, whichever is most restrictive.
- D. Awning signs shall include only the name of the business, logo, and business address and/or contact information.
- E. The area shall be as calculated in the Area Sign Calculation, but shall only include those areas with text or logos. The total awning sign area shall be the sum of all sides of the awning with such logos or text.
- F. Awnings and the sidewalk below them may be lit, but such lighting shall be cast downwards and the bulbs shall be covered. The intensity of the lighting shall not be of such intensity as to illuminate the area above the awning.
- G. If the awning is mounted on a multi-tenant building, the awning sign shall be consistent in color, size, material and letter size with all tenants in the building.
- H. All signs and sign structures extending over the public right-of-way or over a sidewalk or similar pedestrian walkway shall have a minimum vertical clearance of eight feet.
- I. No awnings shall be permitted over a roadway.
- J. Signs shall not project beyond the face of a building more than eight feet or be within two feet of a curb, whichever is most restrictive.

#### **18.80.210 Canopy Signs**

A canopy sign shall display only the name of the business, its logo, and address. Letters or logo on a canopy sign are allowed on, but not above the face of the canopy, unless the canopy is not the highest roof structure associated on the building. When used as a sign, a canopy shall be considered

as the primary sign of the business. The area of the text and logo shall be used in determining the sign areas, per FMC 18.80.040. The area of the copy may be externally illuminated with appropriate lighting, including front or halo style illumination. Although signs may be internally illuminated, the canopy itself may not be. If the canopy is mounted on a multi-tenant building, the canopy sign shall be consistent in color, size, material and letter size with all tenants in the building. Canopies shall maintain a minimum clearance of eight (8) feet. If the canopy is over a right-of-way, a special event/use permit (FMC 18.80.440 (7,9) shall also be required.

- A. Canopies and the sidewalk below them may be lit, but such lighting shall be cast downwards and the bulbs shall be covered. The lighting shall not be of such intensity as to illuminate the area above the awning.

### **18.80.220 Community Facilities Signs**

Each noncommercial use, such as schools, city parks, fire stations, police stations, municipal buildings, public libraries, community centers and other similar noncommercial uses, may have no more than one (1) freestanding or one (1) wall sign for each street frontage. A freestanding sign shall not exceed twenty-four (24) square feet in area per face, shall be set back a minimum of two (2) feet from the property line, and shall not exceed six (6) feet in height. A wall sign shall not exceed thirty-two (32) square feet in area and shall not exceed fifteen (15) feet in height. Reader boards may be permitted with noncommercial uses; however, a reader board shall count as part of the noncommercial sign square footage and reader boards shall not be back-lit. All community facilities signs shall be unobtrusive, in keeping with the character of the neighborhood and shall be constructed of quality materials.

### **18.80.230 District Identification Sign**

A recognized commercial district may mount a pedestrian-oriented sign pre-approved by the City. This pedestrian-oriented sign shall not impact the number or type of other allowed signs the business may have under this Code, if erected on private property. However, the sign shall include only the name of the district and/ or a logo and space to announce neighborhood or district events, such as neighborhood meetings, garage sales, or similar. The pedestrian-oriented signs will be uniform in size, material, color, mountings and text style. Maximum size is twenty square feet per face if an event board is included, ten square feet per face if only the district name and/or logo are included.

### **18.80.240 Franchise/ Brand Placement Sign**

A franchise or brand placement sign is a sign that includes the logo or brand name of a product sold or advertised by the business when

the product displayed is not the primary product or service line available on the premises. Within the CC and UR zones, franchise/brand placement signs are allowed, subject to the provisions of this chapter, but when possible, businesses are encouraged to select signs which meet the following criteria

- A. The sign is characterized and documented as original or extraordinary by the standards of the advertising industry or any industry or organization that designs, creates or reviews signs, or
- B. The sign is similar and consistent in style with the building's architectural character, and documented as such with photographs and/or drawing examples of buildings and signs in the same style or character, or
- C. The sign is, or its design replicates, a sign that is representative of the period between 1920-1965

A franchise sign permitted under the above conditions shall be considered either the primary or secondary sign of the business and shall be governed by FMC 18.80.130

#### **18.80.250 Fuel Price Signs**

Any business selling motor fuel to the public may have one (1) permanently mounted fuel price sign on each street frontage providing direct vehicular entrance to the business. Such sign may be incorporated with the monument sign allowed in FMC 18.80.360 however, in no instance may the fuel price sign itself exceed the height limit within the zone it is located, or thirty (30) square feet in area for each face with a maximum of two (2) faces. Movable fuel price signs (curb mounts) may be allowed, subject to the provisions of FMC 18.80.140 (G), and may only be permitted along the primary street frontage.

#### **18.80.260 Marquee Signs**

Marquee signs are limited to schools, movie and performing arts theaters, and theatrical playhouses, or similar. Marquee signs shall be considered the primary sign of the business and shall be governed by FMC 18.80.140. Such signs may be painted on or attached flat against the surface of, but not extending beyond or below or attached to the underside of, the overhang. Letter sizing may not exceed twelve (12) inches in height on the changeable portion of any marquee. The maximum height of the area of the sign shall be ten (10) feet. One (1) sign allowed per street frontage,

not to exceed two (2). A minimum clearance of eight (8) feet shall be required or as determined by the International Building Code.

#### **18.80.270 Painted Wall Murals**

Painted wall murals may be used as the primary sign or the secondary sign of a business. Only the portion of a painted wall mural which contains a logo, trademark or other commercial message shall be governed by the requirements of FMC 18.80.140.

#### **18.80.280 Projecting Sign Requirements (Includes Blade Signs)**

- A. Signs shall be mounted only on the building frontage of a business.
- B. Signs shall not be permitted for residential uses.
- C. Signs shall not project more than eight feet beyond the face of the building or two feet from the edge of the curb, whichever is most restrictive.
- D. No sign shall project above the eave-line of a building.
- E. All signs and sign structures extending over the public right-of-way or over a sidewalk or similar pedestrian walkway shall have a minimum vertical clearance of eight feet.
- F. Projecting signs on businesses with a building frontage of more than 30 feet shall be placed a minimum of 15 feet from each side wall. Signs on businesses with a building frontage of 30 feet or less shall be placed in a central location. Corner businesses shall place blade signs where facades intersect.
- G. Adjacent businesses may stack signs along a common side wall if the signs are of compatible designs and material.
- H. Thickness. The maximum thickness of a projecting sign shall not exceed that required for construction purposes.

#### **18.80.290 Painted Wall Signs**

Painted wall signs may be used as the primary sign or the secondary sign of a business and shall be governed by FMC 18.80.140 One (1) painted wall sign allowed per street frontage, not to exceed two (2). A painted border shall not be included in the

overall dimensional size limitations. Any such sign shall be painted out within thirty (30) days of change in occupancy. Exceptions may be granted to landmark and mural signs that may be preserved and maintained if they no longer pertain to the present use of the premises. Maintenance shall be required for any portion of the painted wall sign that is unreadable or unsightly due to weather, sunlight or graffiti. No portion of the painted wall mural shall contain objects, words, descriptions, or depictions that are generally offensive to the public.

### **18.11.300 Pedestrian-Oriented Signs.**

- A. All pedestrian-oriented signs shall be limited to one (1) sign per business for each street frontage or interior pedestrian walkway. Pedestrian-oriented signs shall be considered wither a wall sign, a blade sign, or a combination of both in one location.
- B. Pedestrian-oriented signs shall be limited to four (4) square feet maximum per side;
- C. Pedestrian-oriented signs shall not be internally illuminated.
- D. Pedestrian-oriented signs that hang or otherwise project over sidewalk (blade signs): Minimum clearance shall be eight (8) feet; minimum setback shall be two (2) feet from curb; no projection beyond the awning, canopy, or marquee, if any; and no higher than twelve (12) feet. Blade signs may hang with top support only.
- E. A business in a multi-business development may display a pedestrian-oriented sign on a wall other than their tenant space when all these conditions apply:
  - 1. The tenant's pedestrian entrance is not visible from the street or parking lot major internal circulation corridor;
  - 2. The pedestrian-oriented sign is displayed on the multi-business development wall most adjacent to the tenant's pedestrian entrance;
  - 3. The tenant has approval of multi-business development property owner/manager.

- F. Residential subdivision identification signs. See Monument signs, FMC 18.80.360.

### **18.80.310 Service Organization Signs**

Service organizations signs may be added to future and existing municipal entry signs within the Main Street entrance corridor adjacent to Riverside Drive, at the Slater Road City entrance adjacent to the southbound I-5 off-ramp, and at Portal Way, adjacent to the southbound I-5 off-ramp, either on public right-of-way or on private property. Service organization signs shall not be permitted in residential uses and shall contain no advertising except community events and announcements. Each organization sign, symbol or emblem on a public service sign shall not exceed four (4) square feet in sign area.

### **18.80.320 Sign Support Structures**

Sign support structures which contain lettering or logos shall be considered in the calculation of sign area.

### **18.80.330 Time and Temperature Devices**

The area of time and temperature devices used in conjunction with signs shall not be included in the total area of the sign; however, the numerals of that portion of the sign shall not exceed 24 inches in height.

### **18.80.340 Wall Signs**

- A. Signs shall be located only on building frontages or fences which are adjacent to a street, walkway, alley or parking lot.
- B. Signs shall not at any point project from the surface upon which they are attached more than 24 inches.

- C. Signs should be placed no closer to either side of an adjacent business wall than five feet. Signs placed closer shall be subject to 25 percent loss in total allowable sign area.

**18.80.350 Window signs – Permanent Indoor.**

- A. Permanent indoor window signs are those which identify the business, products or services and are intended to be in place more than thirty (30) days. Such signs must meet all criteria of temporary window signs and will be counted in the allowable square footage of the permanent exterior signage
- B. The combination of all window signs, temporary and permanent, including business products display signs, shall not exceed twenty-five (25) percent of the total window area. Window signs such as open/closed, store hours, address, and other necessary direction and information signs shall be exempt from total area limitations.
- C. Permanent window signs may be used as the primary sign or the secondary sign of a business and shall be governed by FMC 18.80.140
- D. Businesses are encouraged to group signage for maximum window exposure.

**18.80.360 Freestanding Signs (Pole and Monument)**

- A. Freestanding Sign Area Intent: The City of Ferndale wishes to reduce, but not eliminate, the construction of new freestanding pole signs within the City, especially along well-traveled roads including but not limited to Main Street, Portal Way, Vista Drive, Pacific Highway, Slater Road, Rural Avenue, and Alder Street. Horizontal monument signs and walls signs shall be encouraged. Please refer to FMC § 18.80.360 (D) for specific height and size requirements for monument signs.

1. Landscaping shall be provided at the base of the supporting structure of all freestanding signs except for those freestanding signs that are listed as exempt signs in FMC 18.80.140. At a minimum, the area landscaped shall be the footprint of the sign plus three feet in all directions; except that when signs exceed twenty feet in height, the minimum area landscaped shall be the footprint of the sign plus five feet in all directions.
2. Freestanding signs (monument or pole) shall not exceed two hundred square feet total for all faces with a maximum of one hundred square feet for any one face. For retail developments, at least twenty-five percent of each sign face shall identify the development and each panel identifying a tenant shall be at least fourteen inches high with letters and/or logo at least eight inches high.

B. Number and Calculation for Freestanding Signs

1. For developments with several businesses in one or more structures, freestanding monument signs displaying multiple tenants are encouraged. Such developments shall be permitted to have one monument tenant directory sign, regardless of the size of the building or group of buildings. Each tenant shall be permitted no more than sixteen square feet of sign area on one side, all letters and logos must be at least eight inches high, and at least twenty-five percent of the total sign area must be devoted to the name and/or logo of the development.
2. Freestanding pole signs shall be authorized for multiple businesses and shopping centers, but their size shall be determined by the ratio expressed in (1), above.

- D. Location of Monument Signs (freestanding): Signs shall not be located closer than two feet from any property line. The overall height of the sign shall not exceed ten feet. No more than one monument sign shall be erected for any business or development unless the applicant can justify that there are two or more entryways on separate streets, or at a sufficient distance from one another as to require additional signage in order to reduce traffic congestion. No sign shall obstruct the view of motor vehicle operators entering or leaving any parking area, service drive, private driveway, street, alley or other thoroughfare, and shall not obscure pedestrian or

bicycle paths nearby. Also provided that no sign shall be placed within the required clear view triangle as required under FMC 18.72.040 (C) and (D).

- E. Location of Pole Signs (freestanding): Signs shall be wholly located within the center one half of the frontage of the property on the street or twenty feet from the adjacent property line, whichever provides the greatest distance from the closest edge of the sign to the adjacent property line; except that on a corner lot, a freestanding pole sign may be placed within twenty feet of an intersection.
- a. One freestanding pole sign may be permitted per business, not to exceed thirty square feet. However, businesses shall not automatically be allotted a freestanding pole sign. The area of a freestanding sign shall be subtracted from the total sign area allowed for the business. For example, if, based on façade area, a business is permitted a total of two hundred fifty square feet, it may utilize 150 square feet for wall signs and the remaining 100 square feet for a freestanding pole sign.
  - b. The maximum height for freestanding pole signs shall be as follows:
    - 1. Highway Commercial (HC), Central Business (CB), General Commercial (GC), Manufacturing (M), Light Industrial (LI), Floodway Zone (FW), those portions of the Residential Office zone (RO) located south of Smith Road: 35 feet.
    - 2. Residential Office (RO) located west and southwest of Fourth Street, and Residential Multi-Family residential zones: ten feet
    - 3. All residential single-family zones: Six Feet
    - 4. City Center (CC) and Urban Residential (UR) zones: Freestanding pole signs are prohibited

### **18.80.370 Electronic and Illuminated Signs**

Lighting for signs shall be held to the minimum needed to convey the sign's message. Sign lighting shall not be so bright and distracting as to be a traffic hazard. Lighting of signs shall be in character with the building/ development

and the surrounding area. For signs comprised of channel letters, the interior of such signs shall not contain reflective material that enhances the brightness of the sign, i.e. unpainted metal, mirror type surfacing. Signs shall be in accordance with WAC 468-66-050: Sign Classification and Specific Provisions, notwithstanding the following:

- A. Off-premises signs shall be prohibited.
- B. Electronic signs which include animations are prohibited. Electronic signs with animation capabilities may be permitted, but shall be conditioned to prohibit animations.
- C. Electronic signs shall be no greater than twenty-five feet in height and shall not exceed seventy-five feet in area including border and trim but excluding supports.
- D. Electronic signs, including readerboards, shall not surpass more than 50% of the total sign area and shall be integrated with the rest of the sign.
- E. No artificial exterior light used for the purpose of lighting any sign shall be so located as to result in the directing of light onto or reflecting glare upon any adjacent property or public right-of-way.
- F. External light sources shall be directed and shielded to prevent direct illumination of any object other than the sign.
- G. No brightly illuminated signs shall be allowed in, or within 200 feet and facing, any residential zoning district.
- H. No electric message center shall be erected without an automatic light detector/photocell, or a scheduled dimming timer by which the sign's brightness shall be dimmed when ambient light conditions darken.

### **18.80.380 Off-Site Directional Signs**

Off-site directional signs are prohibited unless otherwise permitted in this chapter or as follows:

- A. Directional "wayfinding" signs shall be allowed when as part of the City of Ferndale wayfinding system.
- B. Commercial interstate follow-through signs for legally established and licensed gasoline, food, lodging, or recreational businesses

within the City of Ferndale may be permitted as defined and legally required by the State of Washington statutory authority and, as consistent with that authority, required by the Washington State Department of Transportation (WSDOT) as a condition to participate in any established highway sign program and in compliance with the sections of this chapter, and in compliance with the following criteria:

1. Size. Meet minimum criteria by WSDOT for follow-through signs as may be legally required and defined by statutory authority.
2. Number. Minimum required by WSDOT as legally defined and established through statutory authority.
3. Color. Should reflect colors on highway signs listing the activity or business.
4. Support Structure: Designed and owned by the City of Ferndale to hold multiple signs.
5. Location. To be determined by City, in compliance with the requirements of the WSDOT Logo Program or other highway sign programs as may be legally required and defined by statutory authority.
6. Material. As per WSDOT requirements.
7. Ownership. Signs (excluding support structures) shall be owned by the business or activity.
8. Purchase. The applicant as provided for by WSDOT.
9. Maintenance. The applicant shall be responsible for maintaining the sign. The City shall be responsible for maintaining the structure.
10. Permit. A sign permit is required by the City of Ferndale to place a sign on an existing or proposed sign structure. Signs shall be permitted on a first-come, first-serve basis.

#### **18.80.390 Portable Freestanding Signs (Including Sandwich Board Signs and T-frames)**

Portable freestanding signs, including sandwich board signs and A-frame signs, may be permitted within the City of Ferndale, subject to the following restrictions:

- A. Signs shall not exceed six square feet per side, and shall not be greater than four feet in height or three feet in width.
- B. Signs may be placed within the public right-of-way, directly in front of the business they advertise, if they do not result in a hazard to vehicular or pedestrian traffic.
- C. With the exception of temporary political or real estate signs, off-

premises portable freestanding signs are prohibited.

- D. Sandwich board signs shall be removed at the close of business each day or may be removed and retained by the City of Ferndale. Signs will be returned to the owner, subject to a fine as per the City of Ferndale fee schedule.
- E. No more than one onsite portable freestanding sign shall be allowed per business.
- F. No balloons, streamers, or similar objects may be attached to the portable sign.
- G. Portable signs, including advertising copy, must be constructed of durable materials. Paper or paper products, unless laminated or otherwise protected from inclement weather, are not permitted.

#### **18.80.400 Temporary Signs**

- A. Construction site: One on-premises temporary sign not exceeding 64 square feet in area. Duration shall be limited to the period of construction. Sign may include the name of the development, artist renderings, construction and design companies, permits/ public notices.
- B. Subdivision sign: One sign, not to exceed 64 square feet in area. Duration shall be limited to the period of initial sale of the lots and/or home construction on the lots within the subdivision. Signs shall be maintained in good order or shall be subject to removal by the City following a 30-day notice period to the owner of the sign and/or the operator of the sign that sign maintenance and/or repair is required. Sign may include the name of the development, artist renderings, maps, contact information, and other information pertaining to the lots or the community.

#### **18.80.410 Real Estate Signs, On-Premises (For Sale/Lease/Rent).**

- A. Residential Property (individual lots):
  - 1. Signs not exceeding six (6) square feet do not require a permit per Exempt Signs, FMC 18.80.440 T (4).
- B. Residential Property (subdivision or multi-family development)

1. Signs advertising the commercial sale of lots and/or houses in a subdivision or units (condominiums) may be located on land which is part of the subject development at the entrance of the development; provided, that not more than one (1) such sign no larger than thirty-two (32) square feet in area, and ten (10) feet in height, may be installed at one (1) time at any one (1) entrance. The display of such signs shall be limited to a twelve (12) month period. Prior to the end of the twelve (12) month period, the applicant may request one (1) further extension of time not to exceed six (6) months, otherwise the sign shall be removed.
- C. Commercial Property:
1. Signs not exceeding six (6) square feet do not require a permit per Exempt Signs, FMC 18.80.440 T (4).
  2. Signs advertising commercial or industrial property shall be limited to one (1) single or double faced sign per street frontage. Signs may be displayed only while the building or a portion thereof is actually for sale, rent or lease. The sign(s) may not exceed thirty-two (32) square feet in surface area. If V-shaped, the total surface area shall not exceed thirty-two (32) square feet in area. If freestanding the sign may not exceed six (6) feet in height. Maximum height for wall sign shall be ten (10) feet. Sign shall be located more than ten (10) feet from any property line or corner, and wholly on the property for sale or rent. Apartment building "for rent" signs are governed by subsection A of this section. Commercial for sale/rent/lease signs shall be limited to a twelve (12) month period. Any extensions shall require a new sign permit.
  - 3 Commercial on-premises signs for leasing/sales may also be allowed within multi-business developments on the bottom panel of monument signs as in FMC 18.80.140 E (2), 18.80.360 A (2) and 18.80.360 B (1). Such signs within a monument sign panel are not subject to time limits and may remain permanently in place.

### **18.80.420 Prohibited Signs**

All signs that are not specifically allowed and approved as provided herein and all signs that are in violation of this chapter are prohibited, including but not limited to the following types of signs:

- A. Obscene or Offensive to Morals. Signs containing statements, words, or pictures of an obscene, indecent or immoral character which have dominant themes which appeal to the prurient interest in sex, or which

are patently offensive and do not have serious literary, artistic, political or scientific value, are prohibited.

- B. Hazards to Traffic. Other than when used for traffic direction, signs which contain or are an imitation of critical traffic signs or signals are prohibited. No sign shall be erected in such a manner that its size, location, content, colors, or illumination will interfere with, obstruct, confuse or mislead automobile or pedestrian traffic.
- C. Hazards to Exits. No sign shall be erected in such a manner that any portion of the sign or its support is attached to, or will interfere with, the free use of any fire escape, exit, or standpipe. No sign shall be erected which will obstruct any required stairway, door, ventilator or window.
- D. Roof Top Signs. Signs erected upon or extending above any part of the tallest roof structure on a building are prohibited.
- E. Moving Signs. Signs utilizing flashing lights, changing of color intensity, or mechanical moving parts are prohibited. (Exceptions: barber poles.)
- F. Windblown Devices. Use of windblown or inflatable devices of any type is prohibited, including the production of smoke, bubbles, sound, or other substances or chemicals. Banner signs other than those specifically exempted in this chapter are also prohibited.
- G. Vehicular Signs. No vehicle may be used as a platform or substitute for a billboard or any other type of sign, whether on private property or within a public right-of-way, with the exception of vehicle for sale signs, and religious or political signs, under certain conditions as described in this chapter. The Zoning Administrator, Chief of Police, or their designee may request at any reasonable time that the vehicle be started and moved a short distance, in order to demonstrate its functionality.
- H. Natural Despoliation. Signs cut, burnt, limed, painted or otherwise marked on natural features occurring on a site such as rocks, trees or fields are prohibited.
- I. In Storage. Signs shall not be located on a premises so as to be visible from off of the site prior to erection or while in storage, unless a valid permit exists for the eventual placement of the sign.
- J. Dilapidated Signs. As defined in FMC 18.80.020.
- K. Abandoned Signs. As defined in FMC 18.80.020.

- L. Off-Premises Signs. Off-premises signs are prohibited, except that off-premises directional signs are permitted; provided, that such signs shall be permitted only on City-approved directional or wayfinding directory signs as described in this chapter.
- M. Miscellaneous Signs and Posters. The posting or painting of signs not otherwise defined or permitted in this chapter.
- N. Searchlights
- O. Light or Electricity Pole Signs. Signs posted on light or electricity poles.
- P. Human Directionals. Human directionals are prohibited unless they meet *all* of the following conditions or are listed as exempt as may be amended:
  1. The human directional is onsite or directly in front of the business being advertised.
  2. The human directional is advertising only the business and not promoting or displaying specific products, promotions, or events.
  3. No more than one human directional is actively engaging in their activity at one time per business.
- Q. Billboards. Billboards are prohibited within the City of Ferndale. However, existing billboards may be allowed to continue, but shall not be expanded. Damage to the sign caused by events beyond the control of the property owner or sign administrator may be repaired, but shall not result in the expansion or modernization of the sign. Damage or demolition of the sign by the property owner, sign operator, or their agent shall void provision which allow for rebuilding and repair. As of the date of this ordinance, there is currently one billboard within the City of Ferndale, located at the intersection of Main Street and Hovander Road.

### **18.80.430 Political and Campaign Signs**

The policies for political and election signs contained within this section are intended to promote the safe, effective, orderly, and respectful display of political support for candidates, parties, and issues. In general, this section shall apply to those temporary political signs displayed on or before elections.

A. Displays on private property: see Exempt Signs

B. Displays within the public right of way: temporary, limited political signage is permitted within the public right of way, subject to the following conditions:

1. Candidates, or their designees, shall receive from the City a map identifying the rights of way within the City of Ferndale. Signs may be placed within the right of way without a permit, subject to the following restrictions:
  - i. Political and Campaign signs shall not be permitted within public roadways or which obstruct the view of such roadways for motorists and pedestrians.
  - ii. Political and Campaign signs within the public right of way may be removed by the City if the content of such signs is prohibited per FMC 18.80.420.
  - iii. Signs within the public right of way cannot be posted in such a way that would present a hazard to life or safety, or which may obstruct the vision of motorists or pedestrians.
  - iv. All political signs within the public right of way or on public property must be removed within seven calendar days of an election or political event, or will incur a fine of up to \$25.00 per sign.
  
2. Restrictions on campaign signs on or visible from State Highways shall be administered pursuant to WAC 468-66: Highway Advertising Control Act.
  - C. Signs on public property, including but not limited to public schools, public facilities such as City Hall and the Ferndale Public Library, City parks and trails are prohibited..

**18.80.440 Exempt Signs.**

The following types of signs shall be exempt from the provisions of these regulations, including but not limited to:

- A. Any sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance or governmental regulation.
- B. Bench signs located at designated public transit bus stops when placed or authorized by public transit.
- C. Signs being manufactured, transported and/or stored within the City limits; provided, however, that such signs are not used, in any manner or form, for purposes of advertising at the place or places of manufacture or storage.
- D. Commemorative plaques of recognized historical societies and organizations.
- E. Religious symbols, legal holiday decorations and identification emblems of religious sects, orders or historical societies.

- F. Signs located within malls, courts, arcades, porches, patios, and similar areas where such signs are not visible from any point on the boundary of the premises.
- G. Signs on vehicles regulated by the City or state that provide public transportation including, but not limited to, buses and taxicabs.
- H. Signs on licensed commercial vehicles, including trailers; provided, however, that such vehicles shall not be utilized as parked or stationary outdoor display signs.

- I. Address. Street number and street name signs attached to buildings which meet the following minimum size requirements:

<b>Minimum Letter Size Required</b>	<b>Setback from Public Street</b>
4 inches	Less than 50 feet
6 inches	50 feet to 100 feet
8 inches	101 feet to 150 feet
10 inches	151 feet to 200 feet
12 inches	More than 200 feet

- J. Affiliation Sign. Signs not exceeding one-half square foot in area per sign.
- K. Barber Pole. If contains no advertising.
- L. Flags of any nation, political jurisdiction, fraternal or religious organization, shall be exempt; provided, that the pole height shall not exceed 35 feet.
- M. Gasoline Sign. Pump signs identifying the type and octane rating shall be permanently affixed to the pump, not to exceed two square feet in size and two in number per pump for each gasoline type dispensed.
- N. Interior Sign. Signs located within the interior of any building, complex or structure and not visible from any public street, walkway or parking lot.
- O. Residential Nameplate. One sign not exceeding two square feet in area per single-family or duplex unit.
- P. Crime Prevention Neighborhood Watch Signs. Signs identifying an area participating in a Police Department approved neighborhood watch program. The allowable number, location and design of said signs shall be approved on an individual basis by the Zoning Administrator.  
Maximum sign area: three square feet; minimum ground clearance: seven feet; maximum height: nine feet.
- Q. Noncommercial, Political, Religious or Public Service Signs. Signs containing noncommercial, political, religious or public service messages on private property provided, that these signs are used exclusively to display such messages and comply with the Purpose and Intent of this code, FMC 18.80.010.
- R. Directional Signs. Signs shall be limited to eight square feet per sign and shall be placed in a manner that will not impair or obstruct automobile or pedestrian traffic entering or exiting a premises.

- S. Murals. Murals, as defined in FMC 18.80.040, regardless of mural size. Murals placed on a business property may include the name of that business; provided, that the portion of the mural taken up by the business name shall not exceed five percent of the total size of the mural.
- T. Temporary Signs. As follows:
  - 1. Campaign Signs. Signs not exceeding four square feet for all parcels zoned for RS – single-family residential or RM – multifamily residential use, and 16 square feet in all other zoning districts; located on private property, with the owner’s permission; provided, that campaign signs:
    - a. Shall be removed within seven days following the completion of the campaign, drive, event or election.
    - b. Are permitted when affixed to vehicles only if the signs do not present a hazard to motorists or pedestrians.
    - c. Are not placed or parked at a location that would obstruct traffic or vision clearance areas.
  - 2. Garage Sale. On-premises signs and directional off-premises signs, for not more than three days prior to and removed immediately after the sale.
  - 3. Grand Opening Sign. Signs or banners erected one time only, for a maximum of 30 consecutive days, and not exceeding 50 square feet in area per sign. Banner signs shall require authorization by the City of Ferndale Community Development Department.
  - 4.. Real Estate Signs, Off-Premises (Residential Open House Signs) – allowed without permit when all conditions are met:
    - A. Residential open house signs are limited two (2) faced, A-frame signs, with maximum dimensions of six (6) square feet per face, and maximum height four (4) feet;
    - B. Signs may be placed on the public right-of-way in residential zones, i.e., residential real estate signs are not allowed in the Central Business, General Commercial, or Highway Commercial zones unless the residential property being advertised is also within that zone.
    - C. No more than three (3) signs per property per agent for any one (1) residential open house may be displayed at one (1) time; except if the agent has more than one (1) listed property in a development, the agent’s total number of such signs for the development shall be limited to four (4);
    - D. Signs may be displayed only between dawn and dusk;
    - E. Signs shall not be placed where they will constitute a hazard by blocking vision or blocking safe movement of either vehicles or pedestrians;
    - F. No off-premises real estate signs shall be allowed for advertising of sale or rental opportunities of commercial property.

- G. Offsite real estate signs are permitted only for open houses with specific dates listed.
  - H. Signs shall be placed not more than two hours prior to an event and must be removed within two hours of the conclusion of the event.
5. Real Estate Signs, Off-Premises Directional Arrows – allowed without permit when all conditions are met:
- A. Directional arrow real estate signs are limited to a maximum of one and a half (1 1/2) square feet and no higher than four (4) feet.
  - B. Signs may be placed in the public right-of-way or on private property. They shall not block driveways or be affixed to utility poles, trees or traffic signs. Signs shall not be placed where they will constitute a hazard by blocking vision or blocking safe movement of either vehicles or pedestrians;
  - C. No more than one (1) sign per listing per agent, except a maximum of three (3) signs shall be allowed:
    - 1. If the agent has more than one (1) listed property in a development; or
    - 2. If the listed property is hard-to-find. Hard-to-find properties are considered those properties that do not abut a public roadway or require use of private roads for access.
  - D. Signs may not be displayed prior to final plat approval for single-family and building permit approval for multifamily residential.
  - E. Signs must be removed when the sale closes, or in case of a rental or lease, when the tenant takes possession.
  - F. No off-premises real estate directional arrow signs shall be allowed for advertising of sale or rental opportunities of commercial property.
6. Real Estate, On-Premises For Sale, Lease or Rent – allowed without permit when all conditions are met:
- A. One (1) temporary on-premises for sale, lease or rent sign is allowed for each street frontage of the premises not to exceed two (2);
  - B. Signs shall not exceed six (6) square feet in area, maximum height four (4) feet; (on-premises real estate signs exceeding six (6) square feet are permitted per FMC 18.80.440);
  - C. Signs shall offer the immediate premises for sale, lease or rent;
  - D. Signs may remain in place on premises until ten (10) days after the property is sold, rented, or leased.

7. Commercial Seasonal Decorations. When not erected for more than 30 days prior to and removed not more than fifteen calendar days after a holiday.
8. Seasonal Sales Signs. Signs may be erected for a maximum of 30 consecutive days and shall require authorization by the City of Ferndale Community Development Department. Wall, fence signs and banners shall not exceed 25 square feet in total area. No set area maximum for window signs; all signs shall be mounted or painted on the inside of the window. Dilapidated signs cannot be reused.
9. Special Event Sign. Signs, banners, and inflatable devices with a holiday message identifying a civic or public event or holiday, and erected in any zoning district on private property with the owner's permission for not more than thirty consecutive days are permitted but shall require authorization by the City of Ferndale Community Development Department.
10. Special Promotional Event Banner. Banners located within vehicular rights-of-way. Permission shall be obtained from the Zoning Administrator. Compliance with the Public Works Department regulations is required. Washington State Department of Transportation approval may also be necessary.
11. Human Directional Signs for Fundraising and Community Events: human directional signs for fundraising events such as car washes, food drives, and cookie sales. The Community Development Director may authorize such signs for certain community events provided that no specific business is advertised.

## **Administrative Policies**

### **18.80.450 Conflict with Other Provisions.**

Where there is a conflict between the regulations of this section and the regulations of any other section of this code, the regulations of this section shall prevail; provided, however, that the regulations of other sections shall prevail in the following cases:

- A. Where the regulations of any other section are more restrictive.
- B. Where a Planned Unit Development (PUD) has been established in accordance with the procedure set forth in Chapter 18.68 FMC; provided, that any such Planned Unit Development regulations

shall include comprehensive sign regulations encompassing the entire Planned Unit Development area.

#### **18.80.460 Nonconforming Signs.**

- A. Continuance. Any existing sign may be continued in operation and be maintained after the effective date of the ordinance codified in this chapter and shall become a legal nonconforming sign provided:
1. No sign shall be changed in any manner that increases the noncompliance of such sign with the provisions of the ordinance codified in this chapter.
  2. Prohibited signs, as identified in FMC 18.80.420, shall have 90 days after the effective date of the ordinance codified in this chapter or after annexation of property into the City of Ferndale to be brought into conformity with the chapter except roof top signs, which shall be allowed legal nonconforming status as provided herein.
  3. The burden of establishing a sign to be legally nonconforming under this section rests upon the person or persons, firm or corporation claiming legal status for a sign.
  4. When a sign is structurally altered, it ceases to be a legal nonconforming sign and must be brought into conformance with the provisions of this chapter. "Structurally altered" means any action that changes the height, size or shape of the sign or any action that affects the base or support(s) of the sign, but does not necessarily include altering the display or advertising copy of the sign.
  5. When a business or activity containing a legal nonconforming sign is enlarged or remodeled to a value of 50 percent or more of existing value of real property improvements, then such sign must be brought into conformity with this chapter.
  6. When a business or activity containing a legal nonconforming sign changes the type or name of the business, then such sign must be brought into conformance with this chapter.
  7. Whenever a nonconforming sign is damaged or destroyed beyond 50 percent of its replacement value, the sign shall be brought into conformity with this chapter.
- B. Violation of the Chapter. Any violation of this chapter shall terminate immediately the right to maintain a nonconforming sign.
- C. Variances. The Ferndale Hearings Examiner may grant the following exceptions to the nonconforming sign standards contained in this section.

In hearing a request for a variance, the Hearings Examiner shall follow the variance procedures identified in FMC 18.12.180:

1. Extension of the 90-day period allotted for the removal of prohibited signs;
2. Retention of an existing sign in the event the name or type of business is changed;
3. Retention of an existing sign in the event that a business or activity containing a legal nonconforming sign is enlarged or remodeled.

**18.80.470 Violation.**

Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor, and such violation shall be punished as provided for in FMC 18.12.290.

**18.80.480 Removal of Unlawful Signs.**

- A. Any unlawful permanent sign which has not been removed within 30 days after conviction of violation or imposition of civil penalty may be removed by the City and the costs charged to the violator. If removal costs have not been paid and the sign reclaimed within 30 days of its removal by the City, the City may sell or otherwise dispose of the sign and apply the proceeds towards costs of removal. Any proceeds in excess of costs of removal shall be paid to the owner of the sign.
- B. Signs which the City finds upon public streets, sidewalks, rights-of-way or other public property which present an immediate and serious danger to the public because of their unsafe condition may be immediately removed by the City without prior notice.
- C. Any unlawful temporary sign which has not been removed after 24 hours from notification may be removed by the City. Neither the City nor any of its agents shall be liable for any damage to the sign when removed under this section.
- D. Only the City or the individual (or organization) who placed the original sign may remove signs, including unlawful signs, unless such signs have been erected on private property without the owners' consent. Whenever a sign must be removed from public property, the City shall be informed of the infraction.

**18.80.490 Business Closure/ Removal of Signs**

- A. All signs and signage shall be removed from the site and from any buildings onsite within sixty calendar days of the permanent closure of the business, however legal sign structures may remain, subject to (C) below.

- B. Any freestanding non-conforming sign structures must be removed from the structure or the site within sixty calendar days, however permitted freestanding or wall-supported sign structures may remain and may be utilized by future businesses
- C. Awnings, canopies, or other such structures, including structural supports, which contain permanent signage must be removed, replaced, or altered to erase or obscure existing signage within sixty days.
- D. Any sign structure, including awnings or canopies, that has become dilapidated or has faded to the extent that cosmetic repairs are not feasible shall be removed within sixty days, subject to penalties and/or fines.