

## **ORDINANCE NO. 2011-4**

**AN ORDINANCE REPEALING CHAPTER 15.20 OF THE ST. ANTHONY CITY CODE (SIGN CODE); ENACTING A NEW CHAPTER 15.20 (SIGN CODE) AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

WHEREAS, the current sign ordinance has adopted standards which are no longer followed or even available, and

WHEREAS, it is the judgment of the City Council that the regulation of exterior signs will promote the development of better sign construction and to provide minimum standards to safeguard life, health, safety, property and public welfare by regulating structural requirements for all signs and sign structures located outside of buildings.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. ANTHONY, AS FOLLOWS:

The current Chapter 15.20 of the St. Anthony City Code is hereby repealed. In its place the following Sign Code is adopted.

### **Chapter 15.20**

#### **SIGN CODE**

**15.20.010: ADOPTION**

**15.20.020: ADDITIONAL PROVISIONS**

**15.20.030: DEFINITIONS**

**15.20.040: SCHEDULE OF DISTRICT REGULATIONS**

**15.20.050: SIGNS FOR SEXUALLY ORIENTED BUSINESSES**

**15.20.060: PRIVATE SIGNS WHICH PURPORT TO REGULATE PUBLIC PROPERTY**

**15.20.070: SIGNS INSIDE OF OR DRAWN ON WINDOWS**

**15.20.070: VIOLATION AND PENALTY**

**15.20.010: ADOPTION:**

That certain document known as the Uniform Sign Code, 1997, copyrighted by the International Code Council is hereby adopted as the sign code for the City of St. Anthony, with such additional provisions as may be provided by ordinance or resolution of the City Council. There shall hereafter be kept on file, in the office of the city clerk, three (3) copies of the Uniform Sign Code, 1997, duly certified by the clerk, for use and examination by the public.

**15.20.020: ADDITIONAL PROVISIONS:**

**15.20.021** No sign may be placed or constructed so that any portion thereof is placed or projects into any public right-of-way without the prior written consent of the City.

**15.20.022.** The maximum height of any sign shall be twenty-four (24) feet from ground level to the top of the sign unless such sign is in a zone adjoining the freeway and its increased height is compatible with the surrounding structures and uses.

15.20.023 The definition of a "sign" and definitions of various types of signs are as set forth in section 15.20.020 of the St. Anthony City Code. This Schedule is not intended to be all-inclusive, but is to be for illustrative purposes in assisting in the understanding and compliance with the intent of this ordinance. Section 15.20.040 of the St. Anthony City Code is a table graphically setting out the regulations pertaining to signs in the various zones of the City.

#### 15.20.24 Permits and Fees.

A. Permits Required. Except as otherwise provided in the Uniform Sign Code, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in this City, or cause the same to be done, without first obtaining a sign permit. A permit shall not be required for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued in accordance with this Ordinance, provided that the sign or sign structure is not altered in any way.

B. Permission to Install. No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or authorized representative of the owner.

C. Signs Not Regulated By the Code. An application for any sign or advertising display or structure for which no specific regulation in this Ordinance is applicable shall be considered by the Planning and Zoning Commission under the conditional use permit procedure as outlined in the Planning and Zoning Ordinance, and such application shall be approved or denied in harmony with the intent of these regulations.

D. Permit Fee. An application fee shall be paid in accordance with the current fee schedule maintained by the City Clerk, as approved by the City Council by resolution.

#### 8-2-3: DEFINITIONS:

**ANIMATED SIGN:** A sign, any visible part of which moves, flashes, changes color, regardless of the source of energy causing the movement, flash, or change of color.

**ARCHITECTURAL BLADE:** A roof sign or projecting sign with no legs or braces which is an integral part of the building structure, rather than an object added to or standing on the building.

**AWNING:** A projecting cover extending over a door, window or wall section with supports attached to the building and used as cover, protection, or as decoration.

**BACKGROUND AREA:** When computing the area of sign background, only the face or faces seen from one direction at one time shall be considered.

**BILLBOARD:** A freestanding lighted or unlighted sign, advertising an establishment, merchandise, service or entertainment not sold, manufactured, produced, or furnished at the site on which the sign is located. Sign information is painted or printed and may be changeable.

**BUILDING FACE OR WALL:** All windows and wall area of a building on one elevation can be used for signs.

**CANOPY OR MARQUEE:** A permanent roof like shelter extending from part or all of a building face and constructed of some durable material such as metal, glass, or plastic.

**CANOPY SIGN OR MARQUEE SIGN:** A sign attached parallel to the faces of a canopy or marquee.

**CHANGEABLE COPY PANEL (READER BOARD):** A sign display characterized by copy or illustration, which may be modified at periodic intervals, regardless of the method.

**CONSTRUCTION SIGN:** Any sign which warns persons of construction or demolition of a project or describes the project and indicates the builder, architect or others involved in the project.

**COPY:** Any combination of letters or numbers intended to inform, direct or otherwise transmit information.

**COPY AREA:** The area of the sign occupied by copy. It is computed by measuring the area enclosed by straight lines drawn to enclose the extremities of the letters or numbers.

**DIRECTION SIGN:** Any sign which serves solely to designate the location or direction of any place or area.

**FREESTANDING, DETACHED OR GROUND SIGNS:** A sign wholly supported by columns or other vertical supports in or upon the ground.

**FRONTAGE:** Distance measured along the property line which fronts upon a street or alley. To constitute frontage, subject street or alley must provide access to abutting properties.

**HEIGHT OF SIGN:** The distance measured vertically from the finished elevation of the ground at the point of attachment to the highest point of the sign or visual appurtenances.

**ILLUMINATED SIGN:** A sign using manmade light for illumination.

**LIGHTING, DIRECT:** Lighting, the source of which is visible to a viewer.

**LIGHTING, FLOOD LIT:** Lighting reflected from the surface of a sign or building.

**LIGHTING, INDIRECT OR INTERNAL:** Lighting where the source of light must travel through a translucent material other than the bulb or tube necessary to enclose the light source. The material has the effect of dispersing the light before it strikes the eye of the viewer.

**ORIENTATION:** The placement of a sign in accordance with its primary visibility from a particular location.

**PORTABLE SIGN:** A sign not affixed to the ground or structure.

**PROJECTING SIGN:** A sign other than a wall sign, which projects from, and is supported by a wall of a building or other structure.

**PUBLIC SERVICE INFORMATION SIGN:** A sign providing general public service information, and messages of interest to the traveling public.

**REAL ESTATE SIGN:** Any sign pertaining to the sale, lease or rental of land or buildings.

**SEXUALLY ORIENTED/ADULT BUSINESS:** A business offering materials or performances that depict, describe, or relate to sexual subjects or activities, such as are popularly considered "adult".

**"SUPER" GRAPHICS:** Any abstract mosaic, mural or painting or graphic art technique or any combination thereof.

**SWINGING SIGN:** A sign installed on an arm or spar, and is not permanently fastened to an adjacent wall or upright pole.

**TEMPORARY SIGN:** A sign not permanently affixed. All devices such as banners, pennants, flags (not intended to include flags of any nation), searchlights, twirling or sandwich type signs, sidewalk or curb signs, balloons or other air or gas filled figures, and sign placed on the inside of a business window, intended to be displayed for a period of time not to exceed sixty (60) days.

**UNDER CANOPY OR MARQUEE SIGN:** A sign suspended below the ceiling or roof of a canopy or marquee.

**WALL OR FASCIA SIGN:** Any sign attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

**WINDOW SIGN:** Any sign attached to or painted on the window surface of a building or structure and directed to be viewed from public property.

15.20.040: SCHEDULE OF DISTRICT REGULATIONS:

Schedule B	Area	Height	Location	Illumination	Allowed	Exceptions	Area
<b>C-1, C-2</b>							
Accessory on premises free-standing sign	1 1/2 sq. ft. per lineal ft. of street frontage maximum of 65 sq. ft.	Of a height not to exceed the buildings adjoining it unless zone adjoins the freeway in which case it may be taller as long as in compliance with Uniform Sign Standards	May not be closer to property line or abutting lot than distance equal to 20% of width or length of lot upon which sign is to be located	Indirect, direct, internal	1 per street frontage	By Special Use Permit	100%
Animation	Allowed for maximum of 20% sign area, may revolve, direct light sources not to exceed 40 watts or 60 milliamps						
Construction signs	32 sq. ft.	12 ft.	5 ft. from property line	Internal, direct	1 or more not to exceed 96 sq. ft.		
Directional signs	6 sq. ft.	Not regulated	Not in clear vision triangle	Internal only			100%
Marquee and/or canopy	100%; none for alley or parking lot	No projection above or below marquee		Indirect, internal	1 per street frontage		100%
Nonaccessory off premises (freestanding)	200 sq. ft.	24 ft. or none above building height except by CUP unless zone adjoins the freeway in which	5 ft. from property	Indirect, internal, flood lit	1 per property either wall or freestanding	By special use permit	100%

		case it may be taller as long as in compliance with Uniform Sign Standards					
Public service directional sign	6 sq. ft.	Not regulated	Allowed in the public right of way with a CUP and with the approval of adjacent property owners on the same side of the street, otherwise not in clear vision triangle				
Rent, lease, sale	32 sq. ft.	10 ft.	5 ft. from property line	None	1 per street frontage		
Under marquee canopy	100%; none for alley or parking lot	8 ft. minimum clearance		Internal	1 per business		
<b>C-3 and PSD</b>							
Accessory on premises free-standing sign	1 1/2 sq. ft. per lineal ft. of street frontage	24 ft. unless zone adjoins the freeway in which case it may be taller as long as in compliance with Uniform Sign Standards	May not be closer to property line or abutting lot than distance equal to 20% of width or length of lot upon which sign is to be located	Indirect, internal, flood lit	1 per street frontage	By Special Use Permit	100%
Accessory on premises wall sign	35% of wall fronting on street, 1 sq. ft. per lineal ft. of street frontage	8 ft. above building height for single story, 6 ft. for structure exceeding 30 ft., whichever is greater	On wall facing street	Indirect, internal	1 or more not to exceed total square footage allowed	By Special Use Permit	100%
Construction	32 sq. ft.	12 ft.	5 ft. from property line	Internal or indirect	1 or more not to exceed 96 sq. ft.		
Directional	4 sq. ft.	Not regulated	Not regulated	None			100%

Marquee and/or canopy	Length not to exceed 75% of marquee width	8 ft. minimum clearance		Internal only	1 per business		
Nonaccessory off premises (freestanding)	200 sq. ft.	24 ft. or none above building height except by CUP unless zone adjoins the freeway in which case it may be taller as long as in compliance with Uniform Sign Standards	5 ft. from property line	Indirect, internal, flood lit	1 per property either wall or freestanding	By Special Use Permit	None
Public service directional sign	6 sq. ft.	Not regulated	Allowed in the public right of way with a CUP and with the approval of adjacent property owners on the same side of the street, otherwise not in clear vision triangle				
Rent, lease, sale	32 sq. ft.	10 ft.	5 ft. from property line	None	1 per street frontage		
When combination of wall and free-standing signs are used, total area for signs must be reduced by 50%							
<b>R-1, R-1A, R-2</b>							
Construction	32 sq. ft.	8 ft.	5 ft. from property line or greater	None	1 or more	By Special Use Permit	
Directional	6 sq. ft.	Not regulated	Not in clear vision corner triangle			By Special Use Permit	100%
Home occupation	Not more than 2 sq. ft.		Attached flush to the building	None	1 per dwelling unit		

PUD, subdivision identification	64 sq. ft.	8 ft.	20 ft. from property line or greater	Indirect or internal	1 per street frontage	By Special Use Permit	
Public service directional signs	6 sq. ft.	Not regulated	Allowed in the public right of way with a CUP and with the approval of adjacent property owners on the same side of the street, otherwise not in clear vision triangle			By Special Use Permit	
Rent, lease, sale	6 sq. ft.	6 sq. ft.	5 ft. from property line or greater	None	1 per lot		
All other signs	Prohibited						

**15.20.050 SIGNS FOR SEXUALLY ORIENTED BUSINESSES**

Notwithstanding any other city ordinance or city resolution, code or regulations to the contrary, it shall be unlawful for the operator of any sexually oriented business or any other person to erect, construct, or maintain any sign for a sexually oriented business other than one sign as provided herein and except as provided in 15.20.050.D.

A. The sign shall have only one display surface, and the display surface shall:

1. Not contain any flashing lights or moving effects;
2. Be a flat plane, rectangular in shape;
3. Not exceed twenty-five (25) square feet in area or the maximum size allowed under any other relevant city ordinance or county resolution, whichever is less; and
4. Not exceed ten (10) feet in height or ten (10) feet in length or the maximum height allowed under any other relevant city ordinances or county resolution, whichever is less.

B. The sign shall contain no photographs, silhouettes, drawings or pictorial representations of any type and may contain only the name of the business.

C. Each letter of each word shall be of a solid color, and each letter shall be the same print-type, size, and color. The background on the display surface shall be of uniform and solid color.

D. A sign shall be posted on each door stating "Adults only" or "No Minors Allowed." Such signs shall comply with A-1, 2, B and C, above.

**15.20.060: PRIVATE SIGNS WHICH PURPORT TO REGULATE PUBLIC PROPERTY**

No sign of any kind may be displayed which purports to regulate in any fashion a public way or public property unless such sign is posted or displayed by the City.

15.20.070: SIGNS INSIDE OF OR DRAWN ON WINDOWS

Except as prohibited by Section 15.20.050 and Section 15.20.060, above and signs in residential zones, signs placed inside a window and signs drawn on a window are exempt from the requirements of this ordinance.

15.20.080: VIOLATION AND PENALTY:

Any person, firm or corporation violating any provision of this chapter shall, if in violation, be subject to the following civil penalties or remedies:

A. If a sign is placed in or projects into any public right of way, it may be immediately removed by the city at the owner's expense.

B. If in violation of some other provision of this chapter, the city may cause a written notice to be given requiring that the violation be corrected within fourteen (14) days and if the owner or person responsible for the violation fails to comply, the violator shall pay a civil penalty of fifty dollars (\$50.00) per day in violation and the city shall have the right to remove the sign at the owner's expense or both.

C. The city may seek injunctive relief through the courts for enforcement of the provisions of this chapter and in addition to the relief sought shall also be entitled to its attorney fees and costs.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall be in full force and effect from and after its passage, approval and due publication as provided by law.

Enacted by the City Council and Approved by the Mayor, on the 9th day of June, 2011

CITY OF ST. ANTHONY, IDAHO

  
NEILS THUESON, MAYOR

ATTEST:

  
PATTY UNRUH PARKINSON,  
CITY CLERK

