

# **GARFIELD COUNTY, UTAH**

## **SIGN ORDINANCE**

**1996-2**

**ADOPTED: FEBRUARY 12, 1996**

GARFIELD COUNTY ORDINANCE NO. 1996-2

AN ORDINANCE ENACTING STANDARDS AND OTHER RULES AND REGULATIONS APPLICABLE TO SIGNS IN GARFIELD COUNTY, STATE OF UTAH.

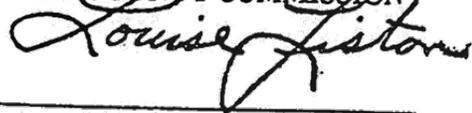
WHEREAS, The Board of County Commissioners of Garfield County, State of Utah deem it necessary to enact certain standards, rules and regulations regarding signs located or to be located in Garfield County, State of Utah, in the interest of the health, safety and welfare of the citizens of Garfield County.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, STATE OF UTAH, AS FOLLOWS:

1. The standards, rules and regulations regarding signs which are attached hereto and incorporated herein by this reference, as Exhibit A, are hereby adopted.
2. Any other Ordinance dealing with Signs and which is in direct conflict with this Ordinance is hereby repealed and superseded to the extent of the conflict.
3. This Ordinance shall take effect immediately upon its passage and publication.

PASSED, APPROVED, ADOPTED AND ORDERED PUBLISHED this 12th day of February, 1996.

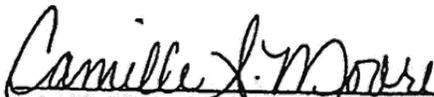
GARFIELD COUNTY COMMISSION



BY: \_\_\_\_\_

LOUISE LISTON, CHAIR

ATTEST:



CAMILLE A. MOORE, CLERK

Published in the Garfield County News: April 25, 1996

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# **Chapter 1            OUTDOOR ADVERTISING AND SIGNAGE**

## **1-1     Authority and Title**

This chapter is adopted to: (1) supplement and implement the provisions of the most current edition of the Utah State Outdoor Advertising "Controls and Regulations" which regulate the installation of outdoor advertising devices along state federal aid primary highways; and 2) to coordinate the type, placement and physical dimensions of both on and off premise outdoor advertising signs within the various zoning districts established by the Garfield County Zoning Ordinance.

## **1-2     Purpose and Application**

The purpose of this chapter is to maintain the visual quality of Garfield County by providing for the compatible use of outdoor advertising, namely billboards and other on and off premise advertising signage, with surrounding scenic and natural amenities. This chapter, and any rules, standards and specifications adopted pursuant hereto, regulates and controls the placement, design and number of signs within the boundaries of Garfield County. To accomplish this goal, the regulations outlined herein are determined necessary to protect the health, safety and general welfare of the citizens of Garfield County, Utah.

## **1-3     Preamble**

No outdoor advertising structure shall be erected or maintained except as specifically enumerated in this chapter. The number and area of signs as outlined in this chapter are intended to be maximum standards which do not necessarily insure architectural compatibility. Therefore, in addition to the enumerated standards, consideration shall be given to the overall appearance of the subject property as well as the surrounding area. Compatible design and sign effectiveness are to be used in establishing guidelines for sign approval.

## **1-4     Interpretation**

The requirements contained in this chapter are declared to be the maximum allowable. Sign types not specifically allowed as set forth herein shall be prohibited. Where other ordinances conflict with the provisions of this chapter, the most restrictive ordinance shall apply.

## **1-5     Exceptions**

When a parcel of land is five (5) acres or larger, the Planning Commission may consider an on-premise sign proposal for a development that is less restrictive than regulations set forth herein. Such sign plans shall be considered a conditional use and a determination shall be made that the proposed sign exceptions are not in conflict with the purpose of this Chapter and are in architectural harmony with the development and other buildings and uses adjacent to the development. The permit shall be issued in accordance with other provisions of this ordinance.

## 1-6 Definitions

1. **Abandoned Sign:** 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.
2. **Act, The:** Section 131 of Title 1, United States Code (1965), commonly referred to as Title I of the Highway Beautification Act of 1965.
3. **Alteration:** A change or rearrangement in the structural pan of design whether by extending on a side, by increasing in area or height, or by relocating or change in position. Alterations shall not be interpreted to include changing outdoor bulletin or other similar signs which are designed to accommodate changeable copy.
4. **Area of Sign:** Area of sign shall mean and be computed by enclosing the entire area of a wall sign within sets of parallel lines touching the outer limits of the sign message. The area of other signs (e.g., detached, projecting) shall be calculated by enclosing the outer dimensions of each face capable of presenting a sign message within sets of parallel lines and adding them together. The area computed shall be the maximum portion or portions which may be viewed from any one direction.
5. **Awning:** A shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework.
6. **Billboard, Off-Premise Sign or Outdoor Advertising Structure:** Billboard, off-premise sign or outdoor advertising structure means a structure of any kind or character erected or maintained for advertising business activities, uses, services or products not sold or produced on the premises upon which the structure is placed.
7. **Building Line:** A vertical surface intersecting the ground along the line of the face of the building or structure nearest the front line of the lot.
8. **Center Line of the Highway:** A line equidistant from the edges of the median separating the main- traveled way of a divided interstate or other limited-access highway, or the center line of the main traveled way of a non-divided highway.
9. **Clear View Area:** A triangular area formed by the intersection of lines extended from the from face of the curb and a line connecting them at points 25 feet from the intersection of the lines.
10. **Commercial or Industrial Zone:** Those areas which are reserved for business, commerce, or trade pursuant to the Garfield County Zoning Ordinance or regulation, or enabling state legislation, including Highway Service Areas lawfully zoned as commercial zones. in which the primary use of the land is reserved for commercial and roadside services other than outdoor advertising to serve the traveling public.
11. **Erect:** To construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish an outdoor advertising facility, with the exception that any of the foregoing activities, when performed as an incident to the change of advertising message or customary maintenance or repair of a sign or sign structure.

12. **Height of Sign:** Height of sign shall be the vertical distance from the upper-most point used in measuring the area of a sign to the ground immediately below such point; means the actual distance from the grade at the edge of the right-of-way along which a sign is placed or oriented to the highest point of the sign, or any structural or architectural component of the sign. When the grade at the edge of the right-of-way is higher than the site on which the sign is placed, that portion of the sign below the grade at the edge of the right-of-way shall not be included in determining the sign's overall height; (N.B. if the sign is located on a berm, the height of the sign is still calculated from grade level.)
13. **Illegal Sign:** An illegal sign is a sign which does not meet the requirements of this chapter and which has not received legal non-conforming status.
14. **Legal Nonconforming Sign:** A legal nonconforming sign is a sign which was erected legally, but which does not comply with subsequently enacted outdoor advertising restrictions and regulations or, a sign which does not conform to the requirements of this chapter for which a conditional use permit has been issued.
15. **Maintenance:** For the purposes of this chapter, the cleaning, painting, repairing or replacement of defective parts of a sign in a manner that does not alter the copy, design or structure of the sign.
16. **Main-Traveled Way:** The traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separate roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways, or parking areas.
17. **Political Sign:** A political sign is a temporary sign used in connection with a local, state or national election or referendum.
18. **Nonconforming Sign or Sign Structure:** A sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, yard spacing, animation, lighting or other regulations prescribed in the zone in which it is located.
19. **Outdoor Advertising Corridor:** A strip of land 100 feet wide, measured perpendicular from the edge-of a controlled highway right-of-way, except that where there is a natural or created usage consisting of a frontage road, city street, county road, service road, whether or not controlled, railroad track, utility easement or water course, running parallel or approximately parallel and contiguous to the controlled highway. The width of the corridor shall extend further to a line 100-feet from the edge of the usage, but in no case shall the width of the corridor exceed 350 feet measured from the edge of the controlled highway right-of-way.
20. **Sign:** Any outdoor sign, light, display device, figure, painting, drawing, message, placard, poster, billboard or another thing which is designed, intended, or used to advertise or inform the general public of available goods or services, any part of which is visible from any place on the main-traveled way of a highway.

**The following are individual sign definitions which are specific types of signs included within the general definition above:**

- a. **"A" Frame Sign:** Temporary and/or moveable sign constructed with two sides attached at the top so as to allow the sign to stand in an upright position.
- b. **Animated Sign:** A sign which involves motion or rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights.
- c. **Attached Sign:** A sign which is affixed to a wall, building or structure. which does not depend on poles or wires for its support and which does not project more than eighteen (18) inches from the building or structure wall.
- d. **Balloon Sign:** Advertisement supported by a balloon anchored to the premises where the advertised use is conducted, product or commodity sold, service performed, or business name is located.
- e. **Changeable Copy Sign:** A sign on which copy is changed either manually in the field; e.g., reader boards with changeable letters. or automatically on a lamp bank or through mechanical means; e.g. • electrical or electronic time and temperature units.
- f. **Construction Sign:** A sign identifying an existing or proposed development project which may contain the name of the project. name and address of construction firms, architects, engineers, developers, etc.
- g. **Flashing Sign:** A sign which has or appears to have motion or rotation of the lighting elements or displays flashing or intermittent light.
- h. **Free Standing Sign:** A sign supported upon the ground by poles or braces and not attached to any building.
- i. **Illuminated Sign:** A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.
- j. **Incidental Sign:** A sign related to the property upon which it is located and offering such information as warning against trespassing, any hazard or other danger on the property.
- k. **Monument Sign:** A sign six (6) feet or less in height which is flush to the ground. is incorporated into the landscape or architectural design scheme, displaying the name of the buildings or occupants only.
- l. **Name Plate Sign:** A sign indicating the name and/or occupation of a person legally occupying the premises.
- m. **Off-Premise Signs:** An advertising sign which directs attention to a use, product, commodity, or service not related to the premises on which the sign is located.
- n. **On-Premise Sign:** A sign directing attention to a use conducted, product, commodity sold. service performed or business name upon the premises on which it is located.

- o. **Overhanging Sign:** A sign which projects twelve (12) inches or more over the roof of a building and which complies with the provisions of Section 3205 of the most current edition of the International Building Code.
  - p. **Pedestal Sign:** A sign which is affixed to an exterior wall or building or structure and which projects more than eighteen (18) inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.
  - q. **Promotional Board Sign:** A permanently attached changeable copy sign not exceeding twenty (20) square feet per face with one or two faces back to back for the display of promotional items offered for sale on the premises.
  - r. **Real Estate Sign:** A sign related to the property upon which it is located and offering such information as address, name of occupancy for residential uses, sale or lease of the property, warning against trespassing, any hazard, or other danger on the property.
  - s. **Roof Sign:** A sign which is erected partly or wholly on the roof of the building. Notwithstanding the foregoing, a sign structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy, or parapet of a building.
  - t. **Service Sign:** A sign that is incidental to a use lawfully occupying the property upon which the sign is located, and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, entrance and exits, etc. and which does not exceed six (6) square feet in size.
  - u. **Snipe Sign:** A sign which is attached to a public utility pole, or the supports for another sign.
  - v. **Temporary Sign:** Any sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed out of doors for a short period of time.
  - w. **Wall Sign:** A sign that is either painted on a wall or its facing, and not having a sign frame or separation from the wall or facing.
  - x. **Window Sign:** A sign painted or otherwise attached to the inside window face and or located within one (1) foot of the inside window surface of a building so as to be visible through a window or door of the building and which does not occupy more than 30% of the area of that window.
21. **Sign Setback:** The minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line.
22. **Sign Structure:** Anything constructed or erected supporting a sign which requires locations on or below the ground or attached to something having locations on or below ground.

23. **Unzoned Commercial or Industrial Area:** Those areas not zoned by state or local law, regulation or ordinance, which are occupied by one or more industrial or commercial activities, other than outdoor advertising signs, the lands along the highway for a distance of 600 feet immediately adjacent to the activities, and those lands directly opposite on the other side of the highway to the extent of the same dimensions provided those lands on the opposite side of the highway are not deemed scenic or having aesthetic value as determined by the Utah Transportation Commission. All measurements shall be from the outer edge of the regularly used buildings, parking lots; storage or processing areas of the activities and shall be along or parallel to the edge of pavement of the highway.
24. **Visible:** Capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

### **1-7 Signs to Conform**

Every billboard, off premise sign or on-premise sign, erected prior to the date of adoption of this chapter which does not conform to the provisions of the zoning ordinance is a nonconforming sign. A nonconforming sign shall not be moved to a new location or altered, enlarged or replaced unless it is made to conform with the specifications of this ordinance.

A nonconforming billboard may be terminated by acquiring the billboard and associated property rights through; gift, purchase, agreement, or exchange.

Any owner of a sign which is illegal, abandoned, non-maintained or is not in compliance with the requirements of this chapter shall be notified by the County building inspector. Such notification must be by registered or certified mail and list the specific areas on non-compliance.

### **1-8 Permit Procedures**

#### **1. Exceptions**

- a. **Excepted Changes:** The following changes shall not require a sign permit. These exceptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this ordinance or any other law or ordinance regulating the same.
- i. The changing of the advertising copy or message of a painted, plastic face or primed sign only. Except for signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exception.
  - ii. The electrical, repainting, or cleaning maintenance of a sign.
  - iii. The repair of a sign.
- b. **Excepted Types:** The following types of signs are allowed without permit but otherwise subject to the regulations of this chapter:
- i. On-premise advertising signs that are painted on windows or attached to windows or walls, clearly of a temporary nature and which promote specific sales.

- ii. Signs which are associated with public and quasi-public organization functions which are clearly of a temporary nature.
- iii. Interior signs.
- iv. Signs not exceeding one square foot in area and bearing only property numbers, postal box numbers or name plate signs which identify on premises occupants.
- v. Legal notices, identification. information or directional signs erected by governmental bodies.
- vi. Property signs with no more than six (6) square feet of area.
- vii. Service signs with no more than six (6) square feet of area.
- viii. Real Estate signs with no more than six (6) square feet of area.

## 2. **Permit Processing**

- a. All signs legally in existence prior to the effective date of this chapter, or that are legally created thereafter. with the exception of those signs specifically excepted in Section 1-8-1 (b), must have a permit issued by Garfield County. This includes off-premise signs located on the side of or on cop of any fixed object or building and visible from the main-traveled way of any street or highway.
- b. Anyone preparing to erect a sign requiring a permit shall apply for the permit prior to the construction of the sign. Pennies shall only be issued for signs that are co be erected in commercial or industrial zones or in unzoned commercial or industrial areas, as defined by this chapter.
- c. Permits shall be issued only for signs already lawfully erected or co be lawfully erected within 120 days from the date of the issuance of the permit. Within 90 days from the date of issuance, the permit must be affixed to the completed sign for which the permit was issued.
- d. A permit affixed to a sign other than the sign for which it was issued (by serial number) constitutes a violation under 27-12-136.8 of the Act, and remedial action may be taken by the permittee by the proper affixing of the permit to the correct sign within 30 days.

**The following sections (e through I) apply only to signs requiring a county permit. Signs which have obtained a state UDOT permit are exempt from these provisions.**

- e. Permits issued by the county shall be permanently attached to the sign in such a position so as to be readily visible from the nearest highway in direction of travel the sign faces. If the sign is a single-face cross highway reader, then the permit must be attached to the sign in a position readily visible from the nearest traveled portion of the highway. The permittee is responsible for the proper placement of the permit on the sign.

- f. Permits shall be issued on a one-year fiscal basis commencing January 1, 1996 and shall be renewed the office of the County Clerk on or before the first day of January of each year thereafter.
- g. The fee for a new permit is \$25.00.
- h. The fee for permits issued within the one-year fiscal period shall not be prorated.
- i. One-year permit renewals shall be made on renewal forms prepared by the County Clerk: Completion of the renewal application and obtaining of the renewal permit prior to the expiration of the existing permit shall be the sole responsibility of the sign owner. The renewal may be applied for no sooner than 60 days prior to January 1 of the year in which the permit is to be renewed.
- j. Written proof of lease or consent from site owner to erect or maintain an outdoor advertising sign must be furnished by the applicant at the time of application for an original permit. This proof may consist of an affidavit showing the landowner's name, address, the sign owner's name, and the sign location by route, milepost, address and county. On renewal permit applications, an affidavit may be signed by the applicant affirming the sign site is still under valid lease to the applicant.
- k. If a one-year permit on a conforming sign is not renewed on or before January 1, of the year of its term, a new permit application will be required for a new-permit at a fee of \$25.00.
- l. A permit is non-transferable, and the permittee shall be liable for any violation of the law regarding the permitted sign. No new permit shall be issued for a sign for which a permit has already been issued, except as follows:
  - i. Transfer of ownership of a permitted sign shall require the holder of the valid new owner-applicant shall then submit to the county and Utah Department of Transportation, the said written release and permit to release, in writing, his rights to continue to maintain his sign or use his location for outdoor advertising. The proof of having obtained sign ownership and a valid lease or consent for the remainder of the permit term. A \$ 10.00 fee shall accompany the application and both application and fee must be received within 30 days of ownership transfer.
  - ii. A conforming sign which is deemed unlawful and forfeited by the permittee may be acquired and permitted, providing the sign applicant submits the completed permit application and proof of possession of a valid land lease or consent to maintain a sign at the described location.
- m. The regular building permit fee is based upon the most current valuation schedule adopted by Garfield County. For signs with a valuation of less than \$1,000, the minimum building permit shall be \$25.00.
- n. Each application for a new permit must be accompanied by the approved permit of Garfield County and the Utah Department of Transportation.

- o. Federal agencies, State agencies, Counties, Cities and Towns that use outdoor advertising signs along the state highway systems shall have a permit for each controlled sign as provided in the Act and these regulations.
- 3. **Issuance and Denial:** The Building Inspector shall issue a permit and permit tag for the erection, alteration, or relocation, of a sign within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the County. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied by the Building Inspector, he shall give a written notice to the applicant along with a brief statement of the reasons for denial. The Building Inspector may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

- 4. **Permit Conditions Refunds and Penalties:** If a permit is denied, the permit fee will be refunded to the applicant.
- 5. **Permit Tags:** Each new sign requiring a sign permit after the effective date of this chapter and complying with this ordinance shall have affixed to the sign a certification tag, issued by the Building Inspector visible from the sidewalk or nearest convenient location.
  - a. **Tag Data:** Each tag shall be of a weatherproof material and shall have the permit number of the sign for which it is issued and a date or code number which corresponds to the issuance record retained in the county office which issues the tag.
  - b. **Tag Issuance:** The tag shall be issued by the Building Inspector at the time the sign permit is issued, and the permit fee paid.
  - c. **Tag Installation:** Inspection tags shall be applied only to the signs for which they are issued by the sign contractor or the sign owner to certify to the Building Inspector that the placement and construction of the signs are in conformance with representations made in permit applications and that work is completed.

The imprint of the sign owner and sign erector of all signs shall be in plain and public view.

- 6. **Completion Date:** If the work authorized under a sign permit has not been completed within 120 days after date of issuance, said permit shall become null and void, and there shall be no refund of any fee required by this section.

## **1-9 Legal Actions**

- 1. **Conformance with Ordinances Required:** All department officials and public employees of Garfield County vested with the duty or authority to issue permits shall conform to the provisions of this code and shall issue no permit, certificate, or license for uses in conflict with the provisions of this chapter. Any such permit, certificate, or license issued in conflict with said provisions, intentionally or otherwise, shall be null and void. It shall be the duty of the County Attorney, Building Department and the Sheriff's Department of Garfield County to enforce the provisions of this chapter.

2. **Enforcement Process:** Any sign erected. constructed. altered. enlarged. convened, moved or maintained contrary to the provisions of this chapter, or has been amortized pursuant to the provisions of this chapter shall be and the same hereby declared to be unlawful and a public nuisance; and the County Attorney shall immediately commence action of proceeding for the abatement. removal and enjoinder. of such sign and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such sign or structure and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining, or using any such sign or structure contrary to the provisions of this chapter. The remedies provided for herein shall be. cumulative and not exclusive.
3. **Penalties:** Any person. firm or corporation: whether its principal. agent or otherwise violating or causing the violation of any of the provisions of the chapter, shall be punishable as a Class C misdemeanor or the imposition of an appropriate civil penalty.
4. **Notification:** Any owner of a sign which is illegal. abandoned. non-maintained or is not in compliance with the requirements of this chapter shall be notified by the County Building Department. Such notification. must be by registered or certified mail and list the specific areas of non-compliance.
5. **County Nonliability:** Garfield County, its Building Inspector and its other agents shall in no way be liable for any negligence of the owner, or any person \_responsible for any sign permitted under the provisions of this chapter.

#### **1-10 General Provisions**

1. **Traffic Hazards:** Signs or other advertising structures shall not be erected at the intersection of any streets -or driveways in such manner as to obstruct free and clear vision; or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal device, or make use of the words "Stop", "Drive-In", "Danger", or any other words, phrases, symbol or character in such a manner as to interfere with, mislead or confuse vehicle operators.
2. **Clear View:** There shall be a minimum clearance of eight (8) feet between the ground and any part of a projecting sign or ground sign, as measured from the grade of the intersecting streets which are located within the clear view of an intersection as defined in this chapter.
3. **Public Property:** No sign or other advertising device shall be located on publicly owned land or inside street rights-of-way, except signs required and erected by permission of an authorized public agency. This restriction shall include, but is not limited to: handbills, posters. advertisements or notices that are fastened, placed, posted. painted or attached in any way upon curbstone, lamp post, telephone pole, electric power pole, hydrant, bridge, tree, rock, sidewalk, or street.
4. **Maintenance:** Every sign shall be kept in good condition as to maintenance and repair, including the replacement of defective parts, repainting and cleaning. The ground space within a radius of ten (10) feet from the base of any ground sign shall be kept free and clear of all weeds, rubbish and flammable material.

A damaged building facade as the result of the removal, repair, replacement or installation of signs shall be repaired by the property owner within thirty (30) calendar days of the time the use was discontinued.

5. **Lighting:** Signs may be illuminated, subject to the following restrictions:

- a. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather, or similar information.
- b. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled way of the highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

6. **Spacing:**

- a. Signs may not be located within 500 feet of any of the following, adjacent to a highway:
  - i. Public parks; and
  - ii. Public forests; and
  - iii. Public playgrounds; and
  - iv. Scenic area designated as such by the County or other state agency having and exercising such authority; and
  - v. Cemeteries.
- b. No more than two facings visible and readable from the same direction on the main-traveled way may be erected on any one sign structure. Whenever two facings are so positioned, neither shall exceed 325 square feet.
- c. Any sign allowed to be erected by reason of the exceptions set forth in 27-12-136.4 (1) or in H-1 zones shall not be closer than 500 feet to an existing off-premise sign adjacent to a limited access primary highway; except, that signs may be erected closer than 500 feet if the signs on the same side of the limited access primary highway are not simultaneously visible.
- d. Billboards and Other Off Premise Freestanding Signs
  - i. **Federal Aid Primary System:** Spacing between sign structures along each side of the highway shall be a minimum of 500 feet except that this spacing shall not apply to signs which are separated by a building or other obstruction in such a manner that only one sign located within the minimum spacing distance set forth above is visible from the highway at any one time.

ii. **Federal Aid Secondary Highways:** The location of sign structures situated between streets, roads or highways entering into or intersecting the main-traveled way shall conform to the following minimum spacing criteria to be applied separately to each side of the primary highway:

1. Where the distance between center lines of intersecting streets or highways is less than 1000 feet, a minimum spacing between structures (double-faced, V-type and/or back-co-back) of 150 feet may be permitted between such intersecting streets or highways.
2. Where the distance between center lines of intersecting streets or highways is 1000 feet or more, minimum spacing between sign structures (double-faced, V-type and/or back-co-back) shall be 300 feet.

iii. **Explanatory Notes.**

1. Alleys, undeveloped rights-of-way, private roads and driveways shall not be regarded as intersecting streets, roads or highways.
2. Only roads, streets and highways which enter directly onto the main-traveled way of the primary highway shall be regarded as intersecting.
3. Official and "on premise" signs, as defined in Section 1.31-C of Title 1, United States Code, shall not be counted nor shall measurements be made from them for purposes of determining compliance with the above spacing requirements.
4. The minimum distance between signs shall be measured along the nearest edge of the pavement between points directly opposite the signs.
5. **On Premise Freestanding Signs:** On premise freestanding signs permitted within all other provisions of this chapter shall satisfy a minimum spacing of 100 feet between signs located on the same lot or parcel. In the event that signs are proposed near the adjoining property lines of two or more parcels or lots, the pre-existing sign may remain. Any subsequent signs proposed must be placed a minimum distance from the existing sign, as determined by the building official, such that it will not adversely impact the existing signage.

7. **Size Computation:** See Section 1-12 - Other

8. **Anchoring:**

- a. No sign shall be suspended by nonrigid attachments that will allow the sign to swing in a wind.
- b. All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.

- c. All portable signs on display shall be braced or secured to prevent motion.
9. **Mobile Changeable Copy:** One mobile changeable copy sign may be used for a period of sixty (60) days following the issuance of a permit to construct a permanent sign for such use. Upon inspection and approval of the permanent sign, the mobile changeable copy sign must be removed.
10. **Ownership:** The imprint of the sign owner shall be in plain and public view.
11. **Additional Specifications:**
- a. No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.
  - b. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provision of the Garfield County Building or Fire Prevention Codes.
  - c. Signs shall be located in such a way as to maintain horizontal and vertical clearance with all overhead electrical conductors in accordance with National Electrical Code specifications, depending on voltages concerned.
  - d. Whenever any sign or other advertising structure is erected in whole or in part on or over any public street or sidewalk, the person or persons performing the work shall, before proceeding to erect the same, take all precautions necessary to ensure the safety of persons and property on such street or sidewalk. Before hoisting any material whatsoever above the surface of any street or sidewalk or placing any material upon the traveled portion of any street or sidewalk, the persons or person performing such work shall exclude the traveling public from the portion of such street or sidewalk in which such work is to be done by means of suitable barriers, protected walkways and warning devices approved by the building inspection department; and whenever the department shall deem it necessary under the conditions then existing, shall provide a guard or guards to exclude all persons not concerned in the work from the portion of the street or sidewalk in which the work is to proceed. When hoisting any sign or advertising structure above the surface of any street or sidewalk, the same shall be accompanied by hoisting devices of approved design and adequate capacity to accomplish the work in accordance with approved engineering practices, all of which hoisting equipment shall be kept and maintained in good and workable condition.

#### **1-11 Prohibited Outdoor Advertising Structures**

- 1. Signs readable or comprehensible from any federal aid primary highway except as follows:
  - a. Signs pertaining to natural wonders, scenic and historic attractions. utility service signs, emergency telephones. buried or underground utilities markers and above ground closures; and
  - b. Signs advertising the sale or lease of property upon which they are located;

- c. Signs advertising activities conducted on the property upon which they are located; and
  - d. Signs which have been approved by the appropriate state and/or county authority and which have been issued a permit under the provisions of this chapter.
2. Signs readable or comprehensible from any highway designated as a scenic byway or backway.
3. Signs located and maintained within or above the right-of-way of any state highway, county road or city street, unless required by the County or unless specifically permitted for special events or grand openings, (In each instance specific approval must be gained from the County Planning Commission).
4. Signs for which a permit has not been issued.
5. Signs which display pornographic or otherwise offensive messages.
6. Signs which imitate traffic control or other regulatory devices in such a manner as to be mistaken for such device.
7. Signs which are unsightly due to lack of maintenance.
8. Signs which advertise a business, entity, or other enterprise which is no longer in business.
9. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
10. Signs which are erected or maintained in such a manner as to obscure, or otherwise interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or interfere with the driver's view of approaching, merging or intersecting traffic or which make use of words or phrases such as "Stop", "Danger" or "Detour Ahead", or any other words or phrases which could be confused as traffic control instruction.
11. "A" Frame.
12. Abandoned.
13. Snipe.
14. Pedestal.
15. Any animated or flashing signs with on-off or strobe-type flashing or rotating lights.
16. Any sign placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. (This does not apply to allowed portable signs or to signs or lettering on buses, taxis, or vehicles operating during the normal course of business.)

**1-12 Outdoor Advertising Structures Allowed by Zoning District**

<b>ZONE</b>	<b>SIGN TYPE</b>	<b>SIZE</b>	<b>HEIGHT</b>	<b>LOCATION</b>	<b>OTHER</b>
All Zones	Construction signs for developments on 1 to 4 lots.	32 sq. ft. plus 1 sq. ft. for each 10 ft. of frontage over 30 ft. to a maximum of 96 sq. ft. per sign.	12 ft. max.	18 inches from all property lines.	Sign must be removed prior to 6 months from the date of the final inspection by the building official or when 100% of the facility is occupied, whichever comes first.
All Zones	Construction signs for subdivisions of five or more lots located on the subdivision site.	32 sq. ft. plus 1 sq. ft. for each lot over five to a maximum of 64 sq. ft. per sign.	20 ft. max.	18 inches from all property lines.	All signs must be reviewed and approved by the Planning Commission by Conditional Use Permit for a period not to exceed one year which may be renewed for one additional year if the application for renewal is received at least 30 days prior to the previous approval date.
All Zones	Name Plate	3 sq. ft. maximum per use.	6 ft. max.	18 inches from all property lines.	
All Zones	Political	32 sq. ft. maximum per use.	6 ft. max.	18 inches from all property lines and not closer than 10 ft. to a driveway.	Shall be removed no later than 30 days following the final election day.
All Zones	Property/ Real Estate	6 sq. ft. maximum per use.	6 ft. max	18 inches from all property lines.	

<b>ZONE</b>	<b>SIGN TYPE</b>	<b>SIZE</b>	<b>HEIGHT</b>	<b>LOCATION</b>	<b>OTHER</b>
All Zones	Service	6 sq. ft. maximum per use.	3 ft. when freestanding.	18 inches from all property lines.	
All Zones	Monument	32 sq. ft. plus 1 sq. ft. for every 10 ft. of frontage over 30 ft. to a maximum of 64 sq. ft.	6 ft. max.	6 ft. from all property lines.	One sign per street frontage and landscaped as indicated in the approved landscaping plan. Allowed with public or quasi-public buildings or uses, Planned Unit Developments, golf courses, cemeteries, and subdivisions.
All Zones	Flat	15% of wall surface.		Attached to building.	Allowed with public or quasi-public buildings, planned unit, development, golf courses, and cemeteries.
Commercial and Manufacturing Zones (C, M-1, M-2)	On Premise ground or projecting	One per lot, 65 sq. ft. plus one sq. ft. for each 4 ft. of frontage over 30, not to exceed 128 sq. ft.	25 ft. max.	18 inches from all property lines.	Signs may be illuminated but must not project light onto adjacent dwellings.
Commercial and Manufacturing Zones (C, M-1, M-2)	Flat or Wall	25% of wall area.			Flat signs exposed to dwellings on adjacent property shall not be illuminated.

<b>ZONE</b>	<b>SIGN TYPE</b>	<b>SIZE</b>	<b>HEIGHT</b>	<b>LOCATION</b>	<b>OTHER</b>
Commercial and Manufacturing Zones (C, M-1, M-2)	Temporary				See section 1-10-9.
Commercial and Manufacturing Zones (C, M-1, M-2)	Monument	One per lot, 32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 ft. to a maximum of 63 sq. ft.	6 ft. max.	18 inches from all property lines.	A monument sign can only be utilized if no ground or projecting sign is used.
Commercial and Manufacturing Zones (C, M-1, M-2)	Balloon				All roof signs are subject to conditional use approval by the Planning Commission.
Commercial and Manufacturing Zones (C, M-1, M-2)	Roof	One per principal building, if no ground or projecting sign is used.	10 ft. above roof line maximum.		All roof signs are subject to conditional use approval by the Planning Commission.
Commercial and Manufacturing Zones (C, M-1, M-2)	Promotional Boards	One sq. ft. for each linear foot of frontage to a maximum of 32. Sq. ft. per sign.	Sign height will equal the sign setback, up to a maximum allowable height of 10 ft.	18 inch minimum.	Maximum of one sign per street frontage. The sign must be permanently anchored to the ground. All promotional boards are subject to conditional use approval by the Planning Commission.

<b>ZONE</b>	<b>SIGN TYPE</b>	<b>SIZE</b>	<b>HEIGHT</b>	<b>LOCATION</b>	<b>OTHER</b>
Commercial and Manufacturing Zones (C, M-1, M-2)	Off Premise (Billboards) Note: Signs adjacent to highways 89, 20, 143, and 12 require an additional UDOT permit.	Maximum size allowed per side will be as follows: 32-64 sq. ft. 65-100 sq. ft. 101-160 sq. ft. 161-250 sq. ft. 251-320 sq. ft. 320 sq. ft. is the maximum allowable size.	Maximum height above grade will be as follows: 10-20 ft. 21-25 ft. 25 ft. 25 ft. 25 ft. 25 ft. is the maximum height above grade.	Distance from street right-of-way line may be: 18 inches 18 in.-5 ft. 5.1-10 ft. 10.1-15 ft. 20 ft. is the maximum setback.	Spacing between off-premise signs shall be 500 feet on the street side. All off-premise signs are subject to conditional use approval by the Planning Commission.