

## TITLE 24. SIGNS AND ADVERTISING DEVICES

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### Chapter 1. Purpose and Scope

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**24-1-1 Purpose.** The purpose of this title shall be to coordinate the type, placement, and physical dimensions of signs within the different land use zones; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment under the law through accurate record keeping and consistent enforcement.

(a) These shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The use of signs is regulated according to zone. The placement and physical dimensions of signs are regulated primarily by type and length of street frontage. No sign shall be permitted as a main or accessory use except in accordance with the provisions of this title.

(b) It is also the intention and purpose of this chapter to promote short and long term civic beauty and order by establishing standards and regulations for sign design, location, size, type, compatibility, and aesthetics. By doing so it is hoped this ordinance will help to create streetscapes that are functional and attractive to both residents of Clinton City as well as visitors.

### 24-1-2 Scope.

(a) This title shall not relate to building design. Nor shall the title regulate official traffic or government signs; the copy and message of signs; product dispensers; scoreboards on athletic fields; flags of any nation, government, noncommercial organization; gravestones; barber poles; commemorative plaques; the display of street numbers; or any display or construction not defined herein as a sign.

(b) It is not the intent of this ordinance to regulate the content of public speech. The regulations of this chapter are intended to apply to both on-premise and off-premise signs, but do not apply to hand-held placards and other similar devices traditionally used for public protest and the exercise of free speech. Any non-commercial message may be substituted for any commercial message permitted under this ordinance.

**24-1-3 Interpretation.** In interpreting and applying the provisions of this chapter, the sign regulations contained herein are declared to be the maximum allowable for the purposes set forth. If the Community Development Director determines that an application needs further interpretation, he may request Planning Commission review of the proposal. If the applicant wishes to propose or retain a sign that exceeds ordinance standards, he may apply to the Board of Adjustment for a variance or special exception.

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## Chapter 2. Definitions

### 24-2-1 Definitions

#### 24-2-1 Definitions.

The following definitions shall be observed and applied:

(i) **A-Frame Sign.** A sign temporary in nature, double-faced, constructed of dimensional lumber, two separate panels attached at the top and designed to stand without other structural support on four legs. EXCEPTION - similar type signs used by the real estate industry do not fall into this category.

(ii) **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. This definition includes all signs exceeding the time limitations outlined in this ordinance.

(iii) **Animated Sign.** Any sign which uses physical movement or rotation

(iv) **Area.** (See "Sign, Area of")

(v) **Awning.** A shelter projecting from and supported by the exterior wall of a building constructed of nonrigid materials on a supporting framework (compare "Marquee").

(vi) **Awning Sign.** A sign painted on, printed on, or attached flat against the surface of an awning.

(vii) **Banner Sign.** A sign made of fabric or any nonrigid material with no enclosing framework.

(viii) **Berm.** A small hill or wall of dirt or sand, landscaped, that separates two areas.

(ix) **Billboard.** (see "Off-Premise Sign")

(x) **Changeable Copy Sign (Automatic).** A sign on which the copy changes automatically on a lampbank or through mechanical means, e.g., electrical or electronic time and temperature units.

(xi) **Changeable Copy Sign (Manual).** A sign on which copy is changed manually in the field, e.g., readerboards with changeable letters.

(xii) **City.** Unless the context clearly discloses a contrary intent, the word "City" shall mean the City of Clinton.

(xiii) **Clearance (of a sign).** 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.

(xiv) **Construction Sign.** A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

(xv) **Copy.** The wording on a sign surface in either permanent or removable letterform.

(xvi) **Department.** The Clinton City Community Development Department.

(xvii) **Directional/Information Sign.** An on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs.

(xviii) **Director.** The Community Development Director or his designated representative.

(xix) **Double-Faced Sign.** A sign with two faces.

(xx) **Electrical Sign.** A sign or sign structure in which electrical wiring, connections, or fixtures are used.

(xxi) **Electronic Message Center (EMC).** (see "Changeable Copy Sign, Automatic")

(xxii) **Facade.** The entire building front including the parapet.

(xxiii) **Face of Sign.** The area of a sign on which the copy is placed.

(xxiv) **Festoons.** A string of ribbons, tinsel, small flags, or pinwheels.

(xxv) **Flashing Sign.** A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. Does not include changeable copy signs, animated signs, or signs which, through reflection or other means, create an illusion of flashing of intermittent light (compare "Animated Sign," "Changeable Copy Sign").

(xxvi) **Freestanding Sign.** A permanent sign supported upon the ground by poles or braces and not attached to any building.

(xxvii) **Frontage.** The length of the property line of any one premise along a public right-of-way on which it borders.

(xxviii) **Frontage, Building.** The length of an outside building wall on a public right-of-way.

(xxix) **Government Sign.** Any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any

school, hospital, historical site, or public service, property, or facility.

(xxx) **Height (of a sign).** The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less (compare "Clearance")

(xxx) **Identification Sign.** A sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

(xxxii) **Illegal Sign.** A sign which does not meet the requirements of this ordinance and which has not received legal nonconforming status.

(xxxiii) **Illuminated Sign Cabinet.** Constructed with durable material, extrusion or returns for the sides, the sign cabinet houses High Output Lamps which illuminate the face covering the top on the sign box. Face are available in several forms: Flat Face, Flat Pan Face (the graphics are raised on the face), Coped Push-Thru Face (routed aluminum face with dimensional plex letter), or a Flex Face (flexible fabric with digitally printed Graphics).

#### *History 4/14*

(xxxiv) **Illuminated Sign.** A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

(xxxv) **Incidental Sign.** A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

(xxxvi) **Lot.** A parcel of land legally defined on a subdivision map recorded with the assessment department or land registry office, or a parcel of land defined by a legal record of survey map.

(xxxvii) **Maintenance.** For the purposes of this ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(xxxviii) **Mansard.** A sloped roof or roof-like facade architecturally comparable to a building wall.

(xxxix) **Marquee.** A permanent roof-like structure or canopy of rigid materials supported by and extending from the face of a building (compare "Awning").

(xl) **Marquee Sign.** Any sign attached to or supported by a marquee structure.

(xli) **Nameplate.** A non-electric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

(xlii) **Nonconforming Sign.** (1) A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations. (2) A sign which does not conform to the sign code requirements but for which a special permit has been issued.

(xliii) **Occupancy.** The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

(xliv) **Off-Premise Sign.** A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located, e.g., "billboards" or "outdoor advertising."

(xlv) **On-Premise Sign.** A sign which pertains to the use of the premises on which it is located.

(xlvi) **Owner.** A person recorded as the on official records. For the purposes of this title, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Director, e.g., a sign leased from a sign company.

(xlvii) **Painted Wall Sign.** Any sign which is applied with paint or similar substance on the face of a wall.

(xlviii) **Parapet.** The extension of a false front or wall above a roofline.

(xlix) **Person.** For the purposes of this ordinance, any individual, corporation, association, firm, partnership, or similarly defined interest.

(l) **Pole Cover.** Covers enclosing or decorating poles or other structural supports of a sign.

(li) **Political Sign.** For the purposes of this ordinance, a temporary sign used in connection with a local, county, state, or national election or referendum.

(lii) **Portable Sign.** Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building including but not limited to handheld signs.

(liii) **Premises.** A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

(liv) **Projecting Sign.** A sign, other than a flat wall sign, which is attached to and projects more than eighteen (18) inches from a building wall or other structure not specifically designed to support the sign.

(lv) **Real Estate Sign.** A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

(lvi) **Roofline.** The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

(lvii) **Roof Sign.** Any sign erected over or on the roof of a building (compare "Mansard," "Wall Signs")

(lviii) **Rotating Sign.** A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. The motion does not refer to methods of changing copy.

(lix) **Sign.** Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services.

(lx) **Sign, Area of:**

(1) Freestanding: The area of a freestanding sign shall have only one face (the largest one) of any double- or multi-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or two individual cabinets:

(a) The area around and enclosing the perimeter of each cabinet or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall not include embellishments the as pole covers, framing, decorative roofing, etc., provided that there is not written advertising copy on the embellishments.

(b) If the sign is composed of more than two sign cabinets or modules, the area enclosing the entire

perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign. Pole covers and other embellishments shall not be included in the area of measurement if they do not bear advertising copy.

(2) Wall Signs: The area shall be within a single, continuous perimeter composed of any straight-line geometric figure which encloses the extreme limits of the advertising message and recognizable logo. If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated based upon a continuous perimeter composed of any straight-line geometric figure which encloses the extreme limits of the advertising message.

**Snipe Sign.** A temporary sign or poster affixed to a tree, fence, etc.

**Subdivision Identification Sign.** A freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

**Temporary Sign.** A sign not constructed or intended for long-term use.

**Under-Canopy Sign.** A sign suspended beneath a canopy, ceiling, roof, or marquee.

**Use.** The purpose, for which a building, lot, sign or structure is intended, designed, occupied, or maintained.

**Wall, Secondary.** Any wall not having frontage on a public right-of-way and directly visible from a public right-of-way.

**Wall Sign.** A sign attached parallel to and extending not more than eighteen (18) inches from the wall of a building. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard.

**Window Sign.** A sign installed inside a window and intended to be viewed from the outside.

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### Chapter 3. General Provisions

- 24-3-1 Signs Prohibited
- 24-3-2 Permit Required
- 24-3-3 Moving, Relocating or Altering of Signs
- 24-3-4 Maintenance
- 24-3-5 Lighting
- 24-3-6 Abandoned Signs
- 24-3-7 Conflict

#### 24-3-1 Signs Prohibited.

(1) It shall be unlawful for any person to erect, place, or maintain a sign in the City of Clinton except in accordance with the provisions of this title. The following types of signs are prohibited in all districts:

- (a) Abandoned signs as specified in this title.
- (b) Advertising signs for products or sales except as outlined in this title.
- (c) Animated signs.
- (d) Bus bench signs.
- (e) Flashing signs.
- (f) Flood zone. No sign shall be permitted within any designated one hundred-year flood area.
- (g) Intensely lighted signs. No sign shall be permitted which because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians or adjacent properties.
- (h) Projecting signs.
- (i) Roof signs.
- (j) Spotlights directed into the night sky except as part of an approved promotional period for temporary signs.
- (k) Statuary bearing the likeness or suggestion of any product or logo.
- (l) Graffiti
- (m) Portable signs, unless otherwise specifically permitted by this Title.
- (n) Parking of advertising vehicles prohibited. No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or other location.

This section is not intended to apply to vehicles or a trailer parked at the owner's or representative's residence or where the vehicle is driven daily to and from the business location.

#### *History 4/14*

(o) Public areas. No sign, handbill or poster, advertisement or notice of any kind or sort, whether political or otherwise, shall be fastened, placed, posted, painted or attached in any way in or upon any curbstone, lamp post, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge, tree, rock, sidewalk or street, except when the sign is owned and erected by a public agency or erected by permission of an authorized public agency or required by law.

(p) Signs imitating or resembling official traffic or government signs or signals.

(q) Sound, odor or visible matter. No advertising sign or device shall be permitted which emits audible sound, odor or visible matter.

(r) Traffic hazards. No sign shall be permitted at the intersection of any street in the a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape or color it may interfere with or be confused with any authorized traffic sign, signal or device or which makes use of a work, symbol, phrase, shape or color in the a manner as to interfere with, mislead or confuse traffic.

(s) Hot or cold air balloons, or inflatables.

#### *History 4/14*

(t) Festoons.

(u) Off-Premise Sign.

(2) Hand-bills, signs-public places and objects:

(a) Except as otherwise stipulated, no person shall paint, mark or write on, or post or otherwise affix, any hand-bill or sign to or upon any sidewalk, crosswalk, curb, curbstone, parkstrip, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light or power or telephone or telegraph or trolley wire pole, or wire appurtenance thereof or upon any lighting system, public bridge, drinking fountain, life saving equipment, street sign or traffic sign.

(b) Any handbill or sign found posted upon any public property contrary to the provisions of this section may be removed by the Police Department, the Public Works Department, the Parks and Recreation Department, or the Department. The

person responsible for any the illegal posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of the cost.

(c) Nothing in this section shall apply to the installation of a metal plaque or plate or individual letters or figures in a sidewalk commemorating an historical, cultural, or artistic event, location, or personality for which the Department of Public Works has granted a written permit.

(d) Nothing in this section shall apply to the painting of house numbers upon curbs.

#### **24-3-2 Permit Required.**

(1) Unless otherwise provided by this ordinance, all signs shall require permits and payment of fees as described in § 24-8-3 below of this title. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

(2) Illegal signs. No person shall erect or maintain or permit to be erected or maintained on any premises owned or controlled by him any sign which does not comply with the provisions of this title.

(3) All necessary construction and engineering specifications must be submitted to satisfy the applicable building and construction code. The Department may also require, at its discretion, additional engineering information if there is a concern for the health or safety of the general public.

(4) Issuance: The Department shall issue a permit only to a sign contractor properly licensed in the state of Utah, for the erection, alteration or relocation of a sign within the City when an application therefore has been properly made and the sign complies with all appropriate laws and regulations of the City.

(5) Suspension or Revocation: The Department may at any time, in writing, suspend or revoke a permit issued under the provisions of this title whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any of the provisions of this title.

(6) Effect of issuance: No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to

abate a nuisance or for damages resulting from a nuisance.

(7) Indemnification of City: As a condition to the issuance of a building permit for a sign. All persons engaged in the alteration, relocation or maintenance of signs over a public right-of-way or other sign work in, over or immediately adjacent to a public right-of-way or public property shall agree to hold harmless and indemnify the City, its officers, agents and employees, from any and all claims of negligence resulting from the erection, alteration, relocation, maintenance or other sign work.

#### **24-3-3 Moving, Relocating or Altering of Signs.**

(1) No existing sign may be moved or relocated to any other parcel, building, structure or portion thereof, unless the sign complies with all other provisions of this title, or is altered so as to comply. No existing sign may be moved or relocated on the same parcel, building, structure or portion thereof, unless the sign also complies with all other provisions of this title, or is altered so as to comply.

(2) No existing sign may be altered unless the sign, after alteration thereof, complies with all other provisions of this title. Alteration shall be deemed to include a change of message or sign legend, or portion thereof, except where the change is a normal increment of the sign function common to signs such as a theater marquee, reader board, bulletin board, EMC or other similar sign.

**24-3-4 Maintenance.** All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Director shall have the right under § 24-9-1 below to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

**24-3-5 Lighting.** Unless otherwise specified by this title, all signs may be illuminated. However, all signs shall be designed, located, shielded, and directed so as to prevent the casting of glare or direct light from artificial illumination upon adjacent publicly dedicated roadways and surrounding property. Any use of a revolving beacon light is prohibited.

**24-3-6 Abandoned Signs.** Any on-premise sign located on property which is vacated by an occupant shall be deemed to have been abandoned.

(1) All abandoned temporary and permanent on premise signs shall be removed within fourteen (14) days of the termination of occupancy.

(2) The structure of all detached on-premise signs



shall be removed within forty-five (45) calendar days of written notice of abandonment is given to the owner, person having control, or person receiving benefit of the structure.

(3) Appeal. Any person who has been ordered to remove an abandoned sign may appeal the decision of the Director as outlined in § 24-9-3 below of this Title.

**24-3-7 Conflict.**

(1) If any portion of this title is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the city code, the provision which establishes the higher standard shall prevail.

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## Chapter 4. Regulation of On-Premise Signs by Zone

24-4-1	Signs Not Requiring Permits
24-4-2	Signs that Require a Permit
24-4-3	Temporary Signs
24-4-4	Flags/Banners Requiring Approval
24-4-5	Bus Bench Signs

**24-4-1 Signs Not Requiring Permits.** The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this title:

(1) Changing Copy. The changing of the message on a permitted sign that has an approved marquee, reader board, electronic message center, or other replaceable copy area.

(2) Civic and philanthropic signs. Signs not exceeding one hundred (100) square feet in area pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that the signs are posted not more than five (5) days before the event and are removed no more than one (1) day after the event. These signs may be erected within a public right-of-way upon approval of the Community Development Director.

(3) Commercial and Industrial Zones. It is recognized that temporary signs announcing the location, availability, or development of property are necessary. Because these are allowed without a permit, restraint is advised.

(a) On-Premise Development Identification Signs. Signs announcing or identifying the future development of commercial or industrial property are allowed one (1) per public or private street frontage. The sign(s) may not be erected before the proposed development has been submitted for site plan review. They must be removed before final inspection or before permanent signs are installed. Signs may not exceed thirty-two (32) square feet in area or eight (8) feet in height. Individual pads or parcels within centers are allowed their own sign, but it may not exceed sixteen (16) square feet or six (6) feet in height. Signs may not block signs of established facilities.

(b) On-Premise Real Estate Signs.

(i) One on-premise real estate sign advertising the sale or lease of property per street frontage is allowed for any commercial or industrial planned center; building or lot. Signs may not exceed

thirty-two (32) square feet in area or eight (8) feet in height. Individual pads or parcels within centers are allowed their own sign, but it may not exceed sixteen (16) square feet or six (6) feet in height. Signs may not block signs of established facilities.

(ii) One on-premise sign advertising the availability of commercial or industrial space, for lease or sale, for space within a multi-tenant building or for a pad within the same center is allowed. The sign must be securely attached to the vacancy in question. It may not exceed twenty-four (24) square feet in area.

(4) Community Signs. Community signs require review by the Department and/or other pertinent City department, for compliance with the following criteria:

(a) No sign(s) shall be permitted which is unsafe for vehicular or pedestrian traffic, is inappropriate with respect to location, size, time or duration of display, or is maintained in a deteriorated condition.

(b) The sign(s):

(i) Must be made of durable, weather resistant, material;

(ii) Must use logos or symbols instead of copy where possible, where copy would cause a distraction to vehicular traffic; and

(iii) May be located at various gateway areas to the City, along major streets and important intersections adjacent to non-residential properties as approved by the Community Development Director.

(c) The signs shall be uniform in size for each individual display and shall be no larger than four (4) feet wide and ten (10) feet tall for signs attached to light or utility poles. Signs attached to building may be larger but must be appropriate in scale and location as approved by the Community Development Director.

(d) The signs may not be attached to another temporary sign or a permanent traffic or business sign.

(e) The signs may be part of a "rotating permanent feature" of the City or community for the events as:

(i) Clinton Fun Days

(ii) Holidays

(iii) Cultural and/or arts events

(iv) Change in seasons

(v) General community promotion; i.e., business, with the prohibition of commercial endorsement or name on any the sign.

(f) The signs for any single purpose or event may not be displayed for more than thirty (30) days. However, the Community Development Director may approve community purpose signs for long-term purposes subject to review on a ninety (90) day basis.

(5) Construction signs. In any commercial or manufacturing zone, one unlighted sign per development not to exceed sixty-four (64) square feet in area, may be placed on the lot or attached to the outside of a building during its construction period. Signs shall be restricted to a height of no greater than ten (10) feet. Construction signs shall be setback a minimum of ten (10) feet from property lines and out of all clear view areas. The sign shall identify only the project, its developer, architects, engineers, designers, contractors or other persons or groups participating in the project.

(6) Directional/informational signs. Signs which provide direction or instruction and located entirely on the property to which they pertain and do not exceed four (4) square feet in area, the as signs identifying rest rooms, public telephones, walkways, or signs providing direction the as parking lot entrance and exit signs and those of similar nature. Directional signs are to be limited to instruction or direction only and are not to have any form of commercial advertising on them other than a company logo.

(7) Flags. The flags, emblems, or insignias of any nation or political subdivision.

(8) Holiday or special events decorations.

(9) Home occupation signs. Within any zone one home occupation sign is allowed per dwelling. Home occupation signs are not to exceed two (2) square feet in area and must be attached to the home.

(10) House numbers and name plates. House numbers and name plates not exceeding two (2) square feet in area for each residential building.

(11) Incidental sign.

(12) Interior signs. Signs located within the interior of any building or stadium (if the signs are facing towards the interior of the stadium) or within an enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court of entrance of any theater.

(13) Memorial signs or tablets. Memorial signs or tablets, names of buildings, and dates of building erection when cut into the surface or facade of a

building.

(14) No Trespassing and No Dumping signs.

(a) In any commercial or manufacturing zone trespassing/dumping signs are allowed. In a commercial or manufacturing zone any number of signs not exceeding six (6) square feet each and placed a minimum of fifty (50) feet apart, may be attached to a structure, fence or may be free standing. In no case shall a trespassing/dumping sign be placed at a height greater than eight (8) feet above the finished grade immediately below the sign. No permit shall be required for this type of sign.

(15) In residential zones any number of trespassing/dumping signs not exceeding three (3) square feet each and placed a minimum of fifty (50) feet apart, may be attached to a structure, fence, or may be free standing. In no case shall a trespassing/dumping sign be placed at a height greater than six (6) feet above the finished grade immediately below the sign. No permit shall be required for these types of signs.

(16) One attached nameplate per occupancy, not to exceed two (2) square feet in sign area.

(17) Political and Campaign Signs shall meet the following requirements:

(a) Posting on public right-of-way. It shall be unlawful for any person to post a campaign sign in a public right-of-way.

(b) Prior to posting of any campaign signs the candidate, a representative of the candidate or representative of the campaign shall provide to the Code Enforcement Officer the name and number of a contact person for the candidate or campaign.

(c) Posting time limits. It shall be unlawful for any person to post a campaign sign more than sixty (60) days prior to the Primary Election, and it shall be unlawful to fail to remove a campaign sign within five (5) days after the election. However, candidates that advance from a Primary Election to the General Election may leave their signs in place until the General Election. In elections where no Primary Election is required, campaign signs may be posted the day after the date the Primary Election would have occurred.

*History 5/12, 10/15*

(d) Limitation of number of campaign signs on a lot. No limit is established.

(e) Limitation of size of campaign signs. On any lot in any zone the maximum size of any one sign shall not be greater than sixteen (16) square feet. The

maximum height of the sign may not exceed six (6) feet.

(f) Removal of illegal campaign signs. The Code Enforcement Officer or authorized agents are authorized to remove any campaign sign found posted within the corporate limits of the City when the sign is in violation of the provisions of this section. For the purpose of removing campaign signs, the Code Enforcement Officer or his authorized agents are empowered to take all steps necessary to remove the unauthorized sign including but not limited to enlisting the aid or assistance of any other department of the City and to secure legal process to the end that all the signs shall be expeditiously removed from any property where posted.

(g) Notice. Upon discovery, the Code Enforcement Officer or authorized agents shall immediately notify by telephone the candidate, committee or person responsible for the posting of any sign in violation of this section, indicating the location of the sign and that the sign must be removed immediately. If the address or phone number of the person responsible for the violating sign is not known the sign shall be removed under the provisions as set forth in § (f) above.

(h) Storage and return. If after the notice has been given under § (g) above, any campaign sign has not been removed, the Code Enforcement Officer or authorized agents shall remove the campaign sign and keep a record of the location from which the sign was removed. He/she shall store the sign in a safe location for at least thirty (30) days or until after the election whichever occurs first.

(i) Visual clearance triangle. No campaign signs shall be located in the visual clearance triangle located on corner lots. The visual clearance triangle is the triangular area at the corner performed by measuring a distance of forty (40) feet along both lot lines back from the point of intersection of the lines. Signs located within the visual clearance triangle may be removed under §(f) above without prior notice as required by § (g) above if determined to be a safety hazard.

(j) Public Property. Political and campaign signs shall not be placed on public property.

(k) Illegal signs, public nuisance. Campaign signs in violation of this section are hereby declared to be public nuisances, and may be abated as the by the City.

*History 5/04; 08/07, 7/09*

(18) Public notices. Official notices posted by public officers or employees in the performance of their duties.

(19) Public necessity signs. Public necessity signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety.

(20) Residential Zones. It is recognized that temporary signs announcing the location, availability, or development of property are necessary. Restraint is advised. The following shall apply:

(a) On-Premise Development Identification Signs.

(i) Individual Lots. One sign announcing the name of the construction/development company is allowed. Area of the sign may not exceed sixteen (16) square feet or six (6) feet in height. The sign may not be erected more than five (5) days prior to the beginning of construction for which a valid building permit has been issued. It must be removed before final occupancy.

(ii) Subdivisions or Planned Unit Developments. One development promotional sign may be placed on the premises of each development having five (5) or more lots or approved unit sites in any residential zone. The size of the sign shall be no greater than sixty-four (64) square feet with a maximum height of ten (10) feet. The signs shall be removed within five (5) years of the issuance of the first building permit in the project or if the lots are sold out before five (5) years immediately upon sale of the last lot.

(b) On-Premise Real Estate Signs.

(i) Signs advertising the sale, rent, or lease of property shall be limited to one real estate sign on each lot. Each sign shall not exceed four (4) square feet in size and four (4) feet in height.

(ii) One real estate sign per street frontage is allowed for any multi-use residential or professional office building or lot intended for sale, rent or lease and may not exceed thirty-two (32) square feet in area or eight (8) feet in height. If the parcel is over two (2) acres in size, the sign may not exceed sixty-four (64) square feet.

(iii) Model home signs shall not exceed sixteen (16) square feet in area nor exceed six (6) feet in height and shall be placed entirely upon the premises of the model.

(iv) Model home signs shall not be located within the sight triangle as defined by the Zoning Ordinance and shall be setback a minimum of ten (10) feet from the property line.

(c) Temporary/Open House Real Estate Signs. Open house signs not to exceed six (6) square feet in area and four (4) feet in height, advertising real estate open for inspection may be placed on private property in the vicinity of the property open for inspection. Individual placing the signs shall obtain written permission from the property owner. They shall not be placed in the parkstrip. They shall not be attached to trees, poles or street signs, etc. Open house signs shall be displayed only during those hours/day(s) which the house is open for actual inspection.

(21) Symbols or insignias. Religious symbols, commemorative plaques of recognized historical agencies, provided that no the symbol, plaque, or identification emblem shall exceed ten (10) square feet in area.

(22) Temporary directional signs. In any zone, a sign giving direction to a specific location for any public or private event may be placed under the following conditions:

(a) No more than one of the signs may be placed on a parcel of property.

(b) No the signs shall be placed on public property of any kind.

(c) The signs must have a setback of one (1) foot from any sidewalk or street right-of-way line, whichever is greater.

(d) Permission must be granted by the landowner. Written consent of the owner or person entitled to possession of the property or their authorized representatives shall be obtained.

(e) The signs shall be removed within twenty-four (24) hours of the completion of the event.

(f) The signs shall not exceed three (3) feet in height, or when placed into a clear view area, two (2) feet in height.

(g) The signs shall not exceed six (6) square feet in sign area measured on one sign face individually, or eighteen (18) square feet collectively.

(23) Window Signs. Window signs which are painted on or temporarily affixed to the window surface shall cover no more than 25% of any single window or 25% of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances or to create a safety hazard. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eight (8) inches of the window surface.

*History 5/04, 7/09*

#### **24-4-2 Signs that Require a Permit.**

(1) Purpose: The streetscape is the combination of vehicles, buildings, signs, landscaping, roads, utility poles, etc., that dominant the view of the driver or pedestrian. The streetscape tells residents and visitors how the City as a whole feels about the environment, safety, aesthetics, and its sense of order, among other things. A useful, attractive, and safe streetscape is one that necessarily regulates the size, location, and design of business signs. Because a proliferation of poorly designed, oversized, and inappropriately located signs in commercial and industrial areas can be detrimental to the achievement of effective, safe and attractive streetscapes, it is important that the permanent signs in these areas receive approval (permits) from the City.

(2) Commercial and industrial uses are generally more intensive than those found in residential zones. Since these uses are designed by size, location, and style to attract attention and provide services to the public, they generally need signage to achieve that end. Business signs of any kind in residential neighborhoods can diminish the quality of life for which those zones were specifically created. However, there may be some residential uses which merit a sign, though much smaller and subdued than in commercial or industrial zones. Therefore, it is the intent and purpose of this section to outline regulations and design standards for signs in both commercial/industrial and residential areas that will allow the business to identify itself while allowing Clinton City to create and maintain safe and aesthetically pleasing streetscapes regardless of zone.

(3) Sign Theme Required: All multi-tenant centers/buildings must submit a proposal for all on-premise signs to the Planning Commission, as part of the site plan review process, for design and placement approval. In cases for parcels of land of seven (7) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premise signs shall be submitted. The signs may vary from the regulations set forth herein and shall be considered as part of the site plan approval process; providing there are findings established by the Planning Commission stating that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter and are in architectural harmony with uses adjacent to the development and with the understanding existing signage may be required to be altered or removed.

(4) On-Premise Freestanding Signs. The size and

height of freestanding signs are allowed as follows:

- (a) Planned centers or parcels less than ten (10) acres. No freestanding signs allowed except as allowed in 24-4-2(3) above. Only monument signs are allowed.
- (b) Ten (10) acres or more. The Planning Commission, as part of the site plan approval process, may approve one freestanding sign per street frontage. No freestanding sign shall be allowed for any planned center or parcel that has less than three hundred (300) feet of street frontage. Sign height may not exceed twenty-two (22) feet. Signs must be at least two hundred (200) feet from the corner.
- (c) Electronic message centers are allowed, however the device shall not exceed 50% of the total sign area and the EMC shall meet the requirements outlined in § (5)(b).

(5) Monument Signs. The following standards shall apply:

(a) Monument Sign, Size

(i) Monument signs are allowed for any size parcel provided that the parcel has thirty (30) feet of street frontage. The sign area allowed is determined by the following formula: thirty-two (32) square feet plus one (1) square foot per 3.125 lineal feet of street frontage over fifty (50) feet, maximum size is sixty (60) square feet. Parcels with two street frontages are allowed a sign on each street. However, the signs must be separated by at least one hundred (100) feet as measured diagonally across the property from center to center of both signs or only one (1) sign will be allowed. Signs within the visibility triangle may be allowed with the permission of the Clinton City Engineer.

(ii) Monument signs must have at least a one (1) foot pedestal, and the height of the sign may not exceed five (5) feet for a total of six (6) feet. The height to the top of the sign may vary where the sign is placed upon a landscape berm. The combined height of the sign plus landscaped berm may not exceed nine (9) feet as measured from the top of the curb. The frontage of the property must be bermed a minimum lineal distance equal to one-half of the square footage of the sign for this to occur. The area around sign base and any berm shall be landscaped.

(iii) Electronic Message Centers (EMC) may be allowed, however, the devices shall not exceed 50% of the gross total sign area calculated in § (i)

above and height limitations established in § (ii) above.

(b) EMC Standards

(i) An EMC shall not be installed within 100 feet of the property line of a property located in a residential zone and an EMC within 150 feet of the property line of a property located in a residential zone shall not face the residential zone.

(ii) The brightness of an EMC shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals and tested within the last 36 months. An ambient light measurement shall be taken using a foot candle meter at some point between the period of time between 30 minutes past sunset and 30 minutes before sunrise with the EMC to a blackscreen, and any other lighting associated with the sign, turned off.

(iii) Immediately following the ambient light measurement taken in the manner required in § (ii) above an operating sign light measurement shall be taken with the sign, and all associated sign lighting turned on to full white copy.

(iv) All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total square footage of the EMC as set forth in Table 24-4-2(5).

Area of Sign sq. ft.	Measurement Distance (ft.)
10	32
15	39
20	45
25	50
30	55
40	63
45	67
50	71
55	74
60	77

(v) The difference between the ambient light measurement and solid-message measurements using the EMC Measurement Criteria shall not exceed three-tenths 0.3 footcandles.

(vi) EMC's shall display static images for not less than two seconds before transitioning to another static image. Transitions may utilize frame effects but flashing signs are prohibited.

(vii) Video display methods are only permitted in the Performance Zone. An animated sign or any portion of a sign that uses video display method shall have a minimum duration of two seconds and a minimum of two seconds stationary time before transitioning to another image.

(viii) The content of electronic message signs is limited to on-site advertising only. However, this does not apply to municipal signage providing information to the public related to civic events.

(ix) All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the three-tenths (0.3) footcandle measurements.

(x) The installer of an EMC shall provide a statement of compliance, on a form provided by the City, of a newly installed sign or sign that has been altered or worked on, to the City, prior to any final inspection by the City.

#### *History 4/14*

(c) Monument signs for Planned Commercial Centers:

(i) Monument signs shall be similar in design.

(ii) Planned commercial centers with two (2) or more street frontages are allowed one (1) sign on each street frontage. The signs must be separated by at least one hundred (100) feet as measured diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than one hundred (100) feet to any other sign (monument or freestanding/pole) located on the same side of street.

(iii) The area of the sign is determined by the length of the frontage along which the sign is to be placed, including the frontage of any freestanding buildings included within the planned commercial center. The sign area is determined as provided in sub-paragraph 5.a above.

(iv) In the case of the development of a planned commercial center on multiple parcels of property having common frontages, regardless of the number of separately owned parcels or buildings of separate occupancy within the planned commercial center, the frontage shall be considered to be the composite of the entire commonly-used parcels or buildings and not the

frontage of each individual business or occupancy. The over-all frontage shall be used to calculate allowable sign area for the center identification sign as provided in sub-paragraph one (1) above.

(v) In the event that a planned commercial center has several freestanding buildings (single or multi-occupant), each permitted monument sign shall be separated from each other by no less than one hundred (100) feet.

(d) Freestanding Building within a Planned Commercial Center:

(i) A freestanding building within an approved planned commercial center may request a monument sign provided that the freestanding building lot is contiguous to a major arterial street and has at least one hundred (100) feet of street frontage.

(ii) Freestanding buildings with two (2) or more street frontages are allowed one (1) sign on each frontage. The signs shall be separated by at least one hundred (100) feet as measured diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than one hundred (100) feet to any other sign (monument or freestanding/pole) located on the same side of street.

(iii) The business or tenant occupying the freestanding building shall be allowed a monument sign upon determination of the Community Development Director that the sign is not in conflict with the purpose of this chapter and is in architectural harmony with uses adjacent to the development.

(iv) The sign area is determined as provided in sub-paragraph 5.a above.

#### *History 4/14*

(e) Freestanding Building not Associated with a Planned Commercial Center:

(i) A freestanding building not associated with a Planned Commercial Center is allowed one monument sign provided that the parcel has at least one hundred (100) feet of street frontage.

(ii) In the case of the freestanding building having two (2) or more frontages, they may place one (1) sign on each street frontage provided that the signs are separated by at least one hundred (100) feet as measured diagonally from center of sign. In no case shall the permitted monument sign be placed closer than one hundred (100) feet to any other sign (monument or freestanding/pole) located on the same side of street.

(iii) The sign area and size are determined as provided in § (5)(a) above.



(6) Wall Signs. Wall signs should be the primary form of identification for business uses in the City. Each business is entitled to one wall sign if the following criteria are met:

(a) The sign may not occupy more than 10% or six hundred (600) square feet, whichever is less, of the flat wall area. If a sloping facade or roof exists, the sign may not exceed 10% or six hundred (600) square feet, whichever is less, of that area. A wall sign may not use a combination of both flat and sloping areas in calculating the 10%. On a sloping roof the vertical projection is used to calculate area not actual length of the slope.

(b) The 10% area of the primary wall and the 5% area of all secondary walls may be divided into more than one sign under the following requirements and restrictions:

Requirements:

(i) The sign package blends with the aesthetics of the building and surrounding natural and manmade environment.

(ii) The sign package color, style, size, scale and proportion enhances the exterior of the building and does not place too much bulk and external distractions on the exterior of the building.

(iii) The numbers of signs are appropriate to the scale of the building.

Restrictions:

(i) The maximum number of wall signs on any given wall, including multi-tenant buildings, shall be seven (7). For the purpose of this ordinance, a sign will be considered a complete phrase and the suggested layout of the sign package (i.e., the individual words may either be lumped together as one phrase to equal 1 sign, or spread out to be many different signs, the as "1 Hour Photo" would be considered one sign.)

(ii) The maximum number of multiple wall signs on any given wall shall be limited to seven (7). The maximum square footage shall be limited to six hundred (600) square feet or 10% of the wall (5% if a secondary wall), whichever is less.

(iii) Multi-tenant buildings may receive a conditional use permit so that the building may exceed the maximum number of signs to accommodate the additional sign if the Planning Commission judges the additional sign to be consistent with the criteria set forth above.

(iv) Multiple wall signs shall utilize individual

lettering and logos only. No multiple cabinet signs or combination of cabinet and individual lettering signs shall be approved. It is encouraged that the use of multiple materials and lettering styles, the as exposed neon, different type styles, and use of logos in conjunction with the lettering be implemented.

(b) Painted signs applied directly to any building face, must have specific approval of the Community Development Director.

(c) Wall signs with changeable copy, reader board, or electronic message capability are not allowed.

(d) Buildings or businesses with exposure on the side(s) and front may choose which wall to mount their sign upon. Signs are allowed on the rear of the building with Planning Commission approval.

(e) Owners of buildings that have small offices inside, accessory and/or secondary to the main use are required to create a building identification sign instead of trying to obtain signage for every tenant. This is especially true for buildings with two or more levels.

(f) Wall signs on sloping roofs shall be erected so as to appear as a sign applied to a similarly vertical wall surface and finished in a manner that the visual appearance from all sides is the that they appear to be part of the building itself. All signs shall be installed or erected in a manner that there is no visual support structure the as guy wires or braces.

(g) No part of any wall sign or of the sign structure shall project above or below the highest or lowest part of the wall upon which the sign is mounted or painted.

(h) No wall sign including any light box or structural part shall project more than eighteen (18) inches from the face of the building to which it is attached.

(i) Upon review and approval by the Planning Commission, a business may request the placement of a business identification sign upon a wall not otherwise located above the named business. When reviewing the requests, the Planning Commission shall consider the following criteria:

(i) The proposed sign is in close proximity to the identified business.

(ii) The proposed sign square footage is counted against the allowable square footage for the wall upon which it is mounted (i.e., if a business who occupies the space permits another business to share the wall for signage, the additional sign will be included when calculating the permitted amount of square footage for the primary business).

(iii) That the proposed sign comply with established sign theme requirements for the shopping center upon which the sign is located.

(7) Off-premise Billboard Signs. Off-premise billboard signs are not permitted at any location within Clinton City.

(8) Suspended Signs. Suspended signs used in place of wall signs are allowed if the architecture of the building or planned center lends itself to that design and a sign theme is submitted and approved by the Planning Commission. The following shall apply:

(a) The Director must review any proposal for a suspended sign or under-canopy sign for compatibility with the building.

(b) Any sign may not exceed 15% of the flat wall of the tenant space.

(c) No sign may project beyond the outside limit of the arcade, marquee, or canopy or facade to which they are attached.

(d) Any sign must have at least an eight (8) foot clearance above the sidewalk or seven (7) feet above any landscaped area.

(e) There must be a minimum horizontal distance of five (5) feet on both sides between suspended signs.

(9) Awning Signs. Awning signs are allowed only under the following circumstances:

(a) The Director may approve any applicant for an awning sign which fully complies with sign standards.

(b) Awning signs in planned centers must be designed to conform to an approved sign theme.

(c) No awning signs will be allowed on multi-tenant buildings or in planned centers unless the building or center has consistent treatment.

(d) Awning signs shall be limited to single story buildings or to the first level only of multi-story buildings.

(e) Awning signs must function as true awnings by being placed over a doorway, window, or walkway to protect from the elements.

(f) Awning signs are not allowed on or above sloping or mansard roof.

(g) The area of awning signs shall be a maximum of 10% of the primary wall upon which the sign is mounted. Awning signs for secondary walls are limited to 5% of the wall area.

(h) Area of copy/logo on awnings shall be limited to 40% of the awning. Illuminated signs on other sides shall be permitted.

(i) Awning signs shall conform to all provisions of the International Building Code governing such structures.

(j) Illuminated (backlit), translucent, vinyl awnings are not permitted. Translucent letters or accents sewn into opaque canvas or acrylic awnings are permitted.

(k) Awning signs shall not project out from the wall more than eight (8) feet, nor less than two (2) feet. In the case of entrance canopies the awning may project out from the building over a walkway and must lead to a bona fide business entrance. Canopies will be permitted if they are compatible with the architecture of the building.

(l) Awning signs shall not project above the roof line, defined as the highest part of the vertical wall.

(m) Awning signs shall maintain a minimum clearance of seven (7) feet to the bottom of the valance and eight (8) feet to the frame above the sidewalk and comply with all other clearance requirements.

(n) Awning signs shall be maintained in a clean, safe and attractive condition. Failure to do so will result in revocation of the sign permit.

(10) Canopies (Gas Stations). Signs for canopies over gas islands are regulated as follows:

(a) Sign copy, corporate logos, etc. may be a maximum of 10% of one face of the canopy.

(b) Up to 3 sides of the canopy may be used for signs.

(c) The height to the top of the canopy may not exceed twenty (20) feet from grade and no canopy fascia may exceed four (4) feet in height.

(d) Individual letters, logos, or symbols may not exceed four (4) feet in height or project out from the surface of the canopy more than eighteen (18) inches or project above or below the canopy face.

(e) Gas price signs are allowed on the monument sign or below the canopy over the pumps. One double faced sign for each type of fuel sold is allowed per gas island with a maximum of 4 sets per station. Area of the sign may not exceed four (4) square feet each.

(11) Menu Board: Menu boards locations for drive-in restaurants are to be reviewed and approved by the Planning Commission at site plan review. The following shall apply to menu boards:

(a) Only two (2) menu boards are allowed per drive through site and must be located behind the front landscaped setback area.

(b) The Menu Board shall be located so that lighting shall not have an adverse affect to traffic on the public way. The rear and sides of menu boards should be screened from the public way. The rear of the menu board may be established as another menu board however shall not be used as an additional sign.

(c) Because there are many variables associated with the size of a menu board the size of the menu board may be limited by the Department based upon location, visibility from the public way, screening, lighting, proportionality with structures on site and other structures in the area. The size shall not cause a concern for safety of individuals or vehicles.

(d) The Planning Commission shall give consideration to aesthetics and screening from the public right-of-way.

*History 4/14, 8/14*

(12) Subdivision Identification Signs.

(a) Two subdivision identification signs per entry from a collector or sub-arterial or arterial street per neighborhood, subdivision, or development, not to exceed four (4) feet in height and twenty (20) square feet in total sign area: OR

(b) A sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood or tract identification. If the sign is to be a free-standing structure it must be monument sign and must comply with the provisions set forth in this chapter. Any sign or display must be located so it is not in the clear view area.

(13) Two identification signs per apartment or condominium complex, not to exceed six (6) feet in height and twenty-four (24) square feet in total sign area.

(14) For permitted nonresidential uses, including churches and synagogues, one freestanding sign, not to exceed six (6) feet in height and forty-eight (48) square feet in sign area and have a minimum of a ten (10) foot setback from any public right-of-way. One wall sign not to exceed twelve (12) square feet in sign area.

**24-4-3 Temporary Signs.** Standards for Temporary Signs. Temporary signs shall not be placed in or over a public right-of-way, may not flash, blink, spin, rotate, block traffic visibility,

constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind. They shall not be attached to telephone poles, fences, or trees. They must be firmly secured to the building. Temporary signs may be attached to existing permanent signs only for the grand opening period. Temporary signs may cover or obscure an existing permanent sign only if the business has changed hands or changed names. No off-premise temporary signs are allowed except those specifically noted and regulated for real estate purposes or otherwise noted in the ordinance.

(1) Temporary Signs Requiring a Permit.

(a) Grand Opening Signs. Temporary signs announcing the initial opening of a business, or the relocation, or change of ownership of an existing business may be allowed provided that the event shall not continue for more than sixty (60) days and that the permit is issued within the first year of operation. There shall be no more than one (1) sign allowed per business. Signage shall be secured to the building. The sign must comply with general size and location standards for signage in this Chapter and must be removed at the end of the 60 day period. A temporary sign permit is required.

(b) NOTE: "Now Open", "Grand Opening", "New Location of...", "New Ownership," etc. are appropriate messages for the signs.

(2) Special Promotion Periods. A business may apply for three [3] special promotion periods during the calendar year. Each period may not exceed seven (7) days in length. The periods may be combined to run consecutively. Signage shall be secured to the building.

(3) NOTE: Special product, price, or service advertising are appropriate during these periods.

(4) Going Out of Business/Bankruptcy Period. A business may apply for a special permit in order to facilitate the liquidation of inventory for a failing business for a period not to exceed ninety (90) calendar days. The permit will be allowed only once for any business license. A temporary sign permit is required. Signage shall be secured to the building.

(a) NOTE: Special product, price or service advertising are appropriate during these periods.

(5) Temporary Signs Allowed Without a Permit.

(a) Holiday Periods. A business may advertise a special service, product or sale during the following holiday periods without a permit:

Holiday Period	Permitted Display Time
Presidents Day – February	5 days
Easter – March or April	5 days
Memorial Day – May	5 days
July 4th	5 days
July 24th	5 days
Labor Day – September	5 days
Thanksgiving – November	7 days
Hanukkah, Christmas, New Years	23 days starting Dec. 15 and ending Jan 2.
NOTE: One banner sign is allowed during these periods. The sign must be mounted on the building. The sign must be removed by the end of the first working day after the holiday period ends.	

(b) The placement of signs associated with produce sales, where the produce is grown on-site, is limited to the following: one (1) sign, four (4) square feet in size, and secured on the property where the produce is grown. Sign may be on-premises during the harvest season for the produce sold.

(6) Directional Signs for Subdivisions/Planned Unit Developments. These signs do not need a permit. However, written permission of the property owner must be obtained and presented to the Community Development Director before they are erected.

(a) Three directional signs may be allowed for a developer to guide traffic to the site and should contain only the name, address, and direction of

the development. They are limited to sixteen (16) square feet in area and eight (8) feet in height and must be placed entirely upon private property with the permission of the owner. Two additional sixteen (16) square foot directional signs may be allowed by the Director if a special need or unusual circumstance can be demonstrated. They may not encroach upon any public right-of-way and may not be located within the sixty (60) foot traffic visibility triangle on corners.

(b) The signs shall be removed within 2 years of the issuance of the first building permit in the project or if the lots are sold out before 2 years immediately upon sale of the last lot. An extension may be granted by the Community Development Director if a substantial number of the lots have not been sold at the end of the 2-year period.

**24-4-4 Flags/Banners Requiring Approval.**

(1) In addition to the above mentioned requirements businesses that are considered to have permanent outdoor retail space may, with a special one time permit issued by the Planning Commission, use flags or banners on any number of parking area light poles or on a single pole in conjunction with governmental flags. The Planning Commission or Department staff shall use the following criteria for approval/revocation of additional flags and/or banners:

(a) The applicant shall present to the Planning Commission drawings, representations or other types of visual aides to ensure that what is approved will accomplish the intent of the Planning Commission.

(b) The applicant shall provide sizes and numbers of all flags or banners.

(c) The proposal must be in harmony with neighboring development in terms of size, color and volume.

(d) The Department staff has the right to revoke this permit if the applicant has misrepresented any aspect of the proposal or the flags/banners become tattered, discolored or the applicant has violated any provisions of this code. Appeals of a determination by the Department shall be heard by the Planning Commission.

## Chapter 5. Nonconforming Signs

### 24-1-1 Nonconformity

#### 24-5-1 Nonconformity.

(1) Regulation, Containment, and Elimination. In order to minimize confusion and unfair competitive disadvantage to businesses which are required to satisfy the current sign ordinance standards, the City intends to apply firm regulation of existing nonconforming signs with a view to their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, or restoration of abandoned signs.

(2) Within forty-five (45) calendar days after vacation of a business, any on-site nonconforming signs must be removed or brought into compliance by the property owner. If removal does not occur, Clinton City may have the entire nonconforming sign (both face and structure) removed through the processes specified in § 24-9-2 below. An abandoned sign may not regain any legal nonconforming status later, even if the original business reoccupies the property.

(3) Existing signs which do not conform to the specific provisions of this title may be eligible for the designation "legal nonconforming" provided that:

(a) The original business remains at that location; and

(b) The Director determines that the signs were constructed in accordance with the existing ordinance at the time and have been properly

(7)

maintained and do not in any way endanger the public.

(4) A nonconforming sign shall not be reconstructed, raised, moved, placed, extended or enlarged unless the sign is changed so as to conform to all provisions of this title. On premise non-conforming signs which are destroyed by natural causes i.e., earthquakes, floods, winds etc., exceeding 60% of the signs true value must be brought into conformance. Non-conforming signs shall be allowed to have routine maintenance including the repair or replacement of the sign face by an existing business but shall not be allowed to increase the height, size or the location thereof. If a business applies for an increase of square footage other than for temporary signs all signs on the site shall be brought into conformance with the provisions of this title.

(5) The following alterations on existing nonconforming signs are permissible:

(a) Face changes in nonconforming multi-tenant signs: and,

(b) Face changes on nonconforming signs by an existing business; and,

(c) Copy changes in nonconforming permanent signs which were originally approved by the City with a changeable copy feature.

(6) Appeal. Any person who has been ordered to remove an abandoned sign or who has grievance with the decision of the Director related to a nonconforming sign may appeal the decision of the Director as outlined in § 24-9-3 below.

*History 4/14*

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## Chapter 6. Construction Specifications

24-6-1	Inspection Required
24-6-2	Compliance with Building and Electrical Codes
24-2	Electrical Codes
24-6-3	Anchoring
24-6-4	Additional Construction Specifications
24-6-5	Detached Signs
24-6-6	Moving Signs
24-6-7	Other Requirements
24-6-8	Measurement of Regulated Sign Area

### 24-6-1 Inspection Required.

- (1) Required Inspections. A footing and final inspection shall be required for all signs.
- (2) Re-inspection. A re-inspection may be accomplished of any sign for which a permit was issued but which upon primary inspection was not built in complete compliance with the regulations of this chapter.

**24-6-2 Compliance with Building and Electrical Codes.** All signs shall be constructed in accordance with the requirements of the Uniform Construction Code adopted by the State relating to design, structural members and connections. All metal, wire cable supports, footings and braces shall have engineering provided by an engineer licensed in the state of Utah. Signs shall also comply with the additional construction standards as set forth in this code.

### 24-6-3 Anchoring.

- (1) No sign shall be suspended by nonrigid attachments that will allow the sign to swing in a wind.
- (2) All freestanding signs shall have self-supporting structures erected on or permanently attached to concrete foundations.
- (3) All temporary signs on display shall be securely fastened to the building.

### 24-6-4 Additional Construction Specifications.

- (1) 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.
- (2) No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation.
- (3) Signs shall be located in a manner as to

maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specifications, depending on voltages concerned. However, in no instance shall a sign be erected or constructed within eight (8) feet of any electrical power line conductor, or service drop or any communication line, conductor, or service drop.

- (4) No signs shall be erected, constructed, or maintained so as to obstruct vision along any public right-of-way.

### 24-6-5 Detached Signs.

(1) Number of panels. A detached sign may consist of more than one sign panel provided all sign panels are attached to one common integrated sign structure and any additional panels must meet minimum clearance as designated elsewhere in this Title. The total area of all the panels shall not exceed the maximum allowable sign area specified for a detached sign on the parcel. Where a sign message consists of separated or individual letters, modules, or symbols, each portion of the sign message shall not be considered as a one-sign panel. In these cases, a single continuous perimeter completely surrounding the sign message shall be utilized to determine its sign area.

(2) Detached signs required setbacks. No detached sign shall project over a public right-of-way. Detached signs shall have a two (2) foot setback from all property lines. The two (2) foot setback is determined from the leading edge of the detached sign. Where a detached sign has a two (2) foot or more base width from ground level to a height of ten (10) feet, the base of the sign shall be located a minimum of ten (10) feet from any front property line and shall not be located in any clear view area.

(3) Detached signs: Minimum clearance. A detached sign shall have a minimum clearance of ten (10) feet between the ground surface and the bottom of the sign, provided that the Community Development Director may reduce this clearance if the sign is not illuminated with exposed neon tubing and is located in an area not accessible to pedestrian or vehicular traffic or if an acceptable site feature is constructed to protect the pedestrian and vehicular traffic. The minimum clearance shall not be reduced where a traffic hazard may be created. In no case shall this clearance be reduced to less than six (6) feet.

**24-6-6 Moving Signs.** No sign, rotating sign or any portion thereof shall be permitted which rotates more than eight (8) complete revolutions every sixty (60) seconds.

**24-6-7 Other Requirements.**

(1) All on-premise freestanding signs must have the structural supports covered or concealed with pole covers (pylon covers) at least thirty-six (36) inches wide. The actual structural supports shall not be exposed, and the covers must be architecturally and aesthetically designed to match the building.

(2) Foundations. All signs must be permanently mounted on foundations and footings which conform to the State adopted Construction Codes.

(3) Landscaping. All freestanding or monument detached signs installed in Clinton City must be incorporated into a landscape design or planter box. Exceptions to this rule must be approved by the Planning Commission. The Planning Commission must also approve any permanent removal of landscaping for the purpose of situating a sign.

(4) Pedestal Required. All monument signs must have at least a one (1) foot opaque pedestal designed as part of the foundation which conceals any pole support. The pedestal should run at least 50% of the horizontal length of the sign, and there may not be any exposed space between the pedestal and the ground or landscaped area. The Planning Director may review and approve/deny any variation to the pedestal base requirement.

(5) Lighting. The light from the illumination of signs shall be carefully directed so that the light is not obtrusive or a nuisance to adjacent properties particularly residential areas.

(6) Building Identification. All buildings shall be identified with a numbered or lettered street address as outlined in Title 25, Chapter 14.

(a) Residential address numbers shall be at least four (4) inches in height.

(b) Commercial and building address numbers shall be at least six (6) inches in height or as indicated during site plan approval depending on height and size of building and distance from the public way.

(c) Commercial unit addresses shall be a minimum of four (4) inches in height.

**24-6-8 Measurement of Regulated Sign Area.**

(1) Wall Signs. Sign copy mounted or painted on a background panel or area distinctly painted, textured or constructed, as a background for the

sign copy shall be measured as that area contained within the outside dimensions of the background panel or surface. Any illuminated bands or illuminated structures which contain sign copy, corporate logos, etc. are by definition wall signs in their entirety and may not exceed 15% of the wall area. However, illuminated bands on canopies covering gasoline pump islands shall be regulated per this Chapter. For sign copy mounted as individual letters and/or graphics against a wall or fascia of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, the area shall be defined as the area enclosed by the smallest six-sided polygon that will enclose all sign area. For sign copy on an illuminated sign or illuminated architectural element of a building, the entire illuminated surface or illuminated architectural element which contains sign copy shall be counted as sign area.

(2) Monument Signs. The regulated area of a monument sign shall include all parts of the sign or structure that contains identification (words or symbols) and information. The height of a ground sign shall be the distance from the highest point of the sign to the height of the street curb or sidewalk.

(3) Multiple Face Signs (including but not limited to freestanding or monument signs).

(a) Single Panel. Measure the area of the single face only.

(b) Double Panel. If the interior angle between the top two faces is 45 degrees or less, the area to be measured will be the area of one face only. If the angle between the two sign faces is greater than 45 degrees, the sign area to be measured will be the sum of the areas of the two faces.

(c) Three or More. The sign area shall be the sum of the areas of the three or more faces.

(d) Freestanding Signs. The regulated area of a freestanding sign shall include all parts of the sign or structure that contains identification (words or symbols) and information. The height of a freestanding sign shall be the distance from the highest point of the sign to the top of the curb or sidewalk or crown of the street when there is no curb or sidewalk.

(e) Non-planer Signs. For spherical, free-form, sculptural, or other non-planer signs, the sign area shall be the sum of the areas of the four vertical sides of the smallest polyhedron that will encompass the sign structure.



**Chapter 7. Billboards**

- 24-7-1 Purpose and Intent
- 24-7-2 Cap on Number of Billboards

**24-7-1 Purpose and Intent.** It is the purpose and intent of this chapter to limit the number of billboards to the total number of existing billboards. This chapter further provides for the reasonable regulation of billboards with the intent of limiting negative impacts, enhancing the

aesthetics of existing and new billboards and implementing goals and policies promoting safety, the protection of property values, aesthetics, the maintenance of gateways, views and vistas that enhance the city and further the applicable elements of the city's General Plan.

**24-7-2 Cap on Number of Billboards.** The number of billboards allowed in the city shall be limited to the number of billboards that exist in the city as of the date of this ordinance.

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## Chapter 8. Administration and Enforcement

24-8-1	Code Administration
24-8-2	Applications for Permits
24-8-3	Permit Fees
24-8-4	Issuance and Denial
24-8-5	Permit Conditions, Refunds and Penalties
24-8-6	Inspection upon Completion
24-8-7	Variances

### 24-8-1 Code Administration.

(1) This code shall be administered by the Department overseen by the Director. The Department is authorized to process applications for permits and variances and enforce and carry out all provisions of this code, both in letter and in spirit. The Director or his representative is authorized to promulgate regulations and procedures consistent with this function.

(2) The Director is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the city for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with applicable codes and ordinances. These inspections shall be carried out during business hours unless an emergency exists.

### 24-8-2 Application for Permits.

(1) Application for a permit for the erection, alteration, or relocation of a sign shall be made to the Department upon a form provided by the Department and shall include the following information:

- (a) Name and address of the owner of the sign.
- (b) Street address or location of the property on which the sign is to be located, along with the name, phone number and address of the property owner.
- (c) Contractor information, to include license number, phone number and address.
- (d) Value of sign.
- (e) The type of sign or sign structure as defined in this title.
- (f) For monument or freestanding sign:
  - (i) Number of acres and length of lineal frontage of property.
  - (ii) A site plan showing the relationship of sign to

buildings, property lines, setback from public rights-of-way, intersections, easements and driveways along with the locations and square footage areas of all existing signs on the same premises and adjacent premises within one hundred (100) feet.

(iii) Engineered specifications and scale drawing showing the materials, design, dimensions, structural supports, method of attachment and electrical components of the proposed sign.

(g) For temporary signs:

(i) Length of period of display, type of request.

(ii) Plot plan showing relationship of sign(s) to buildings, property lines, setback from public rights-of-way, intersections, easements and driveways.

(h) For wall signs:

(i) Scale drawings showing square foot dimensions of both the building and the sign, sign composition, and type of illumination.

(ii) A profile drawing of how the sign will appear from the street/parking area and on the building.

(iii) Detail sign construction and engineered attachment including electrical plan.

**24-8-3 Permit Fees.** All applications for permits filed with the Department shall be accompanied by a payment of the initial permit fee for each sign according to a fee schedule set by resolution of the Clinton City Council.

### 24-8-4 Issuance and Denial.

(1) Where site plan approval by the Planning Commission is required and the signage is required or included as part of the package an application for a permit may not be submitted until the site plan is approved.

(2) The Director shall issue a permit for the erection, alteration, or relocation of a sign within thirty (30) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

(3) When a permit is denied by the Department, a written notice to the applicant along with a brief statement of the reasons for denial. The Director may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

### 24-8-5 Permit Conditions, Refunds and Penalties.

(1) If no inspections have been made and no work authorized by the permit has been performed, the permit fee may be refunded to the applicant upon request, provided that the permit is returned to the Department within thirty (30) days of issuance. An administrative fee, as set by Council and published in the Clinton City Fee Schedule will be deducted from any refund.

(2) If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled. However, payment of the doubled fee shall not relieve any person of any other requirements or penalties prescribed in this title.

**24-8-6 Inspection upon Completion.**

(1) Any person installing, altering, or relocating a sign for which a permit has been issued shall notify the Department upon completion of the work. The Director may require a final inspection, including an electrical inspection and inspection of footings on freestanding signs.

(2) The Director may require in writing upon issuance of a permit that he be notified for inspection prior to the installation of certain signs.

**24-8-7 Variations.** In obtaining a permit, the applicant may apply to the Director for a variance from certain requirements of this title. A variance may be granted by the board of adjustment where the literal application of the code would create a particular hardship for the sign user and the following criteria are met:

(1) There is something unique about the property and a literal application of the code would not allow the property to be used at its highest and best use as zoned.

(2) The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.

(3) Hardship caused the sign user under a literal interpretation of the code is due to conditions unique to that property and does not apply generally to the city.

(4) The granting of the variance would not be contrary to the general objectives of this code.

(5) In granting a variance, the board of adjustment may attach additional requirements necessary to carry out the spirit and purpose of this code in the public interest.

## Chapter 9. Violations

- 24-9-1 Violations
- 24-9-2 Removal of Signs by the City
- 24-9-3 Appeals

### **24-9-1 Violations.**

(1) Any sign not expressly allowed by this ordinance is prohibited. The Community Director, City Code Enforcement Officer or their authorized representatives shall be vested with the duty of enforcing the title.

(2) Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating, causing or permitting the violation of the provisions of this title shall be guilty of a class C misdemeanor and shall be punishable as provided by law. In addition to a fine or jail sentence, the violator may be ordered to abate the condition which is a violation or the violator may have his/her Clinton City business license suspended or revoked. Any person, firm or corporation who violates this title shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this title is committed, continued or permitted by any person, firm or corporation, and shall be punished as provided in this title.

(3) When, in the opinion of the Director, a violation exists, the Director or their representative shall issue one or more of the following notification procedures:

(a) For signs as outlined in § (8) the sign will be removed and verbal notification will be given to the apparent sign owner when possible.

(b) Verbal notice will be given to the property owner requesting immediate removal of the sign or requesting permission for the City to remove the sign. If the sign is allowed to be removed and did not belong to the property owner notice shall be given as outlined in § (a) above.

(c) A written order to the alleged violator. The order shall specify those sections of the code of which the sign may be in violation and shall state that the individual has six (6) days from the date of the letter in which to correct the alleged violation. Appeal to written order may be made as outlined in § 24-9-3 below

(d) Citation issued by an appointed officer of the City stating violation of this Title and ordering appearance in Justice Court.

(4) If, upon inspection, the Director finds that a sign is structurally, materially or electrically defective, or in any way endangers the public, the Director shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within fifteen (15) days of the date of the order. The Director may stipulate a shorter time period depending upon the urgency of the situation.

(5) Notice of violations is deemed to have been given when notice is mailed or given to the property owner or occupant of the property upon which the sign is located. Notice shall be mailed to the owner of the property on which the sign is located as shown on the Davis County Recorder's web site. If known, the notice may also be mailed or delivered to the owner of the sign and the occupant of the property.

(6) Any person having an interest in the sign or the property may appeal as outlined in § 24-9-3 below.

(7) In cases of emergency, the Director may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to public safety.

(8) If, a sign is placed within a public right-of-way, utility poles, light poles, traffic signs, or on any City owned property, (snipe signs) without a permit being issued by the Department the City Code Enforcement Officer, or his designee may remove the sign without further notice to any implied owner or business.

(9) Disposal of Signs: Fees. Any sign removed by the enforcement officer pursuant to the provisions of this title shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. If a cost assessment is adopted by resolution by the City Council and published in the Clinton City Consolidated Fee Schedule, costs shall be assessed to the property owner or other responsible party and collected as outlined in § 24-9-2 below.

### **24-9-2 Procedure for Recoup of City Funds.**

(1) Removal of signs as outlined in § 24-9-1(8) will be immediate and notification shall be as outlined in § 24-9-1(3)(a) and 24-9-1(3)(b) and if the notified party wishes to redeem the sign a fee will be imposed as set by Council, and published in the Consolidated Fee Schedule. Signs will be retained for the period of one week from the time of notification.

(2) The Director may cause the removal of an illegal sign, not falling into the category outlined in § (1)

above in cases of emergency, or for failure to comply with this Title or a written order of removal or repair. After removal or demolition of the sign, a notice shall be mailed to the property owner stating the nature of the work, the date on which it was performed and demanding payment of the costs as certified by the Director together with an administrative fee as set by the City Council and published in the Consolidated Fee Schedule.

(3) If the amount specified in the notice is not paid within thirty (30) days of the notice the City shall file a tax lien with the Davis County Assessor's Office against the property for the costs outlined in § (2) above.

(4) The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Director, as in the case of a leased sign.

(5) For purposes of removal, the definition of sign shall include all sign embellishments and structures designed specifically to support the sign.

**24-9-3 Appeals.**

(1) The Director's decision may be appealed to the City Council within fifteen (15) days of receipt of the Director's response pertaining to:

- (a) Denying a permit; or,
- (b) Any variance not granted; or,
- (c) In alleging a violation of this code.

(2) Any action being appealed shall be held in abeyance pending the decision of the council or board.

(3) If there is not an appeal filed within the fifteen (15) day period or the City Council upholds the determination of the Director the sign may be removed in accordance with § 24-9-2