

ORDINANCE No. 17-138

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, DECLARING THAT CERTAIN DOCUMENT ENTITLED "TOWN OF DEWEY-HUMBOLDT, ARIZONA SIGN CODE, DATED SEPTEMBER 19, 2017" TO BE A PUBLIC RECORD; ADOPTING THE "TOWN OF DEWEY-HUMBOLDT, ARIZONA SIGN CODE, DATED SEPTEMBER 19, 2017" BY REFERENCE; AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 153 ZONING REGULATIONS BY REPEALING THE PROVISIONS OF SUBCHAPTER SIGN CODE AND REPLACING IT WITH THE PROVISIONS SET FORTH IN THE "TOWN OF DEWEY-HUMBOLDT, ARIZONA SIGN CODE, DATED SEPTEMBER 19, 2017", CONSISTING OF SUBCHAPTER SIGNS AND INCLUDING THE FOLLOWING SECTIONS: § 153.125 PURPOSE, § 153.126 DEFINITIONS, § 153.127 PERMITS REQUIRED, § 153.128 GENERAL PROVISIONS, § 153.129 SIGN REGULATIONS FOR USE DISTRICTS, AND 153.130 SIGN REGULATIONS, MOBILE HOME, TRAVEL TRAILER AND RECREATIONAL VEHICLES ALL RELATED TO UPDATING THE TOWN'S SIGN CODE TO REMOVE CONTENT-BASED REGULATIONS IN LIGHT OF THE SUPREME COURT DECISION *REED V. TOWN OF GILBERT* AND PROVIDING REASONABLE REGULATIONS OF SIGNS WITHIN THE TOWN; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING PENALTIES.

Whereas, signs are an important means of communication, providing a means for entities to identify their locations, for businesses to advertise their products, and for individuals to express their opinions on public issues; and

Whereas, unregulated, signs may be disorienting to drivers creating serious traffic issue or may proliferate creating clutter, safety issues and long-term negative effects on the visual environment and economic development of the Town; and

Whereas, in *Reed v. Town of Gilbert*, the United States Supreme Court found that distinctions between certain types of signs are content-based if a person must read a sign to know whether a sign regulation applies; and

Whereas, several of the provisions of the current sign regulations in the Town of Dewey-Humboldt may be deemed content-based and unconstitutional pursuant to *Reed v. Town of Gilbert*;

Now, Therefore, Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section 1. In General.

1. That certain document entitled "Town of Dewey-Humboldt, Arizona Sign Code, dated September 19, 2017" is hereby declared to be a public record and three paper copies or one paper copy and one electronic copy are to be maintained in compliance with A.R.S. § 44-7041, and filed in the office of the Town Clerk and kept available for public use and inspection.

2. The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title XV Land Usage, Chapter 153 Zoning Regulations, Subchapter Sign Code is hereby repealed.

3. The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title XV Land Usage, Chapter 153 Zoning Regulations, is hereby amended adopting by reference the "Town of Dewey-Humboldt, Arizona Sign Code, dated September 19, 2017" consisting of the following sections: § 153.125 Purpose, § 153.126 Definitions, § 153.127 Permits Required, § 153.128 General Provisions, § 153.129 Sign Regulations for Use Districts, and 153.130 Sign Regulations, Mobile Home, Travel Trailer and Recreational Vehicle Parks, which document is hereby adopted and incorporated by reference.

Section II. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section III. Repeal of Conflicting Ordinance

All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

Section IV. Penalties

Any person found responsible for violating any provision of this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99 of the Dewey-Humboldt Code of Ordinances.

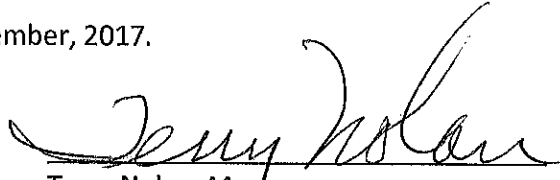
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 19th day of September 2017, by the following vote:

AYES: (7) Seven

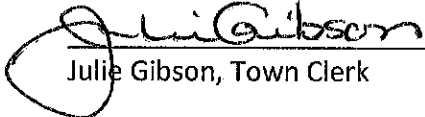
NAYES: (0) Zero ABSENT: (0) Zero

EXCUSED: (0) Zero ABSTAINED: (0) Zero


APPROVED this 19th day of September, 2017.


Terry Nolan, Mayor

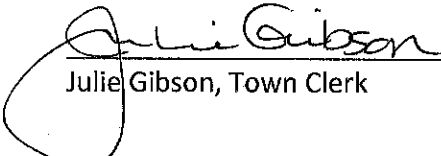
ATTEST:


Julie Gibson, Town Clerk

APPROVED AS TO FORM:


Gust Rosenfeld, PLC, Town Attorneys
BY: Susan D. Goodwin

I, JULIE GIBSON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 17-138 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE 19th DAY OF SEPTEMBER 2017, WAS POSTED IN THREE PLACES ON THE 19th DAY OF SEPTEMBER 2017.


Julie Gibson, Town Clerk

Town of Dewey-Humboldt Sign Code Amendments

September 19, 2017

§ 153.125 Purpose.

(A) The purpose of the Sign Code is:

1. ~~€~~To provide freedom and flexibility for the design, construction and maintenance of signs in harmony with the values and character of this country community;;

2. ~~€~~To preserve aesthetics, maintain property values, protect the general public from damage or injury caused by distractions/hazards/obstructions; which result from improperly designed or located signs; and

3. ~~€~~To insure that the constitutionally guaranteed right of free speech is protected;;
AND

4. TO REGULATE SIGNS IN A MANNER THAT DOES NOT FAVOR COMMERCIAL SPEECH OVER NONCOMMERCIAL SPEECH AND DOES NOT REGULATE PROTECTED SPEECH BY MESSAGE OR CONTENT.

(B) ~~The following~~ THIS subchapter shall be known and cited as the Town of Dewey-Humboldt Sign Code.

§ 153.126 Definitions.

For the purposeS of this subchapterCHAPTER, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AWNING. A shelter or cover projecting from and supported by an exterior wall of a building.

BANNER. A temporary sign composed of lightweight material, enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign.

BILLBOARD. An off-premise sign that is free-standing and ground-mounted.

CHANGEABLE COPY. A sign on which copy is changed electronically or manually.

COMPREHENSIVE SIGN PLAN. A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to indications of the locations, dimensions, and sign types of all signs to be located on a site.

EMBLEM. A symbol representing any government, whether state, federal or local.

ERECT. To build, construct, alter, repair, display, relocate, attach, hand, place, suspend, affix, or maintain any sign including the painting of exterior wall signs.

FLAG. Any fabric or banner containing distinctive colors, patterns, or symbols used as a symbol of a government, whether state, federal or local.

FRONTAGE. The length of the property line of a premises along a public right-of-way.

GROUND LEVEL. The average ground elevation within ten feet measured horizontally to the sign base.

~~**LOGO.** A symbol, graphic, trademark or emblem associated with or representing a specific entity, product or concept.~~

~~**PAD.** Planned Area Development as defined in § 153.048.~~

~~**POSTER.** A temporary bill or placard for advertising community events.~~

~~**RELIGIOUS SYMBOLS.** Works of art as signs which convey compelling ideas or ideals such as, but not limited to, a Christian cross, star of David, crescent and star, fish (ICHTHUS), or statuary depicting (for example) a nativity scene.~~

SANDWICH BOARD. A temporary sign which is of the A-frame type that sits on the ground.

SIGN. Any DEVICE OR STRUCTURE WHICH DRAWS ATTENTION TO AN OBJECT, PRODUCT, PLACE, ACTIVITY, OPINION, PERSON, ORGANIZATION OR BUSINESS. identification, description, illustration, symbol or device which is affixed directly or indirectly upon a building, vehicle, structure or land and which conveys information identifying or directing attention to or advertising a product, place, activity, person, institution or business.

SIGN, ABANDONED. A permanent sign which is no longer safe or no longer serves its intended purpose.

~~**SIGN, COMMEMORATIVE.** A symbol or plaque commemorating a person or event.~~

~~**SIGN, CONSTRUCTION.** A temporary sign identifying the persons, firms or businesses directly connected with a construction project.~~

~~**SIGN, DIRECTIONAL.** A sign commonly associated with and limited to information and directions necessary and convenient for persons coming on the property, including sign marking entrances, parking areas, one-way drives, restrooms, pick-up and delivery areas and the like.~~

~~**SIGN, DIRECTORY.** Any sign listing the names, use or location of the businesses or activities conducted within a building or group of buildings.~~

SIGN, FREESTANDING. A sign which is erected on its own self-supporting permanent structure, not attached to a building.

SIGN, GOVERNMENTAL. A sign erected and maintained pursuant to and in discharge of any governmental function or required by a law or ordinance or governmental regulations, INCLUDING OFFICIAL NOTICES.

~~**SIGN, IDENTIFICATION.** A sign identifying by name, message or symbol a business, residence, occupant activity, institution, establishment, operation, merchandise, product or service available at the property on which the sign is displayed.~~

SIGN, ILLUMINATED. A sign with an artificial light source incorporated internally or externally.

~~**SIGN, INFORMATIONAL.** A sign clearly intended for informational (instructional or warning) purpose and not advertising a product or service, other than an identification sign.~~

SIGN, NONCONFORMING. Any sign which DOES NOT CONFORM TO THE REGULATIONS FOR SIGNS FOR THE DISTRICT IN WHICH IT IS LOCATED ~~is not allowed under this Code~~ but which when first constructed was lawfully permitted, constructed and installed OR WAS LAWFULLY INSTALLED IN ANOTHER POLITICAL JURISDICTION PRIOR TO ANNEXATION TO THE TOWN.

SIGN, NUMBER OF FACES ON.

- (1) *Single-faced.* If a sign has copy on one side only.
- (2) *Double-faced.* If the angle between the two sign faces is less than 45 degrees, the sign shall be considered double-faced; the sign area will be the area of one face only.

SIGN, OFF-PREMISES. A permanent sign PROVIDING INFORMATION OR DIRECTING ATTENTION TO ~~advertising~~ a business, place, activity, goods, services, entertainment or product which is not conducted, sold or offered on the property on which the sign is located or which does not pertain to the property upon which the sign is located.

SIGN, ON-PREMISES. A sign ~~advertising~~ PROVIDING INFORMATION OR DIRECTING ATTENTION TO a business, place, activity, goods, services or products on the same property on which the sign is located.

SIGN, PERMANENT. A sign constructed of durable materials, attached to the ground or a building and intended to remain in use for six months or more.

~~**SIGN, POLITICAL.** A temporary sign announcing or supporting or opposing political candidates or issues connected with any national, state or local election~~ REGULATED PURSUANT TO ARIZONA REVISED STATUTES § 16-1019.

SIGN, PORTABLE. A sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

SIGN, PROJECTING. Any sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building. ~~Shall be considered "freestanding" signs with reference to square footage allowances.~~

~~**SIGN, PROPERTY.** A sign pertaining to the sale or lease of the premises, or a portion of the premises on which the sign is located or for open houses for premises for sale or lease.~~

~~**SIGN, SUBDIVISION.** A sign advertising lots or units for sale or lease in a subdivision, apartment or condominium project.~~

SIGN, TEMPORARY. A sign intended to remain in use for less than six months.

SIGN, WALL. A sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from the building.

SIGN, WINDOW. A SIGN THAT IS PAINTED ON OR ADHERED TO THE INTERIOR OR EXTERIOR OF A GLASS WINDOW OR DOOR AND IS VISIBLE FROM THE EXTERIOR OF THE GLASS WINDOW OR DOOR.

STANDARD. A post embedded in the ground on which a sign is mounted.

§ 153.127 -General Provisions PERMITS REQUIRED.

(A) PERMIT REQUIRED. EXCEPT AS PROVIDED FOR EXEMPT SIGNS, IT SHALL BE UNLAWFUL FOR ANY PERSON TO CONSTRUCT, INSTALL, ATTACH, PLACE, PAINT, ALTER, RELOCATE, OR OTHERWISE MAINTAIN ANY SIGN IN THE TOWN WITHOUT FIRST OBTAINING A SIGN PERMIT IN ACCORDANCE WITH THIS SIGN CODE.

(B) REQUIREMENT OF CONFORMITY. SIGNS SHALL NOT BE INSTALLED, PLACED, OR MAINTAINED IN THE TOWN EXCEPT IN CONFORMANCE WITH THIS SIGN CODE. IF PROVISIONS OF THIS SIGN CODE CONFLICT WITH ANY OTHER TOWN CODE, THE MORE RESTRICTIVE REQUIREMENT(S) SHALL APPLY. SIGNS MAINTAINED CONTRARY TO THE PROVISIONS OF THIS SIGN CODE ARE DECLARED TO BE NUISANCES AND MAY BE ABATED AS PROVIDED BY LAW.

(C) FEES. SIGN PERMIT FEES SHALL BE AS ADOPTED BY THE TOWN COUNCIL BY RESOLUTION.

(E) SIGN PERMIT APPLICATION. APPLICATION FOR A SIGN PERMIT SHALL BE MADE TO THE COMMUNITY DEVELOPMENT DEPARTMENT ON FORMS PROVIDED BY THE TOWN AND SHALL INCLUDE AT A MINIMUM THE FOLLOWING INFORMATION:

- (1) ASSESSOR'S PARCEL NUMBER IDENTIFYING THE PROPERTY;
- (2) STREET ADDRESS, IF ANY, LEGAL DESCRIPTION OF THE PROPERTY, AND DIMENSIONS THEREOF. IF THE PARCEL IS NOT LOCATED WITHIN A RECORDED SUBDIVISION, A METES AND BOUNDS LEGAL DESCRIPTION SHALL BE SUBMITTED WITH THE APPLICATION;
- (3) ZONING DESIGNATION OF THE PROPERTY ON WHICH THE SIGN WILL BE LOCATED;
- (4) TYPE OF SIGN AND MATERIALS USED, METHODS OF SUPPORT, FREESTANDING OR OTHER;
- (5) ESTIMATED TRUE VALUE OF SIGN AND ASSOCIATED STRUCTURAL SUPPORTS;
- (6) DIMENSIONS OF SIGN PANEL AS WELL AS BOTTOM AND TOP HEIGHTS ABOVE GRADE;
- (7) TYPE, PLACEMENT AND STRENGTH OF ILLUMINATION, IF ANY;
- (8) NUMBER AND ORIENTATIONS OF FACES OF SIGN (AERIAL-VIEW SKETCH, IF NECESSARY, TO DEPICT FACES AND ORIENTATION);
- (9) A FINAL PLOT PLAN SHOWING THE FOLLOWING:
 - a. SHAPE AND DIMENSIONS OF LOT BOUNDARIES, ADJACENT STREET RIGHT- OF-WAY, DRIVEWAYS, BUILDINGS (EXISTING AND PROPOSED);
 - b. NORTH DESIGNATION; AND
 - c. LOCATION OF SIGN(S) ON PROPERTY (INDICATE TYPE).
- (10) A FINAL ELEVATION VIEW, WITH DIMENSIONS AND APPROXIMATE COPY AD DESIGN, OF THE SIGN(S) FACES;
- (11) SUCH OTHER INFORMATION AS THE ZONING ADMINISTRATOR MAY REQUIRE FOR THE PURPOSE OF DETERMINING WHETHER THE APPLICATION COMPLIES WITH THE SIGN CODE REQUIREMENTS;
- (12) NAME, ADDRESS AND TELEPHONE NUMBER OF PROPERTY OWNER AND AGENT, IF ANY; AND
- (13) SIGNATURE OF APPLICANT OR AGENT.

(F) SIGNS NOT REQUIRING PERMITS. EXEMPT SIGNS NOT REQUIRING PERMITS SHALL COMPLY WITH ALL OTHER REQUIREMENTS AND RESTRICTIONS OF THIS CODE.

(G) TEMPORARY SIGN PERMITS. SIGNS WITH A LIMITED DURATION OF USE, SUCH AS THOSE PROVIDED IN §§ 153.130, SHALL OBTAIN A TEMPORARY SIGN PERMIT. THE REQUIREMENTS AND CRITERIA FOR SUCH SIGNS ARE AS FOLLOWS:

(1) TEMPORARY SIGN PERMITS SHALL BE ISSUED FOR NO MORE THAN SIX MONTHS. AN EXTENSION OF A TEMPORARY SIGN PERMIT MAY BE OBTAINED PURSUANT TO THE GRANTING OF A USE PERMIT.

(2) TEMPORARY SIGNS SHALL CONFORM TO ALL OTHER REQUIREMENTS OF THIS CODE.

(H) SIGN PERMIT REVIEW; TIME FRAMES.

(1) WITHIN TEN BUSINESS DAYS OF SUBMISSION OF AN APPLICATION FOR A SIGN PERMIT, STAFF SHALL REVIEW THE APPLICATION FOR COMPLETENESS. IF THE APPLICATION IS NOT COMPLETE, THE APPLICANT WILL BE NOTIFIED OF THE DEFICIENCY VIA EMAIL, TELEPHONE, OR FIRST CLASS MAIL.

(2) WITHIN THIRTY BUSINESS DAYS OF RECEIPT OF A COMPLETE APPLICATION, TOWN STAFF SHALL REVIEW THE APPLICATION FOR COMPLIANCE WITH THE REGULATIONS SET FORTH IN THIS CODE AND IN THE TOWN CODE, AS APPLICABLE, AND SHALL ISSUE THE PERMIT OR NOTIFY THE APPLICANT OF DEFICIENCIES AND THE NEED FOR CORRECTIONS.

(3) FOR A COMPREHENSIVE SIGN PLAN, THE REVIEW OF THE COMPLETE APPLICATION FOR COMPLIANCE WITH THE TOWN REGULATIONS SHALL BE EXTENDED TO FORTY-FIVE DAYS FROM THE DATE OF SUBMISSION, OR AS MAY BE OTHERWISE AGREED UPON BY THE TOWN AND THE APPLICANT.

(I) EXEMPT SIGNS.

THE FOLLOWING TYPES OF SIGNS ARE EXEMPT FROM PERMITTING REQUIREMENTS BUT SHALL BE SUBJECT TO THE REGULATIONS SET FORTH BELOW. NO MORE THAN TWO EXEMPT SIGNS SHALL BE ALLOWED PER BUSINESS OR RESIDENTIAL LOT:

<i>DISTRICTS</i>	<i>TYPE</i>	<i>NUMBER PERMITTED</i>	<i>MAXIMUM AREA AND HEIGHT</i>
ALL DISTRICTS	GOVERNMENT SIGNS	NO LIMIT	NO LIMIT
ALL DISTRICTS	POSTERS	NO LIMIT	§ 153.128(J)
ALL DISTRICTS	FLAGS	NO LIMIT	NO LIMIT
ALL DISTRICTS	SANDWICH BOARDS	2 PER FRONTAGE	10 SQ. FT.
COMMERCIAL DISTRICTS	WINDOW SIGNS	NO LIMIT	NO LIMIT
RESIDENTIAL DISTRICTS	WALL, WINDOW, OR GROUND-MOUNTED	NO LIMIT	16 SQ. FT.

§ 153.128 ~~Exempt Signs~~ GENERAL PROVISIONS

Except as may be further restricted in specific zones, all signs shall be subject to the following:

- (A) No sign shall be audible.
- (B) Lighted beacons, searchlights or similar lights, are prohibited (see Light Pollution, § 153.150 through 153.153).
- (C) NO SIGNS ARE PERMITTED IN THE PUBLIC RIGHT-OF-WAY, INCLUDING PUBLIC ROADWAY EASEMENTS. ~~No sign may encroach on or overhang an adjacent property, public right-of-way, utility right-of-way or easement unless an encroachment permit or license has been issued and approved by the town.~~
- (D) No sign shall be attached to a utility pole, light standard, bridge or other fixture in the public right-of-way.
- (E) No sign shall be painted directly on or affixed to any natural object in its natural location.
- (F) No sign shall exceed 30 feet in height.
- (G) No sign shall be ~~PLACED-located as to~~ IN A LOCATION THAT obstructS or interfereS with any official traffic signs and/or devices or ~~in such a manner as to obstructS~~ a driver's view of ~~any~~ oncoming, merging or intersecting traffic.
- (H) No sign shall display any statement, symbol or picture of an obscene nature.
- (I) Signs may be painted directly onto vertical structural surfaces.

(J) Signs that are not allowed in a residential zone shall not be placed ~~closer than~~ WITHIN 20 LINEAR feet of any residentially zoned ~~lot~~PROPERTY.

(K) New signs exceeding eight square feet in area or exceeding eight feet in height shall follow the permitting requirements specified in § ~~153.138~~153.127. ~~Relocation or substantial reconstruction, i.e., costing more than 50% of the present value of a sign, shall be considered a new sign for building permit purposes.~~

(L) All freestanding signs will ~~SHALL~~ comply with § ~~153.076~~ (i.e., MAINTAIN A one foot setback for each foot ~~in~~ OF SIGN height ~~shall be required~~).

(M) The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or border itself. The square footage of a sign composed only of letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of the letters words or symbols. Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed.

(N) Signs deemed dangerous, abandoned or in substantial violation of this Sign Code by the Zoning Administrator or designee, shall require correction within 30 days of official notification. IN ADDITION TO THE PENALTIES PROVIDED PURSUANT TO THE ZONING CODE, THE TOWN MAY PURSUE ADDITIONAL REMEDIES IN SUPERIOR COURT FOR FAILURE TO CORRECT VIOLATIONS OF THE SIGN CODE, ~~or the town may remove the sign in accordance with A.R.S. § 9-462.02(C).~~

~~(O) — An informational sign shall not be included in the permitted sum of the sign area of identification wall signs, provided the sign is not larger than necessary to serve the intended instructional purpose, and the sign is not in a location, nor includes design characteristics that constitute or serve the purposes of an identification sign.~~

(OP) Sandwich board signs shall be displayed only during times when the business being advertised is open for business.

(PQ) *Nonconforming.* Legal nonconforming signs existing prior to the effective date of this subchapter OR AMENDMENTS THERETO, shall be permitted to continue subject to general provisions regarding the removal of dangerous or abandoned signs and off-premises signs of this code, regarding obsolescence and abandonment. Continuation shall include the right to repaint or change the message or copy on the sign, provided the size and height is not increased and provided the sign is not converted from on-premises to off-premises use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign. If a nonconforming sign becomes a hazard to public safety, it shall be removed, in compliance with state law and this Code.

~~§ 153.128 Exempt Signs.~~

The following types of signs are exempt from permitting requirements, but shall be subject to the limitations and requirements set forth below. No more than two exempt signs shall be allowed per business.

<i>Descriptions & Districts</i>	<i>Type</i>	<i>Number Permitted</i>	<i>Area & Height</i>	<i>Permit Required?</i>
Official notices authorized by a court, public body or public safety official		No limit	No limit	No
Directory or informational signs authorized by federal, state, county or municipal government	Wall or ground-mounted standard	No limit	No limit	No
Commemorative signs	Wall or monument	No limit	§ 153.127(J)	No
Emblems and posters		No limit	§ 153.127(J)	No
Religious symbols		No limit	No limit	No
Flags		No limit	No limit	No
Sandwich boards		2 per frontage	10 sq. ft.	No
Signs located within structures in commercial-zoned district	Window signs	No limit	No limit	No
Political signs, residential (not in right-of-way)	Wall, window or ground-mounted standard	No limit. Remove within 15 days of last day of vote easting.	16 sq. ft. max.	No
Political signs, residential (in right-of-way)	Wall or ground-mounted standard	No limit. Install 60 days prior to election. Remove within 15 days of last day of vote easting.	16 sq. ft. max.	No

Descriptions &	Type	Number Permitted	Area	Permit
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Districts			& Height	Required?
Political signs, commercial/industrial (not in right-of-way)	Wall or ground-mounted standard	No limit. Install 60 days prior to election. Remove within 15 days of last day of vote casting.	32 sq. ft. max.	No
Political signs, commercial/industrial (in right-of-way)	Wall or ground-mounted standard	No limit. Install 60 days prior to election. Remove within 15 days of last day of vote casting.	32 sq. ft. max.	

§ 153.129 Special Purpose Signs.

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Directory or informational signs Permitted in all zoning districts.	Wall or ground-mounted standard which can be double-sided	1-per sign for each building entrance and exit from a parking area	Max. 32 sq. ft. Max. 20 ft. high	Yes—refer to light pollution, § 153.150 for restrictions	Yes
Property signs for all properties except those abutting highways Permitted in all zoning districts. Shall not impede traffic and shall not be located in any public row.	Wall or freestanding	1 each on each street frontage	Max. 18 sq. ft. Max. 8 ft. high	No	No

Shall be removed within 30 days of sale or rental.					
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Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
Property signs for properties abutting highways Only permitted adjacent to row at least 150 feet wide. Permitted in all zoning districts. Unlighted Shall be removed within 30 days of sale.	Wall or freestanding	1 sign per row frontage	32 sq. ft. and 8 ft. in height Property to be at least 2 acres	No	Yes
Construction signs Permitted in all zoning districts. Unlighted	Unspecified	1 each for each construction site	Max. 24 sq. ft. Max. 8 ft. high	No	Yes
Subdivision signs 2-year duration; requires a use permit thereafter.	Freestanding	Up to 5 signs	100 sq. ft. aggregate total 12 ft. in height maximum	Yes—refer to light pollution, 153.150 for restrictions	Yes

§ 153.130 Off-Premises Signs.

Descriptions & Districts	Type	Number Permitted	Area & Height	Lighting Allowed?	Permit Required?
<p>Off-premises signs</p> <p>Shall not be closer than 200 feet from a residential zoned district boundary.</p>	<p>Wall signs</p>	<p>Max. 1 off-premises wall sign per parcel</p>	<p>Max. of 200 sq. ft. in area and max. 20 ft. in height</p>	<p>May be illuminated internally or by external source in compliance with §§ 153.150-153.153 (Light Pollution control)</p>	<p>Yes</p>
	<p>Billboards*</p>	<p>Shall be located at least 1,500 feet from another billboard located on the same side of the highway.</p>	<p>Shall be located:</p> <ol style="list-style-type: none"> 1. Only in commercial or industrial zoning districts (C) and (M); and 2. Only on parcels contiguous to state highway right-of-way; and 3. At least 500 feet from the beginning or ending of pavement widening at the exit from or entrance to any portion of the highway. 	<p>Shall be illuminated only in compliance with §§ 153.150-153.153 (light pollution control).</p> <p>Shall not be intermittent, flashing, scintillating, animated or of varying intensity.</p> <p>If located in the same line of vision as a traffic control signal, no red, green or yellow illumination shall be used.</p> <p>Lighting source for</p>	

			<p>Billboards located within 660 feet of the edge of a state highway or interstate right-of-way shall obtain ADOT approval prior to applying for a town sign permit.</p> <p>Max. 300 sq. ft. on each face with a maximum 25 vertical face of 25 ft. and a max. 60 horizontal face of 60 ft.</p> <p>Max: 30 ft. high measured from grade (including all supporting structures)</p>	billboard signs shall be so oriented or shielded so that it is not visible from the highway right-of-way or from any residential use district.	
<p>Temporary off-premises signs for community events, festivals and similar public gatherings of a not-for-profit nature. Permitted only in C2, C3, M1</p>	<p>Banners or other temporary means of advertising</p>		<p>Max: .48 sq. ft.</p> <p>Max: .8 ft. high</p>	No	Yes

and M2					
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§ 153.134129 Sign Regulations for Use Districts.

- (A) Attached ON-PREMISES signs shall be on the occupant's building only.
- (B) Awning signs shall only be allowed on the ground floor of a building.

Descriptions & Districts	Type	Number Permitted	SETBACKS/LOCATION	Area & Height	Lighting Allowed?	Permit Required?
ALL DISTRICTS	OFF-PREMISE WALL SIGNS	1 PER PARCEL	MINIMUM 200 FEET FROM A RESIDENTIAL ZONED DISTRICT BOUNDARY.	MAXIMUM AREA: 200 SQ. FT. MAXIMUM HEIGHT: 20 FT. FROM GROUND WHERE LOCATED.	MAY BE ILLUMINATED INTERNALLY OR BY EXTERNAL SOURCE. SEE §§ 153.150 – 153.153	
COMMERCIAL (C) AND INDUSTRIAL (M) DISTRICTS	OFF-PREMISES BILLBOARDS*		1. MINIMUM 1,500 FEET FROM ANOTHER BILLBOARD LOCATED ON THE SAME SIDE OF THE HIGHWAY; AND 2. ONLY ON PARCELS CONTIGUOUS TO STATE HIGHWAY RIGHT-OF-WAY; AND 3. MINIMUM 500 FT. FROM BEGINNING OR END OF PAVEMENT	MAXIMUM 300 SQ. FT. PER FACE WITH A MAXIMUM 25 FT. VERTICAL FACE AND 60 FT. HORIZONTAL FACE. MAXIMUM HEIGHT: 30 FT. MEASURED FROM GRADE (INCLUDING ALL SUPPORTING STRUCTURES)	MAY BE ILLUMINATED. SEE §§ 153.150 – 153.153. SHALL NOT BE INTERMITTENT, FLASHING, SCINTILLATING, ANIMATED OR OF VARYING INTENSITY IF LOCATED IN THE SAME LINE OF	

			WIDENING AT THE EXIT FROM OR ENTRANCE TO ANY PORTION OF THE HIGHWAY.		VISION AS A TRAFFIC CONTROL SIGNAL, NO RED, GREEN OR YELLOW ILLUMINATION SHALL BE USED. LIGHTING SOURCE SHALL BE SO ORIENTED OR SHIELDED SO THAT IT IS NOT VISIBLE FROM THE HIGHWAY RIGHT-OF-WAY OR FROM ANY RESIDENTIAL USE DISTRICT.	
C2, C3, M1 AND M2 DISTRICTS	TEMPORARY OFF-PREMISES SIGNS.			MAXIMUM AREA: 48 SQ. FT. MAXIMUM HEIGHT: 8 FT.	NO	YES
Residential AND MULTIFAMILY OF LESS THAN 4 UNITS	Name plate ⁽⁴⁾ Historical marker	1		Maximum AREA: 15 sq. ft. Maximum HEIGHT: 16 ft. in clear	Yes.—refer to light pollution, SEE §§153.150 – 153.153. for restrictions	No

				height		
Multi-family (for - more than 4 units -for less than 4 units see residential above)	Wall or freestanding	1 per street frontage		MaxIMUM AREA:- 16 sq. ft. MaxIMUM HEIGHT:- 10 ft. in height	Yes.—refer to light pollution, SEE §§ 153.150 - 153.153 for restrictions	Yes
Subdivision RESIDENTIAL DISTRICTS	Monument	2		MaxIMUM AREA:- 120 sq. ft. MaxIMUM HEIGHT: -6 ft. in height	Yes. -refer to light pollution, SEE §§ 153.150 - 153.153 for restrictions	Yes
Commercial, education, religious, industrial DISTRICTS	Wall or freestanding, which can be double-sided	On property less than 5 acres: 4 total; 3 wall and 1 freestanding. On property 5 acres or more: 3 total and if frontage on two roads, 2 freestanding signs are allowed		Wall signs: MaxIMUM AREA:- 100 sq. ft. No height restriction Freestanding signs: MaxIMUM AREA:- 80 sq. ft. MaxIMUM HEIGHT:- 10 ft. high	Yes. refer to light pollution, SEE §§ 153.150 - 153.153 for restrictions	Yes
	Temporary Banners	3 PER each road frontage		MaxIMUM AREA:- 64 sq. ft.	NO	YES
Commercial	Wall or	1 per		MaxIMUM	Yes - refer	Yes

complexes (for more than 3 commercial use occupants jointed together) ⁽²⁾	Freestanding	business on each road frontage		AREA: 150 sq. ft. MaxIMUM HEIGHT: 30 ft. high	to-light pollution, SEE §§153.150 – 153.153. for restrictions	
	Temporary Banners	3 per business on each road frontage		MaxIMUM AREA: 64 sq. ft.	NO	YES
PAD				Must submit PER APPROVED comprehensive sign plan	Yes	YES
<p>(1) A name plate sign identifying the occupant, occupant's profession or title and the address of the dwelling.</p> <p>(2) Menu boards for drive thru restaurants:</p> <p>— (a) One pre order and one order board is allowed per business. The signs may be free standing or wall mounted.</p> <p>— (b) The maximum aggregate area for a menu board shall not exceed 45 square feet.</p> <p>— (c) The maximum sign height shall not exceed six feet for free standing signs.</p> <p>— (d) The sign should be located so as to not be readable from the public right of way.</p>						

~~§ 153.132 [RESERVED].~~

~~§ 153.133 [RESERVED].~~

~~§ 153.134 [RESERVED].~~

~~§ 153.135 [RESERVED].~~

§ 153.136-130 Sign Regulations, Mobile Home, Travel Trailer and Recreational Vehicle Parks.

(A) Signs placed or maintained AT THE ENTRANCE TO OR within any mobile home park are subject to all the regulations set forth under § ~~153.131~~129 FOR RESIDENTIAL AND MULTI-FAMILY ZONING DISTRICTS.

(B) ~~Permanent mobile home park entrance signs shall comply with the regulations set forth under § 153.131 FOR SUBDIVISIONS.~~

~~(C) Signs PLACED OR MAINTAINED AT THE ENTRANCE TO OR WITHIN identifying travel trailer parks and recreational vehicle parks are subject to all the regulations set forth under § 153.131-129 FOR THE ZONING DISTRICT WITHIN WHICH THEY ARE LOCATED.~~

~~§ 153.137 [Reserved].~~

~~§ 153.138 Sign Permits.~~

~~(A) Permit required. A sign permit shall be secured from the Town Community Development Department prior to the erection, relocation, construction, installation or substantial reconstruction (including painting or enlarging a painted sign on the surface of a permitted structure) of any non-exempt sign exceeding eight square feet in area, or higher than eight feet above grade at the sign, regardless of value.~~

~~(B) Fees.~~

~~(1) The fees shall be as set forth in and amended from time to time, Chapter 153, Appendix A, Fees.~~

~~(2) The sign permit fees established in division (B)(1) above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign is begun prior to the issuance of a sign permit.~~

~~(C) Sign permit application. Each application for a sign permit shall be made at the Town Hall on the appropriate form(s) and shall contain at a minimum the following information:~~

~~(1) Assessor's parcel number identifying the property;~~

~~(2) Street address, if any, legal description of the property, and dimensions thereof. In the case of a metes and bounds parcel (a parcel that is not part of a recorded subdivision), a copy of the recorded legal description must be submitted with the application;~~

~~(3) Nature of the proposed use of the sign and premises;~~

~~(4) Type of sign and materials used, methods of support, freestanding or other;~~

~~(5) Estimated true value of sign and associated structural supports;~~

~~(6) Dimensions of sign panel as well as bottom and top heights above grade;~~

~~(7) Type, placement and strength of illumination, if any;~~

~~(8) Number and orientations of faces of sign (aerial view sketch, if necessary, to depict faces and orientation);~~

~~(9) A (signed) plot plan showing the following:~~

~~(a) Shape and dimensions of lot boundaries, adjacent street right-of-way, driveways, buildings (existing and proposed);~~

~~(b) North designation; and~~

~~(c) Location of sign(s) on property (indicate type).~~

~~(10) A (signed) elevation view, with dimensions and approximate copy ad design, of the sign(s) faces;~~

~~(11) Such other information as the Zoning Administrator may require for the purpose of determining whether the application complies with the subchapter requirements;~~

~~(12) Name, address and phone number of property owner and agent, if any; and~~

~~(13) Signature of applicant or agent.~~

~~(D) Signs not requiring permits. Signs not requiring permits as set forth in §§ 153.128 through 153.131 shall comply with all other requirements and restrictions of this code.~~

~~—(E) *Temporary sign permits.* Signs with a limited duration of use, such as those provided in §§ 153.130 and 153.131, shall obtain a temporary sign permit. The requirements and criteria for such signs are as follows:~~

~~—(1) A temporary sign permit is specifically required for community special event banners and signs, signs advertising the forthcoming construction of a building, exceptions granted administratively for grand openings, and one-time events.~~

~~—(2) Temporary sign permits shall be issued for no more than six months. An extension of a temporary sign permit may be obtained pursuant to the granting of a use permit.~~

~~—(3) Temporary signs shall conform to all other requirements of this code.~~

~~—(4) The fee for a temporary sign permit shall be the same as a permanent sign permit, except as otherwise noted.~~