

LAND USE ORDINANCE 2008-04

CHAPTER 22

SIGNS

Amended by Ordinance 2009-01

22.1 PURPOSE AND OBJECTIVES

22.1.1 Purpose.

Signs have a strong visual impact on the quality and character of the community; they can attract the viewing public, enhance the safety for both pedestrians and motorists and set an overall tone for the community. Accordingly, the town adopts these regulations to provide for a healthy community considering safety aspects while maintaining those historical and aesthetic qualities reflective of the natural surroundings.

22.1.2 Goal.

The goals to be achieved by these regulations are: 1) stimulating harmony within the community while maintaining protection of property values, to preserve a healthy business environment and a sustainable economy 2) effective identification of each business, and; 3) provisions for the safety of pedestrians and motorists and promotion and protection of the public welfare.

22.1.3 Objective.

This chapter establishes standards and guidelines to preserve and enhance the appearance of the community as a place in which to live and work. These standards and guidelines ensure that signage is used as identification, advertising when necessary to the success of the business and not as a notice or attracting device. Furthermore, these standards prevent the installation of an excessive number of signs, avoid visual clutter and eliminate hazards to pedestrians and motorists brought about by distracting signs.

22.1.4 Ordinance Categories.

This ordinance is comprised of three categories of signs: 1) signs that do not require approval by the Town of Leeds; 2) signs that have to be approved by the designated Town Official(s); and 3) signs that are mandatory. All signs in the three categories must comply with the regulations within this Ordinance as well as other applicable Leeds Ordinances. All requests for approval of a sign must be submitted using the appropriate form and supplying all required information in order to be considered.

All signs requiring approval must be approved by the Town Official prior to being installed or any work done toward the installation of such sign.

22.2 CATEGORIES OF SIGNS

22.2.1 Signs Not Requiring Approval

The following signs shall be allowed without approval by the Town Official(s) however, they must comply with Leeds Ordinances:

22.2.1.1 Construction sign.

One non-illuminated sign per construction project not to exceed eight (8) square feet in total area and not to extend more than six (6) feet in height above ground level. The sign is to be used to indicate general contractor and all other pertinent construction data. Such sign shall be erected no more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, and shall be removed within five (5) days of completion or occupancy whichever occurs first.

22.2.1.2 Government signs.

Government signs for traffic control and other regulatory purposes, street signs, danger signs and signs of public service companies indicating danger, notices issued by any court and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty.

22.2.1.3 Civic signs.

Signs identifying town buildings, parks, or other governmental identities, shall be appropriately sized for the location and in no case exceed sixteen (16) square feet in total area. Signs placed at the entrances of Leeds identifying the town shall be monument type signs and shall not exceed Twenty-four (24) square feet in total area.

22.2.1.4 Real estate signs.

One (1) real estate sign advertising property for sale or open house may be placed on the property being advertised. The sign shall not exceed four (4) square feet in total area. Real estate signs shall not be placed on any private property other than the property being advertised for sale. Real estate signs shall not be placed on town property or street rights-of-ways. Open house signs shall be off-site, portable signs, placed on private property (with the owners permission), containing directions to the location of an open house which is for sale, limited to one sign per intersection, not to exceed a total of three (3) signs. Open house signs shall not exceed two (2) square feet in total area and shall be removed daily immediately following a scheduled open house.

22.2.1.5 Residential signs.

Each home may have a residential sign to display the address and if desired the name of the resident. No business advertising may exist on this sign. The sign shall not exceed three (3) square feet in total area.

22.2.1.6 Multi-family residential sign.

Each residential unit may have a residential sign to display the address and if desired the name of the resident(s). No business advertising may exist on this sign. The sign shall not exceed three (3) square feet in total area.

22.2.1.7 Menus displayed on the exterior of premises occupied by restaurants shall not exceed four (4) square feet. Such display menus shall be attached to the structure.

22.2.1.8 Political and campaign signs shall be non-illuminated signs on behalf of candidates for public office or measures on election ballots, limited to individual sign areas of four (4) square feet and a combined sign area not exceeding eight (8) square feet per residence or business. The political or campaign signs shall not be placed, posted or erected earlier than thirty (30) days prior to said election and shall be removed within seven (7) days following said election. The signs shall be placed only on private property with permission of the property owners and not placed on or within any public right-of way.

22.2.1.9 Temporary non-illuminated window signs are permitted on commercially zoned property, providing that the total copy area of the sign shall not exceed twenty-five (25) percent of the total window area of the building face on which it is displayed, or one square foot per lineal front foot of the premises occupied whichever is the lesser. Temporary signs may be displayed for not more than thirty (30) days.

22.2.1.10 Permanent window signs are not permitted. Neon lighting is prohibited except for "open" and "closed" signs. Signs required by other Leeds Ordinances are permitted.

22.2.1.11 Previously approved signs.

Legal signs that were previously approved by the Town and existing as of the date of adoption of this ordinance shall be deemed non-complying structures. Such signs do not need to conform to these regulations unless and until there is a sign change, as defined by section 22.10.2. At such time that there is a sign change the application for a sign must be submitted for review and approval and shall comply with all standards in this ordinance.

22.2.2 Signs Requiring Approval

The following signs require approval of the Town Official(s). All requests for approval of the following signs must contain as a minimum a detail of the sign showing the content of the sign including colors, lettering, artwork, dimensions, location where it will be placed and how the sign will be anchored or fastened as well as other information required in this ordinance or may be requested by the Town Official(s).

22.2.2.1 Identification signs in commercial zones.

Each building in a commercial zone may have one sign identifying the building by name. The lettering on this sign may be metal, wood, plastic or painted. The sign shall be attached to the building. The total sign area shall not exceed sixteen (16) square feet.

22.2.2.2 Master Sign Program for a Business Center.

The owner(s) of two or more contiguous lots, the owner(s) of a single lot with more than one (1) main building or the owner(s) of a single building in which multiple businesses may reside shall submit to the Planning Commission a Master Sign Plan for a business center sign. If advertising is a possibility the Advertising Master Sign Plan should be included.

22.2.2.2.1 Business Monument Sign. Monument signs for businesses shall be mounted on the ground with a solid base. The size of the base shall be no larger than thirty (30) square feet and a height not to exceed two (2) feet. The sign portion of the monument shall not exceed fifty-five (55) square feet, with the top of the sign no more than ten (10) feet above the average ground level. The sign shall contain the name of the complex at the top along with the address. Below this section shall be spaces for each business within the business center to have a name Plaque. Each business name plaque shall not exceed three (3) square feet in area. Lettering on each business plaque shall be no greater than eight (8) inches in height. The Base of the sign may extend one (1) foot in each direction greater than the sign portion.

22.2.2.2.2 Businesses with outside entrance. Each business with an outside entrance may have an additional wall sign on the front of their portion of the building. The wall sign shall not exceed one-half

(1/2) square foot in area for each one (1) linear foot of business/office frontage or ten (10) square feet in total area whichever is less. Lettering on the sign shall not exceed ten (10) inches in height.

22.2.2.3 Business Center Sign. The owner of a business center that has a common entrance into the building with separate offices for each business within may have one sign identifying the business center that is a monument type sign identifying the name and address of the business center. The Monument type sign shall not exceed sixteen (16) square feet with a maximum height of six (6) feet. The names of the businesses within the business center may be included on the front of the building as identification signs. Each business identification sign shall not exceed three (3) square feet in total area. The owners of the business center may request that as an alternate to placing the name of each business on the building that they submit a Master Sign Program Plan for a Business Monument Sign (see above) in which the names of each business would be included on the single monument sign for the business center.

22.2.2.4 Business signs in commercial zone. Business signs in a commercial zone other than in a business center. Business signs shall not exceed a total of one (1) square foot of sign area for each one (1) lineal foot of business building frontage, or forty (40) square feet in total area whichever is less. All such signs shall be flat signs attached to the building in which the business is located. The top of any sign shall not be greater than ten (10) feet above ground level. A business may request a second advertising sign to be placed off-premise within Leeds. Requests for off-premise signs must include written authorization of the property owner on which the sign is to be placed. The off-premise sign shall not exceed sixteen (16) square feet in total area. The off premise sign must be more than six hundred (600) feet from the business location and is for directional purposes only.

22.2.2.5 Monument signs at entrance to subdivision. Monument signs for subdivision entrance shall be mounted on the ground with a solid base. The size of the base shall be no larger than twenty-four (24) square feet and a height not to exceed two (2) feet. The sign portion of the monument shall not exceed thirty (30) square feet, with the top of the sign no more than six (6) feet above the ground. An alternate monument sign for a subdivision could be a piece of flat stone mounted solidly below ground grade. The portion above ground shall not exceed thirty-five (35) square feet with the top of the sign no more than six (6) feet above ground level. The sign portion and the base may consist of one solid

piece. The sign shall contain only the name of the subdivision and shall not be used for advertising purposes. The sign shall blend with the natural surroundings of the area. If landscaping is planned around this sign the application will include details for the landscaping.

22.2.2.6 Business sign in a residential zone. In conjunction with the application for a home occupation business license permit for the operation of a business within a residential zone, the applicant may also request a conditional use permit for authorization for a business sign. Authorization for a business sign under this Section may be granted only after the applicant presents the information required by this Chapter. A business sign in a residential zone may not exceed four (4) square feet in total area. (Amended by Ordinance 2009-01)

22.2.2.7 Business sign for a mobile home or recreational vehicle park. Signs advertising the mobile home park may be erected if recommended by the Planning Commission and approved by the Town Council. There shall be only one (1) sign at the entrance (if more than one entrance no more than two signs will be allowed) with a maximum size of twenty-five (25) square feet each. Two (2) additional signs within the Town Limits may be authorized providing it is necessary for directing clients to the mobile home park. The maximum square footage for the additional sign(s) cannot exceed sixteen (16) square feet total (for both signs). None of the mobile home signs shall be animated. If any sign is illuminated it must comply with the Leeds Lighting Ordinance.

22.2.2.8 Multi-family residential complex identification sign. Each multi-family complex owner may apply for a permit to place a monument type sign on the complex that identifies only the name and address of the complex. The size of the base shall be no larger than eighteen (18) square feet and a height not to exceed two (2) feet. The sign portion of the monument shall not exceed ten (10) square feet, with the top of the sign no more than four (4) feet above the ground. The sign shall contain only the name and address of the housing complex. The sign shall blend with the natural surroundings of the area. If landscaping is planned around this sign the application will include details for the landscaping. The complex may have one residential identification sign, no greater than two (2) square feet, that is placed on the building and identifies the occupants of the building.

22.2.2.9 Banners are considered a temporary sign and may be authorized to be displayed in a commercial zone (business banners) or on Town property (civic or community banners) only. The

application must contain the details of the banner including material, wording, artwork, color, size, location, mounting provisions and signed authorization from the property owner where the banner is to be displayed. Banners may not exceed sixteen (16) square feet in total area (one side). Business banners shall be maintained flat against a building wall or fence within the subject property. Banners must be constructed of a strong cloth or vinyl material. Banners may be displayed for a maximum period of seventeen (17) days. Business shall be permitted a maximum of four (4) banners per year. No consecutive approvals will be granted. There must be a minimum interval of three (3) weeks between banner approvals for the same business.

- 22.2.2.10** Any sign in the residential/commercial/historical zone will be governed by the zone classifications applicable at the time the sign application is submitted, (i.e. residential, historical, or commercial). Until a specific district is identified as a RCH Zone all signs will comply with the signs presently authorized for the zone category in which the property is located.
- 22.2.2.11** Plaques shall be no more than three (3) square feet in total area and shall be fastened directly to a building or a pedestal built specifically to display the plaque. The purpose of the plaque shall be to commemorate a historical event or time frame, be of cultural interest, location, or personality for which the Town Council has granted written permission. If the plaque is mounted on a pedestal built for mounting the plaque the pedestal shall not exceed three (3) square feet in width and depth nor more than five (5) feet in height. The pedestal shall be located as to not interfere with traffic or pedestrian traffic and must be approved in writing by the Town Council.
- 22.2.2.12** **Historical or Memorial Signs:** Memorial signs or tablets erected by recognized historical agencies, names of buildings, dates of erection and related information, provided the sign is cut into any masonry surface or inlaid so as to be part of the building and does not exceed two (2) square feet in area.
- 22.2.2.13** Billboard type signs require approval in accordance with current Leeds Billboard Ordinance.
- 22.2.2.14** **Service Station Fuel Price Signs:** Each service station or other business selling automotive fuel may display one price sign. The Sign shall be an Advertising Monument type sign. The size of the automotive monument sign shall be no larger than twelve (12) square feet in area and no more than eight (8) feet in height located at least eight feet from the public right-of way.

22.2.3 Signs That Are Mandatory - Mobile Home Parks the following signs are required:

- 22.2.3.1 Each mobile home park shall have a bulletin board for the listing of each mobile home site and the name of occupant thereof. Said bulletin board shall be located in close proximity to the office or administration building, and it shall be lighted at night. The lighting must comply with the Leeds Lighting Ordinance; and
- 22.2.3.2 Each mobile home park shall have adequate signs, and markings shall be maintained to provide directions to parking areas and other facilities; and
- 22.2.3.3 Each mobile home park shall have established street names with street signs and maintain these signs within the mobile home park in the manner recommended by the Town Official(s); and
- 22.2.3.4 Each mobile home park shall have each space numbered in a clearly visible manner. Each mobile home park shall provide no parking signs in areas where parking would prevent access for emergency vehicles.

22.3 REQUIREMENTS

All signs allowed, approved or required by this ordinance within Leeds shall comply with the requirements below. In addition the building inspector may impose requirements on the construction of signs to satisfy or comply with weight and wind load requirements and safety concerns with regard to materials used.

22.3.1 Material.

Signs may be constructed of painted, stained or carved wood; brick or stone; or metal which is painted or anodized, or otherwise treated to prevent reflective glare. Wood signs shall be solid wood, or if plywood, MOD grade or equivalent.

22.3.2 Attachment.

No sign shall be suspended by non-rigid attachments that will allow the sign to swing in the wind.

22.3.3 Placement.

No sign shall be erected, altered or maintained so as to obstruct any fire escape, required exit, window, or door opening. No sign shall be attached in any manner which will interfere with any ventilation opening. Signs shall be located so as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with Electrical Code specifications. In no case shall a sign be

installed closer than thirty-six (36) inches horizontally or vertically from any conductor or wire.

22.3.4 Sign Placement.

No sign shall project above the eaves or parapet wall of the building on the premises to which it is appurtenant.

22.3.5 Distractions.

No sign shall be revolving, have flashing lights, intermittent lights, or any type of motion either attached to the sign or adjacent to the sign intending to call attention to the sign.

22.3.6 Signs on Town Property.

No business signs may be located on Leeds Town property, including street rights-of-way, without written approval of the Town Council. Requests for signs on Town property must include a diagram and dimensions of the sign and how the sign will be anchored or fastened. Approved signs on Town property may be removed following five (5) day notification. Unapproved signs on Town property may be removed at any time by Code Enforcement Official. In general requests for signs on Town property will not be granted except under extremely unusual conditions.

22.3.7 Master Sign Plan.

The Master Sign Plan shall include an accurate site plan of the lot(s) on which the sign is to be located showing the locations of buildings, parking lots, driveways and landscaped area and a schedule for all businesses complying with the common sign plan. All businesses within the complex must comply within three (3) years. The computation of the maximum total sign area will also be included. The common sign plan shall include the color of the sign including that of each business within the complex. The Master Sign Plan must include all additional information requested by this Ordinance.

22.3.8 Advertising Master Sign Plan.

The Advertising Master Sign Plan shall include an accurate site plan of the lot(s) on which the sign is to be located showing the locations of buildings, parking lots, driveways and landscaped area and a schedule for all businesses complying with the common sign plan. All businesses within the complex must comply within three (3) years. The computation of the maximum total sign area will also be included. The common sign plan shall include the color of the sign including that of each business within the complex. The Advertising Master Sign Plan must include all additional information requested by this Ordinance. The Advertising Master Sign Plan may be combines with the Master Sign Plan.

22.3.9 Lighted Signs.

All lighted signs shall comply with the Leeds Lighting Ordinance. An illuminated sign shall not be installed in such a manner which permits the light to penetrate beyond the property so as to constitute a nuisance.

22.3.10 Free Standing Signs.

Free standing signs may be considered for approval providing they comply with all requirements of the zone they are in and if:

22.3.10.1 They are replacement signs for the ones listed in this ordinance and are not additional signs;

22.3.10.2 The signs shall not exceed eight (8) square feet in total area (four square feet per side for two sided free standing signs), and the top of the sign shall be no higher than four (4) feet above ground level. The sign shall be located a minimum of eight (8) feet from the public right-of way.

22.3.11 Wall Mounted.

Wall mounted signs are to be permanently attached or painted and shall not extend more than three (3) inches from said wall.

22.3.12 Business Lighting Sign Hours.

Businesses open to the public during hours of darkness shall be allowed lighted signs approved in accordance with the Leeds Lighting Ordinance. In order for the business to be considered open, the doors shall be unlocked and the owner, manager or employee physically present. Present by an electronic means in not considered open. All exterior lighted signs associated with said business shall be turned off when the business is closed and in no case shall the light be on after midnight. Lights used for security purposes or for lighting parking areas are regulated by the Leeds Lighting Ordinance.

22.3.13 Traffic Safety Consideration Related to Signs.

22.3.13.1 No sign shall be permitted at a street or driveway intersection which would create a condition that is unsafe for vehicular or pedestrian traffic, or is inappropriate with respect to location, size, time or duration of display, or is maintained in a deteriorated condition. No sign shall be placed near a roadway which would mislead traffic that a road is closed or not open to the public. Signs placed near an intersection shall not make use of words

"Stop", "Danger", "Slow", or other words or phrases ordinarily identified with traffic direction that may cause confusion or interfere with the safety of vehicular and pedestrian traffic. Nor shall the illumination of any sign impair the vision of those passing by.

22.3.13.2 No sign shall be located where it may block a drivers view entering a street. No portion of any sign shall be placed closer to the public right-of-way than eight (8) feet.

22.4 PERMIT APPLICATION.

22.4.1 Permit Application. Any person desiring to place or construct a sign in any location shall obtain a sign permit and when properly completed submit the application, signed by the property owner and the applicant, to the Leeds Town Clerk/Recorder. The applicant must include the following information as a minimum with the returned application:

- 22.4.1.1 A rendering, to scale, showing the proposed sign as it will appear on the project and illustrating its relationship to its surroundings; and
- 22.4.1.2 In the case of a freestanding sign, a site plan showing the location of the proposed sign in relation to other structures on the site; and
- 22.4.1.3 Elevations: Front and side elevations of the sign, drawn to scale, which indicate dimensions of the sign, lettering and corresponding building; construction supports; foundation; method of attachment; and style of lettering showing the complete lettering; and
- 22.4.1.4 Description and samples, if feasible, of sign materials for background and lettering, including samples of finishes of the background and lettering to demonstrate light transmission or reflection; and
- 22.4.1.5 Color samples; and
- 22.4.1.6 Applications for illuminated signs shall include a description of proposed illumination; sufficient technical data of all proposed illumination systems so as to allow evaluation of proposed light levels and all fixtures, types, locations, mounting and wattage shown on plans and elevations and
- 22.4.1.7 Landscaping plans for the base, if monument style sign; and

- 22.4.1.8 The relationship of the sign to any public property within ten (10) feet; and
- 22.4.1.9 In the case of a Master Sign Program, the information requested above shall be included for all signs proposed or anticipated for the entire project; and
- 22.4.1.10 Any additional information the designated Town Official deems relevant to the application.

22.4.2 Expiration Date. The expiration date for the completion of such permit shall be one hundred eighty (180) days from the time the permit is obtained. The Town Official may consider the substantial effort toward completion in extending a permit, if the sign is not completed in the allotted time.

22.4.3 Review Fee. All applications for permits filed with the Town shall be assessed fees in accordance with the Leeds Standard Fee Schedule.

22.4.4 Indemnification. All persons involved in the maintenance, installation, alterations, or relocation of signs in Leeds shall agree to hold harmless and indemnify Leeds, its officers, agents, and employees against any and all claims of negligence resulting from such work, insofar as this chapter has not specifically directed the placement of a sign.

22.5 PERMIT PROCESS

22.5.1 Action on Permit Application. Permits reviewed by the Town Official(s).

22.5.1.1 Applications not requiring Planning Commission recommendation shall be reviewed by the designated Town Official.

22.5.1.2 Application requiring Planning Commission recommendation shall appear on an agenda of the next regularly scheduled meeting of the Planning Commission for which the agenda request time requirements have been met. The Planning Commission shall review such application for action in conformity with the provisions of Leeds Ordinances. The commission shall approve, approve with conditions, or deny a permit based on the criteria set forth in this and other applicable Leeds Ordinances.

22.5.2 Unacceptable Applications.

No sign permit application shall be accepted if:

22.5.2.1 The applicant has installed any sign in violation of the provisions of this chapter and, at the time of the submission of the

application, such illegal sign has not been legalized, removed or included in the application; or

22.5.2.2 Any sign, under the control of the applicant or property owner on the premises of the proposed sign which was installed in violation of this chapter and at the time of submission of the application, such illegal sign has not been legalized, removed or included in the application.

22.5.3 Bar on Refilling. No sign permit application shall be accepted which is substantially the same as an application previously denied, unless twelve (12) months have elapsed from the date of the final decision on the application and appeals thereof, or new evidence or proof of significantly changed conditions is furnished in the new application.

22.5.4 Permits Reviewed By Town Official. The Town Official shall review sign permit applications for individual businesses and signs within a business center for which a Master Sign Program has been previously approved by the Planning Commission and Town Council. The Town Official shall approve or deny the application within ten (10) working days or determine that the application has some special circumstances requiring it to be reviewed by the Planning Commission. If so, it shall be placed on the agenda for the next regular Planning Commission meeting in which the application was submitted in time to be on the agenda. Following the ten (10) day period the applicant will be informed of the status of the application by the Town Official.

22.5.5 Sign Review Findings. Prior to approving a sign permit application, the Town Official(s) shall find:

22.5.5.1 The sign shall be in proportion with and visually consistent with the architectural character of the building and the surrounding area;

22.5.5.2 The sign shall not obscure from view or unduly detract from existing signing in the area;

22.5.5.3 Proposed' signs in a residential zone shall be harmonious and compatible with the residential character of the zone;

22.5.5.4 The sign complies with all provisions of this chapter, other applicable Leeds Ordinances and is consistent with the architectural and design guidelines.

22.5.6 Issuance or Denial

22.5.6.1 Issuance:

The Town Official(s) shall issue a permit for said sign when the application has been given final approval as prescribed in this chapter and the proposed sign, and the building or business with which it is associated, complies with all appropriate laws and ordinances.

22.5.6.2 Suspension, Revocation:

The Planning Commission may, in writing, suspend or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a misstatement of material fact or fraud.

22.5.6.3 Denial:

When a sign permit is denied by the Town Official(s), the Town Official(s) shall give written notice, mailed within ten (10) working days, of the denial to the applicant, together with a brief written statement of the reasons for the denial.

22.5.6.4 Unlawful:

No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign, nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

22.5.6.5 Ownership; Notification of Change:

Whenever there is a change in the sign user, sign owner, or owner of the property on which the sign is located, the new sign user, sign owner or new property owner shall forthwith notify the designated Town Official(s) of the change. No new sign permit is required, unless the sign is altered, converted, replaced, enlarged or moved. This does not change the status of an illegal sign.

22.6 PERMITS REQUIRED

22.6.1 Permit Required.

No person shall paint, mark or write on, or post or otherwise affix, any hand-bill or sign to any public or private lands or structure without obtaining a permit from the Town, unless otherwise exempt in this chapter. No sign shall be located on or project over publicly owned land or inside existing street right-of-way or planned rights-of-way as identified in the Leeds Master Road Plan. Any hand-bill or sign found posted upon any public property contrary to the provisions of this section may be removed by any Town Official. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof, and the Town is authorized to effect the collection of the cost.

22.6.2 Permanent Signs.

A permanent sign for which a permit is required but not obtained, or otherwise in violation of this chapter, shall conform to the regulations of this chapter within thirty (30) days from the issuance of the Code Enforcement Officer's or designated Town Official's written notice to the property owner, caretaker of the sign, or business owner or manager of the business located on the property, or such sign shall be abated or removed. Failure to correct this violation will result in the prescribed penalties. The person responsible for any such illegal posting and/or maintenance of said sign shall be liable for the cost incurred in the removal thereof, and the Town is authorized to effect the collection of such costs.

22.6.3 Temporary Signs.

A temporary sign posted upon private property may be installed or constructed only upon the issuance of a permit, or the sign shall be in violation of this chapter and subject to the prescribed penalties. Such sign shall conform to the regulations of this chapter within seventy-two (72) hours from the issuance of the Code Enforcement Officer or Town Official's notice to the property owner, caretaker of the sign, or business owner or manager of the business located on the property, or such sign shall be abated or removed, or legal action shall be initiated seeking such abatement or removal. The person responsible for any such illegal posting and/or maintenance of said sign shall be liable for the cost incurred in the removal thereof, and the Town is authorized to effect the collection of such costs.

22.6.4 Master Sign Program.

The Master Sign Program is for Business Centers. A Master Sign Program shall be required for any new use, new construction or any sign or building permit requests involving a building or development containing the possibility of two (2) or more businesses. Each business center shall have a sign that identifies the business complex by name and space for each business within the complex to place the name of their business. The number of spaces for business names shall be equal to the number of buildings or offices available for businesses. When multiple type businesses operate from one office/business space, only one sign is allowed. This Master Sign Program shall identify all sign types, sizes, locations, illumination, materials and design for all signs both presently proposed and those anticipated in the future. While specific details may not necessarily be available for future signs, the Master Sign Program shall serve as a framework for such signs. The purpose of such a Master Sign Program shall be to ensure continuity and compatibility of all signs within a business center and prevent needless repetition and proliferation of signage. The type of sign acceptable for this purpose is a monument sign standing on the ground. The property owner shall be responsible for the permit application process and implementation of said Master Sign Program.

Amendments to an approved Master Sign Program shall require submission of a new application and reconsideration in the same manner as originally reviewed. New or additional tenant signs shall be reviewed on an individual basis and shall conform to the approved Master Sign Program. Once the Master Sign Program has been recommended by the Planning Commission and approved by the Town Council the adding of signs which comply with the approved Master Sign Program may be approved by the Town Official.

22.6.5 Advertising Master Sign Program.

Advertising signs will be considered when it is determined by the Planning Commission and the Town Council that it is essential to the operation of the business. An Advertising Master Sign Program may be submitted for any development containing the possibility of two (2) or more businesses. This Advertising Master Sign Program shall identify all sign types, sizes, locations, illumination, materials and a sample of advertisement anticipated. While specific details may not necessarily be available for future advertisement, the Advertising Master Sign Program shall serve as a framework for such signs. The type of sign acceptable for this purpose is a monument sign standing on the ground. The sign shall be similar to the approved Master Sign for this complex and shall be no larger than the Master Sign. The Advertising sign shall be mounted in an area removed from the Master Sign so as not to cause sign clutter. The property owner shall be responsible for the permit application process and implementation of said Advertising Master Sign Program. Amendments to an approved Advertising Master Sign Program shall require submission of a new application and reconsideration in the same manner as originally reviewed. All advertising shall conform to the approved Advertising Master Sign Program. Advertising material will be at the discretion of the business advertising and must comply with all Leeds Ordinances.

22.6.6 Signs on Public Property.

Any sign posted upon public property may be removed immediately by the Town. Any such sign removed shall not be destroyed within a period not less than thirty (30) days from the date of removal. The owner of each removed sign shall be notified by certified mail of the sign removal and where he may reclaim the sign within the time frame stated. In no case shall the failure to remove said sign constitute acquiescence or waiver by the Town of the illegal placement of the sign.

22.7 UNLAWFUL SIGNS

22.7.1 Non-Complying Signs.

Any sign displayed, erected, installed, suspended, attached moved, enlarged, replaced, converted or altered after the effective date hereof, which does not comply with the provisions of this title, shall be deemed unlawful. Any work

in progress on such sign shall be ordered by the Town Official(s) to cease immediately and said sign shall be removed in accordance with the provisions of this Ordinance

22.7.2 Previous Non-Complying Signs. Signs which were not in compliance and therefore considered unlawful and which continue to be in noncompliance according to the provisions of these sign regulations, shall be deemed unlawful and removed according to the provisions of this ordinance.

22.8 PROHIBITED SIGNS

In addition to any sign not specifically permitted in accordance with this ordinance, the following signs are prohibited and shall be removed in accordance with the provisions of this ordinance:

22.8.1 Abandoned.

Abandoned signs including all structure and support;

22.8.2 Unused Signs.

Signs on abandoned or unused buildings. Signs will be deemed abandoned if the business advertising on the sign is not doing business in Leeds with a valid business license for six (6) months or longer;

22.8.3 Advertising Devices.

Advertising devices which move in the wind, including, but not limited to, balloons or other gas filled figures, pennants, pinwheels and stringers;

22.8.4 Animated.

Animated signs of any and all types;

22.8.5 Beacons.

Beacons, searchlights and laser lights of any and all types;

22.8.6 Changeable.

Signs which change automatically are prohibited. Signs in which the wording can be changed manually as would be needed for advertising are acceptable.

22.8.7 Vehicle Mounted Signs.

Any truck, trailer or other vehicle conspicuously or regularly parked on or off-premise, with an advertising message or logo displayed to attract attention to a

business, product or promotion. This shall apply to vehicles parked on either public or private property. A business or individual may be required to remove such vehicle if the Code Enforcement Officer or Town Official determines that the vehicle is being utilized for advertising purposes. Vehicles which are used for businesses purposes and are used in the business being stated on the vehicle by driving to various job sites typically on a daily basis during each week are exempt from this requirement.

22.8.8 Pornographic Signs.

Signs which bear or contain statements, words or pictures of an obscene or pornographic character (as defined by the U. S. supreme court in Miller vs. California, 413 U.S. 15, 24 (1973), and anything that demeans or otherwise degrades religions, races or ethnic groups;

22.8.9 Sounds.

Signs which emit an audible sound, odor or visible matter;

22.8.10 Natural Objects.

Sign painted on or affixed to any natural object in its natural location such as, but not limited to, a boulder, tree or cliff face;

22.8.11 Traffic Interference or Confusion.

Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic-control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device;

22.8.12 Required by Law.

Signs, except as may be required by law, placed or maintained so as to interfere with free ingress to or egress from any door, window or fire escape;

22.8.13 Political Signs.

Political. Signs, including political signs, attached, maintained, painted, printed or otherwise affixed to any curb, sidewalk, post, pole, hydrant, bridge, bench, tree or other surface on public property or over or across any street or public thoroughfare, except by a duly authorized public employee or as required or permitted by law;

22.8.14 Sculpture, Statues.

Sculpture, statues, fountains or other art or decorative articles, with or without advertising copy, which by reason or height, size, color or nature serve primarily to attract attention to an establishment, organization or enterprise rather than to serve a primarily decorative or landscaping function;

22.8.15 Miscellaneous Signs and Posters.

The tacking, posting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns, sheds, on trees, poles, posts, fences or other structures, except to identify a residence or residence structure by means of posting the name of occupant or structure, and the street address, unless specifically permitted by this chapter. Miscellaneous signs may be permitted on a temporary basis, in certain locations, with prior written approval of the Town Official(s);

22.8.16 Moving Signs.

Signs that rotate, move or assume any motion constituting a non-stationary or non-fixed condition;

22.8.17 Reflective Signs.

Signs made wholly or partially of highly reflective material;

22.8.18 Intensely-Lighted Signs.

Intensely-lighted or exposed luminary sources such as exposed bulbs or tubes shall be prohibited. Any sign not complying with the Leeds Lighting Ordinance 2003-07. Exposed neon signs shall be prohibited, except for "open", "closed" and "vacancy/no vacancy" signs.

22.9 FLAGS

22.9.1 Temporary Flags.

Flags flown on a temporary basis for purposes of honoring national or civic holidays providing such flag does not exceed eight (8) feet long in its longest dimension.

22.9.2 Official Flags.

Official flag or emblem of federal, state or local government, provided all such flags or emblems shall be placed on flag poles not attached to a building or structure. Flag poles must not exceed thirty-five (35) feet in height

22.10 SIGN MAINTENANCE

22.10.1 Maintenance.

All signs must be maintained and kept in a good condition by the owner of the sign. The owner of any sign found not being maintained and kept in good repair will be notified by the Town Official(s) that repairs are needed and the repairs are to be made within thirty (30) days. If the sign owner does not perform the necessary repairs the town may remove the sign at the expense of the sign owner in accordance with the provisions of this ordinance.

22.10.2 Maintenance Verses Sign Change.

Repainting, cleaning or other normal maintenance and repair of a sign not involving structural, design, color or character changes or alterations shall not be considered as creating a sign insofar as requiring issuance of a sign permit. Such signs must be in conformance with all other building, structural and electrical codes and regulations of the town. Substitution of a new or different advertiser, Owner or business name shall not be considered normal maintenance and shall be considered creating a new sign requiring the issuance of a sign permit.

22.11 CODE COMPLIANCE

All signs shall comply with the appropriate detailed provisions of the building code relating to design, structural members and connections. Signs shall also comply with the provisions of the Building Codes adopted by Leeds. If a conflict exists between the building codes and this ordinance the most restrictive interpretation shall apply.

22.11.1 Additional Requirements.

The building inspector may impose requirements on the construction of signs to satisfy or comply with weight and wind load requirements, distance from overhead electrical conductors and safety concerns with regard to materials used.

22.11.2 Sign Condition.

Every sign, including but not limited to those signs for which permits are required or for which no permit or permit fees are required, shall be maintained in a safe, presentable and good structural material condition at all times, including the repair, replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign. The Town Official(s) shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute physical hazard to the public safety. The Town Official(s) shall have the authority to order any sign removed that is on public property including road right-of-way.

22.11.3 Removal of Signs.

The Town Official(s) or Code Enforcement Officer shall cause to be removed any sign not in compliance with Leeds Ordinances.

22.11.3.1 Any sign not in compliance with safety or maintenance standards, abandoned signs, or defective signs, or unlawful signs. The Town Official(s) shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within thirty (30) days, the sign shall be removed in accordance with the provisions of this ordinance.

22.11.3.2 Any prohibited sign must be removed by the owner within fifteen (15) days following notification by the Town Official(s). Any sign prohibited and not removed within fifteen (15) days may be removed by town personnel, and persons responsible for placing the signs shall be liable for the cost of removal.

22.11.4 Unsafe Sign.

If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after giving notice to the property owner, caretaker of the sign, or business owner or manager of the business located on the property, the Code enforcement Officer or designated representative may immediately abate and remove the sign. The person having charge, control, or benefit of any such sign shall pay to Leeds the costs incurred in such removal within thirty (30) calendar days after written notice is mailed to such person. If the Code Enforcement Officer or designated representative determines that a sign is dangerous to the health and welfare of the public he may remove the sign immediately.

22.11.5 Notices.

All notices shall be mailed by certified mail to the owner of the property on which the sign is located, the owner of the sign and the occupant of the property. If any of such persons is unknown or cannot be found, notice shall be mailed to such person's last known address, if any, and shall be posted on said sign or on the premises. The allowed time for action shall be included in the notice. The time frame shall start with the signing of the receipt.

22.11.6 Time Periods.

Any time periods provided in this section shall be deemed to commence on the date of the certified mail is signed for. If more than one notice is sent by certified mail, the date of the first notice mailed shall apply.

22.11.7 Appeal.

The sign owner or property owner on whose property the sign is located may appeal the determination ordering removal of compliance by filing a written notice of appeal with the Board of Adjustment within ten (10) days after receiving the notice.

22.11.8 Emergency Abatement.

Notwithstanding the above, in cases of emergency, the Code Enforcement or Town Official(s) may cause the immediate removal of a dangerous or defective sign without notice.

22.12 PENALTIES

Any person, firm or corporation (as principal, agent, employee or otherwise) violating, causing, permitting violation or failure to comply with the provisions of this Ordinance shall be guilty of a Class B misdemeanor. Fines will be in accordance with the Utah Uniform Bail Schedule. In addition, to any criminal prosecution, the Town may pursue any other legal remedy to ensure compliance with this Ordinance including, but not limited to, injunctive relief, under Utah Code Annotated "10-9a.-802. Enforcement". Each day a violation continues shall be considered a separate violation and offense.

22.13 EFFECTIVE DATE

This Ordinance supersedes or repeals the provision(s) of any ordinance(s) or resolutions(s) that is (are) inconsistent with the provisions of this Ordinance.

22.14 DEFINITIONS AND TABLES

22.14.1 Definitions

Abandoned sign.

A sign, including all structural supports and other componential elements, which is located on a property, premises or structure which becomes vacant and unoccupied for a period of one hundred eighty (180) days or more, any sign which pertains to a time, event or purpose which no longer applies, or a sign pertaining to an occupant or business different from the present occupant or business.

Banner.

A flexible sign characteristically supported by two (2) or more points and hung on a building, or otherwise suspended down or along its face. It is generally made of fabric or other non-rigid materials with no enclosing frame.

Building Frontage or Front Footage.

The linear width of that side of a building which contains the main entrance for pedestrian ingress and egress. If more than one main entrance exists, the one that more nearly faces or is oriented to the street of highest classification shall be considered the frontage. If all streets are the same classification, the side of the building with the smallest lineal dimension shall be considered the building frontage for measurement purposes.

Business Center.

A group of two (2) or more duly licensed businesses associated by a common agreement or common ownership with common parking facilities or housed in one or more structure. This includes multiple businesses in a single building as well as multiple buildings.

Copy.

The working text and artwork on a sign surface.

Lettering, size of.

The maximum height of any letter and all lettering on the sign.

Lighting.

Any light source, whether internal or external, designed to illuminate the face of a sign.

Logos.

Symbolic representation of the business or products being sold. Logos utilized are calculated as part of the authorized sign area.

Office Frontage.

The linear width of the office/business that corresponds to the front of the building.

Master Sign Plan.

A detail plan of the Business Center including details of present and future signs as required in a Master Sign Program.

Master Sign Program.

A Program where an overall plan for all signs in a business Center can be planned as to prevent sign clutter by reducing the number of signs and having a common design theme for signs.

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. Devices not included in this definition include official traffic or government signs, window displays, flags of any nation, government, or noncommercial organization, religious symbols, or the display of street numbers.

Signs at residential boundaries.

The distance which a sign in a non-residential zone must be from an adjacent residential zone.

Sign, "A-Frame".

A sign constructed of plywood or other light material which is not supported by any other materials, and is assembled in such a manner where two sides are attached at the top so as to allow the sign to stand in an upright position.

Sign, Area of.

The area of a sign that is used for display purposes, excluding the minimum frame and supports. Only the largest face of any double-side (back-to-back) sign shall be considered in calculating the sign areas as long as the displays on both sides of the sign are identical. Otherwise, each side will be considered in the total area of the sign. A sign is considered double-sided when the signs are parallel or diverge from a common edge by an angle of not more than forty five degrees (45°). In relation to signs which do not have a frame or separate background, sign area shall be calculated on the basis of the area of the smallest, single continuous rectangle figure running vertically and horizontally, large enough to frame the display. If the sign consists of more than one section or module, all areas will be totaled.

Signs, Flat.

A sign erected parallel to and attached to the outside wall of a building and extending no more than three (3) inches from said wall, with copy on the face side only.

Sign, Free Standing.

Free standing signs are signs that do not need any other structure for support and include such signs as A-frame. For purposes of this chapter pole sign are not freestanding signs.

Sign, Height.

Sign heights are measured from the natural ground level, and not from any ground that has been moved to increase the ground level. In the case of ground that slopes the average ground level will be used.

Sign Monument.

A sign which is mounted on the ground and has a solid base. The intended purpose for a monument sign is to identify the development business complex or business center as well as the businesses within the complex or center.

Sign, Off Premise.

A sign that is not on the premises on which it is intended to advertise and is located a minimum distance from the location which is displayed on the sign. Only businesses in Leeds may have off premise signs within Leeds. The off

premise sign must be on private property and approved by the Town Council and the private property owner. Property owner may resend permission at any time.

Sign, Pole.

Pole signs are signs that utilize a pole for support of a sign which is placed at the top of the pole.

Sign, Setback of.

The minimum distance which any portion of the sign or sign structure shall be located from any street right-of-way line and yard line having the same or coincident boundaries with a street.

Sign, Size of.

All faces of a multi-faced sign shall be included in the calculation of area except for a double faced monument sign, in which case only one face shall be included providing that both sides are identical. For irregularly shaped signs, the area shall be that of the smallest rectangle running vertically and horizontally that wholly contains the sign.

Sign, Wall Mounted.

A sign attached to, or painted on, and parallel to, a building or wall.

Town Official.

For the purposes of this sign ordinance, the Town Official shall be the Town Clerk, the Town Planner, or a Town Official to be designated by the Town Council. For a Master Sign Plan the Town Officials shall be the Planning Commission. In unusual cases as determined by the Town Official the Town Officials duties shall be performed by the Planning Commission and the Town Council.

Unused Buildings.

Unused buildings are buildings where occupancy does not exist for a period of six (6) months or longer.

22.14.2 Tables

Tables 1, 2 and 3 are for reference only. Any discrepancy between the tables and the written text, the written text will apply.

TABLE 22-1 SIGN TIME SUMMARY

	TIME
Abandoned	After 180 days
Appeal	10 days after notice
Banner	17 days with 3 week interval; max 4/year
Construction	5 days before and after construction
Denial letter	10 working days
Permit expiration in work not completed	180 days
Permit review	10 working days unless Planning Commission required
Political	30 days before and 7 days after election
Refilling time (denied application)	1 year
Removal - Emergency dangerous	Immediately
Removal - Normal	30 days
Removal - Not maintained	30 days
Removal - On public property	Immediately
Removal - On Town property (business)	5 days after notification
Removal - Permanent without permit	30 days
Removal - Prohibited	15 days
Removal - Temporary without permit	72 hours
Removal - Unlawful	30 days
Removal - Unsafe	5 days
Temporary window businesses	30 days
Unused buildings	After 6 months

TABLE 22-2 SIGNS NOT REQUIRING A PERMIT

TYPE	RESIDENTIAL & RURAL RESIDENTIAL	MULTI- FAMILY	COMMERCIAL	RCH	PUBLIC PROPERTY
Construction	8 sq. ft. 6 ft. high	8 sq. ft. 6 ft. high	8 sq. ft. 6 ft. high	8 sq. ft. 6 ft. high	None
Government	As Required	As Required	As Required	As Required	As Required
Town Property Civic Entrance	16 sq. ft.	16 sq. ft.	16 sq. ft.	16 sq. ft.	16 sq. ft. 24 sq. ft.
Real Estate For Sale Open house	4 sq ft. 2 sq. ft.	4 sq ft. 2 sq. ft.	4 sq ft. 2 sq. ft.	4 sq ft. 2 sq. ft.	None
Residential	3 sq. ft.	3 sq. ft.	NA	3 sq. ft.	None
Menus	None	None	4 sq. ft.		None
Political Limit/property	4 sq. ft.. 2	4 sq. ft. 2	4 sq. ft. 2	4 sq. ft. 2	None
Temporary Window			Lesser of 25% of window or 1 sq. ft./linear frontage		

This table is for quick reference only the details are in the text.

TABLE 22-3 SIGNS REQUIRING A PERMIT

	ALL RESIDENTIAL	MULTI-FAMILY	COMMERCIAL	RCH	PUBLIC PROPI
ication			16 sq. ft.		
r sign program ss Monument			55 sq ft. Max height 10 ft. Each business 3 sq ft. 8" lettering		
e entrance l sign			1/2 sq. ft/linear ft. of frontage. 10" lettering		
ss Center on entrance ss ication sign			16. sq. ft. Max height 6 ft. 3 sq. ft		
ss sign in ercial zone. usiness center			1 sq ft. for each linear ft. of business frontage max 40 sq. ft.		
ision Entrance Base ut Base	30 sq. ft. Height 6 ft 35 sq. ft. Height 6 ft.				
ss in ential zone	4 sq. ft*				
ss in Mobile RV park			1 sign/entrance Max 2. 25 sq ft each. Direction signs up to 2 (total of 16 sq. ft.)		
family ication		10 sq. ft. height 4 ft.			
r			Business 16 sq ft. **		Civic 16 sq. ft. **
signs	In accordance with zone property is in.				
ss	3 sq ft. for all zones				
ical/Memorial	2 sq. ft.				
ard	See Billboard Ordinance				

*Must have conditional use permit. ** Time limits. This table is for quick reference only the details are in the text.