

ORDINANCE A-155-A

AN ORDINANCE AMENDING THE COBURG SIGN ORDINANCE, ORDINANCE A-155 REGULATING AND PERMITTING CERTAIN SIGNS, PROVIDING ENFORCEMENT AND PENALTIES FOR VIOLATIONS

WHEREAS, The City of Coburg wishes to update its Sign Ordinance to improve how sign permit applications are processed and to provide for public safety, and to make other changes to the Sign Ordinance; and

WHEREAS The City of Coburg finds that the amended Sign Ordinance complies with all applicable statewide planning goals and with the acknowledged Comprehensive Plan:

1. The bulk of the changes are changes in procedure to allow the processing of sign permit applications to more closely correspond to the procedures applicable to other land use applications; and
2. The substantive changes concern vision clearance and the regulation of free standing signs, which regulations are consistent with the goals and purposes of the Comprehensive Plan and are necessary to the continued public health and safety of Coburg; and
3. Coburg's Comprehensive Plan recognizes the unique character of the City is an important resource. In accordance with the City's Goal five compliance, the careful regulation of signs is an important means to maintain Coburg's character without interference with economic development or free expression.

The City of Coburg ordains as follows:

SECTION 1. TITLE: This code shall be known as the Coburg Sign Ordinance and shall be cited herein as "this Ordinance."

SECTION 2. PURPOSE: The several purpose of this Ordinance are to protect the health, safety, property, and welfare of the public; to improve the neat, clean, orderly, and attractive and historic appearance of the community; to improve the effectiveness and maintenance of signs; and to provide adequate open space for unobtrusive signs. It is necessary to regulate the construction, erection, maintenance, electrification, illumination, type size, number, and locations of signs to accomplish these purposes.

SECTION 3. DEFINITIONS: For the purpose of this Ordinance, certain terms or words used shall be interpreted as follows:

The word shall is mandatory; the word may is permissive.

The present tense includes the future tense; the singular number includes the plural, and the plural number includes the singular.

The word person includes firm(s), association(s), organization(s), partnership(s), trust(s), company(s), or corporation(s), as well as the individual.

“Sign” means any device that is designed, used or intended for identification purposes or to inform the public, and includes, where applicable, the sign structure, display surfaces and all other component parts of the sign. The area of a sign having two displays surfaces facing in opposite directions shall be computed by measuring the largest face.

Area. To mean that area contained within the lines drawn between the outermost points of a sign having two display surfaces in opposite traffic directions shall be computed by totaling the square footage of both faces.

Animated Sign. The mean any sign, attempting through moving or the uses of intermittent flashing lights to make a sign seem alive, or extremely active.

Animated Readerboard. To mean a sign which conveys data or other information that pertains to time, date, or temperature, by means of alternating lights.

Awning. An awning shall include any structure made of cloth or metal, with a metal frame attached to building and projecting over a thoroughfare, when the same is so erected as to permit its being raised to a position flat against the building or structure when not in use.

Building Official. The person designated or contracted by the Planning Commission to act as its agent in building, construction, and sign permits; and inspections.

Bulletin Board. To mean a sign which gives brief official statement about matters of public concern, regarding public, religious, charitable, or other non-profit organizations.

Canopy. A canopy shall include any structure, other than an awning, made of cloth or metal with metal frames attached to a building, projecting over a thoroughfare, and carried by a frame supported by the ground or sidewalk.

Freestanding Sign. To mean any sign supported by one or more uprights or braces upon the ground, and not attached to any building. (e.g., monument signs, multi-tenant monument, pole signs).

1. Monument Sign: a freestanding sign that has a solid supporting base equal to or greater than the width of the sign face and at least 12 inches high with no separations between the sign and base. The sign and base may be one integrated unit. If not an integrated unit, the supporting base shall be a minimum 12-inch vertical height.

Height. The height is measured from the average grade of the building site below the sign to the top most point of the sign.

Home Occupation Sign. To mean a sign denoting only the name and professions of the occupant of the dwelling.

Illuminated Sign. To mean any sign which characters, letters, figures, designs, or outlines illuminated by electric lights or luminous tubes as part of the sign proper.

Off-Site Sign. To mean any sign which advertises goods, products, businesses, or services which are not sold, manufactured, or distributed on or from the property, or facilities not located on the property which the sign is located.

Planned Unit Development Sign. To mean a sign advertising a shopping center, which may include signs for the individual business in the shopping center complex.

Professional Name Plates: To mean a sign which gives only the name and profession of the user.

Professional Occupation Sign. To mean signs denoting the name and profession of an occupant in a commercial or public institution building.

Projecting Sign. To mean any sign which is attached perpendicular to a building or other structure and extends more than 12 inches beyond the line of the building or structure or more than 12 inches beyond the surface of that portion of the building structure to which it is attached.

Readerboard. To mean any sign giving a stationary message using changeable lettering or numerals.

Roof Sign. To mean any sign erected, constructed, and maintained wholly upon or over the roof of any building with the principal support on the roof structure.

Rotating Sign. To mean any sign which rotates.

Shopping Center Sign. To mean a sign advertising a shopping center, which may include signs for the individual business in the shopping center complex.

Subdivision Sign: To mean a permanent sign indicating the name of the subdivision area being established.

Street Clock. To mean any timepiece erected upon a standard, upon the sidewalk on the exterior of any building or structure for the convenience of the public and placed and maintained by some person for the purpose of advertising his/her place of business.

Temporary Sign. To mean any sign, banner, valance, or advertising display constructed of cloth, canvass, light fabric, cardboard, plywood, wood, wall board, plastic, sheet metal, or other similar materials with or without frames, which is not permanently erected or permanently affixed to any sign structure, sign tower, or building, and which is not an electric sign or an internally or directionally illuminated sign, and including:

- a) Construction Sign. To mean any sign erected upon a construction site for the purpose of identifying or advertising the developers and/or the contractors of the site.
- b) Advertising Sign. To mean any temporary sign advertising picnics, bazaars, luncheons, breakfast, etc., of churches social clubs, fraternal organizations, and other non-profit organizations, and temporary signs which are intended for use at grand openings of new businesses, or relocation and/or reopenings of existing businesses, none of which shall be used for more than 30 calendar days.
- c) Political Sign. To mean a temporary sign purporting to advertise candidates or issues, erected on private property, during the campaign in which such candidates or issues are to be voted on, and which shall be erected for not more than a maximum period of 60 days prior to such election(s) and which shall be removed not later than the fourth day following such election(s).
- d) For Sale, Rent, or Lease Sign. To mean temporary signs erected on private property advertising for the sale, lease, or rental of the only property upon which it is erected.
- e) Open House Sign. To mean any sign erected on private property operating in conjunction with a For Sale sign.
- f) Subdivision Sign. To mean a temporary sign to be erected upon the tract of land or a subdivision advertising the sale of the tract of land or lots on the tract of land.
- g) Miscellaneous Sale Sign. To mean any sign advertising an item or items for sale, garage sale, or yard sale sign. To be removed within three days after completion of the sale.
- h) A-frame or Sandwich Board Sign. To mean a sign temporarily in the pedestrian right-of-way, still providing adequate pedestrian clearance, only present during business or event hours. Sign shall be located no further from sign originator than the nearest street intersection at maximum.

Traffic and Customer Control Signs. To mean any sign, legal notice, railroad crossing sign, danger sign, and other such emergency and non-advertising signs as are approved by the Planning Commission.

Wall Sign. A wall sign shall include all flat signs which are placed, attached, or painted against a building or other structure and attached to the exterior front, rear, or side all of any building or other structure.

SECTION 4. GENERAL REQUIREMENTS:

- A. Sign Illumination. The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding right-of-way and properties. The following standards shall apply to all illuminated signs:
 - 1. No sign or light source shall create an unduly distracting or hazardous condition to a motorist, pedestrian or the general public. Colored lights or colored sign faces shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
 - 2. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
 - 3. Signs shall not have blinking, flashing, or fluttering lights, or other illuminating devices that have a changing light intensity, brightness or color.
- B. Sign permits may be processed as Building Permits which are considered a type of Type 1 Land Use Applications except when another processed is required by this Ordinance.

SECTION 5. ESTABLISHMENT OF DISTRICTS: The City of Coburg is divided into specific zones, as shown the official zoning map, attached to and made part of this Ordinance, and any sign erected or constructed in these zones shall be controlled by the rules of each zone.

No signs shall be erected and no changes of any nature shall be made to existing signs within these zones except in conformity with the procedures set forth in this Ordinance.

SECTION 6. RESIDENTIAL DISTRICT:

- A. All signs within the residential areas shall be subject to the following provisions:
 - 1) No sign shall be illuminated with or by a flashing intermittent light source. All light shall be directed away from and not reflected upon adjacent premises. No illumination of any sign shall be permitted at [after] 10:00 p.m. or before 7:00 a.m. Free standing signs shall not be internally illuminated nor be illuminated by neon tubing.
 - 2) One sign not exceeding two square feet in area per side and bearing only property numbers, post box numbers, names of occupants, or the occupations of residents only in event of home occupation shall be allowed each residential dwelling unit.

- 3) Home Occupation Signs shall not exceed three (3) square feet in area per side not exceed six feet in height.
 - 4) Subdivision Signs shall not exceed 32 square feet in area and not exceed 6 feet in height. One per entrance.
- B. Temporary Signs as defined in Section 3, subsection 23, items a-h, shall not exceed six (6) square feet in area not exceed six (6) feet in height.
- C. Exempt Signs shall be allowed as follows:
- 1) Institutional Signs: Any sign or bulletin board setting forth or denoting the name of any public, charitable, religious, or non-profit institution when located on the premises of such institution, provided such sign or bulletin board shall not exceed 32 square feet in area and 6 feet in height.
 - 2) Public Signs: Signs of a public nature, which are non-commercial, which shall include safety signs, danger signs, signs indicating scenic or historical points of interest, signs required by a government agency, and all signs erected by a public officer in the performance of a public duty, shall not exceed 32 square feet in area.
 - 3) Memorial Signs and Tablets: Non-illuminated memorial signs or tablets indicating the name of building or date of erection, not exceeding two square feet in area, which are part of the building construction, or are to be attached as wall signs or anchored in the public right-of-way
 - 4) Seasonal Decorations: Seasonal decorations shall be permitted for a period of 40 days for displays purposes or on public or private property, providing such decorations are safely maintained. When on public property, approval of the City Council is required.
 - 5) Flags: One official national, state, and local government flag or banner per property when installed in a manner that meets City ordinances and when flown and maintained with the respect due to these symbols of honor and authority, as specified by the U.S. Flag Code, are exempt from the provisions of these regulations. As per Section 4 of the U. S. Flag Code, the American flag should never be used for advertising purposes.

The flag structure shall not exceed 20 ft. in height or a height 10 percent greater than the maximum height of the primary structure on the property, whichever is greater. All structures over 10 ft. in height supporting flags require a Building Permit and inspection(s) of the footing and structure, as per current Oregon State Building Code, prior to installation of the structure.

- D. Prohibited Signs.
- 1) Roof Signs
 - 2) Animated Signs that rotate messages more frequently than every 20 seconds
 - 3) Rotating Signs
 - 4) Projecting Signs
 - 5) Off-site signs, except for Open House Signs.
 - 6) Signs illuminated by neon tubing, LED, or similar technology including 'OPEN' or 'CLOSED' signs.

SECTION 7. CENTRAL BUSINESS DISTRICT (C-1):

- A. All signs within the Central Business District shall be subject to the following provisions:
- 1) Each business shall be allowed a maximum total of all signs of 100 square feet in area, excepting inclusion in shopping center signs.
 - 2) Projecting Signs shall be granted on the following use criteria:
 - a) Projecting signs-must have a minimum clearance of 10 feet above grade with a minimum clearance of 15 feet over driveways and parking lots, and shall not exceed 32 square feet per side.
 - b) Signs shall be set back a minimum of two feet from the curb.
 - c) Projecting signs may not extend more than 25 feet above grade or the building roofline, whichever is less.
 - d) Such signs shall project from the wall at right angles, (90) from the all to which they are attached, except that diagonal projection of 135 is allowed on a building at the corner of a block. If a diagonal projecting sign is used on a corner, it shall be the only projecting sign allowed for the two frontages from which it is designed to be seen.

- e) Only one projecting sign per frontage may be displayed.
- 3) Wall Signs shall be allowed on each separate business occupancy. The wall signs shall not exceed 60 square feet in area total.

B. Temporary Signs shall be allowed as follows:

- 1) Construction Signs not to exceed 32 square feet in area and not to exceed eight (8) feet in height.
- 2) FOR SALE (LEASE or RENT) Signs not to exceed 32 square feet in area and not to exceed 8 feet in height.
- 3) Traffic and Customer Control Signs not to exceed 16 square feet in area and not to exceed 8 feet in height.

4) Other temporary signs, as provided in Section 6, subsection B, of this ordinance.

C. Freestanding Signs shall be allowed as follows:

- 1) One Freestanding sign, not to exceed 32 square feet in area and not to exceed 15 feet in height, shall be allowed per business Any freestanding sign square footage shall be a portion of subsection 7.a.(1).
- 2) Street Clocks: All street clocks shall be constructed of suitable material, and the time on the clocks should be kept accurate.
- 3) Traffic and Customer Control Signs not to exceed 16 square feet in area and not to exceed eight (8) feet in height.

D. Exempt Signs shall be allowed, as provided in Section 6, subsection C, items 1-4.

E. Prohibited Signs.

1) Roof Signs.

2) Animated Signs and/or Readerboards that rotate messages more often than every 20 seconds

F. Conditional Signs (Special Exceptions). Off-site signs, readerboard signs, and shopping center signs, exempt signs as provided in Section 6, subsection C of this Ordinance, shall be allowed only under a Conditional Sign Permit.

SECTION 8. HIGHWAY COMMERCIAL DISTRICT (C-2):

- A. The following signs shall be allowed in the Highway Commercial District:
- 1) Each Commercial business shall be allowed one (1) freestanding sign with a maximum of 400 square feet for each side with a maximum of two (2) sides. A second freestanding sign is allowable with a combined total of both signs not to exceed 500 square feet per side. Signs shall not exceed 45 feet in height above average terrain.
 - 2) Each separate business shall be allowed Traffic and Customer Control signs necessary to provide a smooth and orderly flow of traffic for safety control; subject to review by the Planning Commission under the site review process if deemed necessary by the Planning Commission.
 - 3) Each multi-use commercial area shall be allowed one Identification Sign which shall not exceed 200 square feet per side and shall not exceed 15 feet in height above the crown of the fronting road or the curb, whichever is higher.
 - 4) In addition to the signs set forth in Subparagraphs (1)-(3) above, each commercial building shall be allowed:
 - a) At least 300 square feet of signs.
 - b) Each commercial building containing less than 40,000 square feet shall be allowed one (1) square foot of sign for each lineal foot of building perimeter, with a maximum of 600 square feet of signs for each building, not to exceed height of building.
 - c) Each commercial building containing 40,000 square feet or more shall be allowed one (1) square foot of sign for each lineal foot of building perimeter, with a maximum of 800 square feet of signs for each building, not to exceed height of building.
- B. Projecting Signs: As provided in Section 7 subsection A, item 1, projecting signs shall be allowed.
- C. Temporary Signs: The following temporary signs shall be allowed.
- 1) Temporary Construction Signs shall not exceed 32 square feet in area not exceed 8 feet in height.

- 2) Temporary FOR SALE, LEASE or RENT Signs shall not exceed 32 square feet in area nor exceed 8 feet in height.
 - 3) Temporary Subdivision Signs shall not exceed 32 square feet in area no exceed 8 feet in height.
 - 4) Other temporary signs, as provided in Section 6, subsection B, of this ordinance.
- D. Exempt Signs: The signs specified in Section 6, subsection C, items 1-4, shall be allowed.
- E. Prohibited Signs: The following signs shall be prohibited in the Highway Commercial District:
- 1) Animated Signs that rotate messages more often than once every 20 seconds.
 - 2) Flashing Signs.
- F. Conditional Signs (Special-Exemptions): Off-site signs, except Exempt Signs, as provided in Section 6, subsection C of this Ordinance shall be allowed only under a Conditional Sign Permit.
- G. Multi-Tenant Monument Signs: Allowed off-site with lease and maintenance agreement with property owner of sign location. Not allowed in public right-of-way. Sign shall incorporate a uniform design standard for each tenant sign. Multi-tenant monument signs shall not be taller than ten (10) feet and not be larger than forty (40) square feet on each side.

SECTION 9. LIGHT INDUSTRIAL DISTRICT (LI):

- A. The following signs shall be allowed in the Light Industrial District:
- 1) Each business shall be allowed 1 freestanding sign, with a maximum of 400 square feet for each side with a maximum of 2 sides. A second free standing sign is allowable with a combined total of both signs not to exceed 500 square feet per side. The signs shall not exceed 45 feet in height above average terrain.
 - 2) Each separate business shall be allowed Traffic and Customer Control signs necessary to provide a smooth orderly flow of traffic for safety control, subject to review by the Planning Commission through the site review process.

- 3) Each multi-use industrial area shall be allowed one (1) Identification Sign which shall not exceed 200 square feet per side and shall not exceed 15 feet in height above the crown of the fronting for safety control, subject to review by the Planning Commission through the site review process.
 - 4) In addition to the signs set forth in Subparagraphs (1)-(3) above, each building in the industrial district shall not be allowed the following signs:
 - a) Each building shall be allowed a minimum of 300 square feet of signs.
 - b) Each building containing less than 40,000 square feet shall be allowed one (1) square foot of sign for each lineal foot of building perimeter, with a maximum of 600 square footage of signs.
 - c) Each building containing 40,000 square feet or more shall be allowed one (1) square foot of sign for each lineal feet of building perimeter, with a maximum of 800 square feet of signs
 - 5) Projecting Signs: As provided in Section 7, subsection A item 1, projecting signs shall be allowed.
- B. Temporary Signs: The following temporary signs shall be allowed.
- 1) Temporary Construction Signs shall not exceed 32 square feet in area nor exceed 8 feet in height.
 - 2) Temporary FOR SALE, LEASE, or RENT Signs shall not exceed 32 square feet in area nor exceed 8 feet in height.
 - 3) Other temporary signs as provided in Section 6, subsection B of this Ordinance.
- C. Exempt Signs: The signs specified in Section 6, subsection C, items 1-4, shall be allowed.
- D. Prohibited Signs:
- 1) Animated Signs that rotate messages more often than once every 20 seconds
 - 2) Flashing Signs.

- E. Conditional Signs (Special Exceptions): Off-site signs, except Exempt Signs, as provided in Section 6, subsection C of this Ordinance shall be allowed only under a Conditional Sign Permit.

- F. Multi-Tenant Monument Signs: Allowed off-site with lease and maintenance agreement with property owner of sign location. Not allowed in public right-of-way. Sign shall incorporate a uniform design standard for each tenant sign. Multi-tenant monument signs shall not be taller than ten (10) feet and not be larger than forty (40) square feet on each side.

SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 10. OBSOLETE AND DAMAGED SIGNS TO BE REMOVED OR REPAIRED: Any new sign now or hereafter existing which no longer advertises a bonafide business conducted or a product sold, a current event, or is otherwise obsolete, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure upon which such sign owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within 30 days after written notification from the Building Official or Planning Director or designee, subject to the right of appeal to the Planning Commission. In the event said person fails to remove the sign, and any time specified by the notice, the Building Official or Planning Director or designee may cause the removal of the sign, and any expense incurred for such removal shall be paid by said person. In the event any sign or advertising expense incurred for such removal shall be paid by said person. In the event any sign or advertising structure or supporting structure which is torn, damaged, defaced, or destroyed and not repaired or replaced within 30 days of said casualty, the Building Official or Planning Director or designee shall give written notice to the property owner and permittee of the sign requiring repair, replacement, or removal thereof within 30 days; subject to the right of appeal to the Board of Appeals. In the event said owner permute does not repair, replace or remove said sign pursuant to said notice, the Building Official or Planning Director or designee is authorized to cause removal of such sign and any expense incident thereto shall be paid by the owner or permute of the sign, or if such persons cannot be found, the owner of the building or structure or property to which such structure is affixed

SECTION 11. CERTAIN SIGNS PROHIBITED: It shall be unlawful for any persons to erect, display, or maintain, and no permit shall be issued, for the erection, display, or maintenance of any sign advertising sign falling within any of the following descriptions:

- 1) Animated Signs
- 2) Flashing Signs
- 3) Outline illumination to illuminate or accentuate a sign, sign structure, or building.

SECTION 12. SIGNS NOT TO OBSTRUCT DOORS FIRES ESCAPES ETC.: Signs shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape.

SECTION 13. SIGNS NOT TO CONSTITUTE TRAFFIC HAZARDS, CERTAIN WORDS PROHIBITED:

- A. Clear vision: No sign or other advertising structure as regulated by this Ordinance shall be erected at the intersection or any streets in such a manner as to obstruct free and clear vision.
- 1) Vision Clearance: The clear vision areas extend across the corner of private property from one street to another. The two legs of the clear vision triangle defining the private property portion of the triangle are each measured 20 feet back from the point of intersection of the two corner lot lines, special setback line or access easement line (where lot lines have rounded corners, the lot lines are extended in a straight line to a point of intersection). Additional clear vision area may be required at intersections, particularly those intersections with acute angles, as directed by the Planning Department, upon finding that additional sight distance is required (i.e., due to roadway alignment, etc.).
- B. Traffic hazard: No sign or other advertising structure as regulated by this Ordinance shall be erected at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with, any of the authorized traffic signs, signals, or devices.
- C. Words prohibited: No sign or other advertising structure as regulated by this Ordinance shall be erected which makes use of the words, "STOP," "LOOK," "DANGER," or any other words, phrases, symbols, or characters in such a manner as to interfere with, mislead, or confuse traffic.

SECTION 14. SPOTLIGHTS ON SIGNS EXTENDING OVER PUBLIC PROPERTY: It shall be unlawful for any person to maintain any sign which extends over public property which is wholly or partially illuminated by floodlights or spotlights which reflect into or upon the traveling ways of any street or alley.

SECTION 15. OBSCENE MATTER PROHIBITED: No sign shall be constructed, erected, or maintained which bears or contains statements, words, or pictures of an obscene, indecent, or immoral character, such as will offend public morals or decency.

SECTION 16. SIGNS PERMITTED FOR SECOND STORY BUSINESSES: Businesses maintained on the second floor of a two story building, except businesses which also occupy all or a portion of the first floor, shall be entitled to 50 percent of the dimensions and distances set forth in this Ordinance, excepting no projecting signs shall be permitted for such second floor businesses, nor shall any separate sign be permitted above the second story of the building, unless otherwise provided in this Ordinance.

SECTION 17. NON-CONFORMING SIGNS TIME LIMITATIONS FOR INFORMATION: Every sign or other advertising structure in existence on adoption of this Ordinance which violates or does not conform to the provisions thereof, shall be removed or altered or replaced so as to conform to the provisions of this Ordinance within two years of the effective date of this Ordinance.

Where a sign was lawfully erected and maintained in an area outside or inside the urban growth boundary of the City of Coburg and is annexed to the City, the applicable non-conforming period shall begin from the effective date of the annexation. No structural alterations or other substantial changes of a permanent nature, of an existing non-conforming sign, as defined herein, will be permitted except when such alterations, extensions, or changes are such as to bring the sign into complete compliance with this Ordinance.

CONSTRUCTION STANDARDS

SECTION 18. ILLUMINATED SIGNS TO CONFORM TO ELECTRICAL CODES: All illuminated signs shall be subject to the provisions of the National Electric Code or the State Electric Code or the Underwriters Laboratory and shall be designed by a state licensed signs contractor and erected by a state licensed electrician.

SECTION 19. WIND PRESSURE AND SEISMIC AND DEAD LOAD REQUIREMENTS: All signs shall be designed and constructed to withstand pressure loads and seismic loads and dead loads as required by the current Oregon State Uniform Building Code.

SECTION 20. SIGNS CLOSE TO STREET LINES MUST BE SMOOTH AND WITHOUT PROJECTIONS: All signs or other advertising structures which are constructed on street lines, or within five feet thereof, shall have smooth surfaces, and no nails, tacks, or wires shall be permitted to protrude there from.

A. **Exceptions:** Electrical reflectors and devices which may extend over the top and in front of the advertising structures.

SECTION 21. GOOSENECK REFLECTORS PERMITTED: Gooseneck reflectors and lights shall be permitted on freestanding signs and wall signs, provided however, the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.

SECTION 22. FREESTANDING SIGNS:

- A. **Materials and attachments of Letters:** All letters, figures, characters or representations in uncut or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure and shall comply with all requirements in Section 29 of this Ordinance.
- B. **No Freestanding Sign shall project or extend into any vision clearance area prescribed by any provision of this Ordinance.** One or two sign poles supporting a freestanding sign may be located within the vision clearance area if they do not exceed a combined total width of 12 inches and if no other portion of the sign proper is located within the vision clearance area between 3 and 7 feet above grade.

- C. All posts, anchors, and bracing or wood shall be treated to protect them from moisture by creosoting or together approved methods when they rest upon or enter the ground.
- D. All freestanding signs shall conform to the requirements of Section 28 of this Ordinance.
- E. All freestanding signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary, and inoffensive condition, and free and clear of all obnoxious substances, rubbish, and weeds.

SECTION 23. WALL SIGNS

- A. No wall sign shall cover, wholly partially, any wall opening nor project beyond the ends or top of the wall to which it is attached.
- B. No wall sign shall be permitted or extend more than 12 inches beyond the building line and shall not be attached to all at a height of less than 9 feet above the sidewalk or ground.
- C. No wall sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape.
- D. All illuminated signs are subject to approval by the Planning Commission through the Site Review process.
- E. No sign or window display shall be so placed or illuminated as to be hazardous to pedestrians or traffic or in any or any manner tending to create a nuisance to the occupants of any other building or premises.
- F. All wall signs shall conform to the requirements of Section 29 of this Ordinance.

SECTION 24. WALL FACADES FOR SIGNS

- G. If a wall facade for signs extends to full length of the wall, the maximum height of the wall façade shall not exceed four feet measured from the roof line directly behind the wall to the top of the wall façade. If it is less than full length, there shall be five feet clearance at the end of the wall, and such facades shall conform to Chapter 38 of the Building Code.
- H. The supporting structure for any wall façade for signs shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property.

SECTION 25. CONSTRUCTION STANDARDS FOR TEMPORARY SIGNS: All temporary signs shall be constructed to the following standards: all exposed parts of the sign shall be constructed of such materials, or treated in such a manner, that normal rainfall or other moisture shall not harm, deface, or otherwise affect the sign.

SECTION 26. SIGN WITHIN SETBACKS: Where the supporting member of any sign is to be erected within a setback area established pursuant to the City of Coburg Zoning Ordinance, no permit shall be issued for such sign until the person who will own the sign and the owner of the premises upon which the sign will be erected, enter into a written agreement with the City, providing for removal of such supporting member when necessary. The agreement shall provide that the sign owners and the owners of the premises, their administrators, executors, heirs, successors, and assigns, shall after 60 days be jointly separately liable for removal from said setbacks stated in the written notice from the Planning Commission. Such notice shall be given only when a public agency is to widen the street or other public right-of-way into the setback area. The agreement shall further provide that if the persons responsible for removal of the supporting member do not remove it, the City of Coburg may do so at the expense of such persons and that the cost of expense may be a lien against such land and premise and may be collected or foreclosed in the same manner as liens entered into the docket of the City. The agreement shall also provide that the owner of the sign shall not be entitled to any damages or compensations on account of moving or removing of the supporting member or portion thereof. This provision shall not be construed as denying the owner of such property of the right to compensation for any land taken for the widening/ of any street. The agreement shall be acknowledged before an officer authorized to take acknowledgements to deeds and who is authorized to record the same. The Planning Commission shall cause such agreement to be recorded at the office of the county officer having custody of the deed records of Lane County.

SECTION 27. INFORMATION AS TO PERMIT NUMBER, VOLTAGE, ETC., REQUIRED ON SIGNS:

A. Every electric sign shall have placed within easy view the following information:

- 1) The name of the sign erector.
- 2) Date of erection.
- 3) Underwriters Laboratory label.
- 4) Voltage, wattage, and/or lamps information.

B. Such information shall be permanently attached to the sign in an accessible and visible location.

PERMIT REQUIREMENTS

SECTION 28. PERMIT REQUIRED, INFORMATION NEEDED IN APPLICATION: It shall be unlawful for any person to erect, alter, or relocate within the City any sign or other advertising structure as defined in this Ordinance, without first obtaining a permit from the Planning Department and payment of the fee required by Section 31 hereof. All illuminated signs shall, in addition,

be in compliance with the provisions of the State Electric Code and with the Underwriter's Laboratories Standard for Safety, Electric Signs; and shielding may be required at the Building Official's discretion. Application for permits shall be made upon blanks provided by the Planning Department. The Planning Department may require the filing of sufficient data to determine compliance with the Sign Ordinance and the Zoning Ordinance.

SECTION 29. PERMIT ISSUANCE: It shall be the duty of the Planning Department and Building Official, upon the filing of an application for a permit, to examine such plans and specifications and other data needed to erect the sign or other advertising structure and if it shall appear that the proposed structure is in compliance with all the requirements of this Ordinance and all other laws and ordinances of the City, he/she shall issue the construction permit. Also, conditional criteria may be set by the criteria in architecturally controlled districts under Ordinance No. A-200. Off-site, Traffic and Control, and shopping enter signs in any district may be subject to site review process by the Planning Commission.

SECTION 30. VOIDING PERMITS: If the work authorized under a construction permit has not been completed within six months after the date of issuance, the permit shall become null and void.

SECTION 31. PERMIT FEES: Every applicant, before being granted a permit, shall pay to the City Recorder the following permit fee for each sign or other advertising structure regulated by this Ordinance.

A. For the construction or relocation of a new sign:

See Land Use Fees per Ordinance A-208-A and Administrative Order 01-06.

B. Replacement Permit (to remove existing sign from its structure and replace the sign on the sign structure without structural alterations: See Land Use Fees per Ordinance A-208-A and Administrative Order 01-06.

C. Fees for altering non-conforming signs shall be the same as for a new sign.

SECTION 32. PERMIT – REVOCABLE AT WILL: All rights and privileges acquired under the provisions of this Ordinance or any amendment thereto, are mere permits and are revocable at any time by the City Council for just cause after written notice to the permit holder and a hearing to be held not less than 15 days after the date of said notice.

SECTION 33. REVOCATION OF PERMITS: The Planning Commission is hereby given authority to revoke any permit issued by it upon a finding that the holder thereof has failed to comply with any provision of this Ordinance after written notice to the permit holder and a hearing to be held not less than 15 days after the date of said notice.

SECTION 34. EXEMPTIONS FOR CERTAIN TYPES OF SIGNS: The following signs and operations shall not require a permit fee but shall conform to all other applicable provisions of this Ordinance.

- A. Temporary signs, as provided in Section 3, subsection 20, items a-h.
- B. The changing of the advertising copy or message on a painted or a printed sign or a billboard signs and similar signs that are specifically designed for the use of replaceable copy.
- C. Signs, as provided in Section 6, subsection C, item 1-4.

SECTION 35. CONDITIONAL SIGN PERMITS:

- A. **Purpose:** To allow Planning Commission review of signs that would ordinarily not be permitted under this Ordinance. The purpose of review shall be to determine that the characteristics of any such sign shall not be unreasonably incompatible with those signs permitted in the district and for the purpose of imposing conditions to insure that the basic purposes of this Ordinance are served. Nothing herein shall be construed to require the granting of the Conditional Sign Permit.
- B. **Conditional Signs:** Where ambiguity exist in this Ordinance regarding the erection of a particular sign, the proper to be used, or a sign is not specifically permitted or prohibited in a particular district, that sign may be allowed under a Conditional Sign Permit in accordance with the provisions of this section.
- C. **Criteria:** A Conditional Sign Permit may be granted only if substantive and probative evidence establishing specific findings of fact have been made that said permit conforms to all the following criteria.
 - (1) Conformity with the Coburg Comprehensive Plan and Zoning Ordinance.
 - (2) Compliance with special conditions established by the Planning Commission to carry out the purposes of the relevant sections(s) of this Ordinance.
- D. **Conditions:** The Planning Commission may impose the following conditions to minimize conflicts between proposed and existing signs.
 - (1) Modify setbacks, heights, square footage, and nature of signs to accomplish specific ends.
 - (2) Require modifications for safety purposes.

- (3) Require abatement of light, noise, and vibration.
 - (4) Require the limitation of use.
 - (5) Require time limit on total duration of use.
 - (6) Additional conditions which may be necessary to implement policies of the Coburg Comprehensive Plan and Zoning Ordinance.
- E. Compliance: Compliance with conditions imposed in the Conditional Sign Permit are required, and failure to so comply constitutes a violation of this Ordinance.
- F. Vested Interest in Approved Conditional Sign Permit: A valid Conditional Sign, Permit supersedes conflicting provisions of subsequent rezoning or amendments to this Ordinance, unless specifically provided otherwise herein, or by the condition of approval.
- G. Revocation:
- (1) Conditional Sign Permits are automatically revoked without special action if:
 - (a) the permit has not been exercised within one year after the date of approval, or
 - (b) the sign approved is discontinued for any reason for one continuous year or more.
 - (2) The Planning Commission may revoke any Conditional Sign Permit for failure to comply with any prescribed condition of the approval.
 - (3) A hearing for revocation of a Conditional Sign Permit shall be held upon written application to the Planning Commission stating the basis of the revocation under this section or other provisions of this Ordinance. The Planning Commission shall set a hearing date if it determines one is warranted.
- H. The public hearing notification, hearing procedure, and appeals for Conditional Sign Permit applications and revocations shall be the same as those for a Conditional Use Permit or revocation thereof, under Ordinance No. A-133.

SECTION 36. UNSAFE OR ILLEGAL SIGNS TO BE REMOVED OR REPAIRED: PROCEDURE FOR REMOVAL BY THE CITY: If the Planning Department finds that any sign or other advertising structure regulated herein is unsafe or insecure or is being maintained in violation of the provisions of this Ordinance or of the Uniform Building Code, he/she shall give written notice to

the permute thereof. If the permute fails to remove or effect repairs to the structure so as to comply with the standards herein set forth within 30 days after such notice, such sign or other advertising structure is hereby declared a nuisance and may be removed or altered to comply with the regulation herein set forth at the expense of the permute or owner of the property upon which it is located, subject to the permit holder's right to appeal to the Board of Appeals. If the Planning Department finds that any sign by reason of its condition presents an immediate and serious danger to the public, including people or property, he/she may order its immediate removal or repair within a reasonable period of time. Planning Department may remove, or authorize others to remove, the sign at the expense of the permit holder or owner in the event that the person responsible for the sign cannot be found or if the person, after notification, refuses to repair or remove the sign within the specified time. Planning Department shall not issue a permit to any permit holder or owner who refuses to pay costs assessed.

ENFORCEMENT AND ADMINISTRATION

SECTION 37. ENFORCEMENT:

- A. The Planning Department is hereby authorized to enforce all the provisions of this Ordinance. Upon prior notification and presentation of proper credentials the Planning Department may enter, at reasonable times, any building, structure or premises, in the City to perform any duty imposed by this Ordinance.
- B. The **Planning Commission** shall notify, in writing, the applicant of the sign permit of any violation of this Ordinance who shall correct the violation of this Ordinance within the time specified on the written notice. The **Planning Commission** shall notify the owner or lessee of any sign which is made non-conforming by the enactment of this Ordinance within one year of the expiration date stated in Section 17. If the owner of the sign cannot be determined, the owner of the property on which the sign is located shall be given written notice.
- C. **In those cases wherein the Building Official, Planning Department or Planning Commission are authorized by this Ordinance to remove, repair, or cause the removal or repair of a sign at the expense of the permit holder or owner, the City Recorder shall keep an accurate record of the expense incurred by the City and shall include therein a charge of 10 percent of those expenses for administrative overhead. Upon completion of the removal or repair by the Building Official, Planning Department or Planning Commission:**
 - (1) **The City Reorder, be registered or certified mail, postage prepaid, shall forward to the person responsible a notice stating the following:**
 - (a) **The total cost of removal or repair, including administrative overhead,**
 - (b) **That the cost, as indicated, will be assessed to and become a lien against the property unless pain within 30 days from the date of notice,**

- (c) That, if the person responsible objects to the cost of removal or repair as indicated, he/she may file a written notice of objection with the City Recorder not more than ten days after the date of the notice,
 - (d) A statement that a person filing notice of objection will receive an opportunity to appear and be heard at a City Council hearing and will receive notice as to the time and location of said hearing.
- (2) Upon the expiration of the ten days after the date of the notice, the City Council, as part of its regular agenda at its next succeeding meeting, shall hear the objection to the assessment of the costs of removal or repair. At the time set for consideration of the costs of removal or repair, the person protesting may appear and be heard by the Council, and the Council shall determine whether the costs are reasonable, and the determination shall be entered into the official minutes of the Council. Council determination shall be required only in those cases where a written statement has been filed as provided.
- (3) If the costs of removal or repair are not paid within 30 days from the date of the notice, or if applicable, 30 days from the date of the Council's determination, an assessment of costs, as stated or determined by the Council, shall be made by resolution and shall thereupon be entered in the docket of city liens, and upon such entry made, shall constitute a lien upon the property from which the sign was removed or repaired.
- (4) The lien shall be enforced in the same manner as liens from street improvements are enforced and shall bear interest at the rate of seven (7) percent per year. The interest shall commence to run from the date of the entry of the lien in the lien docket.
- (5) An error in the name of the person responsible shall not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

SECTION 38. SIGN CODE APPEALS PURPOSE: The Planning Commission is empowered to grant variances in order to prevent or to lessen such practical difficulties and unnecessary physical or economic hardships inconsistent with the objectives of this code as would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this code. The power to grant variances does not extend to an economic hardship related to cost, size, or location of a new sign or to convenience of the applicant. The Planning Commission is also empowered to grant Conditional Sign Permits and variances under the terms of this Ordinance, as well as to decide all appeals from decisions of the Planning Department hereunder. The public hearing notifications and hearing procedure for appeals from decisions of the Building

Official, Planning Director or designee shall be the same as those specified under Ordinance No. A-133, Sections, 10.2.C,K,L & M and Section 11, unless otherwise specified in this Ordinance.

SECTION 39. APPEALS – PROCEDURES: All meetings of the Planning Commission shall be held at the call of the Chair and at such times as the Commission may determine. The majority shall constitute a quorum for the transaction of business. All Appeals procedures shall be conducted according to the provisions for equivalent Type I or Type II procedures under the Coburg Zoning Code (Ord. A-200).

SECTION 40. BOARD OF APPEALS – APPEALS:

- A. An appeal may be taken from a decision of the Building Official or Planning Director or designee to the Planning Commission by a person, firm, or corporation affected by a decision of the Building Official or Planning Director or designee under this Ordinance. All such appeals shall be governed by the Coburg Zoning Code (Ord. A-200) and shall be de novo. Upon notification of the appeal, the Building Official or Planning Director or designee shall immediately transmit to the Commission all papers constituting the record upon which the action appealed from is taken.

- B. An appeal shall stay all proceeding and furtherance of the action appeal from unless the Building Official or Planning Director or designee certified to the Planning Commission, after the notice of appeal has been filed with him/her, that by reason of facts stated in the certificate, a stay would, in his/her opinion, cause eminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Planning Commission or by a court having jurisdiction of said matter.

SECTION 41. APPEALS FOR VARIANCE AND FEE:

- A. Appeal for a variance shall be made to the Board on a Variance application form prescribed by the Planning Department and include how the application meets the variance criteria of the Coburg Zoning Code (Ord. A-200)

SECTION 42. DURATION OF ORDER OF THE PLANNING COMMISSION: No order of the Planning Commission granting a variance shall be valid for a period longer than six (6) months unless such permitted sign established within that period or in the event the permitted sign is dependent upon the erection or alteration of a building unless a building permit for said erection or alteration is obtained within six months and contains provisions dealing with the erection of said sign.

SECTION 43. APPEAL FROM DECISION:

- A. Any person aggrieved by a final determination of the Planning Commission shall have the right of further appeal to the City Council per the Appeals process prescribed in the Coburg Zoning Code (Ord. A-200) All such appeals to the City Council shall be conducted under the same procedures and in the same manner as provided for appeals to the City Council under Ordinance No. A-133, unless otherwise provided for herein.

SECTION 44. PENALTIES FOR VIOLATION OF THE SIGN ORDINANCE: Violations of the provisions of this code or failure to comply with any of its requirements shall constitute an infraction. Any person who violates this code or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than what is set forth in Ordinance A-208-A and Administrative Order 01-06 and in addition, shall pay all costs and expenses involved in the case. Each day such violation continued shall be considered a separate offense. The fine imposed by this section shall be cumulative and in addition to other remedies provided in this Ordinance to the City.

SECTION 45. AMENDMENTS: The regulations, restrictions, and boundaries set forth in this Ordinance may be amended, supplemented, changed, or repealed by the City Council under the same procedures and in the same manner as provided for legislative actions under Ordinance A-200.

SECTION 46. SEVERABILITY CLAUSE: If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code, which shall remain in full force and effect; and to this end the provision of this Ordinance are hereby declared to be severable.

After public notice and reading pursuant to the Coburg City Charter and after council deliberations followed by councilor motion and second, this ordinance was put to a vote, the results of which were:

ADOPTED by the City Council of the City of Coburg this 9th day of June, 2015, by a vote of 6 for and 0 against.

APPROVED by the Mayor of the City of Coburg this 11 day of June, 2015.

Jae Pudewell, Mayor

ATTEST:

Sammy L. Egbert, City Recorder