

Update of the City Sign Code (Sections 164-124 to 164-123)

Current Ordinance	New Code
<p>164-124 Structural requirements; inspection and maintenance.</p> <ul style="list-style-type: none"> A. All signs shall comply with the pertinent requirements of the BOCA Basic Building Code, as may be amended from time to time. B. Signs for which a permit is required shall be inspected periodically by the Zoning Administrator for compliance with this article and the other laws of the City. C. All signs and components thereof shall be kept in good repair and in a safe, neat, clean and attractive condition. D. The Zoning Administrator is authorized to adopt rules and regulations to ensure that signs are constructed, licensed and maintained in accordance with this article. 	<p>164-124 Non-Conforming Signs <i>(Formally 164-125)</i></p> <ul style="list-style-type: none"> A. Signs which do not conform to the regulations and restrictions prescribed for the zone in which they are situated but which were erected in accordance with regulations in effect at the time may remain as long as the sign is not structurally altered in anyway and shall be regarded as legal non-nonconforming signs . B. No nonconforming sign shall be enlarged, reconstructed, structurally altered, or relocated unless the moving will relocate the sign into a zone in which it would conform after receiving the proper City approvals.
<p>164-125 Nonconforming signs</p> <ul style="list-style-type: none"> A. Signs which do not conform to the regulations and restrictions prescribed for the zone in which they are situated but which were erected in accordance with regulations in effect at the time may remain as long as the use advertised remains. B. No nonconforming sign shall be enlarged, reconstructed or altered in any manner nor shall it be 	<p>164-125 Electronic Signs</p> <ul style="list-style-type: none"> A. Display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement; B. Not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of one hundred and fifty (150) feet.

<p>worded to advertise any other use than was advertised at the time it became nonconforming.</p> <p>C. No nonconforming sign shall be moved on the same lot or to any other lot unless the moving will relocate the sign into a zone in which it would conform.</p> <p>D. Any sign which is not in conformity with the provisions of this article shall be subject to removal in accordance with § 164-126.</p>	<p>C. Be equipped with a fully operational light sensor that automatically adjusts the intensity of the sign display according to the amount of ambient light;</p> <p>D. Change from one message to another message no more frequently than once every ten (10) seconds and the actual change process is accomplished in two (1) second or less;</p> <p>E. Be designed to either freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction: and</p> <p>F. Not be authorized until the building official is provided evidence that best industry practices for eliminating or reducing uplight and light trespass were considered and built into the electronic sign function.</p>
<p>164-126 Removal</p> <p>A. The Zoning Administrator shall order the removal of any sign erected or maintained in violation of this article. Ten days' notice in writing shall be given to the owner of such sign or of the building, structure or premises on which such sign is located to remove the sign or to bring it into compliance with this article. Upon failure to remove the sign or to comply with this notice or an appeal taken timely to the Board of Appeals, the Zoning Administrator may cause the sign to be removed. The Zoning Administrator may remove the sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public. Any costs of removal incurred by the Zoning Administrator shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary debt or in the</p>	<p>164-126 Freestanding Monument Signs</p> <p>G. Freestanding monument signs, as permitted, may be located anywhere on the premises, except in a required side or rear yard and within five (5) feet of a street right-of-way.</p> <p>H. The height of a freestanding monument sign shall not exceed 12 feet. If the proposed height exceeds 12 feet but does not exceed 20 feet in height, the Commission may review and consider approval. The City nor the BZA can approve any sign over 20 feet in height.</p> <p>I. For Residential Developments approved by the Commission (including subdivision identification) the maximum size and number of signs that the owner or owners of the residential development may erect and maintain at the entrances to the development shall be controlled according to the following:</p>

<p>manner of taxes, and such charge shall be a lien on the property.</p> <p>B. The remedy contained in Subsection A is not exclusive and is in addition to the right of the City to institute appropriate legal proceedings.</p>	<ol style="list-style-type: none"> 1. Residential developments four (4) acres or less in area may have a sign with a total area of no more than thirty-two (32) square feet and six feet in height. 2. Residential developments over four (4) acres but less than forty (40) acres in area may have a sign with a total area of no more than forty-eight (48) square feet and six feet in height. 3. Residential developments of forty (40) acres or more in area may have up to two signs with a total area of no more than sixty-four (64) square feet and six feet in height.
<p>164-127 Abandonment</p> <p>A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Zoning Administrator may remove it in accordance with § 164-126. These removal provisions shall not apply where a succeeding owner or lessee conducts the same type of business and agrees to maintain the signs as provided in this article or changes the copy on the signs to advertise the type of business being conducted on the premises, provided that the signs comply with the other provisions of this article.</p>	<p>164-127 Violations, and Penalties</p> <ol style="list-style-type: none"> A. Signs which were nonconforming to the prior Ordinance, have not received an approved Application for Sign or Awning issued by the City of Westminster, and which do not conform to this Code shall be removed immediately at the owners expense. B. No nonconforming sign shall be moved on the same lot or to any other lot unless the moving will relocate the sign into a zone in which it will conform. C. Any person who violates this article shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalty contained in § 164-159.
<p>164-128 Appeals</p> <p>Upon denial of a sign permit or an order of removal by the Zoning Administrator or where a variance is denied, the sign owner or owner of the property on which a sign is located may file an appeal within 30 days of the date of action of the</p>	<p>164-128 Appeals</p> <ol style="list-style-type: none"> A. Upon denial of an Application for Sign or Awning or an order of removal by the Zoning Administrator or their representative, the sign owner or owner of the property on which a sign is located may file an appeal within 30 days of the date of action of the Zoning

<p>Zoning Administrator to the Board of Appeals. The appeal shall be in writing in such form as required by the Board.</p>	<p>Administrator to the Board of Zoning Appeals. The appeal shall be in writing in such form as required by the Board.</p>
<p>164-129 Violations and Penalties</p> <p>Any person who violates this article shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalty contained in § 164-159.</p>	