

ORDINANCE NO. 1422

AN ORDINANCE OF THE CITY OF RUSTON, REPEALING SECTION 25.01.100 OF THE RUSTON MUNICIPAL CODE RELATING TO THE CITY'S SIGN CODE REGULATIONS AND CREATING A NEW CHAPTER 25.09 OF THE RUSTON MUNICIPAL CODE RELATING TO SIGN CODE REGULATIONS, CLARIFYING THE PURPOSE OF THE REGULATIONS, LEGAL NONCONFORMING USE REQUIREMENTS AND ENFORCEMENT PROCEDURES, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, this City of Ruston adopted a City Sign Code codified in RMC Section 25.01.100 which has been amended over time; and

WHEREAS, the Sign Code is in need of updating and housekeeping amendments; and

WHEREAS, for ease of use, as the City's Zoning Code (Chapter 25.01 RMC) is updated, longer sections are being pulled out of Chapter 25.01 RMC and being placed into new chapters under Title 25. This makes it easier for readers to find the code sections and makes such sections more readable. This also will make it less complex when amendments are needed in the future; and

WHEREAS, the provisions of the City's Sign Code are being removed from Chapter 25.01 RMC and will be placed into a new Chapter 25.09 of the Ruston Municipal Code; and

WHEREAS, the City's SEPA Responsible Official issued a Determination of Non-Significance (DNS) on October 17, 2013; and

WHEREAS, in accordance with RCW 36.70A.106, this amending ordinance has been sent to the State Department of Community, Trade and Economic Development with a request for expedited review on October 17, 2013; and

WHEREAS, the request for expedited review was granted and the required time has passed to allow adoption by the City Council on the date of adoption; and

WHEREAS, on October 30, 2013, the Ruston Planning Commission held a public hearing on these revisions to the City's Master Development Plan requirements; and

WHEREAS, following the public hearing the Planning Commission deliberated on the revisions; and

WHEREAS, the Planning Commission recommends the revisions to the City Sign Code as contained in Ordinance No. 1422; and

WHEREAS, after a full deliberation and consideration, the Planning Commission recommends that the City Council adopt this Ordinance; and

WHEREAS, on November 5, 2013 the City Council held first reading of this Ordinance; and

WHEREAS, on November 19, 2013, the City Council adopted this Ordinance at second reading during its regular meeting; **NOW, THEREFORE**

THE CITY COUNCIL OF THE CITY OF RUSTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 25.01.100 of the Ruston Municipal Code is hereby repealed.

Section 2. A new Chapter 25.09 entitled "Sign Code" is hereby added to the Ruston Municipal Code to read as follows:

CHAPTER 25.09 – SIGN CODE

25.09.010 Purpose.

25.09.020 Definitions.

- 25.09.030 Exempt Signs and Displays.
- 25.09.040 Prohibited signs.
- 25.09.050 General sign standards.
- 25.09.060 Sign Type Matrix.
- 25.09.070 Permit Procedures.
- 25.09.080 Legal Nonconforming Signs.
- 25.09.090 Violations and Enforcement.
- 25.09.100 Liability.

25.01.1009.010 Purpose.

- (a) ~~Purpose.~~ (1) Ruston finds that it is necessary to regulate signs in order to assure that the community is a safe and attractive place in which to live and do business. This chapter is found necessary as an exercise of Ruston's police and legislative powers to protect the public health, ~~and safety~~ and welfare as well as to protect the public investment in public streets and places; and to attract visitors to Ruston by conserving its natural and manmade beauty. This chapter recognizes and is intended to effectuate the need for a well-maintained and attractive appearance for the community and the need for adequate business identification, advertising and communication.
- (b)(2) The purposes of this chapter are:
- (A1) To maintain or improve the aesthetic quality of Ruston's residential and commercial environments;
 - (B2) To encourage the effective use of signs as a means of communication in the city;
 - (C3) To protect property values;
 - (D4) To reduce the need to replace existing signs which might become obscured by unnecessarily large neighboring signs;
 - (E5) To provide aesthetic benefits to business districts and the community at large through consistency in style, placement, and scale of signs with buildings, natural settings and other signs;
 - (F6) To maintain Ruston's ability to attract sources of beneficial economic development and growth;
 - (G7) To promote the public health, safety and welfare;
 - (H8) To minimize possible adverse effects of signs on abutting or adjacent public and private properties;
 - (I9) To prevent the proliferation of signs, ~~and sign clutter~~ and visual clutter;
 - (J10) To minimize adverse visual safety factors to travelers on public roadways and private areas open to public vehicular and pedestrian traffic;
 - (K11) To provide for the safe construction, location, erection and maintenance of signs;
 - (L12) To provide for sign-related administration, permitting, fees payment, enforcement, and appeal on a fair and consistent basis;

(13) To encourage that any signs that are erected will have superior design and/or reflect the history of the City as a northwest copper smelter town; and

(14) To phase out the number of nonconforming signs over time such that all signs within the City will be conforming and in compliance with the City's zoning and sign codes.

(3c) It is recognized that the right of a business to identify itself contributes to the economic well-being of the community. This right can be exercised in such a way as to bring great benefit to the public without affecting the welfare of the business. The responsible regulation of signs may, in fact, improve business opportunity and the effectiveness of individual signs as a result of the increased attractiveness of the towncity's environment.

25.09.020 Definitions.

(b) Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning

(A) "Abandoned sign" means a sign that meets one or more of the following conditions: (1) a sign that is located on a property which is vacant and/or unoccupied for a period of one year or longer ~~180~~ days; (2) a sign which is damaged, in disrepair, or vandalized and not repaired within 90 days after receipt of written notice of the damage from the City; a sign which contains an outdated message for a period exceeding 30 days or (3) a sign for which the use has been discontinued for a period of one year or longer.

(B) "A-board," "sandwich board," or "sidewalk sign" means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

(C) "Address sign" means letters and numbers attached to the building surface for the purpose of identifying the legal street address of a building or structure.

(D) "Animated sign" means any sign that, by movement or by other method or manner of illumination, flashes on or off, winks, blinks with varying light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off or that rotates or turns.

(E) "Awning sign" means a sign applied to or incorporated into the covering of an awning or canopy.

(F) "Banner sign" means any sign of lightweight fabric or similar material that is mounted to a pole or building by one or more edges. National, state or municipal flags shall not be considered banners.

(G) "Changeable sign" means a sign that is designed so that its characters, letters, illustrations or other content can be changed, altered or rearranged without physically altering the permanent physical face or surface of the sign. This includes manual, electrical, electronic, or other variable message signs.

(H) "Commercial shopping center sign" means a monument sign used to identify a commercial shopping center and/or its tenants therein. Tenant signage may be located upon the commercial shopping center sign, provided that the total sign area for the combined sign faces

(tenant signage plus commercial shopping center identification) does not exceed the standards set forth in the Sign Type Matrix contained in RMC 25.01.100(F) 25.09.060.

(A)"Community announcement sign" means an incidental sign measuring less than two square feet in area of a noncommercial nature, intended primarily for public convenience such as "help wanted", "public phone", signs designating hours of operation, announcing lost pets, or community concerts and events, etc.

(B)"Decal sign" means a sign less than one square foot in area which is affixed to windows or door glass panels, such as those indicating membership in a business group or identifying credit cards accepted at the establishment.

(C)"Directory sign" means a sign which displays the names and/or addresses of the establishments, housing units, amenities, or uses of a building or group of buildings.

(D)"Electronic sign" means a sign designed to allow changes in the sign text or graphics electronically.

(E)"Facade" means the entire building front or street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

(F)"Freestanding sign" means a sign supported by a pole(s) or mounted on a sign base and not connected to or supported by any other structure.

(G)"Frontage" means the boundary of a lot separating such lot from an abutting street.

(H)"Garage sale sign" means a sign displayed on the day when a garage sale, yard sale, moving sale, estate sale or similar event involving the occasional sale of used or handmade goods, on residential property.

(I)"Gross sign area" means the entire area within a single continuous perimeter composed of a single face enclosing the extreme limits of characters, lettering, illustrations, ornamentation or other figures, together with any other material, design or color forming an integral part of the display including the frame.

(J)"Halo lighting," sometimes called **"silhouette lighting,"** means lighting being emitted from the back side of a pan-channel sign graphic which has the open side of the channel facing the wall or sign face it is mounted to, thereby silhouetting or haloing the sign graphics.

(K)"Instructional sign" means a sign which provides warning, direction or instruction to guide persons to facilities intended to serve the public (e.g., restrooms, public telephones, public walkways, parking areas, maps, or transportation schedules).

(L)"Marquee sign" means any sign attached in any manner to or made part of a marquee. A marquee sign shall be considered a wall sign for the purposes of calculating sign face square footage.

(M)"Monument sign" means a freestanding sign with a base affixed to the ground, where the length of the base is at least the same length of the sign face.

(N)"Neighborhood identification sign" means a monument sign used to identify a particular residential area, development, or subdivision.

~~(S)~~ **"Nonconforming sign"** means a sign that met all legal requirements when installed, and which is maintained after the effective date of current regulations and not abandoned but is not in compliance with ~~current~~ such sign regulations. See also RMC 25.09.080.

~~(T)~~ **"Off-premises sign"** means a sign ~~relating through its message and content to a commercial or noncommercial activity, for a use, product or service not available or conducted on the premises where the sign is erected.~~

~~(U)~~ **"On-premises sign"** means a sign used solely by the business establishment(s) on the lot or premises where the sign is located ~~which carries only advertisements and messages strictly applicable to a lawful use of the premises on which it is located.~~

~~(V)~~ **"Pan-channel sign"** means a sign or sign graphic that is constructed of a three-sided metal channel, usually having a light source contained within the channel. The open side may face inward, resulting in silhouette or halo-style lighting, or it may face outward to allow full illumination. The open side of the channel may be enclosed with a translucent material.

~~(W)~~ **"Pole sign"** means a freestanding sign constructed with one or more narrow support poles which are visible and not contained within a solid base or screen.

~~(X)~~ **"Political sign"** means a ~~temporary~~ sign announcing or supporting political candidates or issues connected with any national, state, or local election; or signs which express political viewpoints on any issue or topic.

~~(Y)~~ **"Portable sign"** means a freestanding sign made of any material, which by its design is readily movable and is not permanently affixed to the ground.

"Premises" means a defined lot or parcel of land, or one or more contiguous parcels of land which are used jointly for a common purpose.

~~(Z)~~ **"Projecting sign"** means a sign which is attached to and projects more than one foot from a structure, building facade or marquee.

~~(AA)~~ **"Public signs"** means those signs which are erected by government agencies or utilities, including traffic, utility, safety, railroad crossing and identification signs for public facilities and any signs erected by Ruston under the direction of the Council.

~~(BB)~~ **"Real estate sign"** means a temporary sign which is used to offer for sale, lease or rent the premises upon which the sign is located.

~~(CC)~~ **"Roof sign"** means a sign supported by and erected on and above a roof, parapet or fascia of a building or structure.

"Sandwich board" see "A-board."

"Sidewalk sign" see "A-board."

~~(S)~~ **"Sign"** means a name, identification, description, emblem, display or device which is affixed to, printed on, or represented directly or indirectly upon a building, structure, or parcel of land; which is illuminated or non-illuminated; visible or intended to be visible from any public place; and which directs or calls attention to a person, place, product, institution, business, organization, activity or service. Signs shall also include any permanently installed or situated merchandise, including any banner, pennant, placard, statue, inflatable device, vehicle or

temporary sign. Certain categories of signs are defined as follows by this section. ~~Other categories of signs are defined elsewhere in this chapter.~~

~~(DD)~~ "Temporary sign" means any sign or advertising display constructed of cloth, canvas, light fabric, paper, cardboard or other light materials, with or without frames, intended to be displayed for a limited time only and not permanently attached to a building or site.

~~(EE)~~ "Temporary construction sign" means a sign jointly erected and maintained on premises undergoing construction by an architect, contractor, subcontractor and/or materialman upon which property such person is furnishing labor or material.

~~(FF)~~ "Wall sign" means a sign that is mounted on, painted on or attached to a window, or is placed within three feet of the inside of a window or opening, or is within an enclosed display window (i.e., the display area in the window is separated from the main floor area by a wall, curtain or screen).

(e)

25.09.030 Exempt Signs and Displays.

- (1a) Address signs.
- (2b) Garage sale signs advertising garage sales or yard sales are exempt, provided that no sign shall exceed four square feet in area and is not erected more than four days prior to the event. Garage sale signs shall be allowed on premises only. All signs shall be removed within one day after the close of the garage or yard sale.
- (3c) Flags of a government.
- (4d) Murals that do not contain advertising copy painted on the exterior wall of a building or structure.
- (5e) Non-governmental and/or non-institutional flags used for celebration of holidays or special events shall be exempt from the provisions of this chapter; provided that they are removed within seven calendar days of the cessation of the holiday celebration or special event.
- (6f) Seasonal decorations customary for holidays erected entirely on private property.
- (7g) On-premises instructional signs not exceeding four square feet. The height of the sign shall not exceed four feet.
- (8h) On-premises or off-premises temporary campaign and political signs not exceeding eight square feet. If related to an event or election, such signs shall be removed from public property within ten days after the event or election.
- (9i) Non-illuminated window signs conforming to RMC ~~25.01.100(f)~~ 25.09.060 Sign Type Matrix.
- (10j) One temporary construction sign conforming to RMC ~~25.01.100(f)~~ 25.09.060 Sign Type Matrix.
- (11k) Real estate signs conforming to RMC ~~25.01.100(f)~~ 25.09.060 Sign Type Matrix.

- (12l) Non-electric portable signs conforming to RMC ~~25.01.100(f)~~ 25.09.060 Sign Type Matrix.
- (13m) Decal signs as defined in this chapter.
- (14n) Community announcement signs as defined in this chapter.

(d)

25.09.040 Prohibited signs.

(a) The followings signs are prohibited and not allowed in the City unless meeting the definition of a “nonconforming sign” as contained in RMC 25.09.080. Prohibited signs not meeting the definition of “nonconforming sign” shall be considered a violation of this Chapter and subject to the enforcement provisions specified in Chapter 25.03 RMC.

- (1) Off-premises signs and billboards, except as described in RMC ~~25.01.100(f)~~ 25.09.060 Sign Type Matrix.
- (2) Abandoned signs.
- (3) Animated signs.
- (4) Electronic signs.
- (5) Pole-mounted signs.
- (6) Signs that are ~~D~~damaged signs or have a damaged supporting structure unless repaired within 90 days after receipt of written notice from the City.
- (7) Signs on roofs or above eaves.
- (8) Signs attached to utility poles, public traffic signs, trees, rocks, or other natural features.
- (9) Signs attached to benches along public rights-of-way.
- (10) Signs emitting pollutants (i.e., smoke, sound, or other pollutant).
- (11) Signs resembling official traffic-control devices, interfere with traffic, or are otherwise determined to be a safety hazard by the ~~Town~~City Engineer.
- (12) Non-construction signs or banners attached to fencing.
- (13) Signs which are not exempt from the building code, but do not conform in structure or material to applicable building codes.
- (14) Garage sale signs that are posted for more than seven calendar days.
- (15) Rotating, moving, or flashing signs or lights, except as specifically allowed in RMC ~~25.01.100(f)~~ 25.09.060 Sign Type Matrix.
- (16) Inflatable signs.
- (17) Signs not specifically addressed in this chapter shall be prohibited unless otherwise allowed under other law.

(e)

25.09.050 General Sign Standards.

(+a) Sign Area Bonus.

(A1) Signs which incorporate one or more of the following items as a dominant feature in the design qualify for a sign area bonus as described in subsection **(B2)** of this section:

(iA) More than 75 percent of the visible portions of the sign are constructed of, or is coated in copper, including exposed portions of the support structure, text, graphics, or background.

(iiB) The sign is externally illuminated utilizing goose-neck style down lighting.

(iiiC) More than 75 percent of the sign face, text, graphics and background are of a wood carved design.

(ivD) The sign is illuminated utilizing only halo style lighting.

(vE) More than 75 percent of the sign face, text, graphics and background are constructed of pan-channel style lettering and graphics.

(viF) Monument signs which incorporate a base constructed of stone and at least one copper element within the sign face.

(B2) Signs which qualify for the sign area bonus shall be allowed a 20 percent increase in allowable area. The bonus area granted will not be counted toward the maximum facade area as described in RMC ~~25.01.100(e)(3)~~25.09.050(c).

(2b) Architectural Features. Signs may not cover or obscure important architectural details of a building such as stair railings, turnings, windows, doors, decorative louvers, or similar elements intended to be decorative features of a building design. Signs must appear to be a secondary and complementary feature of the building facade. Wall signs must be located within architectural sign bands or other blank spaces which visually frame the sign. Blank wall sections above or between windows and doors, for example, may provide an effective location for signage. Signs hanging between pillars and archways may also be an effective design solution. However, to avoid a "maxed out" appearance, signs shall be no larger than 70 percent of the width or height of the blank wall space or fascia the sign is mounted to so as to leave reveal on all sides of the sign and to maintain an appropriate balance between the sign and wall. For example, a pillar between a door and window which is 30 inches wide may have a sign which is 21 inches wide.

(3c) Total Area. Painted or attached signs on any facade shall not exceed seven percent of the facade or elevation the sign is mounted to, except murals.

(4d) Sight Distance. No sign shall be located in a manner as to visually or functionally interfere with public safety, including pedestrians travel and travel by other multi-modal forms of transportation. Freestanding signs located within 25 feet of any portion of right-of-way (as measured from the edge of the vehicle lane closest to the sign) shall be reviewed by the ~~Town~~City Engineer for compliance with all applicable traffic safety standards. Signs located within the right of way may require a right-of-way

encroachment permit under Chapter 14.03 RMC or a street excavation permit under Chapter 14.08 RMC.

- (5e) International Building Code Compliance. Unless exempt, the structure and installation of all signs shall comply with the latest adopted edition of Ruston's building code. Such sign shall meet all other applicable provisions of this chapter.
- (6f) Illumination Restrictions.
 - (A1) Externally Illuminated Signs. Signs may be externally illuminated provided that they comply with Ruston's outdoor lighting standards as stated in RMC 25.01.103. Sign-frame mounted goose-neck style light fixtures may be utilized in lieu of specific fixture style requirements found in RMC 25.01.103(b) provided that they are downward directional and do not produce glare onto neighboring residential sites or units. No on-ground lighting fixtures shall be permitted. One mounted light shall be allowed per five square feet of sign area.
 - (B2) Internally Illuminated Signs. Only text and graphics of internally illuminated signs may be illuminated. The sign face and background must remain opaque, and be sealed at the seams to avoid light leaks.
 - (C3) Portable Signs. Portable signs shall not be illuminated in any manner.
- (7g) Maintenance and Safety. All signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. Failure to maintain a sign(s) in accordance with this subsection shall be considered a violation and subject to the enforcement provisions specified in Chapter 25.03 RMC RMC-1.18.
- (8h) Landscaping. Freestanding signs must be landscaped around the base of the sign. Each sign shall have a landscaped area twice the size of the sign area. The landscaping and sign base shall be protected from vehicles by a six-inch-high curb at least three feet from the sign base.

25.09.060 RMC 25.01.100(f) Sign Type Matrix

Sign Type	Allowability Within Specific Zones			Allowable Area	Max Height	Illumination Height	Max Quantity	Time Limits	Permit Required	Qualifies for Bonus
	RES	COM/ COM-P	MPD							
A-Board/Portable Sign	No	Yes	Yes	12 square feet total, 6 square feet per face.	4 feet	No	1 per entity per street frontage	May only be displayed during business hours or while an	Exempt - (requires a right-of-way use permit and insurance	No

								employee or agent is on the premises	if located within the public right-of-way)	
A-Board/Portable Sign (Temporary Real Estate Open House)	Yes	Yes	Yes	12 square feet total, 6 square feet per face.	4 feet	No	1 per entity per street frontage	May only be displayed while an employee or agent is on the premises	Exempt - (requires a right-of-way use permit and insurance if located within the public right-of-way)	No
Awning Sign	No	Yes	Yes	Maximum text height and width subject to RMC 25.01.100(e)(2) + 25.09.050, and only allowed on vertical faces of awnings or canopies not exceeding 8 inches in height	N/A	No	Not limited *(1)	N/A	Sign Permit Required	No
Building Address Identification	Yes	Yes	Yes	12-inch maximum text height	N/A	Yes	1 per street frontage	N/A	Exempt	No
Commercial Shopping Center Sign	No	Yes *** <u>(3)</u>	Yes *** <u>(3)</u>	84 square feet	8 feet **** (4)	Yes	1 per commercial shopping center as defined by RMC	N/A	Sign Permit Required	Yes ** <u>(2)</u>

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Constructi on Sign (Temporar y)	Yes	Yes	Yes	32 square feet	8 feet	No	1 per street frontage	Must be removed prior to occupan cy	Exempt	No
Flags (Governme nt or noncomme rcial institution)	Yes	Yes	Yes	N/A	N/A	N/A	1 of each type of flag per site	N/A	Exempt	No
Freestandi ng Monument Sign	No	Yes	Yes	32 square feet	6 feet	Yes	1 per street frontage	N/A	Sign Permit Required	Yes <u>** (2)</u>
Murals Not Containing Advertisin g Copy	Yes	Yes	Yes	N/A	N/A	N/A	N/A	N/A	Exempt	No
Neighborh ood Identificati on Sign	Yes	Yes	Yes	32 square feet	6 feet	Yes	1 per street frontage	N/A	Sign Permit Required	Yes <u>** (2)</u>
Non- governmen tal and/or Non- institutiona l Flags or Seasonal Decorations	Yes	Yes	Yes	N/A	N/A	N/A	N/A	Must be removed within seven calendar days of the cessatio n of the holiday celebrati on.	Exempt	No
On-	Yes	Yes	Yes	4 square feet	4 feet	Yes	As	N/A	Sign	No

premises Instructional Signs							needed		Permit Required	
<u>Political signs</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>8 square feet</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>Must be removed from public property within 10 days after the election or event</u>	<u>Exempt.</u>	<u>No.</u>
Projecting Sign	No	Yes	Yes	<u>12 square feet per face, 24 square feet maximum*, must have minimum clearance of 8 feet when over sidewalk or right-of-way. Maximum projection of 4 feet beyond the facade it's attached to.</u>	May not exceed fascia, eaves or cornice height of the building to which it is attached.	External, Halo, or Pan-Channel Neon only	<u>1</u> per street frontage	N/A	Sign Permit Required	Yes <u>** (2)</u>
Temporary Real Estate Signs - Commercial	Yes	Yes	Yes	<u>12 square feet</u>	6 feet	No	<u>1</u> per street frontage	Must be removed within seven calendar days of the sale of the advertised real estate	Exempt	No
Temporary Real Estate Signs -	Yes	Yes	Yes	6 square feet	6 feet	No	<u>1</u> per street frontage	Must be removed within seven	Exempt	No

Residential								calendar days of the sale of the advertised real estate		
Wall Mounted	No	Yes	Yes	32 square feet <u>*(1)</u>	N/A	Yes	Not limited <u>*(1)</u>	N/A	Sign Permit Required	Yes <u>** (2)</u>
Wall Mounted (Home Occupations)	Yes	Yes	Yes	6 square feet	N/A	No	1 per street frontage	N/A	Sign Permit Required	No
Window Sign	No	Yes	Yes	Not more than 50% of the glazing area of any given window. <u>*(1)</u>	N/A	Non-illuminated, Halo or Neon only	Not limited <u>*(1)</u>	N/A	Sign Permit Required	Yes <u>** (2)</u>
Temporary Banner	No	Yes	Yes	20 square feet	6 feet, unless wall mounted, then not to exceed fascia or cornice	No	1 per street frontage	30 calendar days per year	Sign Permit Required	No

*(1) Calculated within the facade maximum as per RMC 25.09.050 25.01.100(e)(3).

** (2) See RMC 25.09.050 25.01.100(e)(1) Sign Area Bonus.

*** (3) Businesses located within a commercial shopping center (as defined by RMC 25.09.020 25.01.100(b)) may place advertising within a commercial shopping center sign in lieu of an on-site freestanding monument sign.

**** (4) Base and sign structure shall not exceed 8 feet above the average grade of the adjacent right-of-way with the average grade measured along the right-of-way frontage of the sign.

~~(E)~~

25.09.070 Permit Procedures.

~~(1)~~**(a) Permit Requirements.**

- (1) No sign shall be installed, constructed, erected, painted, structurally altered, posted or applied without first obtaining a sign permit from the Mayor or his designee.
- (2) A separate permit shall be required for each group of signs installed simultaneously on a single supporting structure. Thereafter, each additional sign erected on the structure must have a separate permit. All proposed signs must comply with the requirements of this chapter prior to permit issuance.

~~As shown in the permit and review procedure table in RMC 19.01.011, sign permits shall be processed by the Mayor and/or his designee as an administrative permit, which is subject to the procedures and timelines described within RMC Title 19.~~

~~(2)~~**(b) Permit Application.** A complete application for a sign permit shall consist of the following:

- ~~(A)~~(A1) A proposed site plan showing the address, location of the affected lot, building(s) and sign(s), showing both existing and proposed signs;
- ~~(B)~~(B2) A scaled drawing of the proposed sign or sign revision including size, height, copy, structural footing details, material specifications, method of attachment, illumination, front and end views of marquees or projecting signs, calculation for dead load and wind pressure, photograph of site and building marked to show where sign or marquee is proposed, and any other information required to ensure compliance with appropriate laws;
- ~~(C)~~(C3) Written consent of the sign owner and the owner of the building, structure, or property where the sign is to be erected;
- ~~(D)~~(D4) A permit fee as adopted by the ~~Town~~City Council;
- ~~(E)~~(E5) Documentation demonstrating that the sign installer has a valid Washington State contractor's license when a sign requires a building permit, unless the sign is being installed by the owner of the sign;
- ~~(F)~~(F6) Documentation demonstrating that the sign installer has a valid ~~Town~~City of Ruston business license;
- ~~(G)~~(G7) Signs which include structural modifications to existing structures, or which involve the construction of new support structures which are regulated by the International Building Code must also submit an application for a building permit as determined by the Building Official.
- ~~(H)~~ Exemptions. ~~The Mayor or his designee may waive submission of plans and specifications when the structural aspect is of minor importance.~~

~~(3)~~(3c) **Permit Processing Requirements.** As shown in the permit and review procedure table in RMC 19.01.011, sign permits shall be processed by the Mayor and/or his designee as an

administratively approvable permit, which is subject to the procedures and timelines described within RMC Title 19.

- (4d) Time Limits on Sign Permit Approvals. Every sign permit issued by the Mayor or his designee shall become invalid if sign construction and installation is not commenced work is not completed within 120 calendar days of permit issuance and pursued diligently to completion. After commencing construction and installation, a work stoppage of 120 consecutive days will render the permit invalid. The Mayor or his designee shall have the authority to issue a 120-day written extension of an approved sign permit if such request is submitted by the applicant in writing at least 30 days prior to expiration of the sign permit.

(h)

25.09.080 Nonconforming Existing Signs.

- (4a) The purpose of this section is to ease the economic impact of this chapter on persons with substantial investments in signs that were legal at the time of installation while balancing the City's desire to phase out nonconforming signs over time as redevelopment occurs, in existence on the date of the adoption of the ordinance codified in this chapter,

- (b) A sign is nonconforming if it is out of conformance with this code, and the sign was lawfully erected in compliance with the applicable sign ordinance of the city which was effective at the time of sign installation, and a valid permit for such sign exists if a permit was required at the time of installation. Nonconforming signs, as defined by this chapter, may be continued provided they are maintained in good repair and subject to the provision so subsection (2) of this section unless such legal nonconforming status is lost in accordance with subsection (d) below.

(2)

- (3) If any one of the actions set out in subsection (2) of this section occur, the sign shall no longer be designated a nonconforming sign and the Mayor or his designee shall notify the sign user, sign owner or owner of the property upon which the sign is located of cancellation of the designation and the sign shall immediately be brought into compliance with this chapter and a new sign permit secured therefore, or shall be removed.

- (4c) Maintenance and updating allowed. Changes to the sign face and sign graphics may be made to a nonconforming sign except that such changes must conform to this code as to colors, sign graphics, materials, and illumination. Normal maintenance and repair such as cleaning and painting are permitted to a nonconforming sign provided that such activities are conducted in a safe manner and do not intrude into the public rights-of-way. Alterations in the to the support structure shall be are permitted; provided that only under the condition that the alteration does not increase results in a decrease of the sign's degree of nonconformance. A permit for work under the subsection must be obtained prior to performance of such work in order to maintain the nonconforming status under this section.

(2d) A nonconforming sign shall ~~immediately lose its nonconforming designation and be subject to the actions of subsection (3) below be brought into compliance with this chapter or be removed~~ if:

(1) The sign is an abandoned as defined in RMC 25.09.020; or

(2) The sign is damaged in excess of 50 percent of its replacement value, unless said destruction is the result of vandalism or intentional destruction or removal by someone not authorized by the sign owner; or

(A3) The sign is altered in structure or sign face area which tends to be or makes the sign less in compliance with the requirements of this chapter than it was before the alteration, except as allowed in subsection (d) above; or

(B4) The sign is relocated; or

(C5) The sign is replaced; or

(D6) Any new sign is erected or placed in connection with the enterprise using the nonconforming signs; or

(E7) The sign face and/or structure is not maintained in good repair so as to cause the potential for public harm or injury to life or property.

(8) The building to which the sign applies is demolished; or

(9) The sign becomes a conforming sign.

(f)

25.09.090 Violations and Enforcement.

Any violations of this chapter shall be subject to the enforcement provisions ~~found in RMC 1.18 contained in Chapter 25.03 RMC or by any other applicable enforcement procedure.~~

(g)

25.09.100 Liability.

This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, building, altering, constructing, or removing any sign for damages to anyone injured or damaged either in person or property by any defect or action therein, nor shall the ~~Town~~City or any agent thereof, be held as assuming such liability by reason of permit or inspection authorized herein or a certificate of inspection issued by the ~~Town~~City or any of its agents.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or

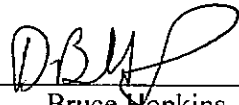
unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

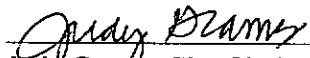
ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 19th day of November, 2013.

APPROVED by the Mayor this 19th day of November, 2013.



Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO: 1422