

CHAPTER 16. SIGN REGULATIONS

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9-16-1: Purpose and Scope.

The purpose of this chapter is to coordinate the type, placement, and physical dimensions of signs within the various zones established by this ordinance. Such coordination is necessary: 1) to eliminate excessive and confusing sign displays that create potential hazards to motorists, pedestrians, and property; 2) to preserve the beauty and the unique character of Kane County; and 3) to maintain a responsible communications system by setting requirements for the location, size, height, number, lighting, and type of signs that will be compatible with the landscape of Kane County.

The primary intent of this chapter shall be to regulate signs of a commercial nature intended to be viewed from any vehicular right-of-way. The following signs are not regulated by this chapter:

- 1) Signs not exceeding four square feet normally associated with residential uses and that are not of a commercial nature, such as (i) signs giving property identification names or numbers or names of occupants, (ii) signs on mail boxes or newspaper tubes, and (iii) signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- 2) On-premise advertising signs that are attached to windows or walls and are clearly of a temporary nature, which promote specific sales.
- 3) Official traffic regulation and other government signs.

- 4) Flags, pennants, or insignia of any government or non-profit organization when not displayed in connection with a commercial promotion or as an advertising device.
- 5) Signs which are associated with school or church events and functions, which are clearly of a temporary nature.
- 6) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.
- 7) One non-illuminated real estate sign per lot or premise, not to exceed six square feet in sign area. Such signs must be removed ten days following sale, rent or lease.
- 8) Election signs which are erected not more than three weeks prior to the election or referendum concerned. Such signs shall be removed not later than seven days following said election or referendum. Election signs may be placed only on private property, with the permission of the property owner.

9-16-2: Effect of the Utah Outdoor Advertising Act.

The Utah State Legislature has passed legislation which regulates outdoor advertising along Interstate and Federal Aid Primary roads (see 17-27-511 through 512 Utah Code Unannotated). Kane County contains four such roads, including U.S. 89, State Road 9, U. S. 89A, and State Road 14. The Utah Department of Transportation and the “Manual of Uniform Traffic Control Devices for Streets and Highways” maintains a permitting process for advertising along these roads. Any person or firm desiring to install a sign adjacent to the above roads shall obtain the necessary state permit after receiving all Kane County approvals and permits. Kane County reserves the right to impose more restrictive standards for signs along the above roads.

9-16-3: Definitions.

The following terms are defined for the purposes of this chapter as follows:

- 1) **Animated Signs.** Any sign which uses movement or change of lighting to depict action or to create a special effect or scene.

- 2) Awning Sign. A sign painted on, printed on, or attached flat against the surface of an awning.
- 3) Balloon Sign. Any inflatable or floating sign or advertising device that is affixed to or displayed at a place of business. Examples are blimps, hot air balloons and inflatable figures.
- 4) Billboard. See off premise sign.
- 5) Canopy. A sign attached to a building extending in whole or part more than 24 inches beyond any wall of the building generally provided for protection from the weather.
- 6) Changeable Copy Sign (Automatic). A sign on which the copy changes automatically on a lamp bank or through mechanical means, such as electrical or electronic time and temperature units.
- 7) Construction Sign. A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property upon which the sign is located.
- 8) Flashing Sign. A sign which contains an intermittent or sequential flashing light source used primarily to attract attention.
- 9) Freestanding Sign. A sign supported upon the ground by poles or braces and not attached to any building.
- 10) Ground Sign. A sign supported by a fixed, permanent frame, supported in the ground.
- 11) Illuminated Sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- 12) Marquee Sign. Any sign attached to or supported by a permanent canopy of rigid materials supported by and extending from the façade of a building.

- 13) Monument Sign. A sign which is incorporated into the language or architectural design scheme which displays the name of uses or buildings.
- 14) Nonconforming Sign. A sign or sign structure or portion thereof lawfully erected and existing at the effective date of this chapter which does not comply with all regulations prescribed by this chapter and the zoning district in which it is located.
- 15) Off-premise Sign. A sign which directs attention to use, product, commodity, or service not related to or located upon the premises on which the sign is located such as billboards or outdoor advertising.
- 16) Portable Sign. Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
- 17) Roof Sign. Any sign erected over or on the roof of a building.
- 18) Sign. Any device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services.
- 19) Sign, Area of. The area of a sign that is used for display purposes, excluding the minimum frame and supports. Only the largest face of any double-sided or multi-faced sign shall be considered in calculating the sign area. In relation to signs that do not have a frame or separate background, sign area shall be calculated on the basis of the area of the smallest, single, continuous geometric figure large enough to frame the display.
- 20) Sign, Maintenance of. The cleaning, painting, repair, or replacement of defective parts of a sign that does not alter the basic copy, design, or structure of a sign.
- 21) Sign, Setback of. The minimum distance which any portion of a sign or sign structure shall be from any street right-of-way line and yard line contiguous with a street.

- 22) Snipe Sign. A temporary sign or poster affixed to a tree, fence, utility pole, supports for another sign, etc.
- 23) Temporary Sign. A sign that is up for 60 days or less, in a twelve month period.
- 24) Wall Sign. Any sign posted, or painted upon, suspended from, or otherwise affixed to a wall, fascia, canopy, or marquee of a building located on the site to which the sign pertains and is attached to the outside wall of a building and extending no more than 24 inches from such wall, with copy of the face side only.
- 25) Window Sign. A sign installed inside a window and intended to be viewed from the outside.

9-16-4: General Sign Provisions.

- 1) Signs to Conform. It shall hereafter be unlawful for any person to erect, raise, move, reconstruct, enlarge, alter, place or maintain a sign in Kane County except in accordance with the provisions of this chapter.
- 2) Nonconforming Signs. A nonconforming sign shall not be reconstructed, raised, moved, placed, extended, or enlarged unless such sign is changed so as to conform to the provisions of this chapter. Alterations shall also mean the changing of the text or message that the sign is conveying from one use of the premise to another use of the premise and the changing of ownership of the sign when such ownership necessitates a change in the text or message of the sign. Alterations shall not be interpreted to include changing the text or copy of off-premise advertising signs, theater signs, outdoor bulletin, or other similar signs which are designed to accommodate changeable copy.
- 3) Signs not to constitute a Traffic Hazard. Signs or other advertising structures shall not be erected at the intersection of any streets or driveways in such a manner as to obstruct free and clear vision. This includes any location where by reason of the position, shape or color of a sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign or signal device. Such

signs shall not make use of the words “Stop”, “Danger”, or any other words, phrases, symbols, or characters in such a manner as to interfere with, mislead or confuse vehicle operators.

- 4) Clear Vision of Intersecting Streets. There shall be a minimum clearance of eight feet between the ground and any part of a projecting sign or ground sign, as measured from the grade of the intersecting streets which are located within the clear view of an intersection as defined in Section Chapter 15-4.
- 5) Signs on Public Property. No sign shall be located on publicly owned land or inside street rights-of-way except signs required and erected by an authorized public agency. This stipulation includes, but is not limited to, handbills, posters, advertisements, or notices that are fastened, placed, posted, painted or attached in any way upon any curbstone, lamp post, utility pole, hydrant, bridge, tree, rock, sidewalk, or street.
- 6) Prohibited Signs. Signs not specifically allowed by this chapter are prohibited. In addition, the following signs are specifically prohibited:
 - a. Abandoned signs;
 - b. “A” Frame signs;
 - c. Snipe signs;
 - d. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign;
 - e. Signs containing statements, words, or pictures of an obscene, indecent or immoral character.
- 7) Maintenance. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. Signs relating to a product no longer available for purchase, or to a business which has moved, shall be removed or the advertising copy removed within 30 days of such unavailability, closure or relocation.
- 8) Ownership. The imprint of the sign owner and sign erector of all signs shall be in plain and public view.

- 9) Lighting. No illuminated sign shall be installed which permits the direct or undiffused light to penetrate beyond the sign in such a manner as to interfere with the use of adjacent properties. Sign illumination shall be by internal illumination or by attached shielded lighting. Any such lights alleged to violate the above shall be subject to a public hearing before the Land Use Authority as to the validity of the alleged violation. Such hearing shall be conducted in accordance with the procedures outlined in Chapter 15-2.
- 10) Indemnification. All persons involved in the maintenance, installation, alteration, or relocation of signs in Kane County shall agree to hold harmless and indemnify Kane County, its officers, agents, and employees, against any and all claims of negligence resulting from such work insofar as this chapter has not specifically directed the placement of a sign.
- 11) Size Computation. When more than one use occupies a lot, the frontage may be used to calculate the sign sizes for only one total sign area, not for each use. The total sign area may then be divided between the uses. There may be any number of wall signs provided their total area does not exceed 20% percentage of the wall area.

9-16-5: Regulations of Signs by Zone.

Refer to Table on Following Pages.

9-16-6: Construction Specifications.

- 1) Compliance with Building and Electrical Codes. All signs shall be constructed in accordance with the requirements of the most current versions of the federal, state, local, and National Electrical Code as adopted by the Kane County Commission.
- 2) Anchoring.
 - a. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in the wind;
 - b. All freestanding signs shall have self-supporting structures erected on or permanently attached to any form, shape, or

manner which will interfere with any opening required for ventilation;

- c. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specifications, depending on the voltages concerned. However, in no case shall a sign be installed closer than 36 inches horizontally or vertically from any conductor or guy wire.

9-16-7: Administration and Enforcement.

- 1) **Building Official to Enforce.** The duly appointed Building Official of Kane County shall be responsible for the enforcement and administration of this chapter. The Building Official shall inspect each sign and its structural and electrical connections to ensure compliance with all duly adopted codes and ordinances.
- 2) **Permit Applications.** Applications for a permit for the erection of a sign shall be made to the Building Official upon the standard building permit form used by Kane County. If the Building Official determines that the proposed sign requires a Conditional Use Permit under the provisions of this chapter, he shall direct the applicant to follow the procedures outlined in Chapter 15 of this Ordinance.
- 3) **Permit Fees.** All applications for permits filed with the Building Official shall be assessed a fee in accordance with the duly adopted building permit fee schedule of Kane County, which is based on the value of a structure. The value to be used in computing the permit fee shall be the total value of all construction work for which the permit is issued as well as all finish work (See Section 304(b) of the International Building Code). If a Conditional Use Permit is also required, the fee required by Section 9-15-2, (3) OF THIS Ordinance shall also be assessed.
- 4) **Inspection and Certification.** After a final inspection of the sign by the Building Official, the Building Official shall certify that all ordinance and code requirements are met.

REGULATION OF SIGNS BY ZONE

Zone	Sign	Size	Height	Location	Other
(1) All Zones	Construction	Maximum of 96 sq. ft. per lot	12 ft. max	On private property	Sign must be removed 6 months from final building inspection that allows occupancy or when 100% of the facilities are occupied, whichever occurs first.
	Monument	Maximum of 64 sq. ft.	6 ft.	On private property and set back 10' from property lines	One sign per street frontage and landscaped appropriately for the site. Allowed with public or quasi-public buildings or uses, planned unit developments, golf courses, cemeteries, and dwelling groups.
	Wall	15% of a wall surface	10 ft. set back from property line and 16' between the ground and any part of the wall sign.	Attached to a building	Allowed with public or quasi-public buildings, planned unit developments, golf courses, cemeteries, dwelling groups.

Illumination may be built into or attached onto the signs listed above when:

- Lighting is allowed in the specific zone or
- Lighting fixtures used to illuminate any sign shall be mounted on the top of the sign structure and shielded to prevent the emission of light beyond the sign and no flashing or intermittent illumination shall be employed.

Zone	Sign	Size	Height	Location	Other
C	On-premise ground or projecting	One per parcel/lot -not to exceed 128 sq. ft.	25 ft. max	15 ft. setback	Illumination may be built into or attached on to a sign unless exposed to a dwelling or adjacent property. Lighting fixtures used to illuminate any sign and shall be mounted on the top of the sign structure and shielded to prevent the emission of light beyond the sign and no flashing or intermittent illumination shall be employed.
	Window	Window signs shall not exceed 12 sq. ft. per use			
	Wall	25% of a wall area	Not to exceed 20% of the buildings front or side face.		Illumination may be built into or attached on to a sign unless exposed to a dwelling or adjacent property. Lighting fixtures used to illuminate any sign and shall be mounted on the top of the sign structure and shielded to prevent the emission of light beyond the sign and no flashing or intermittent illumination shall be employed.
	Monument	One per maximum of 63 sq. ft.	6 ft.	32 sq. ft. in area and 10 ft. set backs	A monument sign can only be utilized if no ground or projecting sign is used
	Balloon	Balloon signs are subject to Conditional Use			
	Roof		10 ft. above roof		Roof sign may substitute for a ground or projecting sign but is subject to Conditional Use review. The Land Use Authority may deny a sign or set more restrictive conditions.

Zone	Sign	Size	Height	Location	Other
C M	Off-premise	Maximum Size Allowed per side (sq ft)	Max. Height	Distance from State ROW	Spacing between off-premise signs shall be 500' when located adjacent to an interstate highway.
	Note: Signs adjacent to Highways 89, 9, 89A & 14 require UDOT permit	20	10	0	
		30	12	5	
		40	14	10	
		50	16	15	
		60	18	20	
		70	20	25	
		80	22	30	
		90	24	35	
		100	24	40	
110		24	45		
	120	24	50 & more		
	Wall	25% of a wall area			
M	On-premise ground or projecting		65 ft. max.	10' setback and one sign per 500 ft. of frontage or part thereof	Illumination may be built into or attached on to a sign unless exposed to a dwelling or adjacent property. Lighting fixtures used to illuminate any sign and shall be mounted on the top of the sign structure and shielded to prevent the emission of light beyond the sign and no flashing or intermittent illumination shall be employed.
	Balloon				Balloon signs are subject to Conditional Use
	Wall or Construction	25% of a wall area			
	Roof	Same as ground or projecting sign	10 ft above roof		Roof sign may substitute for a ground or projecting sign but is subject to Conditional Use review. The Land Use Authority may deny a sign or set more restrictive conditions.
	Monument	Maximum of 63 sq. ft.	6 ft.	10' minimum set back	A monument sign can only be utilized if no ground or projecting sign is used
	Off-premise:	See requirements for Commercial Zone			
R	Not Permitted				
A	All regulated signs shall require Conditional Use approval. The Land Use Authority shall utilize the standards set forth in the above sections in approving applications for signs in these zones.				