

ARTICLE XII. Sign Regulations

1. Intent

The following regulations are intended to protect property values, create a more attractive business climate, enhance and protect the physical appearance of commercial areas, encourage the restoration and preservation of historically significant land and buildings, prevent the deterioration of scenic areas, and in general, promote a desirable community environment through the regulation of existing and proposed outdoor signs. These regulations are further intended to provide assurance that all signs will be easily identified, and reduce the distraction and confusion caused to motorists and pedestrians by inappropriate signage and the hazards which may be attributed thereto.

2. General Regulations

The following regulations shall apply to all signs, in all zoning districts of the Town.

2.1 Sign Permits

- 2.1.1 Any person, business association, corporation, or entity of any kind desiring to erect, structurally modify or enlarge a sign as defined in this Ordinance, shall file an application for a sign permit, which shall contain the following information:
 - 2.1.1(a) An application fee as outlined on the fee schedule to defray the costs of processing the application and issuance of the sign permit.
 - 2.1.1(b) A description of the sign, or the nature of the change, enlargement or modification, as applicable.
 - 2.1.1(c) An accurate scale drawing of the sign as proposed, including size, shape, design, colors, materials, location, and lighting.
 - 2.1.1(d) The name, address and telephone number of the applicant.
 - 2.1.1(e) The name, address and telephone number of the owner of the premises, if different from the applicant.

2.1.2 When all requirements of the application have been met, the town clerk shall deliver the application and all associated documentation to the zoning officer.

2.1.2(a) Within fifteen days after receipt, the zoning officer shall decide to either approve or deny the application, or to schedule a conference with the applicant to review the application.

2.1.2(b) If a conference with the applicant is necessary, such conference shall be scheduled within 30 days from the date the application is filed, and a decision shall be made on approval or denial by the zoning officer within seven days of such conference.

2.1.2(c) An appeal of any decision of the zoning officer concerning an application for a sign permit shall be made pursuant to the procedures set forth in Article III, Section 2 of this Ordinance.

2.1.2(d) Once issued, a sign permit shall remain in effect for a period of one year. No work may be undertaken on any sign after one year from the date of issuance of the permit, unless a new permit is applied for and issued.

2.2.2(e) After work has been completed on a sign for which a permit has been issued, a photograph of the sign shall be delivered to the Town clerk, by the owner, for proper filing in the Town file with the sign permit.

2.2.2(f) All legal non-conforming signs, as defined in section 7, of this article, shall be photographed together with a yardstick or other measurement device, to provide an accurate visual description of the size and condition of all such signs. It is the responsibility of the property owner and/or the person in possession of the premises upon which a sign is located to comply with the provisions contained herein.

2.3 Construction

Construction of all signs shall be governed by the applicable uniform codes adopted by the Town, and any other applicable provisions of this Ordinance. All construction shall be subject to inspection by the building inspector. Footing inspections shall be required for all signs with footings. All signs containing electrical wiring shall, in addition to

XII Sign Regulations

being subject to all provisions of the national electrical code, have electrical components which bear the label of an approved testing agency.

2.4 Maintenance

2.4.1 All signs and sign support structures shall be kept in good repair and in a proper state of preservation.

2.4.2 Maintenance of signs for which permits have been granted, or which are deemed to be legal non-conforming uses, shall not be considered construction of new signs or alterations or reconstruction of existing signs, so long as no structural changes are made.

2.4.3 Authority of zoning officer to order repair and removal of signs.

2.4.3(a) Broken signs, obsolete signs and signs on vacant buildings shall be removed from the premises, repaired or renovated by the owner and/or the person in possession of the premises within 90 days. Any signs located within the Town which identifies a business or activity no longer in existence, or a product no longer sold on the premises shall be removed by the owner and/or the person in possession of the premises within 90 days.

2.4.3(b) After 90 days, if the zoning officer determines that sign repair or removal is still necessary, he shall notify the owner and/or the person in possession of the premises, if different from the owner, in writing, by certified mail, of the specific action ordered by the zoning officer in order to bring the sign in compliance with these restrictions. Said notice will specify that the action required order be taken within thirty (30) days of the date of the notice.

2.4.3(c) If, within thirty (30) days, the zoning officer's orders are not complied with, then the zoning officer, building inspector or town clerk may cause the necessary action to be taken to eliminate the violation, and the owner and/or person in possession of the premises shall be jointly and individually responsible for all charges incurred plus an additional 20% of such charges for inspection and other costs in connection

therewith. Notice shall be sent to all such parties by certified mail, return receipt requested, requiring payment within thirty (30) days.

2.4.3(d) In the event payment is not made to the Town within said thirty (30) day time period, the amounts due shall become a lien against the property as of the date that the town clerk certifies the cost and charges to the office of the Clear Creek County Treasurer for collection in the same manner as general property taxes are collected.

2.5 Lighting

If spot, flood, neon or interior lighting is provided, it shall be directed away from the surrounding property and away from the public streets or highways. The intensity of the light source shall not exceed that necessary to illuminate and make legible a sign from the adjacent roadway.

2.6 Traffic Hazard

No sign shall be erected or maintained at the intersection of any street or road in such a manner as to obstruct clear vision, nor shall any sign be erected or maintained at a location where, by reason of its position, shape or color, it may interfere with traffic sight distances, traffic flow, or the visual access to a street or a traffic sign. In addition, no sign shall be erected or maintained at a location where, by reason of its position, shape or color, it could be mistaken for or otherwise imitate a traffic sign, signal, or traffic control device.

2.7 Additional permitted uses

Notwithstanding the restrictions contained in section 5, the Board of Adjustment may, after notice and hearing as required by article III, section 7 of this Ordinance, issue a sign permit if it finds that the requested sign is necessary to promote the interests of the use to which it relates.

3. Permitted Signs in Residential Districts

In the R-1, R-2 and R-3 districts, and on private residential property in the R-C district, no sign shall be permitted which is visible from any public right-of-way, except for the following.

XII Sign Regulations

- 3.1 A sign identifying a property or the name of its owner or occupants and any home occupation, provided that such sign shall not exceed two (2) square feet in area, and further that not more than two (2) signs may be located on a single lot or parcel at a given time.
- 3.2 A sign which advertises the rent or sale of the property upon which it is located, provided that any such sign shall not exceed eight (8) square feet in area, and further that not more than two (2) such signs are located on any single lot or parcel at a given time.
- 3.3 A sign pertaining to a special event which refers to a particular period of time, such as meetings, garage sales, real estate sales or vacancies; provided however, that any such sign shall be removed within seven (7) days of the time that the activity it announces has passed.
- 3.4 Political signs as discussed in 6.5.

4. Permitted Signs in the R-C District

No sign which is visible from any public right-of-way shall be erected or maintained in the R –C district, except for the following:

4.1 Free-standing signs.

- 4.1.1 One (1) freestanding sign shall be permitted for each property of a commercial building, as long as it is in compliance with all applicable laws, rules and regulations.
- 4.1.2 No permanently anchored freestanding sign shall exceed twenty (20) feet in height from the surface of the ground.
- 4.1.3 All permanently anchored freestanding signs shall be located on the property of the advertised business. The location of any such sign may be at any point on the property which offers the best line of vision to the public, subject to the provisions of Subsection 2.6 of this Article XII.
- 4.1.4 A permanently anchored free standing sign shall not exceed forty-eight (48) square feet in area per side, including accessory signs..

XII Sign Regulations

4.2 Wall Signs

Wall signs are permitted.

4.3 Projecting signs

4.3.1 One (1) projecting sign shall be permitted on each street frontage for a commercial building.

4.3.2 Signs projecting from a commercial wall or Building may not exceed forty-eight (48) square feet in area, per side.

4.3.4 No sign shall project more than eight (8) feet from any façade or wall of any building.

4.3.5 No projecting sign shall extend over the roadway, or encroach on adjacent private property. Clearance over a sidewalk must be at least eight (8) feet.

4.4 Sandwich Signs.

Sandwich signs shall be allowed subject to the following requirements:

4.4.1 Sandwich signs require a sign permit.

4.4.2 Sandwich signs shall not be placed on sidewalks or other public right of ways.

4.4.3 Sandwich signs shall be made out of or constructed with non-reflective material.

4.4.4 Sandwich signs shall be no larger than 12 sq. ft per side, and no higher than 60 inches from the average grade.

4.4.5 Sandwich signs shall not be permanently anchored.

4.4.6 Sandwich signs shall not be lighted.

5. Prohibited Signs

The following regulations shall apply to all signs, of whatever type or nature, in all zoning districts of the Town:

5.1 Signs, which create a safety hazard by obstructing a clear view of pedestrian or vehicular traffic are prohibited.

- 5.2 Signs which have less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by the laws of the State of Colorado, or the rules and regulations promulgated by agencies thereof, are prohibited.

6. Signs Not Requiring a Sign Permit

The following signs, if non-illuminated and non-animated, shall be exempt from the requirement of obtaining a sign permit:

- 6.1 Those signs specifically listed in Section 3.
- 6.2 Accessory signs on Commercial property in the R-C District must be attached to the building, or an existing sign. An accessory sign shall identify only, trademark or product symbol, and name of the product sold on the premises. Directional signs are also considered accessory signs.
- 6.3 **Public Agency Signs**
Public agency signs are those signs erected and maintained by federal, state, county, or municipal government bodies and any agencies thereof.
- 6.4 **Special Event Signs**
Signs and banners pertaining to special events which refer to particular periods of time, such as meetings, sales exhibitions, and other announcements shall be permitted in the R-C district, provided that such signs shall be removed within seven (7) days following the event to which they refer. If any such sign is not removed within that time period, the Town shall have the right to remove and dispose of the same without further notice, at the owner's expense.
- 6.5 **Political signs**
Political signs relating to any issue, ballot measure proposition, candidate or group of candidates, shall be permitted in any District, subject to the following:
- 6.5.1 Political signs shall be erected no sooner than thirty (30) days prior to the date set by the early voting act of the election to which they refer, and shall be removed no later than seven (7) days after the date of the election.

6.5.2 In the event that all such signs are not removed within the time period specified herein the Town shall have the right to remove and dispose of the same without further notice, at the owner's expense.

6.5.3 No political signs may be affixed to or located on any public property, or within any public right-of-way, or on any location prohibited by Federal or State law..

6.5.4 No political sign shall exceed four (4) square feet in area.

7. Legal, non-conforming signs

7.1 Any signs erected prior to the adoption of this ordinance, which do not conform to the sign regulations contained herein, shall be considered legal, non-conforming signs. No such sign shall be expanded, enlarged, or modified except in conformity with the provisions of this ordinance.