

## 2 DEFINITIONS

### 2.1 MEANINGS OF WORDS AND TERMS

**SIGN, A-FRAME.** A portable, stand-alone sign comprised of two separate panels or faces joined at the top and spread apart at the bottom to form a base upon which the sign stands.

**SIGN, AUXILIARY.** An A-Frame Sign or a Feather Sign used to supplement a use's permanent signage.

**SIGN, BANNER.** A temporary sign of fabric, plastic, paper or other light, pliable material that is not enclosed in a rigid frame.

**SIGN, FEATHER.** A portable, stand-alone sign consisting of vertical pole onto which is attached a sign made of fabric, plastic or other light, pliable material.

**SIGN, PENNANT OR STREAMER.** Any piece of lightweight plastic, fabric or other material suspended from a pole, rope, wire, or string, displayed in series and capable of movement in the wind.

**SIGN, PERMANENT.** A sign that is intended to be, and is so constructed as to be, of lasting and enduring condition, such that it may be displayed for an indefinite or long-lasting period of time while remaining unchanged in character, condition (beyond normal wear) and position.

**SIGN, SPECIAL EVENT (PROMOTIONAL).** Any signs used for temporary, promotional purposes for uses that have already installed permanent signs. Temporary signs installed prior to permanent signage shall not be considered special event signs.

**SIGN, TEMPORARY.** Any sign, banner, pennant or streamer, valance, or advertising display constructed of light fabric, cloth, canvas, wall board, or other light materials, with or without frames, intended to be displayed for a limited period of time until a business' permanent signage is installed.

### 3.15 "CL" - LIGHT COMMERCIAL

#### D. **TEMPORARY USES (Temporary Use Permit Required)**

1. Applicability: Temporary carnivals, circuses, revivals, rodeo, swap meets, outdoor retail sales, transient merchants, and similar activities, as defined and regulated in Article 8-3 of the **Town Code**, must obtain a Temporary Use Permit. The provisions of this subsection do not apply to garage sales or rummage sales.

2. **Temporary Use Permit Process.** A **Temporary Use Permit** shall be obtained from the **Zoning Administrator** in accordance with the following:

a. The **Zoning Administrator** shall ensure that health and safety are considered, and shall obtain the approval of the Yavapai **County** Health Department, the Fire District, and the Police Department prior to issuing the **Temporary Use Permit**.

b. The **Zoning Administrator** shall ensure that land area is adequate for the proposed temporary **use** and consequent parking, and shall ensure that traffic safety is considered.

- c. The **Zoning Administrator** shall require any measures necessary to protect surrounding property.
- d. A time limit shall be established for each temporary **use** conducted under the **Temporary Use Permit**. Unless otherwise previously approved by the **Council**, the time limit shall not exceed fifteen (15) consecutive days.
- e. Permanent **structures** shall not be permitted under a **Temporary Use Permit**.
- f. A **Temporary Use Permit** must include a comprehensive sign package, prepared by the applicant and approved by the Zoning Administrator, that documents (1) the total number of signs to be displayed within the corporate limits of the Town, not to exceed ten (10) individual double-sided signs, (2) the days and times of display of such signs, (3) the approximate locations of such signs, (4) the total aggregate sign area of all signs proposed, not to exceed two hundred (200) square feet size for all signs, taken together and (5) the applicant's plan for removal of the signs after the event is finished.

#### 4.21 SIGN REGULATIONS

##### 4.21.2 PERMITS REQUIRED

- A. **Permit** Required. Except as provided herein, it shall be unlawful for any person to construct, install, attach, place, paint, alter, relocate, or otherwise maintain any non-exempt **sign** in the **Town** without first obtaining a **sign permit** in conformance with this **Sign Code**.
- B. Conflicts with other requirements. If provisions of this **Sign Code** are conflict with any other **Town Code** or **Ordinance**, the more restrictive requirement(s) shall apply. **Signs** maintained contrary to the provisions of this **Sign Code** are declared to be **nuisances** and may be abated as provided by law.
- C. Fees. **Sign permit** fees shall be as adopted by the **Council** by resolution.
- D. **Sign Permit** Application. No **sign permit** application shall be accepted if not submitted with full payment of all fees required. Application for a **sign permit** shall be made to the **Development Services Department** on forms provided by the **Town** and shall include at a minimum the following information:
  - 1. Yavapai **County** Assessor's parcel number identifying the property where the **sign** will be located;
  - 2. **Street** address, if any, legal description of the property, and dimensions thereof. If the parcel is not within a recorded **subdivision**, a metes and bounds legal description shall be submitted with the application;
  - 3. Name, address and telephone number of the property owner and agent, if any;
  - 4. Signature of applicant or agent;
  - 5. Inventory of all existing **signs** on the property showing the type, dimensions, and location of each **sign**;
  - 6. Fully dimensioned plans and elevations showing the dimensions, placement of copy, and location of each proposed **sign** in relation to the **property line(s)** and **public right(s)-of-way**;

7. Plans indicating the scope and structural detail of the work to be done, including all connections, supports, footings, and materials to be used;
8. Type, placement, and strength of **illumination**, if any and required information for an electrical **permit** for signage **illumination**;
9. Such other information as the **Zoning Administrator** may require for the purpose of determining whether the application complies with the **Sign Code** requirements;

E. **Sign Permit** Review; Timeframes.

1. Within ten business days of submission of an application for a **sign permit**, staff shall review the application for completeness. If the application is not complete, the applicant will be notified of the deficiency via email, telephone, or first class mail.
2. Within thirty business days of receipt of a complete application, **Town** staff shall review the application for compliance with the regulations set forth in this Code and in the **Town Code**, as applicable, and shall issue the **permit** or notify the applicant of deficiencies and the need for corrections.

F. Temporary **Sign Permits**. ~~Temporary Signs with a limited duration of use, such as those provided in Section 4.21.6~~ shall obtain a temporary **sign permit**. The requirements and criteria for such **signs** are as follows:

1. Temporary **sign permits** shall be issued for no more than six months. ~~The temporary sign shall be removed as soon as the business' permanent sign is installed or six months, whichever occurs first.~~
2. ~~The temporary sign permit shall not be renewable.~~
3. Temporary **signs** shall conform to all other requirements of this Code.
4. ~~Special event (promotional) signs and auxiliary signs do not require temporary sign permits.~~

G. Exempt **Signs**. The following types of **signs** are exempt from the permitting requirements but shall comply with all other requirements and standards set forth in this **Sign Code**. No business shall have more than two (2) exempt **signs** and no more than two (2) exempt **signs** may be located on any residential **lot**, except as provided in the following table:

<i>Description</i>	<i>Type</i>	<i>Number Permitted</i>	<i>Maximum Area and Height</i>
Official notices authorized by a court, <b>public</b> body or <b>public</b> safety official			No limit
Government <b>Signs</b>	Wall or ground-mounted standard	No limit	No limit
Posters			No limit
<del>A-Frame Signs</del>	<del>-</del>	<del>2 per frontage</del>	<del>12 Square feet total: See Table 4.21.6 for regulations</del>

<b>TEMPORARY NON-COMMERCIAL DIRECTIONAL SIGNAGE</b>	<b>A-FRAME</b>	<b>THREE (3)</b>	<b>12 SQUARE FEET TOTAL</b>
<b>Temporary Use Permit Signage (see Section 3.15(D)(2)(f))</b>	<b>Banner, Pennant, Flags</b>	Ten (10)	200 square feet Maximum
<b>Sign for temporary event held by non-profit charitable organization (as designated under section 501(c)(3) of the Internal Revenue Code) with a permanent location inside Town's incorporated limits</b>	<b>Banner, Pennant, Flags</b>	Two (2)	48 square feet Maximum
<b>Signs located within structures in Commercial zoning districts</b>	<b>Window Signs</b>		No limit
<b>Signs on residentially zoned property</b>	Wall, window, or ground-mounted		
<b>Signs required to be relocated by the Town or other governmental agency</b>			

#### 4.21.3 GENERAL SIGN REGULATIONS

A. The regulations, requirements, and provisions set forth in this Chapter shall apply to all **signs erected**, placed, or constructed within the **Town**.

B. All **signs** shall be structurally designed, constructed, **erected**, and maintained in conformance with all applicable Technical Codes and regulations.

C. **Signs** shall not be constructed or located in a manner that interferes with pedestrian or vehicular travel, obstructs free and clear vision of traffic, poses a hazard to either pedestrians or vehicles, or in such a manner to confuse, distract, or interfere with traffic and/or pedestrians.

D. **Signs** shall be located a minimum of six feet (6') from **property lines**.

E. All **signs** and **sign structures**, conforming and **non-conforming**, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the **public** safety or create visual blight as determined by the **Zoning Administrator** or his/her designee.

F. All **illuminated signs** shall comply with Section [4.24](#) Outdoor Lighting including, but not limited to, Subsection 4.24.4 General Requirements, Subsection (P).

G. A non-commercial **sign** may be located in any location that a **commercial sign** is permitted and shall comply with the regulations set forth in this Chapter for that location.

H. Special event (promotional) signs and auxiliary signs shall be subject to the following:

1. No special event (promotional) or auxiliary signage shall be allowed for any business until such time as the business obtains and installs, at a minimum, a wall-mounted permanent sign.

2. An aggregate of up to two (2) special event (promotional) signs or auxiliary signs are permitted in addition to the permanent signs allowed for a property. The number and size of the special event (promotional) signs or auxiliary signs are determined by the zoning of the property as shown in the table in Section 4.21.6, Temporary Signs and Auxiliary Signs. If the business wants to display a new special event (promotional) sign or auxiliary sign, then one or more of the existing signs on display must be taken down to ensure the total square footage requirements are maintained.

3. Special event signs and auxiliary signs may be displayed year-round, so long as the signs remain in good repair.

#### 4.21.5 SIGN STANDARDS

G. Aggregate Signage Limits.

1. The total maximum aggregate signage shall not exceed two-hundred ninety-six square feet (296 sq. feet) for a single-tenant development.

2. The total maximum aggregate signage shall not exceed three-hundred sixty square feet (360 sq. feet) for a multi-tenant development.

3. Comprehensive **Sign Packages** may be approved by **Planning and Zoning Commission** and **Town Council** for multi-tenant developments with up to a 50% increase in total aggregate area.

4. The provisions above shall apply unless such guidelines are addressed in an approved comprehensive **sign** package.

5. Signage whose manner and placement has not been listed herein may be approved at the discretion of the **Zoning Administrator** or his/her designee.

6. A-Frame signs shall be placed near the business entrance and not along the street front; provided such signs shall not obstruct pedestrian traffic.

7. All temporary signs, special event (promotional) signs and auxiliary signs shall be placed (a) at a minimum five (5) feet from the property line on which the business is located and (b) outside the public rights-of-way.

#### 4.21.6 TEMPORARY SIGNS, SPECIAL EVENT SIGNS AND AUXILIARY SIGNS

<i>Sign Type</i>	<i>Zoning District</i>	<i>Maximum Area</i>	<i>Maximum Height</i>	<i>Standards</i>
		48 sq. ft. aggregate		On-site only.

<b>Banner, Pennant, Streamer, Feather</b>	CL, CH, I, Public, Institutional Facility			Shall not be located above the roof of any <b>building</b> . Shall be maintained in good repair.
<b>Banner, Pennant, Streamer, Feather</b>	MR-1, MHP-4	24 sq. ft.		On-site only. Shall not be located above the roof of any <b>building</b> . Shall be maintained in good repair.
A-Frame	CL, CH, I, Public or Institutional Facility	Sizes limited to: 24" x 36" or 6 sq. ft. maximum.		May be made of wood, vinyl, metal, or other similar non-pliable material. Shall be on-site only. Up to two per frontage, <b>One (1)</b> not to exceed 6 sq. ft. total per parcel. Shall be maintained in good repair. <b>Anything attached to the A-Frame Sign (i.e. streamers, balloons, etc.) shall count against the total square footage allowed.</b>

**4.21.7 PROHIBITED SIGNS**

A. Any **sign** not specifically listed as permitted by this Chapter is prohibited, including, but not limited to the following:

1. **Off-site commercial signs.**
2. **Vehicle signs** or **signs** mounted, attached, or painted on trailers, boats, or motor vehicles primarily or consistently parked, stored, or displayed in a manner intended to attract the attention of the **public**.
3. **Signs** attached to any utility pole, or **structure**, streetlight, traffic signal, tree, fire hydrant, bridge, **park** bench or other location on **public** property.
4. **Signs** that are animated, inflatable, or audible, or rotate or have intermittent or flashing **illumination** or emit audible sound or visible matter; except time and/or temperature units.
5. **Signs** displayed in a manner or location that prevents free **ingress** and **egress** from a door, window or other exit.

(Ord. 17-819, passed 3-14-2017)

**4.21.8 NON-CONFORMING SIGNS**

A. A **non-conforming sign** may continue to be utilized in perpetuity only in the manner and to the extent that it existed prior to the effective date of ~~this Chapter or any amendments thereto~~ the provision of this Sign Code that first caused the sign to become non-conforming.

B. A **non-conforming sign** may not be altered in any manner not in conformance with the **sign** regulations in the zoning district in which it is located that are in effect at the time of the alteration, except for reasonable repair and maintenance of the **sign** or to change the copy, provided that **such change** does not require structural alterations.

#### 4.21.9 VIOLATIONS; REMOVAL

A. Notice of Violation: Notice of violation of this Chapter shall be provided by a Code Compliance Officer to the property owner, person in control, or authorized agent of the property. The time periods provided for correction of the violation shall be:

1. Permanent **Signs**. A ten calendar day written notice shall be provided.

2. Temporary **Signs**. A two calendar day written notice shall be provided.

3. **Portable Signs**.

a. A two calendar day written notice shall be provided for **Portable Signs** other than those placed within the **right-of-way**.

b. A written notice is not required for **Portable Signs** placed within the **right-of-way**.

B. Authority to Remove.

1. The Code Compliance Officer is authorized to require removal of any **sign** installed in violation of this Chapter. The Code Compliance Officer may remove or cause to be removed any Temporary **Sign** which is not removed by the owner.

2. The Building Official is authorized to remove or require the immediate removal or repair without written notice of any unsafe **sign** that creates an immediate hazard to persons or property.

C. Removal by **Town**. In the case of a **sign** code violation where the offending **sign** has been removed by the Code Compliance Officer, the notice provided pursuant to Section [4.21.9\(A\)](#) shall state the reason for its removal.

D. Recovery of Costs. The costs of removal or repair of a **sign** by the **Town** shall be borne by the person who installed the **sign**, and, if unknown, the owner or lessee of the **sign** and of the property on which the **sign** is located. If the **Town** incurs costs in the removal or repair of a **sign**, the **Town** may bring an action in Municipal Court or Superior Court to recover its costs.

#### 4.21.10 SUNSET PROVISION

The provisions of this Sign Code relating to (A) auxiliary signs being permitted by right in certain zoning categories and (B) auxiliary signs and special event (promotional) signs being allowed without the need for a temporary sign permit shall automatically terminate and shall be of no force and effect after July 1, 2022, unless, after meeting all of the public notice and hearing requirements set forth in State Law, the Town Council determines these provisions should remain in effect, as currently written or as may be modified.