

CHAPTER 62
SIGN CODE

GENERAL PROVISIONS

- 62.001. Short Title
- 62.005. Purpose
- 62.010. Definitions; Rules of Construction
- 62.015. General Rule

EXEMPT AND PROHIBITED SIGNS

- 62.020. Exempt Signs
- 62.025. Prohibited Signs

PERMITS, LICENSES, CONSTRUCTION AND MAINTENANCE STANDARDS

- 62.030. Sign Permits
- 62.035. Permit Exceptions
- 62.045. Inspections
- 62.050. Measurements
- 62.055. Sign Location for Safety
- 62.060. Sign Maintenance
- 62.065. Materials
- 62.070. Noncombustible and Combustible Materials
- 62.075. Sign Supports
- 62.085. Electric Sign Construction
- 62.090. Electric Display Signs
- 62.095. General Illumination Standards
- 62.100. Permit Fees
- 62.115. Temporary Signs, Generally
- 62.120. Signs Installed Over or Within the Right-of-Way
- 62.200. Clearance from Overhead Electrical Conductors

ILLUMINATION, ANIMATION, AND ROTATION

- 62.250. Certain Lights, Flashing Lights, and Devices Prohibited
- 62.270. Limitation on Flashing Light - Intermittent Light and Chaser Effect
- 62.280. Signs Permitted in Public Zones
- 62.290. Limitation on Flashing Light, Animation, or Rotation in Certain Areas

SIGNS IN SPECIAL SETBACK AREAS

- 62.300. Signs in Special Setback Areas

TEMPORARY SIGNS

- 62.311. Temporary Signs in Residential and CO Districts
- 62.312. Temporary Signs in Commercial and Industrial Districts

SIGN REGULATION BY ZONING DISTRICTS

- 62.360. Signs Permitted in Residential Districts
- 62.372. Signs Permitted in Commercial Neighborhood (CN) Districts
- 62.375. Conditional Uses
- 62.380. Signs Permitted in Commercial Office (CO) Districts
- 62.385. Sign Regulation for Commercial and Industrial Districts
- 62.386. Signs Permitted in Industrial Business Campus (IBC)

- 62.387. Signs Permitted in Overlay Districts
- 62.388. Sign Regulations for Interchange Quadrant Overlay
- 62.389. Sign Regulations for Riverfront and Broadway/High Street Overlay Zones
- 62.389A. Sign Regulations for Portland/Fairgrounds Road Overlay Zone
- 62.389B. Sign Regulations for Edgewater Street/Wallace Road Area Overlay Zone
- 62.389C. Sign Regulations for South Gateway Overlay Zone
- 62.389D. Sign Regulations for Historic Overlay Zones

SIGN REGULATION BY CLASS OF SIGNS

- 62.390. Projecting Signs
- 62.400. Wall Signs and Attached Signs
- 62.410. Freestanding Signs
- 62.420. Roof Signs and Canopy Signs
- 62.430. Under Marquee Signs
- 62.440. Wall Facades for Signs
- 62.450. Sign Towers
- 62.480. Designated Arterials for Purpose of Sign Regulation

SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

- 62.500. Signs Permitted in Commercial and Industrial Districts
- 62.501. General Requirements
- 62.502. Permanent Signs for Business
- 62.503. Permanent Signs for Shopping Centers
- 62.504. Permanent Signs for Office Complexes
- 62.505. Land Divisions
- 62.506. Signs for Individual Businesses in the Market Street Interchange

ADVERTISING SIGNS

- 62.507. Construction Requirements for Outdoor Advertising Signs
- 62.508. Prohibited Outdoor Advertising Signs
- 62.509. Back-to-Back and Double Faced Outdoor Advertising Signs
- 62.511. Wall Mounted Outdoor Advertising Signs
- 62.512. Underground Wiring
- 62.513. Outdoor Advertising Sign, Size Limited
- 62.514. Cutouts on Outdoor Advertising Signs
- 62.515. Setback from R, CN, P, and CO Districts
- 62.518. Spacing and Density Requirements for Outdoor Advertising Signs
- 62.519. Measurements
- 62.519.1. Special Setbacks

SIGNS IN THE CENTRAL BUSINESS DISTRICT

- 62.520. Signs in the Central Business District

SIGNS IN THE SOUTH WATERFRONT MIXED-USE ZONE

- 62.521. Permanent Signs in the South Waterfront Mixed-Use Zone

THEATER SIGNS

- 62.522. Signs for Theaters

NONCONFORMING SIGNS

- 62.525. Removal Deadlines for Nonconforming Signs
- 62.530. Special Requirements for Nonconforming Signs

REMOVAL OF NONCONFORMING SIGNS, UNSAFE SIGNS AND ABANDONED SIGNS

- 62.540. Removal of Non-complying Signs
- 62.550. Removal of Unsafe Signs
- 62.560. Removal of Abandoned Signs
- 62.570. Removal of Signs Erected Without a Permit
- 62.575. Procedure Upon Removal; Costs of Removal

ENFORCEMENT, ADMINISTRATION AND APPEALS

- 62.580. Sign Inspection
- 62.590. Powers and Duties of the Building Official
- 62.594. Adjustments
- 62.595. Variances
- 62.597. Variance Procedure
- 62.600. Appeals; Review by City Council; Procedures and Relief

PENALTIES

- 62.605. Stop Work Orders; Permit Revocation; Civil Penalties; Enforcement
- 62.610. Violations

SPECIAL PROVISIONS

- 62.620. Severability

GENERAL PROVISIONS

62.001. Short Title. This Chapter shall be known as the Salem Sign Code. (Ord No. 167-68; Ord No. 4-08)

62.005. Purpose. The purpose of this Chapter is: to protect the health, safety, property, and welfare of the public, to improve the neat, clean, orderly, and attractive appearance of the community, to improve the effectiveness of signs in identifying and advertising businesses, to provide for safe construction, location, erection and maintenance of signs, and to eliminate signs that demand, rather than invite, public attention, to prevent proliferation of sign clutter, to minimize adverse visual safety factors to travelers on public highways, to minimize adverse impacts on adjacent properties, and to achieve these purposes consistent with state and federal constitutional limits on the regulation of speech. To achieve these purposes, it is necessary to regulate the construction, erection, maintenance, illumination, type, size, number, and location of signs. (Ord No. 167-68; Ord No. 51-96; Ord No. 4-08)

62.010. Definitions; Rules of Construction.

- (a) As used in this Chapter, unless the context specifically requires otherwise:
 - (1) "Approved plastic" means a plastic that meets the standards of an approved testing agency for use in construction of an electronic display sign, externally illuminated sign, or internally illuminated sign.
 - (2) "Approved testing agency" means a nationally recognized organization primarily established for the purpose of testing methods and materials to approved standards, and accepted as such by the Director.

- (3) "Blanketing" means blocking a motorist's view of one projecting sign by another projecting sign.
- (4) "Building" or "Structure" means a combination of materials to form a construction used for occupancy, use or ornamentation, whether installed on, above, or below the surface of land. As used in this Chapter, "building" includes all structures other than sign structures.
- (5) "Building frontage" or "building face" means a building facade facing a street or a parking lot.
- (6) "Building Official" means the head of the Building and Safety Division of the Department of Community Development for the City, or the Building Official's designee.
- (7) "Canopy" means a permanent roofed structure, which may be freestanding or partially attached to a building, which is erected for the purpose of providing shelter to patrons in automobiles, and which is not completely enclosed.
- (8) "Curb line" means the line indicating the edge of the vehicular roadway within the overall right-of-way.
- (9) "Cutout" means every type of display in cutout or irregular form attached to or superimposed upon a sign.
- (10) "Designated arterial or designated collector" means those streets designated as arterials and collectors in the Salem Transportation System Plan adopted under SRC 64.230, and all streets included in the area bounded by 13th Street, Mission Street, the Willamette River, and D Street.
- (11) "Director" means the City Manager, or the City Manager's designee. The City Manager's designee may subdelegate any or all authority, duties and powers conferred under this Chapter.
- (12) "Display" means any identifiable visual form or character, and which may be comprised solely, or be comprised of a combination of, words, symbols, images, and graphic elements.
- (13) "Display surface" means the area on a sign carrying the display. Display surface does not include sign structure, foundations or supports.
- (14) "Effect" means sequential, flashing, or simultaneous illumination by electrical means other than by an electronic display. As used in this Chapter, effects include, but are not limited to:
- (A) "Animated effect": illumination that depicts a moving object, thing, person, animal, or happening or depicts an ongoing series of images.
 - (B) "Chaser effect": illumination that is intended to lead the eye by producing lineal or circular movement.
 - (C) "Scintillating effect": illumination that provides a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.
 - (D) "Speller effect": illumination that spells a word, one letter, sentence, number, or character at a time, including flashing a complete word or words or sentence.
- (15) "Electronic display" means a display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this Chapter, electronic displays include, but are not limited to:
- (A) "Dissolve": the changing of an electronic display by means of

varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.

(B) “Fade”: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.

(C) “Scrolling”: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.

(D) “Static display”: an electronic display which does not change.

(E) “Travel”: the changing of an electronic display by the apparent horizontal movement of the visual image.

(F) “Video display”: providing an electronic display in horizontal or vertical formats to create continuously moving images.

(16) "Flashing" means sudden or intermittent electrical illumination.

(17) "Market Street Interchange" means the area within six hundred and sixty feet from the edge of the pavement of the main-traveled way, excluding exit or entrance ramps of Interstate Freeway 5, within one thousand feet of the centerline of Market Street that is zoned for retail or general business or industrial use.

(18) "Marquee" means a permanent roof-like structure projecting over the entrance of a building, which is not freestanding, which is attached to or supported by the building, which is erected for the purpose of providing shelter to persons entering the building, and which is not completely enclosed.

(19) "Nit" means a measurement of luminance, where one nit is equal to one candela per square meter ($1\text{cd}/\text{m}^2$). A candela means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.

(20) “Noncombustible” means a material that, in the form in which it is used and under the conditions anticipated, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat.

(21) "Nonstructural trim" means a molding, batten, cap, nailing strip, lattice, or letter walkway attached to a sign.

(22) “Office complex” means a premises that has multiple occupancies by business or service firms; that fronts on a designated arterial or collector street; and that does not include any retail outlets.

(23) “Pedestrian pathway” means an area located on a public sidewalk that is maintained for the purpose of free and unobstructed pedestrian movement.

(24) "Person" means an individual, corporation, limited liability company, firm, partnership, co-operative, association, joint venture, joint stock company, or other entity in law or fact.

(25) “Shopping center” or "integrated shopping center" means a premises planned and developed as a unit, that has parking area for use by patrons of the premises; that is identified by a name that characterizes the development as a unitary premises; that has multiple occupancies by retail, business or

service firms and that does not include a business which does not participate in the maintenance and promotional activities of the premises; that fronts on a designated arterial or collector street.

(26) “Sidewalk Intersection” means the sidewalk area located at an intersection on a street corner that is created by extending intersecting property lines to the edge of a roadway at a street intersection (Appendix 7, Figure 1). The sidewalk intersection is a pedestrian-only area with the purpose of allowing free and unobstructed pedestrian movement while maintaining a safe vision clearance triangle for motor vehicles at roadway intersections.

(27) "Sign" means any structure, board, poster, placard or device which contains or comprises a display that is designed, used, or intended to attract the attention of the public. As used in this Chapter, “sign” includes the structure, display surface, and all other components. For purposes of this Chapter, the specific types of signs are defined as follows:

(A) Temporary signs. A sign that is not permanently affixed or attached to a building, structure, or the ground and that is intended to be used for a limited time. Temporary signs are comprised of the following types:

(i) Lawn sign. A temporary sign which is made of a corrugated plastic, greyboard or similar type material.

(ii) Portable Sign. Any sign that is not permanently affixed to a building, structure, or the ground; a sign designed to be moved from place to place. These signs primarily include, but are not limited to, A-frame or sandwich board signs, signs attached to wood or metal frames, designed to be self-supporting and moveable, and further including trailer reader boards.

(iii) Rigid sign. A temporary sign meeting a wind load factor and constructed of materials of a grade and quality consistent with the requirements for structural materials in SRC Chapter 56.

(iv) Sidewalk Sign. A temporary sign that is portable and self-supporting, and which is made of corrugated cardboard, plastic, greyboard or similar type material which does not meet an eighty mph wind load factor. These signs primarily include, but are not limited to, A-frame or sandwich board signs, signs attached to wood or metal frames that are designed to be self-supporting and moveable, but do not include trailer reader boards.

(v) Temporary sign display. An attention attracting device or devices, including, but not limited to, flags, pennants, banners, streamers, valences or balloons.

(B) Permanent sign. Any sign that is permanently affixed or attached to a building, structure, or the ground and that is intended to be used for an ongoing, indefinite period of time. Permanent signs are comprised of the following types:

(i) Building directory. An attached wall sign giving the name and room number of the occupants of a building.

Where secondary signs are permitted, a building directory may be a secondary sign.

(ii) Interior sign. A sign located inside an enclosed building or structure, regardless of whether the sign is visible from the exterior of the building.

(iii) On-premise sign. A permanent sign which is used by the owner or lessee of the property upon which the sign is located. On-premise signs are not restricted as to content, but are normally and customarily used to advertise the business or facility located on the property or the goods, products, or services provided by the business or facility located on the property.

(iv) Outdoor advertising sign or advertising sign. A permanent sign which is a substantial permanent structure with a display surface or surfaces normally and customarily used primarily for painting or posting a display thereon at periodic intervals and which is located on property other than the property owned or leased by the person constructing, erecting or using the sign. Outdoor advertising signs are not limited as to content, but are usually and customarily used to advertise goods, products, businesses, services, or facilities which are not sold, manufactured, or distributed on or from the property or facilities on which the sign is located, to present messages dealing with political, public interest, public service, education, an election, a candidate for election, a ballot measure, religious matters, health, and other similar subjects.

(v) Principal sign. The principal permanent, on-premise sign. Principal signs are not limited as to content, but are normally and customarily used to identify or advertise a business or facility located on the property to approaching motorists or pedestrians.

(vi) Secondary sign. An incidental, permanent, on-premise attached wall sign or sign on the face or ends of a marquee, canopy, or wall facade for signs.

(C) Categories of Permanent Signs Based on Structure.

(i) Freestanding sign. A sign supported by one or more upright poles or braces, or placed upon a foundation, in or upon the ground and wholly detached from or only incidentally attached to any building or other structure.

(ii) Projecting sign. A sign, other than a wall sign, that projects beyond the building frontage to which it is attached. "Projecting" means the distance which a sign extends from the building frontage to which it is attached.

(iii) Roof sign. A sign erected upon or painted upon the roof of a building, a roof structure, or a canopy roof.

(iv) Under marquee sign. A sign which is erected or maintained under a marquee.

(v) Wall sign. A sign painted on or attached to or erected against the wall or parapet of a building or structure or

against the faces or ends of a marquee or canopy or on a wall facade for signs with the exposed face of the sign in a plane parallel to the plane of the wall or face and projecting not more than eighteen inches therefrom. "Wall sign" also means and includes a principal or secondary sign erected in supporting or ornamental columns attached to and located under an overhanging roof and which sign is erected in a plane generally parallel to the nearest face of the building.

(D) Categories of Illuminated Signs.

(i) Electronic display sign. A sign including, or comprised solely or partially of an electronic display which can be changed by automatic means, including, but not limited to, the operation of computer software.

(ii) Electronic time and temperature sign. A sign, or portion thereof, that announces time, temperature, or date.

(iii) Externally illuminated sign. A sign illuminated by an exterior light source which is primarily designed to illuminate such sign, including a sign illuminated by an exterior flood light source.

(iv) Internally illuminated sign. A sign that is wholly or partially illuminated by an internal light source that passes through the display surface of the sign.

(28) "Street frontage" means that portion of a lot which abuts a street. Unless the premises has only one street frontage, the width shall be at least fifty feet to qualify as a street frontage. An access easement shall not qualify as a street frontage. Access to a street is not required to establish a street frontage.

(29) "Unobstructed" means an area does not have any physical obstructions to free passage, tripping hazards, or people standing or sitting.

"Unobstructed" does not include a pedestrian pathway through which persons actively travel.

(30) "Vehicle accessway" means driveway that gives access to a window whereby goods or services are provided to a patron of a business, typically including queuing lanes, service windows or service islands.

(31) "Vehicle buffer zone" means an area that runs parallel to and abuts a roadway. Its purpose is to create a pedestrian safety zone and unobstructed accessibility to parked vehicles (See Appendix 7, Figure 3a and 3b).

(b) As used in this Chapter, words used in the present tense include the future, the singular number includes the plural, the word "shall" is mandatory and not directory. (Ord No. 167-68; Ord No. 173-71; Ord No. 34-72; Ord No. 95-73; Ord No. 49-81; Ord No. 54-83; Ord No. 44-88; Ord No. 92-94; Ord No. 51-96; Ord No. 91-99; Ord No. 39-2003; Ord No. 4-08; Ord No. 1-09)

62.015. General Rule.

(a) All signs shall be constructed in accordance with the provisions of this Chapter and all the requirements specified pursuant to SRC Chapter 56 that are in effect at the time of the application is submitted and deemed complete.

(b) Except as provided in SRC 62.020, no person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter.

(c) Except as provided in SRC 62.020, no person shall erect, construct, enlarge or alter a sign or permit the same to be done, unless a sign permit therefor has been issued by the City.

(d) Nothing in this Chapter is intended, nor shall be construed, to permit the erection, construction, enlargement, alteration or maintenance of any sign at any place or in any manner unlawful under any other federal, state or local law. If any part of this Chapter conflicts with another provision of the Salem Revised Code, the provision that establishes the stricter standard shall control.

(e) Nothing in this Chapter is intended, and shall not be construed, to restrict speech on the basis of its speaker, content, or viewpoint, and, to the extent that any provision of this Chapter is ambiguous, the provision shall not be interpreted to regulate on the basis of speaker, content, or viewpoint. (Ord No. 167-68; Ord No 4-08)

EXEMPT AND PROHIBITED SIGNS

62.020. Exempt Signs. The following signs are exempt from the provisions of this Chapter:

- (a) Official traffic signs, signals, and notices.
- (b) Directional signs erected by proper public authority.
- (c) A warning sign erected on private property to warn the public of a danger on or prohibiting or limiting access to the premises on which the sign is located, provided such sign does not exceed four square feet in area and six feet in height and is not located in the vision clearance area.
- (d) Permanent building plaques, corner stones, name plates, and similar building identifications.
- (e) House and building numbers, provided that the height of the numerals does not exceed six inches.
- (f) Historical markers erected or maintained by public authority or by a recognized historical society or organization identifying sites, buildings, or structures of recognized historical value and not located in the vision clearance area.
- (g) Notices and signs erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.
- (h) One non-illuminated sign per single family dwelling unit, or per dwelling unit in a duplex, in a residential zone not exceeding one square foot in sign area.
- (i) Non-illuminated signs not visible from a public sidewalk, street, highway, or alley.
- (j) Interior signs.
 - (1) Non-illuminated interior signs in commercial and industrial zones designed primarily to be viewed from a sidewalk or street when erected and maintained inside a building, including, but not limited to, signs attached to or painted on the inside of a window.
 - (2) Electrical interior signs intended to be viewed from the public right-of-way, provided such sign: is plugged into an approved grounded outlet; is not animated; does not flash; burns steady; conforms to the illumination requirements of this Chapter; does not exceed eight square feet in sign area. (Note: If a sign is wired in with a building's approved electrical wiring in conduit and connected to a power source, an electrical permit must be obtained.)
 - (3) Electrical interior signs not intended to be viewed from the public right-of-way. (Note: If a sign is wired in with a building's approved electrical wiring in conduit and connected to a power source, an electrical permit must be obtained.)
- (k) On-premise directional signs designed primarily to be read by a person on the premises on which the sign is located and used only to identify and locate an office, entrance, exit, telephone, or similar place, service, or route, and limited to eight square feet in area.
- (l) Directional signs in commercial and industrial districts, designating an automobile service entrance onto the premises, limited to a maximum sign area of twenty-two square feet for freestanding signs. Such signs shall be limited to one per business per premise. Other vehicle directional signs designating an automobile entrance onto or exits from the

property limited to eight square feet in area. If located on a building where projecting signs would be permitted, for a principal sign under SRC 62.390, such directional sign may project not more than four feet six inches over public property.

(m) For businesses with canopies, including but not limited to gasoline stations, twenty-four square feet of sign area per canopy for the display of temporary signs, such signs may be attached to the supporting structure of the canopy providing that they are not installed in any manner that would present a hazard to vehicles driving under said canopy.

(n) Temporary signs located in Wallace Marine Park's Sports Field Complex erected pursuant to a park use permit with the City.

(o) Temporary signs authorized by a park use permit issued under SRC 94.200. (Ord No. 167-68; Ord No. 173-71; Ord No. 115-74; Ord No. 54-83; Ord No. 28-87; Ord No. 44-88; Ord No. 18-94; Ord No. 92-94; Ord No. 35-2002; Ord No. 4-08)

62.025. Prohibited Signs. The following signs are prohibited:

(a) Any sign which creates a public nuisance due to statements, words, or pictures of an obscene or pornographic character.

(b) Any sign which violates any provision of ORS Chapter 377.

(c) Any sign which is placed on, affixed to, or painted on a motor vehicle, vehicle, or trailer and placed on public or private property with the primary purpose of providing a sign not otherwise permitted by this Chapter.

(d) Other than lawfully established non-conforming signs, any sign which does not conform to all provisions of this Chapter.

(e) Any sign which is a portable sign not approved by the City.

(f) Any sign which employs a "speller effect."

(g) Any sign located in a manner which could impede traffic on any street, alley, bikeway or other vehicular travel way.

(h) Any sign constructed in such a manner or at such a location that it will obstruct access to any fire escape or other means of ingress or egress from a building or an exit corridor, exit hallway or exit doorway. No sign or supporting structure shall cover, wholly or partially, any window or doorway in any manner that it will substantially limit access to the building in case of fire.

(i) Any non-public sign constructed or maintained which, by reason of its size, location, movement, coloring or manner of illumination may be confused with or construed as a traffic control device or which hides any traffic control device from view.

(j) Any non-public sign located within a vision clearance area, as defined by SRC 76.170.

(k) Any sign that employs structures, materials, or placements that are not specifically allowed under the provisions of this Chapter. (Ord No. 167-68; Ord No. 173-71; Ord No. 72-74; Ord No. 49-81; Ord No. 54-83; Ord No. 44-88; Ord No. 4-08)

PERMITS, LICENSES, CONSTRUCTION AND MAINTENANCE STANDARDS

62.030. Sign Permits.

(a) Except as provided in SRC 62.035, no person shall construct, erect, alter, or relocate any sign, or install electrical parts, wiring, or illumination in or upon a sign until all required permits have been obtained, including but not limited to, sign permits, building permits, and any other permit required under federal, state or local law.

(b) Each sign shall be authorized by a separate permit.

(c) Applications for a sign permit shall be made upon forms furnished by the Director. The application shall contain the location of the sign or display by street and number, as well as the name and address of the sign owner and of the sign erector. Two complete sets of plans for each proposed sign prepared in a graphic form must be submitted with each sign permit application. A sign permit application will only be deemed complete when all required materials have been submitted. The plans must be detailed enough and be of sufficient clarity to show compliance with this Chapter, and shall include, but are not limited to:

- (1) A detailed drawing of the proposed sign, drawn to scale.
 - (2) Plot plan drawn to scale, including location of all existing signs and sizes.
 - (3) Elevation(s).
 - (4) Identification of type of sign, such as painted, wood, metal, neon, illuminated, or other.
 - (5) A statement whether the sign is located on property owned or leased by the person constructing, erecting or using the sign.
- (d) Sign permits which also require a building permit shall be valid for not more than one hundred and eighty days after the date of issuance. All other sign permits shall be valid for not more than ninety days after the date of issuance. The Director may grant a one-time extension for a sign permit, not to exceed ninety days, upon showing that there was reasonable cause for the delay and that the construction, erection, alteration, or other work still complies with this Chapter and other applicable provisions of the Salem Revised Code.
- (e) The Director shall issue a permit for a sign unless the sign is in violation of this Chapter or other provisions of the Salem Revised Code.
- (f) Sign permits issued in violation of this Chapter or of other provisions of the Salem Revised Code are void.
- (g) The Director may revoke a sign permit if there was a material and misleading or false statement of fact in the application for the permit or notice given to the Director pursuant to subsection (h) of this section.
- (h) A person who constructs, erects, re-erects or structurally alters any sign for which a sign permit is required shall notify the Director of completion of the work thereon and request final inspection. (Ord No. 167-68; Ord No.173-71; Ord No. 54-83; Ord No. 92-83; Ord No. 44-88; Ord No. 4-08)

62.035. Sign Permit Exceptions. The following signs or activities do not require a sign permit:

- (a) Lawn signs and rigid signs, other than lawn signs and rigid signs located in the public right-of-way.
- (b) The changing of copy or the message on a printed or painted sign or sign specifically designed for the use of replaceable copy.
- (c) Painting, repainting, cleaning, and normal maintenance and repair of an existing sign, unless a substantial structural alteration to the existing sign is made. (Ord No. 173-71; Ord No. 54-83; Ord No. 29-92; Ord No. 92-94; Ord No. 39-2003; Ord No. 4-08)

62.045. Inspections. The Director shall perform sign inspection upon notification by the permittee. Failure of the permittee to notify the Director of the progress of construction for inspection purposes shall be cause to revoke the sign permit. A final inspection of all signs shall be made upon completion of all construction work and prior to the illumination of any sign. (Ord No. 54-83; Ord No. 4-08)

62.050. Measurements.

- (a) **Sign Area.** Sign area shall be expressed in square feet and shall be that area lying within a line drawn around the outermost points of the display surface of the sign. Where the display surface of a sign is three dimensional, including, but not limited to, round; or irregular solid shapes, the sign area shall be calculated by taking the largest cross-section of the display surface, and drawing a line around the outermost points of the cross-section. Where open area is employed between sections or modules forming the display surface of a sign, the open area shall be deducted from the calculation of sign area.
- (b) **Gross Face Area of Building Frontage.** The gross face area of a building frontage shall be expressed in square feet and shall be that area lying within a line around the outermost points of the building frontage including any wall façade. Where a building houses more than one business, gross face area for each business shall be that area lying within a line drawn around the outermost points of that portion of the building frontage that is actually occupied

by the business.

(c) **Height.** Sign height shall be measured from the average level of the grade below the sign to the topmost point of the sign structure.

(d) **Clearance.** Clearance shall be measured from the average grade below the sign to the lower most point of the sign structure.

(e) **Size.** Size includes the height, length, width, and area of a sign. Measurements shall be rounded up to the nearest square foot.

(f) **Spacing and Density.**

(1) For the purpose of applying spacing requirements or density limits to signs, distances shall be measured along a line parallel to the centerline of the adjacent street or highway and between the nearest edges of the display surfaces of the signs.

(2) A back-to-back sign is counted as a single sign for the purpose of spacing and density limits. (Ord No. 173-71; Ord 4-08; Ord No. 1-09)

62.055. Sign Location for Safety.

(a) No signs shall be erected or maintained so as to obstruct any building opening to such an extent that light or ventilation is reduced below minimums required by any applicable law or other provision of the Salem Revised Code.

(b) No sign shall be erected within five feet of an exterior wall in which there are openings that lie within the sign area unless the sign conforms to all the requirements specified by SRC Chapter 56 and the sign is constructed of noncombustible materials or approved plastics.

(c) Any sign located on a sidewalk shall have a safety barrier not less than 18 inches as measured from the bottom of the sidewalk surface, constructed of a solid and seamless material to assist the visually impaired. (Ord No. 167-68; Ord No. 35-06; Ord No. 4-08)

62.060. Sign Maintenance.

(a) All signs, together with all supports, braces, guys, and anchors shall be kept in good repair and be maintained in a safe condition. All signs and the site upon which they are located shall be maintained in a neat, clean, and attractive condition. Signs shall be kept free from excessive rust, corrosion, peeling paint or other surface deterioration. The display surfaces of all signs shall be kept neatly painted or posted. Materials used for temporary signs shall not fade, tear, rip or otherwise become unsightly during the period of display.

(b) No person required to obtain a sign permit under this Chapter shall scatter, daub, or leave any paint, paste, glue, or other substances used for painting or affixing copy, photos, or other matter to the sign, or scatter or throw or permit to be scattered or thrown any bills, waste matter, paper, cloth, or materials of whatsoever kind removed from signs on any public or private property. (Ord No. 167-68; Ord No. 44-88; Ord No. 4-08)

62.065. Materials.

(a) Materials for construction of signs shall be of the quality and grade as specified for buildings and structures pursuant to SRC Chapter 56.

(b) Except for lamps, tubes, bulbs, or neon tubing, no glass shall be used in the face of any sign. (Ord No. 167-68; Ord No. 4-08)

62.070. Noncombustible and Combustible Materials.

(a) Roof signs, wall signs, projecting signs, and signs on marquees shall be constructed of noncombustible materials except for nonstructural trim, display surfaces and cutouts which may be constructed of wood, metal, approved plastics, or any combination thereof. Except as provided in subsection (b) of this section, only metal and approved plastics shall be used in construction of electronic display signs, internally illuminated signs, and externally illuminated signs.

(b) The Director may approve the use of combustible materials for covering, erecting a facade on, or ornamenting a sign structure for an electronic display sign, internally illuminated sign, and externally illuminated sign, provided that:

- (1) The use of such materials is permitted in the Fire Zone in which the sign is located or proposed to be located.
- (2) There is no load-bearing member of the sign structure constructed of combustible materials.
- (3) There is no substantial fire or electrical safety hazard. (Ord No. 191-70; Ord No. 44-88; Ord No. 1-09)

62.075. Sign Supports.

Unless approved by the Director pursuant to SRC 62.120, the supports of all signs shall be placed in or upon private property. (Ord No. 167-68; Ord No. 54-83; Ord No. 51-96; Ord No. 39-2003; Ord No. 4-08)

62.085. Electric Sign Construction.

- (a) Electronic display signs, internally illuminated signs, and externally illuminated signs shall be permanently and rigidly affixed to the sign structure, building, or other structure. Electric signs may be mechanically activated for animation, but may not be wind-activated.
- (b) The bottom of electronic display signs, internally illuminated signs, and externally illuminated signs and outline lighting enclosures shall not be less than sixteen feet above areas accessible to vehicles; provided, however, the bottom of such signs and enclosures may be less than sixteen feet above areas accessible to vehicles where such enclosures are protected from physical damage.
- (c) Every electronic display sign, internally illuminated sign, and externally illuminated sign shall have placed, within easy view, a laboratory label from an approved testing agency. (Ord No. 191-70; Ord No. 54-83; Ord No. 4-08; Ord No. 1-09)

62.090. Electronic Display Signs.

- (a) No electronic display sign in a Residential zone may be erected without first obtaining a conditional use permit, as provided in SRC 62.375.
- (b) No electronic display sign shall be allowed within a historic district.
- (c) All electronic display signs shall meet the following standards:
 - (1) **Zones.**
 - (A) In all Industrial zones, Public zones, and Commercial zones, other than the Commercial Office Zone, the change from one electronic display to another electronic display shall be no more frequent than once every eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
 - (B) In all Residential zones and in the Commercial Office Zone, the change from one electronic display to another electronic display shall be no more frequent than once every hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
 - (2) **Change of Display.** The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by dissolve, fade, or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Unless specifically authorized by this Chapter, scrolling, travel, and video display are prohibited.

(3) Brightness. All electronic display signs must be constructed, operated, or otherwise function in such a way as to not exceed the provisions of this paragraph.

(A) At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and that is no greater than 1,000 nits between sunset and sunrise; provided that an electronic display sign comprised solely of one color shall not exceed the following levels:

(i) For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;

(ii) For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;

(iii) For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.

(B) All electronic display signs must be maintained and operated to meet the following brightness standards:

(i) No sign shall be brighter than is necessary for clear and adequate visibility.

(ii) No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.

(iii) No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.

(C) The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with the Director's instructions. The adjustment must be made immediately upon notice of non-compliance from the Director. The person owning or controlling the sign may appeal the Director's determination to the Hearings Officer, using the contested case procedures set forth in SRC Chapter 20J.

(D) All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting when notified by the Director that it is not complying with the standards in this section.

(d) Notwithstanding any other provision in this chapter, a municipal corporation providing transit services within the corporate limits of the City may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in area, screened from adjacent residential properties, and used only for the transmission of public information by the corporation. (Ord No. 1-09)

62.095. General Illumination Standards.

(a) No sign shall be erected or maintained which, by use of lights or illumination creates an unduly distracting and hazardous condition to a motorist, pedestrian, or the general public or which may be confused with or construed as a traffic control device.

(b) No exposed reflective type bulb, par spot, or incandescent lamp that exceeds twenty-five watts, shall be exposed to direct view from a public street, but may be used for indirect light illumination of a display surface.

(c) Neon tubing employed on the exterior or interior of a sign shall not exceed 300 milliamperes rating for white tubing or 100 milliamperes rating for any colored tubing.

(d) When fluorescent tubes are used for interior illumination of a sign, the florescent tubes shall not exceed:

(1) Within Residential zones, illumination equivalent to 425 milliamper rating tubing behind a plexiglass face, with tubes spaced at least seven inches, center to center.

(2) Within Commercial, Industrial and Public zones, illumination equivalent to 800 milliamper rating tubing behind a plexiglass face spaced at least nine inches, center to center.

(e) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in SRC 62.090(b)(4). (Ord No. 167-68; Ord No. 173-71; Ord No. 1-09)

62.100. Permit Fees. The application for a sign permit shall be accompanied by a fee as prescribed by resolution of the council. Where the permit is for additions to or deletions from an existing sign and no substantial structure alteration is made, the fee shall apply to the sign area of the portion added to or deleted from the sign. (Ord No. 167-68; Ord No. 173-71; Ord No. 49-81; Ord No. 54-83; Ord No. 76-84; Ord No. 56-86; Ord No. 44-88; Ord No. 51-91; Ord No. 51-96)

62.115. Temporary Signs, Generally.

(a) Lawn signs shall not exceed a height of thirty inches above grade and may be displayed a maximum of two, sixty-day continuous periods per year. Rigid signs shall not exceed a height of six feet above grade and may be displayed a maximum of one year. Temporary signs shall not be attached to fences, trees, shrubbery, utility poles, or like items and shall not obstruct or obscure permanent signs on adjacent premises. The date of erection or placement of lawn signs shall be clearly noted on signs or sign posts or the earliest date of erection certified to in writing by the sign erector to the Director.

(b) No temporary sign shall be internally illuminated or be illuminated by external light source primarily intended for the illumination of the temporary sign.

(c) Except as provided in SRC 62.350 and SRC 62.520, no temporary sign shall project over public property or extend into any landscaped area.

(d) No temporary sign shall be erected or maintained which, by reason of its size, location, or construction constitutes a hazard to the public.

(e) Except for temporary sign displays, no temporary sign shall be located in a vision clearance area, established pursuant to SRC 76.170. In addition, no temporary sign exceeding four square feet in area and resting upon or supported by the ground shall be located within an area bounded by a street front property line and a line drawn parallel thereto ten feet inside the property line if there is an entrance or exit from the street crossing such property line. (Ord No. 167-68; Ord No. 162-69; Ord No. 173-71; Ord No. 49-81; Ord No. 186-82; Ord No. 54-83; Ord No. 79-87; Ord No. 92-94; Ord No. 4-08)

62.120. Signs Installed Over or Within the Right-of-Way.

(a) Except as provided in SRC 62.390 and 62.520, no sign shall be erected over or within the right-of-way unless the sign is first approved by the governmental unit having jurisdiction over the right-of-way. If the approving authority is the City, then the Director of Public Works shall have authority to approve the sign. The Director of Public Works or the Director may impose conditions deemed necessary to insure public health, safety, and welfare, including, but not limited to, conditions to insure proper maintenance and removal.

(b) An adverse decision of the Director of Public Works shall be deemed to be an adverse decision of the Director, and may be appealed to the hearings officer in the manner prescribed by this Chapter. (Ord No. 4-08)

62.200. Clearance from Overhead Electrical Conductors. Signs shall be located not less than ten feet horizontally or vertically from all overhead electrical conductors which are energized in excess of 750 volts. The term "overhead electrical conductor" as used in this section means that any electrical conductor, either bare or insulated, installed above the ground except when such conductor is enclosed in an iron pipe or other material covering of equal strength. (Ord No. 167-68; Ord No. 44-88)

ILLUMINATION, ANIMATION, AND ROTATION

62.250. Certain Lights, Flashing Lights, and Devices Prohibited.

(a) No arrow or other directional indicator nor any light or lamp or tube or group of lights or lamps or tubes contained in a single unit or in multiple units, shall be erected or maintained within view of any public street unless such device conforms to one of the following four requirements:

(1) Such device is or was constructed as an integral part of a sign and is not later attached or affixed thereto.

(2) Such device is not illuminated by flashing or intermittent light and the illumination thereof conforms to all other sign illumination requirements of this Chapter.

(3) Such device consists of lights or lamps designed and intended to be used solely for illumination of a building or pedestrian or vehicular traffic areas.

(4) Such device is an official traffic sign or signal.

(b) Rotary beacon lights, zip lights, strobe lights, or similar devices shall not be attached to, nor be incorporated in, any sign nor shall they be erected or maintained in the City of Salem, Oregon.

(c) No sign, light, lamp, bulb, tube, or device, the use of which is prohibited or is regulated by SRC 62.250 to 62.290, shall be erected or maintained within a building in violation of those sections where such sign is designed primarily to be viewed from a public street or sidewalk or is designed primarily to attract the attention of passing motorists or pedestrians. (Ord No. 167-68; Ord No. 44-88)

62.270. Limitation on Flashing Light - Intermittent Light and Chaser Effects.

(a) No rotating sign or sign with rotating or animated parts shall contain or be wholly or partially illuminated by a flashing or intermittent light, lights, lamps, bulbs, or tubes.

(b) No flashing sign shall be erected or maintained unless it conforms to the following:

(1) Where such sign is internally illuminated, at least 50 percent of the total illuminated area of each sign face shall be illuminated at all times.

(2) No chaser effect or other flashing effect consisting of external lights, lamps, bulbs, or neon tubes in the form of a starburst, expanding starburst, expanding arrow or extending arrow, shall be incorporated in, affixed to, or attached to any sign, unless such actions are an integral part of an electronic time and temperature sign.

(3) The interval between the illumination of lights, bulbs, or neon tubes shall be uniform in pattern so that the flashing sequence is even and regular or the chaser effect produces an apparent motion that is continuous, even, and smooth flowing.

(c) Where a sign is illuminated by an external light source, no flashing or intermittent light is permitted.

(d) Chaser effects shall conform to the provisions of this subsection. This subsection shall not apply to an animated, scintillating, or speller effect nor to a sign on a theater marquee.

(1) Only one chaser effect shall be permitted on one side of a sign. A back-to-back sign may have one chaser effect on each side.

(2) Only one chaser effect sign is permitted on one frontage. Where a business fronts on two or more streets, it may have a chaser effect sign for each frontage if each sign

is designed to be read by motorists traveling along only one of the street frontages.

(3) No other flashing light is permitted on the same side of a sign with a chaser effect.

(4) No chaser effect shall exceed 20 percent of the illuminated area of the sign on which it is located.

(5) No chaser effect which produces an apparent motion in a single direction or path shall produce an apparent motion exceeding ten feet per second plus an additional five feet per second for each ten-foot distance over 20 feet between the sign and the nearest adjacent street or highway right-of-way, up to a maximum of 50 feet per second. If the apparent motion is too fast to be measured by the building official, the speed of motion shall be deemed to violate this subsection.

(e) Electronic time and temperature sign changing copy signs shall be no longer than three second displayed before a change must be made. (Ord No. 167-68; Ord No. 173-71; Ord No. 49-81; Ord No. 44-88)

62.280. Signs Permitted in Public Zones.

(a) Signs permitted in Public and Private Cemeteries (PC), Capitol Mall (PM), and Public Service (PS) Districts.

(1) The following signs are permitted in PC, PM and PS districts:

(A) **Wall Signs.** One wall sign for each building frontage. Wall signs, which shall be limited to the greater of thirty-two square feet or two percent of the gross face area of the building frontage on which it is located.

(B) **Freestanding Signs.** One freestanding sign for each building frontage which shall be limited to five feet in height and twenty-four square feet in total sign area. Such signs shall be set back at least three feet from a street front property line or the special set back area established by the Salem Zoning Ordinance, whichever is greater, provided further that where adjacent property is zoned residential or commercial office, signs shall be set back at least twenty feet from the side lot line abutting a CO or residential district.

(C) **Vehicle Directional Signs.** One permanent sign to identify each motor vehicle entrance onto or exit from the premises shall be permitted, which shall be limited to thirty inches in height and four square feet in total sign area.

(D) **Electronic Display Signs.** Electronic display signs no larger than eight hundred square feet shall be permitted in the PS district within stadiums, athletic fields and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display area limitation set forth in SRC 62.090(b).

(E) Where a commercial use is permitted in a PS district, the signs allowed for such a use shall be the same as those permitted in subsection (d)(1) of this section.

(F) **Externally Illuminated and Internally Illuminated Signs.** Where adjacent property is zoned commercial or industrial, externally illuminated signs and internally illuminated signs are permitted in PC, PM and PS districts. No flashing illumination shall be permitted.

(2) **Animation.** No sign in a PC, PM, or PS district shall be mechanically or electrically animated or wind activated.

(b) Signs permitted in Public and Private Educational Services (PE) Districts.

(1) The following signs are permitted in PE districts:

(A) Wall Signs. One wall sign for each building frontage. Wall signs, which shall be limited to the greater of thirty-two square feet or two percent of the gross face area of the building frontage on which it is located.

(B) Freestanding Signs. One freestanding sign for each building frontage, which shall be limited to five feet in height and twenty-four square feet in total sign area; provided, however, that one such sign may be sixteen feet in height and thirty-two square feet in total sign area. Such signs shall be set back at least three feet from a street front property line or the special set back area established by the Salem Zoning Ordinance, whichever is greater, provided further that where adjacent property is zoned residential or commercial office, signs shall be set back at least twenty feet from the side lot line abutting a CO or residential district.

(C) Vehicle Directional Signs. One permanent sign to identify each motor vehicle entrance onto or exit from the premises shall be permitted, which shall be limited to thirty inches in height and four square feet in total sign area.

(D) Electronic Display Signs. Electronic Display signs no larger than eight hundred square feet shall be permitted in the PE district within stadiums, athletic fields and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display area limitation set forth in SRC 62.090(b).

(E) Externally Illuminated and Internally Illuminated Signs. Externally illuminated signs and internally illuminated signs are permitted in PE districts. No flashing illumination shall be permitted.

(c) Signs permitted in Public and Private Health Services (PH) Districts.

(1) The following signs are permitted in PH districts:

(A) Wall Signs. One wall sign for each building frontage. Wall signs, which shall be limited to the greater of thirty-two square feet or two percent of the gross face area of the building frontage on which it is located.

(B) Freestanding Signs. One freestanding sign for each building frontage, which shall be limited to five feet in height and twenty-four square feet in total sign area; provided, however, that one such sign may be fifteen feet in height and twenty-four square feet in total sign area. Such signs shall be set back at least three feet from a street front property line or the special set back area established by the Salem Zoning Ordinance, whichever is greater, provided further that where adjacent property is zoned residential or commercial office, signs shall be set back at least twenty feet from the side lot line abutting a CO or residential district.

(C) Vehicle Directional Signs. One permanent sign to identify each motor vehicle entrance onto or exit from the premises shall be permitted, which shall be limited to thirty inches in height and four square feet in total sign area.

(D) Electronic Display Signs. Electronic display signs no larger than eight hundred square feet shall be permitted in the PH district within stadiums,

athletic fields and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display area limitation set forth in SRC 62.090(b).

(E) Externally Illuminated and Internally Illuminated Signs. Only emergency vehicle directional signs and emergency entrances to a building in PH districts shall be externally illuminated signs or internally illuminated signs. No flashing illumination shall be permitted.

(d) Signs permitted in Public Amusement (PA) Districts.

(1) The following signs are permitted in the PA district:

(A) All signs permitted in SRC 62.502 shall be permitted in a PA district. A sign permitted by this paragraph shall not be an externally illuminated sign, an internally illuminated sign, or an electronic display sign if it is erected or maintained within three hundred feet of the boundary of the residential district.

(B) Freestanding Signs. For an office complex in a PA district, each separate occupancy may have one freestanding sign not exceeding thirty feet in height and one hundred square feet in total sign area. Each ~~such~~ sign shall be separate and not part of any other sign allowed on this property. No such freestanding sign shall be installed within one hundred feet of another freestanding sign on the same property. Where a PA district is adjacent to a residential district, no electronic display sign, externally illuminated sign or internally illuminated sign shall be installed or maintained within three hundred feet of the boundary of the residential district.

(C) Electronic Display Signs. Electronic display signs no larger than eight hundred square feet shall be permitted in the PA district within stadiums, athletic fields and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display area limitation set forth in SRC 62.090(b). (Ord No. 167-68; Ord No. 54-83; Ord. No. 44-88; Ord No. 102-88; Ord No. 51-96; Ord No. 53-2000; Ord No. 39-2003; Ord No. 4-08; Ord No. 1-09)

62.290. Limitation on Flashing Light, Animation or Rotation in Certain Areas. If the adjacent property on the same side of the street contains a residence, apartment, hospital, or home for the aged or convalescent located within a 100 foot line sight distance of the sign or there is such land use within 100 feet sight distance on the opposite side of this street or intersection, no rotating sign, no sign with rotating parts, flashing sign, or sign illuminated by flashing or intermittent light shall be permitted to be illuminated after 10:00 p.m. or before 7:00 a.m. unless the rotation is stopped and all light from such sign is steady and continuous. Such sign may be permitted to be illuminated without restriction if the residents and all the property owners within the prescribed area consent in writing to the erection and maintenance of such sign. (Ord No. 167-68)

SIGNS IN SPECIAL SETBACK AREAS

62.300. Signs in Special Setback Areas. Where any part of any sign or floodlight standard is to be erected within a special setback area established pursuant to SRC 130.180, no permit shall be issued for such sign or light standard until the person who will own the sign and the owner of the premises upon which the sign will be erected, enter into a written agreement with the City of Salem, Oregon, providing for removal of that portion of the sign in the setback area when necessary. The agreement shall provide that the sign owner and the owner of the premises, their administrators, executors, heirs, successors, and assigns shall be jointly and severally liable for removal of the sign after 60 days written notice from the building official. Such notice shall be given only when a public agency is to widen the street into the setback area. The agreement shall further provide that if the persons responsible for removal of that portion of sign in the setback area do not remove it, the City of Salem may do so at expense of such person and that the cost of expense may be a lien against such land or premise and may be collected or foreclosed in the same manner as liens entered in the docket of the city. The agreement shall also provide that the owner of the affected premises and the owner of the sign shall not be entitled to any damages or compensation on account of moving or removing of the supporting member or standard or portions thereof. This provision shall not be construed as denying the owner of such property of the right to compensation for any land taken for the widening of any street. The agreement shall be acknowledged before an officer authorized to take acknowledgments to deeds and who is to authorize the same to be of record. The city recorder shall cause such agreement to be recorded at the office of the county officer having custody of the deed records for the county in which the affected premises are located. (Ord No. 167-68; Ord No. 186-82; Ord No. 89-89)

TEMPORARY SIGNS

62.311. Temporary Signs in Residential and CO Districts. In all residentially zoned districts, the following temporary signs shall be permitted:

- (a) Lawn and rigid signs conforming to the number and area limitations specified in Appendix 6.
- (b) Apartment houses and retirement homes in an RM or RH district may use temporary banner signs limited to one sign on each frontage for each separate complex, provided such sign is located on a building. Display period is limited to 60 days and is renewable upon application for renewal and replacement of all banners not neat, clean, and in good repair. The area of such banner signs shall be limited to 50 square feet.
- (c) Properties which have received subdivision approval from the city may, from that approval until such time as a building permit is issued for the last lot or parcel to be sold, have the same square footage of temporary signage as is allowed in Commercial zones for that size of subdivision, as set forth in Appendix 6. These signs may be displayed for up to one year; this period may be extended an additional year by the building official. (Ord No. 173-71; Ord No. 146-73; Ord No. 49-81; Ord No. 54-83; Ord No. 44-88; Ord No. 92-94)

62.312. Temporary Signs in Commercial and Industrial Districts. In all commercial districts and all industrial districts, the following temporary signs shall be permitted:

- (a) Lawn and rigid signs conforming to the number and area limitations specified in Appendix 6.
- (b) Balloons. Balloons include but are not limited to helium balloons, forced air filled balloons, or any other similar device. The height which a balloon may be displayed above a roof shall not exceed 35 feet. Balloons shall be securely attached and adequately tethered by a nonmetallic cable so as to withstand a wind pressure of 30 pounds per square foot of exposed surface. The building official may require any additional information and impose any conditions where, in his opinion, such information or conditions are required to insure the safety of the public or adjacent property. Balloons shall be limited to one per business per

premise, display period shall be limited to 14 days in any six month period measured from the date of issuance of the sign permit and shall not exceed two permits in any one year.

(c) Temporary banner signs. Such signs shall be limited to one sign on each street frontage for each separate business provided such sign is located on a building. Display period is limited to 30 days and is renewable upon application for renewal and replacement of all banners not neat, clean, and in good repair but, shall not exceed four permits in any one year. The area of each such banner sign shall be limited to 50 square feet.

(d) Temporary sign displays. A temporary sign display shall not make use of propellers or similar rotating wind activated devices or fluorescent paints or dyes. Display period shall be limited to six months. (Ord No. 173-71; Ord No. 49-81; Ord No. 54-83; Ord No. 44-88; Ord No. 42-94)

SIGN REGULATION BY ZONING DISTRICTS

62.360. Signs Permitted in Residential Districts. Except as provided in SRC 62.060 and signs that are used to identify home occupations as specified under SRC 62.060(h), no sign shall be erected or maintained in residential districts except as set forth in this section:

(a) Illumination. No sign shall be illuminated internally or externally by a source connected to the sign, except that wall signs may be internally illuminated. No flashing signs shall be permitted. Sign illumination shall be directed away from and not be reflected upon adjacent premises. No sign shall be illuminated after 12:00 p.m. or before 7:00 a.m.

(b) Animation. No sign shall be mechanically or electrically animated or wind activated.

(c) Multiple frontages. Where a building fronts on two or more streets and is permitted only one permanent sign, such sign shall be located on or in front of the principal side of the building.

(d) Setbacks. No freestanding sign shall be erected or maintained within three feet of a street front lot line. Freestanding signs may be erected in special setback areas established by the Salem Zoning Ordinance as provided in SRC 62.300. Temporary signs shall be set back at least two feet from a street front line.

(e) Buildings other than dwellings. Except as otherwise provided in this section, a building housing a main use other than dwellings shall be permitted one permanent sign, which sign may be either an attached wall sign not exceeding 32 square feet in sign area or a freestanding sign not exceeding five feet in height, and 24 square feet in total sign area.

(f) Special uses. Where any of the following special uses is permitted in a residential district, a building housing such use shall be permitted either one wall sign for each facing or frontage on a street or parking lot, provided that the parking lot does not abut a residential area. Wall signs shall be limited to the greater of 32 square feet or 2 percent of the gross face area of the building face to which it is attached, or one freestanding sign limited in height to five feet and 24 square feet in total sign area:

- (1) Veterinary services for animal specialties.
- (2) Funeral services and crematories; and cemetery subdividers and developers.
- (3) Public golf courses and membership sports and recreation clubs with golf courses.
- (4) Elementary and secondary schools.
- (5) Child day care services in buildings other than dwellings.
- (6) Boat and recreational vehicles storage area.
- (7) Mixed uses buildings.

(g) RM and RH districts. In RM or RH districts, apartment houses and retirement homes may have one permanent sign in addition to the sign permitted by subsection (c) or (e) above, which sign shall be subject to the same size limitations. In any event, no more than one freestanding sign shall be allowed. In an RH district where the additional sign is an attached

wall sign, the size limitation shall be the greater of 32 square feet or two percent of the gross face area of the building face to which it is attached.

(h) For a subdivision, mobile home park or planned unit development, one permanent sign shall be permitted not exceeding 12 square feet in area and limited in height to five feet, denoting only the name of the subdivision, mobile home park, or planned development and located at the principal entrance to the premises.

(i) One permanent sign to identify each motor vehicle entrance onto or exit from the premises shall be permitted, which sign shall be limited to four square feet in area and 30 inches in height.

(j) For churches, community buildings, or institutional facilities, where a secondary use is allowed there shall be permitted one permanent sign in addition to the sign permitted by subsection (e) above; which sign may be either an attached wall sign or a freestanding sign and shall be subject to the same size limitations. Such secondary use shall include, but is not limited to, day care centers, kindergartens, and schools.

(k) For retail sales of agriculture products, on a tract of land advertising the sale of agriculture products, one permanent sign shall be permitted, which sign may be either a freestanding sign not exceeding five feet in height and 24 square feet in area, or if there is a produce sales stand on the premises, one wall sign limited to 32 square feet in area provided that no such signs shall be illuminated or electrically operated.

(l) Temporary sign as provided in section 62.311.

(m) Signs in residential zoning districts shall be constructed according to the requirements of SRC 62.130 through 62.200. Additional requirements for each class of sign are stated in SRC 62.390 through 62.450. (Ord No. 167-68; Ord No. 173-71; Ord No. 49-81; Ord No. 186-82; Ord No. 54-83; Ord No. 57-87; Ord No. 18-94)

62.372. Signs Permitted in Commercial Neighborhood (CN) Districts. All signs permitted in residential zoning districts as set forth in SRC 62.360 shall be permitted in the CN district, except those permitted in SRC 62.360(e). In addition:

(a) For individual businesses in a commercial neighborhood (CN) district, one wall sign for each facing or frontage on a street or parking lot, provided that the parking lot does not abut a residential area. Wall signs shall be limited to the greater of 32 square feet or 2 percent of the gross face area of the building face to which it is attached.

(b) One freestanding sign shall be allowed limited in height to five feet and 24 square feet in total sign area. Such signs shall be setback at least five feet from a street front property line, provided further that where adjacent property is zoned residential or CO, signs shall be setback at least 20 feet from the side lot line. Where a dwelling is located within 100 feet, measured down center of the street on the same side of the street, written consent of the owner of the dwelling shall be obtained for the erection of such freestanding sign.

(c) For office complexes and business complexes in a commercial neighborhood (CN) district, each tenant or occupant in a complex shall be permitted one permanent attached sign limited in sign area to 24 square feet. In addition, the complex shall be allowed one freestanding sign as permitted in SRC 62.372(b).

(d) The illumination of signs in a CN district is regulated as follows:

(1) Wall signs may be internally illuminated provided such illumination is directed away from and not reflected upon adjacent premises.

(2) Freestanding signs may be internally illuminated provided that if the adjacent property on the same side of the street contains a residence, apartment, hospital, or home for the aged or convalescent located within 100 foot line sight distance of the sign or there is such land use within 100 feet sight distance on the opposite side of the street or intersection, no such sign shall be permitted to be illuminated after 10:00 p.m. or before 7:00 a.m.

(e) A building directory wall sign shall be permitted where a freestanding sign is used on the same frontage. Said sign shall be limited to one square foot per occupant giving the name, room number, or location of the occupants of the building.

(f) Signs in a CN district shall be constructed according to the requirements of SRC 62.130 through 62.200. Additional requirements for each class of sign are stated in SRC 62.390 through SRC 62.450. (Ord No. 54-83)

62.375. Conditional Uses.

(a) **Procedures.** Applications for conditional use permits for electronic display signs shall be processed according to the following procedure:

(1) Requests for conditional use shall be filed with the Director, on a form provided by the Director, and accompanied by a fee as approved by the City Council. The request shall include the information required for a sign permit, as specified in SRC 62.030(c), the scope of the conditional use sought by the applicant, and a statement as to why the request satisfies the approval criteria.

(2) The Hearings Officer shall conduct a public hearing on the request for conditional use. The Director shall give written notice of the hearing by mail to owners of property located within two hundred and fifty feet of the lot or parcel upon which the sign will be located, as shown upon the latest assessment role of the county assessor and each affected neighborhood organization. Failure of a person to receive the notice specified in this section shall not invalidate any proceeding in connection with the application for a conditional use.

(3) The Hearings Officer shall approve, approve with conditions, or deny the conditional use, based upon the evidence introduced at the hearing. The Hearings Officer may impose such conditions as the Hearings Officer deems necessary to mitigate any adverse impacts which may result from approving the conditional use. The hearing shall be conducted under the procedures used for a quasi-judicial land use hearing.

(4) The Hearings Officer shall issue a decision in writing explaining the reasons why the conditional use was approved or denied. Notice of the decision shall be provided to the applicant by personal delivery or by first class mail mailed to the address of the applicant as set forth on the application. Notice of the decision shall be provided to any person who appeared before the Hearings Officer, in person or by written testimony, by personal delivery or by first class mail mailed to the address provided by the person to the Hearings Officer. Unless City Council review is initiated pursuant to SRC 62.600(b), the decision of the Hearings Officer shall be final.

(b) **Decision Criteria.** The following criteria shall be used to review and decide conditional use permit applications for electronic message signs:

(1) The proposed sign, as conditioned, will not create or significantly increase street level sign clutter;

(2) The proposed sign, as conditioned, will not adversely impact the neat, clean, orderly, and attractive appearance of the surrounding area to a significant degree;

(3) The proposed sign will not present a traffic or safety hazard; and

(4) The proposed sign will comply with all other regulations, including, but not limited to sign height and placement restrictions. (Ord No. 1-09)

62.380. Signs Permitted in Commercial Office (CO) Districts. All signs permitted in residential districts as set forth in SRC 62.360 shall be permitted in a CO district, except those permitted in SRC 62.360(e). In addition:

(a) Directional signs may be internally illuminated;

(b) One attached wall sign for each facing or frontage on a designated arterial or designated collector street or parking lot is allowed for each individual business, provided that the parking lot does not abut a residential area. Wall signs shall be limited in sign area to the greater of 32 square feet or 2 percent of the gross face area of the building face to which it is attached.

(c) One freestanding sign shall be allowed which may be internally or externally illuminated, limited in height to 15 feet, 24 square feet in sign area, with a vertical sign measurement not exceeding four feet and a horizontal measurement not exceeding six feet, provided the premises is bordered on one side by a commercial or industrial district, except a CO district. When not bordered on one side by a commercial or industrial district, except a CO district, the sign shall be limited to a height of five feet and 24 square feet in total sign area. Such signs shall be set back at least three feet from a street front property line, provided further, that where adjacent property is zoned residential or commercial office, signs shall set back at least 20 feet from the side lot line. Where a dwelling is located within 100 feet, measured down center of the street, on the same side of the street, written consent of the owner of the dwelling shall be obtained for the erection of such freestanding signs.

(d) A building directory wall sign shall be permitted where a freestanding sign is used on the same frontage, said sign limited to one square foot per occupant giving the name, room number, or location of the occupants of the building.

(e) Each tenant or occupant in an office complex shall be permitted one permanent attached wall sign limited in sign area to 24 square feet. In addition, the complex shall be allowed one freestanding sign as permitted in SRC 62.380(c).

(f) Signs in a commercial office (CO) district shall be constructed according to the requirements of SRC 62.130 through 62.200. Additional requirements for each class of signs are stated in SRC 62.390 through 62.450. (Ord No. 167-68; Ord No. 173-71; Ord No. 54-83)

62.385. Sign Regulation for Commercial and Industrial Districts. Except in CO and CN districts, signs in all commercial and industrial districts shall be governed by SRC 62.390 to 62.520. (Ord No. 173-71; Ord No. 54-83)

62.386. Signs Permitted in Industrial Business Campus (IBC) Districts. In addition to other regulations applicable to such signs, the following limitations apply to flexible space use (SRC 156.040) signage.

(a) Two signs per business shall be permitted on a building; one such sign, not greater than six feet in area, for each business on the glass frontage, and a second wall or parapet sign, not greater than fifteen square feet in area, for each business.

(b) One free standing building directory sign per street frontage shall be permitted with each tenant limited to one square foot of area; such sign shall be located within seventy-five feet of both a flexible space building and the principal entry drive to the area. (Ord No. 62-95)

62.387. Signs Permitted in Overlay Districts. In addition to other regulations applicable to such signs, the following limitations apply in the Commercial/Rural Urban Development Overlay Zone and the Saginaw Street Urban Development Overlay Zone described in SRC Chapters 142 and 143 and depicted on the official zoning map.

(a) Commercial/Rural Urban Development Overlay Zone

(1) Area I.

(A) Freestanding signs shall be limited to a size of three feet by five feet not to exceed five feet in height. Signs shall not cause glare to adjacent residential properties and may be internally or externally illuminated.

(B) The face of wall signs shall not be located so as to be visible from the residential areas to the west.

- (2) Area II.
 - (A) Freestanding signs shall be limited to a size of three feet by five feet not to exceed five feet in height. Signs shall not cause glare to adjacent residential properties and may be internally or externally illuminated.
 - (B) The face of wall signs shall not be located so as to be visible from the residential areas to the east.
- (3) Areas III and IV
 - (A) The face of wall signs shall not be located so as to be visible from the residential areas to the east.
 - (B) Free standing signs on the Commercial Street frontage shall not cause glare to adjacent residential uses.
 - (C) Saginaw Street Urban Development Overlay Zone
 - (i) No signs shall be permitted along the Saginaw Street frontage. (Ord No. 62-95)

62.388. Sign Regulations for Interchange Quadrant Overlay Zones. In addition to other regulations applicable to signs within this Chapter, the following limitations apply within the Chemawa/I-5 North East Quadrant Gateway Overlay Zone, SRC Chapter 136, and as depicted on the official zoning map:

- (a) Outdoor advertising signs are prohibited.
- (b) Signs are not permitted within the district perimeter setback.
- (c) Freestanding signs:
 - (1) Are allowed outside of the district perimeter setback area provided the signs are not visible from Interstate-5.
 - (2) Are limited to a maximum height of ten (10) feet.
 - (3) Must be ground mounted. The signs may be mounted on a landscaped berm no higher than four (4) feet in height for a maximum sign height of fourteen (14) feet above grade.
- (d) Wall and parapet signs are allowed in accordance with SRC Chapter 62. Such signs visible from the district perimeter are limited to no more than one-hundred-fifty (150) square feet or ten (10) percent of the area of the wall the sign is attached to, whichever is less.
- (e) Temporary signs, balloons, banners, or signs displays are prohibited except in interior district areas which are not visible from the boundary of the district.
- (f) Directional signs are allowed in accordance with SRC Chapter 62 and this section. (Ord No. 3-97)

62.389. Sign Regulations for Riverfront and Broadway/ High Street Overlay Zones. In addition to other regulations applicable to signs within this Chapter, the following limitations apply within the Riverfront and the Broadway/High Street Overlay Zones.

- (a) Riverfront Overlay Zone.
 - (1) Signs permitted within the underlying zone are allowed in the overlay zone pursuant to SRC Chapter 62 except:
 - (A) Outdoor advertising signs are prohibited.
 - (B) Illuminated signs are prohibited on the riverfront side of structures.
 - (2) Freestanding signs shall be restricted to five feet in height and 24 square feet of total sign area. Freestanding signs shall be set back at least five feet from a street property line.
 - (3) Wall signs shall be limited to a greater of 32 square feet or 2 percent of gross face area of the building to which it is attached. A maximum of one wall sign per street or parking lot frontage is permitted. Wall signs along a parking lot frontage shall be

limited to 24 square feet in total sign area.

(4) Signs along the public right-of-way shall be designed in accordance with a master plan for the Riverfront District.

(b) Broadway/High Street Overlay Zone.

(1) Signs permitted within the underlying zone are allowed in the overlay zone pursuant

to SRC Chapter 62 except:

(A) Outdoor advertising signs.

(B) Trailer reader boards.

(C) Roof mounted signs.

(D) Sign towers.

(2) Freestanding signs shall be limited to five feet in height and 24 square feet of total sign area. Freestanding signs shall be setback at least five feet from the public right-of-way.

(3) Wall signs shall be limited to a greater of 32 square feet or 2 percent of gross face area of the building to which it is attached. A maximum of one wall sign per street or parking lot frontage is permitted. Wall signs along a parking lot frontage shall be limited to 24 square feet in total sign area.

(4) Signs along the Broadway/High Street public right-of-way shall be designed in accordance with a streetscape program for Broadway and High Streets. (Ord No. 85-98)

62.389a. Sign Regulations for Portland/Fairgrounds Road Overlay Zone. In addition to other regulations applicable to signs in this Chapter, the following limitations apply within the Portland/Fairgrounds Road Overlay Zone.

(a) Freestanding signs shall be restricted to a maximum of ten feet in height above grade, which includes structural, framing, and design elements attached to, or supporting the sign. Total sign area is limited to 40 square feet in area.

(b) Secondary signs shall be limited to 32 square feet or 2 percent of gross face area of the wall to which it is attached, whichever is less. If a business has no freestanding sign, then one sign can be up to 40 square feet in area, and considered the principal sign as defined in SRC 62.050 (13).

(c) Roof signs may not exceed 40 square feet in area if a principal sign, or 32 square feet in area as a secondary sign.

(d) Sign towers are allowed provided the sign and supporting structure does not exceed ten feet above the roof line.

(e) SIGNS FOR BUSINESS OUTSIDE INTEGRATED SHOPPING CENTERS OR BUSINESS COMPLEXES:

(1) One principal and one secondary sign is allowed per business. If the business is located on two or more street frontages, one additional secondary sign limited to 32 square feet in area is allowed for the second street frontage.

(2) If the total sign area of all principal and secondary signs is less than the total sign area allowed for the business, then the area of the signs may be increased up to 15 percent. The maximum allowed area for a principal sign is 46 square feet and a secondary sign is 36.8 square feet.

(f) SIGNS FOR INTEGRATED SHOPPING CENTERS AND BUSINESS COMPLEXES:

(1) Each business complex or integrated shopping center shall have a maximum of one principal sign unless the business complex or integrated shopping center is located on two or more street frontages. One additional 40 square foot sign for the second street frontage is permitted.

- (2) Each individual business in an integrated shopping center or business complex is allowed one sign per business with a maximum sign area of 32 square feet.
- (3) Within integrated shopping centers and business complexes principal signs may not exceed 40 square feet in area unless street frontage of a business complex or integrated shopping center exceed 100 feet in length. Where the street frontage for an integrated shopping center or business complex exceeds 100 feet in length, the principal sign area may be increased one square foot for every five feet of street frontage over 100 feet. Such principal signs shall not exceed 80 square feet in area. (Ord No. 63-2001)

62.389b. Sign Regulations for Edgewater Street/Wallace Road Area Overlay Zone. In addition to other regulations applicable to signs within this Chapter, the following limitations apply within the Edgewater Street/Wallace Road Area Overlay Zone:

- (a) AREA 1 - (Wallace Road Corridor) Freestanding signs shall be limited to 10 feet in height above grade, including structural, framing and design elements attached to or supporting the sign. Total sign Area is limited to 40 square feet in area. Outdoor advertising signs as defined in SRC 62.050 are prohibited.
- (b) AREA 2 - (West Salem Gateway) Outdoor advertising signs as defined in SRC 62.050 are prohibited.
- (c) AREA 3 - (West Salem General Industrial Area) Outdoor advertising signs as defined in SRC 62.050 are prohibited.
- (d) AREA 5 - (Edgewater Street Corridor) (1) Within Area 5, freestanding signs shall be limited to 10 feet in height above grade which includes structural, framing and design elements attached to or supporting the sign. Total sign area is limited to 40 square feet in area. Outdoor advertising signs as defined in SRC 62.050 are prohibited. (Ord No. 69-2002)

62.389c. Sign Regulations for South Gateway Overlay Zone. In addition to other regulations applicable to signs within this Chapter, the following limitations apply within the South Gateway Overlay Zone:

- (a) Signs permitted within the underlying zone are allowed in the overlay zone pursuant to SRC Chapter 62, except:
 - (1) Outdoor advertising signs, as defined under SRC 62.050;
 - (2) Trailer reader boards; and
 - (3) Rotating, moving, flashing, changing or blinking signs. (Ord No. 89-2002)

62.389d. Sign Regulations for Historic Overlay Zones. In addition to other regulations applicable to signs within this Chapter, signs in historic overlay zones shall be designed and approved in accordance with SRC Chapter 120A and the Development Design Handbook. (Ord No. 39-2003)

SIGN REGULATION BY CLASS OF SIGNS

62.390. Projecting Signs. Signs shall be permitted to project over public property or into any area required by any provisions of this Code to be landscaped if it meets all of the following requirements:

- (a) It is attached to the face of a building where the building face is located within five feet of the property line abutting a street on a designated collector or arterial street.

For an individual business outside of an integrated shopping center or business complex as defined in section 62.503 of this Code, and where the face of a building is located more than five feet from the property line abutting a street on a designated collector or arterial street, a projecting sign may be erected as a principal sign and shall otherwise comply with applicable requirements of this section. Maximum projection of a sign shall be limited to four feet six inches provided, however, that where you have a projecting sign located on a corner

approximately equi-distant from the two building faces serving two street frontages, the maximum projection is five feet six inches.

- (b) The same business firm is not identified by another principal sign on the same street frontage.
- (c) No external cross braces, guy wires, trusses, or similar bracing systems shall be used in constructing projecting signs.
- (d) The inner edge of a projecting sign shall not be more than six inches from the face of the building to which it is attached. When measuring the overall projection of a projecting sign, it shall be measured from the wall to which it is attached.
- (e) Projecting signs shall not project more than three feet above the roof line at the wall or top of the parapet wall, whichever is higher.
- (f) Projecting signs shall conform to all provisions of this section which are designed to eliminate blanketing, to provide safe minimum clearance and to protect the appearance of and along public sidewalks and streets. A minimum of ten feet clearance shall be required from the bottom edge of all projecting signs to the grade below. In addition to all other limitations, the outer edge of all projecting signs shall be set back a minimum of two feet from the curb line.
- (g) Where signs are permitted to project in the CB district, no permitted sign shall project beyond a street frontage property line a distance in excess of the following:
 - (1) Except as provided in paragraphs (2) and (3) of this subsection, five feet for signs lawfully erected and maintained prior to the effective date of this Chapter.
 - (2) Except as provided in paragraph (3) of this subsection, four feet six inches for signs for which permits are issued after the effective date of this Chapter.
 - (3) For signs erected on a building that is located on a corner where the angle between either face of the sign and either principal face of the building is equal, five feet six inches.
- (h) The vertical height of a projecting sign which projects beyond three feet six inches from the face of a building to which it is attached is limited to three feet at ten feet clearance. An additional four inches of sign height is allowed for each additional foot of clearance above ten feet up to a maximum sign height of five feet. The vertical height of a projecting sign which projects three feet six inches or less from the face of a building to which it is attached is not limited, except that it shall not project more than three feet above the roof line at the wall, or top of the parapet wall, whichever is higher.
- (i) Spacing between the first erected and any later erected projecting sign, measured opposite the traffic direction in the nearest adjacent traffic lane, shall either be:
 - (1) Six feet between the signs for each foot of projection of the later erected sign; or
 - (2) Eight feet between signs for each foot of reduction in height above the grade of the bottom of the later erected sign below the level of the top of the first erected sign, as measured using the grade below the first erected sign.
- (j) Except as provided in this subsection, no projecting sign shall be supported by a frame, commonly known as an "A" frame, or other visible frame located on the roof of a building. Where the building official finds that such a frame is required for safe erection and maintenance of a projecting sign and that there is no other safe and feasible method of supporting such sign and further finds that such sign is of reasonable size and conforms to all the requirements of this Chapter and other applicable provisions of this Code, the building official may permit the use of such frame. (Ord No. 167-68; Ord No. 173-71; Ord No. 82-75; Ord No. 49-81; Ord No. 54-83)

62.400. Wall Signs and Attached Signs.

- (a) Wall signs may not project more than 18 inches from the wall to which they are attached. Wall signs located on an alley frontage may not project from the face of the building below a

clearance of 14 feet from the sign to the grade below and are further limited to a maximum projection of 12 inches. Work platforms for the maintenance or service of such signs may project up to four feet beyond the property line provided that a minimum clearance of 14 feet is maintained below the platform.

(b) Wall signs may project above the higher of the eave line, roof line at the wall, or top of the parapet wall a distance equal to the lesser of one-third of the height of the sign or three feet.

(c) The supporting structure for any wall sign which projects above the wall, eave line, or top of the parapet wall shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property.

(d) No external braces, guy wires, "A" frames, or similar bracing systems shall be used in constructing wall signs.

(e) Wall signs attached to the end or face of a marquee may have a height of 30 inches. The lower edge of such sign shall not extend below the marquee.

(f) Wall signs on Mansard roofs of 30 degrees or less may be installed vertically if solid background is used. (Ord No. 167-68; Ord No. 173-71; Ord No. 49-81; Ord No. 54-83)

62.410. Freestanding Signs.

(a) Setbacks. No freestanding sign shall be erected or maintained within three feet of a street front property line, or within five feet of a side lot line.

(b) Except as provided in this subsection, no freestanding sign shall project or extend into any vision clearance area prescribed by any provisions of this Code. One or two sign poles supporting a freestanding sign may be located within the vision clearance area if they are necessary for the support of the sign, if they do not exceed a combined total width of 12 inches and if no other portion of the sign proper is located within the vision clearance area between two feet and seven feet overgrade.

(c) A freestanding sign shall be directly supported by poles or foundation supports in or upon the ground. Except for catwalks, walkways, or working platforms, no external cross braces, guy wires, "T" frames, "A" frames, "trusses," or similar bracing systems shall be used in constructing freestanding signs. Nothing in this subsection prohibits the use of standardized outdoor advertising structures and stringers customarily used for the support of sections of the display surface or surfaces thereof.

(d) A corner lot with two intersecting frontages shall be limited to one freestanding principal sign which may be located on the principal frontage or at the intersecting corner.

(e) On an interior lot only one freestanding principal sign is allowed per frontage for a single business.

(f) The lower most point of electric freestanding signs outline lighting enclosures and non-illuminated signs shall not be less than 16 feet above the grade below in areas accessible to vehicles; provided, however, the lowest most point of such signs may be less than 16 feet above the grade below, provided that such signs are protected from physical damage by the installation of bumper poles or ground protection. (Ord No. 191-70; Ord No. 82-75; Ord No. 54-83; Ord No. 44-88; Ord No. 35-06)

62.420. Roof Signs and Canopy Signs.

(a) The supporting structure of a roof sign or combination sign that is part roof sign shall be completely enclosed except for vertical poles. No "A" frame structures, guy wires, open framework, or similar structure shall be visible from any public street, alley, or adjacent property. All roof signs and combination signs that are part roof signs shall have complete background or a complete background for each letter, symbol, or design module.

(b) For the purpose of providing fire fighting access, roof signs, or combination signs that are part roof signs shall conform to the following:

- (1) Length shall be limited to 50 percent of the length of the nearest parallel wall on buildings under 50 feet in length and the greater of 25 feet and 25 percent of the wall length of the parallel adjacent wall on buildings over 50 feet in length.
 - (2) A roof sign shall be set back three feet from a parallel parapet wall.
 - (3) A roof sign shall be set back three feet from an end wall.
 - (4) There shall be a minimum clearance of three feet between the bottom of a roof sign and the top of a parallel parapet wall.
 - (5) If peak roof signs are used, there shall be one and one-half feet clearance between the bottom of the sign and the roof for ladder hook room.
 - (6) Where clearance is required beneath a roof sign, a minimum of 50 percent of the area beneath the roof sign shall be and remain open.
- (c) Roof signs shall not exceed a height of four feet above the roof of a canopy or marquee. This subsection shall not apply to a freestanding sign which pierces the roof of a canopy and which receives its support from a freestanding structure.
- (d) The maximum height of a roof sign or a combination sign that is part roof sign above a flat roof shall not exceed the following limits:
- (1) Building height of 15 feet or less, six feet.
 - (2) Building height of 15 or 20 feet, seven feet.
 - (3) Building height over 20 feet, eight feet.
- (e) The height of a roof sign or combination sign that is part roof sign above a gable, hip, or pitched roof is limited to 50 percent of the vertical height of the roof measured from the lower edge to the peak where the roof is less than eight feet in height. For roofs of greater height, the sign is limited to the greater of four feet or 25 percent of the vertical height of the roof. Roof height shall be measured vertically and not along the plane of the roof. The lower edge of the roof sign or combination sign must be within two feet of and parallel to the eave or of the plane of the wall or of supporting columns on an overhanging roof.
- (f) Signs located on the faces of a canopy shall be regulated as wall signs. (Ord No. 167-68; Ord No. 56-69; Ord No. 49-81; Ord No. 35-06)

62.430. Under Marquee Signs. Signs may be located under a marquee if a vertical clearance of seven feet, six inches is maintained between the sign and the grade below. No supporting member of any sign suspended under a marquee shall pierce or extend through the marquee. Under the marquee signs shall be limited to a maximum area of six square feet. (Ord No. 167-68; Ord No.173-71; Ord No. 49-81)

62.440. Wall Facades for Signs.

- (a) Except as provided in subsection (b) of this section, wall facades for signs may extend the full length of the wall to which they are attached but shall not exceed a height above the roof line of the wall or the top of the parapet greater than one-third of the height of the building where the building is less than fifteen feet in height or six feet where the building is over fifteen feet in height.
- (b) If a wall facade for signs extends the full length of the wall, the maximum height of the wall facade shall not exceed four feet measured from the roof line directly behind the wall to the top of the wall facade. If it is less than full length, there shall be a five-foot clearance at the end of a wall and such facade shall conform to SRC Chapter 56.
- (c) The supporting structure for any wall facade for signs shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property. (Ord No. 167-68; Ord No. 4-08)

62.450. Sign Towers.

- (a) Sign towers shall be governed as to materials and construction by the SRC Chapter 56 standards for buildings as applicable.
- (b) Width. The horizontal dimension of a sign tower measured parallel to the front or street-facing wall of the building on which the sign tower is erected shall not exceed:
 - (1) Twenty percent of the length of the wall if the sign does not project from the wall a greater distance than the horizontal dimension parallel to the wall of the building.
 - (2) Four feet if the sign tower projects from the wall a distance greater than the horizontal dimension parallel to the wall.
 - (3) Four feet if the sign tower is erected in the form of a fin on the roof of a building and is located generally perpendicular to the front or street facing wall of the building.
 - (4) Four feet for a combination sign tower which embodies elements of both sign towers described in paragraph (b) and (c) of this section.
- (c) Height. The height of a sign tower measured above a flat roof or the eave line on a pitched, hip, or gabled roof, shall not exceed the following:
 - (1) For buildings under fifteen feet, six feet.
 - (2) For buildings between fifteen and twenty-five feet in height, the greater of nine feet or forty percent of the height of the building.
 - (3) For buildings over twenty-five feet in height, the greater of twelve feet, six inches or thirty percent of the height of the building.
- (d) Sign towers shall be used only for on-premise signs.
- (e) Sign towers shall not project over public property or into any area required by any provisions of this Code to be landscaped or over a setback line.
- (f) Sign towers shall be located only in areas zoned for commercial or industrial use, but shall not be located in a commercial office district.
- (g) Sign towers shall conform to the same clearance and fire access requirements as a roof sign under SRC 62.420.
- (h) The supporting structure for any sign tower shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property. (Ord No.167-68; Ord No. 173-71)

SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

62.500. Signs Permitted in Commercial and Industrial Districts. Except as provided in SRC 62.060, no sign shall be permitted in a commercial or industrial district exclusive of the CO or CN district except as set forth in SRC 62.501 to 62.520. (Ord No. 167-68; Ord No. 56-69; Ord No. 173-71; Ord No. 54-83)

62.501. General Requirements.

- (a) Height. A sign tower or wall facade for signs shall comply with the applicable provisions of the Salem Zoning Ordinance regulating building and structure heights.
- (b) A principal freestanding sign or projecting sign erected on a corner lot and designed to be read from two or more intersecting streets shall be deemed to be the principal sign for each street frontage. For freestanding signs area and height shall be limited by the longest of the street frontages. (Ord No. 173-71; Ord No. 54-83)

62.502. Permanent Signs for Business. Unless the business is located in a shopping center or office complex, a business may have the following signs:

- (a) One wall sign or one freestanding sign for each street frontage.
 - (1) **Wall Signs.** Where the sign is a wall sign, sign area shall be a maximum of 125 square feet; provided, however, this sign area may be increased by adding sign area authorized under subsection (b) of this section to the wall sign. Notwithstanding any

sign area authorized by this subsection (a)(1), any wall sign that is located on the face or end of a marquee shall be limited in height to thirty inches and shall not extend below the lower edge of the marquee.

(2) Freestanding Signs. Where the sign is a freestanding sign, the sign shall be limited in area to one square foot per lineal foot of street frontage up to the first 100 square feet of sign area plus an additional one-quarter square foot of sign area for each additional one foot of street frontage over 100 feet with a maximum limit of 150 square feet of sign area. Freestanding sign height is limited to twenty feet for up to the first 100 feet of street frontage plus an additional one foot in height for each twenty feet of street frontage over 100 feet with a maximum height of thirty feet.

(b) In addition to the sign allowed under subsection (a)(1) of this section, any number of additional wall signs are allowed on each building; provided, however, that the total sign area of all signs allowed under this paragraph shall not exceed the maximum total sign area set forth in Appendix No. 3; and further provided that no single sign allowed under this paragraph shall exceed one-half the sign area of a wall sign erected pursuant to subsection (a)(1) of this section, with a maximum sign area not to exceed 100 square feet. Signs authorized by this subsection located on a wall facing frontage side lot line shall not be allowed unless it is necessary to go onto the adjacent lot to service the sign unless written consent of the adjacent property owner has first been obtained. Where located on the faces or ends of a marquee, the sign is limited to thirty inches in height and shall not extend below the lower edge of a marquee.

(c) In addition to the sign allowed under subsection (a)(1) of this section, one under marquee sign per building frontage.

(d) In addition to the sign allowed under subsection (a)(1) of this section, one wall sign located on the wall abutting an alley adjacent to the building in which the business is located, which shall not exceed six square feet in sign area.

(e) In addition to the sign allowed under subsection (a)(1) of this section, one freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises, which shall not exceed eight square feet in sign area and four feet in height.

(f) In addition to the sign allowed under subsection (a)(1) of this section, for a motor vehicle service entrance onto the premises, one freestanding sign of twenty-two square feet in area and a height of fifteen feet, or one wall sign of eight square feet, provided that a freestanding sign located on the front ten feet of property adjacent to a street shall be limited in height to three feet. (Ord No. 173-71; Ord No. 82-75; Ord No. 49-81; Ord No. 54-83; Ord No. 44-88; Ord No. 1-09)

62.503. Permanent Signs for Shopping Centers. Signs permitted by this section shall be the only permanent signs permitted for shopping centers and for individual businesses located within shopping centers.

(a) A shopping center is allowed the following signs:

(1) One freestanding sign for each street frontage on a designated arterial or designated collector; provided, however, if the shopping center is located on a corner lot with two such intersecting street frontages, only one freestanding sign shall be allowed, which may be located on the principal street frontage or at the corner of the intersection of the street frontages.

(A) Height. Sign height shall be limited to twenty feet for the first 100 feet of street frontage, plus an additional one foot for each twenty feet of street frontage over 100 feet, up to a maximum height of thirty-five feet.

(B) Area. Sign area shall be limited to one square foot per lineal foot of street frontage for the first 100 square feet of street frontage, plus one-quarter

additional square foot for each additional foot of street frontage over 100 feet, up to a maximum sign area limit of 250 square feet.

(2) In addition to the sign allowed under subsection (a)(1) of this section, one freestanding or one wall sign to identify each motor vehicle access to the premises which shall be limited to eight square feet and a height of four feet.

(3) In addition to the sign allowed under subsection (1) of this section, one wall sign to be used as a building directory. The square footage of the sign shall be based on the total number of occupants in the shopping center, but shall be limited to one square foot per occupant.

(4) In addition to the sign allowed under subsection (a)(1)(A) of this section, if one or more of the street frontages of the shopping center exceeds 300 feet, the shopping center may have one additional freestanding sign on each street frontage exceeding such length, which shall be limited to twenty feet in height and fifty square feet in sign area. If two free standing signs are located on the same street frontage, there shall be a minimum distance of 100 feet between such signs.

(b) Individual businesses in a shopping center shall be allowed the following signs:

(1) One wall sign or one roof sign for each building frontage; provided, however, that no such sign shall be allowed on a building frontage facing a parking lot where the sign would be directed towards a residential area. Sign area shall be limited as specified in Appendix 2 of this Chapter.

(2) In addition to the sign allowed under subsection (b)(1) of this section, one wall sign on each building frontage; provided, however, that no sign shall be allowed on a building frontage facing a parking lot where the sign would be directed towards a residential area. The wall sign shall be no greater than eight square feet in total sign area; provided, however, the sign area may be increased by forgoing part of the sign area authorized under subsection (b)(1) of this section, and adding such sign area to the wall sign.

(3) In addition to the sign allowed under subsection (b)(1) of this section, one under marquee sign for each building frontage, provided, however, that no sign shall be allowed on a building frontage facing a parking lot where the sign, if installed, would be directed towards a residential area.

(4) In addition to the sign allowed under subsection (b)(1) of this section, one free standing sign or one wall sign, not to exceed twenty-four square feet, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle.

(5) If the individual business does not have building frontage, the principal occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's sign area allowed under subsection (b)(1) of this section, for use by such interior business for a wall sign. (Ord No. 167-68; Ord No. 162-69; Ord No. 173-71; Ord No. 82-75; Ord No. 49-81; Ord No. 54-83; Ord No. 44-88; Ord No. 1-09)

62.504. Permanent Signs for Office Complexes. Signs permitted by this section shall be the only permanent signs permitted for an office complex and for individual businesses located within the office complex.

(a) An office complex is allowed the following signs:

(1) One freestanding sign shall be allowed for each street frontage on a designated arterial or designated collector; provided, however, if the office complex is located on a corner lot with two intersecting street frontages, only one freestanding sign shall

be allowed, which may be located on the principal street frontage or at the corner of the intersection street frontages.

(A) Height. Sign height shall be limited to twenty feet for the first 100 feet of street frontage, plus an additional one foot for each twenty feet of street frontage over 100 feet, up to a maximum height of thirty feet.

(B) Area. Sign area shall be limited to one square foot per lineal foot of street frontage for the first 100 feet of street frontage, one quarter additional square foot for each foot of street frontage over 100 feet, up to a maximum sign area limit of 150 square feet.

(2) In lieu of the freestanding sign under subsection (a)(1) of this section, the office complex may have a wall sign for each street frontage on a designated arterial or designated collector, which shall be limited to a maximum sign area of 125 square feet; provided, however, if the wall sign is located on the face or end of a marquee, the wall sign shall be limited to thirty inches in height and shall not extend below the lower edge of the marquee.

(3) In addition to the sign allowed under subsection (a)(1) of this section, if one or more of the street frontages of the office complex exceeds 300 feet, the office complex may have one freestanding sign on each street frontage exceeding such length, which shall be limited to twenty feet in height and fifty square feet in sign area. If two free standing signs are located on the same street frontage, there shall be a minimum distance of 100 feet between such signs.

(b) Individual businesses in an office complex shall be allowed the following signs:

(1) One wall sign or one roof sign for each building frontage; provided, however, that no sign shall be allowed on a building frontage facing a parking lot if the sign would be directed towards a residential area. Sign area shall be limited as specified in Appendix 2 of this Chapter.

(2) In addition to the sign allowed under subsection (b)(1) of this section, one wall sign on each building frontage; provided, however, that no sign shall be allowed on a building frontage facing a parking lot where the sign, if installed, would be directed towards a residential area. The wall sign shall be no greater than eight square feet in total sign area.

(3) In addition to the sign allowed under subsection (b)(1) of this section, one under marquee sign for each building frontage; provided, however, that no sign shall be allowed on a building frontage facing a parking lot where the sign, if installed, would be directed towards a residential area.

(4) In addition to the sign allowed under subsection (b)(1) of this section, one free standing sign or one wall sign, not to exceed twenty-four square feet, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle.

(5) If the individual business does not have building frontage, the principal occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's sign area allowed under subsection (b)(1) of this section, for use by such business for a wall sign. (Ord No. 1-09)

62.505. Land Divisions. Within thirty days of a subdivision or partition of property, signs shall be reduced in size to conform to the applicable provisions of this Chapter; provided, however, no such reduction shall be required if the land division is for property that is used as a shopping center or office complex, and the shopping center or office complex continues to be managed as a unit. (Ord No. 1-09)

62.506. Signs for Individual Businesses in the Market Street Interchange. Where a business catering to the motoring public traveling on the Interstate Freeway 5 is located in the Market Street Interchange and outside of an integrated shopping center, such business may have one freestanding sign limited to a maximum height of 50 feet and a maximum clearance between the bottom of the sign and the grade below of 30 feet. Maximum sign area is limited to 250 square feet. If such sign is erected, it shall be in lieu of and not in addition to the principal sign permitted by SRC 62.500 for such business along the street frontage on which it is located. For purposes of this section, "businesses catering to motoring public" shall be limited to service stations, restaurants, motels, hotels, and trailer camps. (Ord No. 167-68; Ord No. 82-75; Ord No. 54-83; Ord No. 1-09)

ADVERTISING SIGNS

62.507. Construction Requirements for Outdoor Advertising Signs. Outdoor advertising signs shall have all metal structures; provided, however, that the display surface or display surfaces and the stringers used for the support of the display surfaces may be of other materials. In all other respects, construction and maintenance of outdoor advertising signs shall conform to the requirements of this Chapter. (Ord No. 56-69; Ord No. 54-83)

62.508. Prohibited Outdoor Advertising Signs. No outdoor advertising sign:

- (a) Shall be located with any Urban Renewal Project Area.
- (b) Shall be located within the Willamette Greenway boundary established by SRC 141.040.
- (c) Shall be located on the roof of any building or structure.
- (d) Shall be erected or maintained in a vision clearance area established by this code or within three feet of a street front property line, or within the special setback area established by the Salem Zoning Ordinance whichever is greater, except as provided in SRC 62.5191.
- (e) Shall project over public property.
- (f) Shall be animated or rotate nor shall any animated or rotating parts be used; provided, however, that animated devices giving only the time or temperature are permitted.
- (g) Shall be erected within 200 feet of the Civic Center which area is bounded by Trade Street on the north, Liberty Street on the east, Leslie Street on the south and Commercial Street on the west.
- (h) Shall be erected within 200 feet of the Capital Mall as that area is defined in ORS 276.010.
- (i) Shall be located in a residential, commercial office, commercial neighborhood, or public zoning district, as those districts are designated in the Salem Zoning Ordinance.
- (j) Shall be erected or maintained within five feet of a side lot line. (Ord No. 56-69; Ord No. 108-75; Ord No. 54-83; Ord No. 35-06)

62.509. Back-To-Back and Double Faced Outdoor Advertising Signs. Outdoor advertising signs with display surfaces placed back-to-back on the same structure and in a parallel plane are permitted. Multiple display surfaces are permitted on the same sign structure facing in the same direction provided that no such display surface exceeds 200 square feet in sign area. (Ord No. 56-69; Ord No. 54-83)

62.511. Wall Mounted Outdoor Advertising Signs. Wall mounted outdoor advertising signs shall conform to the same requirements as wall signs contained in SRC 62.400; provided, however, that no wall mounted outdoor advertising sign shall project above eave line of the roof of a building. (Ord No. 56-69; Ord No. 54-83)

62.512. Underground Wiring. Where underground electric service is provided by the utility company, all illuminated outdoor advertising signs shall be serviced by underground service utilities. (Ord No. 56-69; Ord No. 54-83)

62.513. Outdoor Advertising Sign, Size Limited.

(a) Maximum sign area of an outdoor advertising sign shall be limited to 300 square feet; provided, however, that notwithstanding their size, the following outdoor advertising signs may be repaired, replaced or relocated to any otherwise lawful location:

(1) The outdoor advertising sign located on the west line of Commercial Street SE, 175 feet south of Ferry Street;

(2) The outdoor advertising sign located on the south line of State Street, 160 feet west of 14th Street; and

(3) The outdoor advertising sign located on the east line of Portland Road NE, 250 feet south of Beech Street NE.

(b) Maximum height of the display surface and border and trim of an outdoor advertising sign shall be 14 feet including border and trim.

(c) Maximum height to the top of the permanent portion of an outdoor advertising sign shall not exceed 35 feet above the grade below the sign, provided, however, that lawfully erected signs erected prior to April 28, 1969 within the city limits or in areas later annexed to the City may have up to 10 percent additional height if such signs do not violate any other provisions of this Chapter.

(d) Outdoor advertising signs primarily to be viewed from the Interstate 5 Freeway shall not exceed 40 feet in height measured from the top of the sign to the grade below the sign. (Ord No. 56-69; Ord No. 54-83)

62.514. Cutouts on Outdoor Advertising Signs. Cutouts may be attached to an outdoor advertising sign and may add up to 25 percent additional sign area. Such cutouts may project three feet above or two feet to either side or below the display surface of an outdoor advertising sign. Cutouts shall be limited to one cutout per outdoor advertising sign or one unit on each facing of a back-to-back sign. Such cutout shall be one integral unit and shall not project beyond the sign in more than one horizontal and one vertical plane. (Ord No. 56-69; Ord No. 54-83)

62.515. Setback from R, CN, P, and CO Districts. No outdoor advertising sign shall be located within 100 feet of a residential, commercial neighborhood district, public, or commercial office district, or within 200 feet of an occupied residential structure fronting on the same street. (Ord No. 56-69; Ord No. 54-83)

62.518. Spacing and Density Requirements for Outdoor Advertising Signs.

(a) For the purposes of this section, back-to-back V structured outdoor advertising signs are considered as a single sign.

(b) No outdoor advertising sign shall be erected or maintained within 500 feet of another outdoor advertising sign located on the same side of a street or highway.

(c) No outdoor advertising sign shall be erected or maintained within 250 feet of another outdoor advertising sign located on the opposite side of a street or highway.

(d) In addition to the requirements of subsections (a) and (b) of this section, no more than three outdoor advertising signs may be erected or maintained along both sides of a street or highway within a 1,000 foot lineal distance. (Ord No. 56-69; Ord No. 54-83; Ord No. 89-89)

62.519. Measurements. For the purposes of applying the spacing and density limitations and setbacks from a residential, commercial neighborhood, or commercial office district, all distances shall be

measured parallel to the centerline of the street or highway from the leading edge of the sign face.
(Ord No. 56-69; Ord No. 54-83; Ord No. 89-89)

62.5191. Special Setbacks. Outdoor advertising signs 300 square feet in area or less may be located in a special setback area as provided in SRC 62.300. (Ord No. 54-83)

SIGNS IN THE CENTRAL BUSINESS DISTRICT

62.520. Signs in the Central Business District.

- (a) Except as provided in this section, signs in the Central Business (CB) district shall be the same as those permitted in commercial or industrial districts.
- (b) Freestanding signs in the CB district.
 - (1) The height of a freestanding sign is limited to twenty feet plus one additional foot for each twenty feet of frontage, with a total maximum height not to exceed thirty feet.
 - (2) The maximum sign area is limited to one square foot of sign area per lineal foot of property frontage up to the first one hundred square feet of sign area, plus an additional one-fourth square foot of sign area for each additional foot of frontage over one hundred feet, with a total maximum limit of one hundred and fifty square feet.
 - (3) Where a business located on a corner lot has frontages on two designated arterial or collector streets, the business may use the longest street frontage for the purpose of determining the maximum height and sign area for one principal freestanding sign designed to be used for both frontages.
- (c) Wall signs in the CB district.
 - (1) Where a wall sign is used as a principal sign, the permitted sign area shall be governed by SRC Chapter 62, Appendix 4.
 - (2) Where a wall sign is used as the principal sign, all or part of the sign area for permitted secondary signs may be used to increase the sign area for a principal sign. That area of secondary signs incorporated in the principal sign shall be deducted in computing the remaining area available for permitted secondary signs.
- (d) Projecting signs in the CB district.
 - (1) A projecting sign may be used as a principal sign for an integrated shopping center or business complex.
 - (2) A projecting sign may be used as a principal sign for an individual tenant outside of or within an integrated shopping center or business complex.
 - (3) Projecting signs shall meet requirements as specified in SRC 62.390.
- (e) Temporary signs in the CB district.
 - (1) Temporary signs on private property in the CB district are allowed pursuant to SRC 62.312.
 - (2) (A) Temporary sidewalk signs installed within the right-of-way in the CB district shall be allowed with a permit. No permit shall be issued unless the director of public works, or the director's designee, has determined that the application meets the conditions set forth in SRC 62.520(e)(2)(b).
 - (B) The following conditions shall be placed upon the issuance of a sidewalk sign permit:
 - (1) A sidewalk sign shall be limited in size to no more than 30 inches tall and 18 inches wide.
 - (2) Sidewalk signs shall not be designed to imply traffic controls or resemble a traffic control device.
 - (3) A pedestrian pathway not less than five feet wide, and a vehicle buffer zone of not less than three feet wide, shall be kept clear for use of pedestrians

and shall not be obstructed by placement of a sidewalk sign (Appendix 7, Figure 2). The five foot unobstructed pedestrian pathway shall begin either where the public sidewalk and the property line meet (Appendix 7, Figure 2), or between the sidewalk sign and the street when the sidewalk sign is placed next to a building or property line and then extends into, or is placed entirely on, the adjacent public sidewalk (Appendix 7, Figures 3a and 3b).

(4) The placement of a sidewalk sign shall be limited to the normal business hours that the permit holder is in operation, and shall be removed from the sidewalk during such time as the permit holder's business is not open for business.

(5) Placement of a sidewalk sign shall be within the sidewalk area directly in front of the business structure occupied by the permit holder; provided, however, that a permit holder may place the sidewalk sign on the sidewalk in front of an adjacent business if the permit holder first secures written approval from such adjacent business, and files such written approval with the building official. The adjacent business approving the placement of sidewalk sign placement may revoke such approval, with or without cause, with 15 days advance notice to the building official and the permit holder.

Notwithstanding any other provision in this subsection, no more than one sidewalk sign shall be permitted in the right-of-way adjacent to a given business structure.

(6) No sidewalk sign shall be located in an alley or a sidewalk intersection, or shall be located on or attached to streetscape landscaping or furniture.

(7) A sidewalk sign permit holder shall obtain and maintain current liability insurance and submit a certificate of insurance in conformance with SRC Chapter 42.025.

(8) The sidewalk and sidewalk sign shall at all times be maintained in a clean, safe and attractive condition.

(9) The permit holder shall at all times assure that its use of the sidewalk in no way interferes with or limits free and unobstructed passage of the sidewalk.

(10) Each sidewalk sign shall have a valid permit displayed on its face.

(11) Each permit shall terminate December 31st of the year in which the permit is issued.

(12) A sidewalk sign permit may not be assigned or transferred to any third party.

(13) In addition to any condition required by this section, the building official may impose other conditions deemed necessary to protect public health, safety and welfare.

(c) An adverse decision of director of public works, or the director's designee, shall be considered an adverse decision of the building official which may be appealed to the hearings officer in the manner prescribed in SRC 62.600. (Ord No. 176-68; Ord No.173-71; Ord No. 82-75; Ord No. 49-81; Ord No. 39-2003)

SIGNS IN THE SOUTH WATERFRONT MIXED-USE ZONE

62.521. Permanent Signs in the South Waterfront Mixed-Use Zone.

(a) Each building in the South Waterfront Mixed-Use zone that contains two or more businesses is allowed the following signs:

(1) One wall sign, one projecting sign, or one freestanding sign, for each street frontage on a designated arterial or designated collector; provided, however, if the building is located on a corner lot with two such intersecting street frontages, only one freestanding sign shall

be allowed, which may be located on the principal street frontage or at the corner of the intersection of the street frontages.

(A) Freestanding Signs Standards.

(i) Height. Sign height shall be limited to twenty feet for the first 100 feet of frontage, plus an additional one foot for each twenty feet of frontage over 100 feet, up to a maximum height of thirty feet.

(ii) Area. Sign area shall be limited to one square foot per lineal foot of frontage for the first 100 feet of frontage, plus one-quarter additional square foot for each additional foot of frontage over 100 feet, up to maximum sign area limit of 150 square feet. Freestanding signs located between Riverfront Park and any building shall be restricted to five feet in height and thirty-two square feet of total sign area.

(B) Wall Sign Standards. Wall sign area shall conform with Appendix 4 of this Chapter; provided, however, if the wall sign is located on the face or end of a marquee, the wall sign shall be limited to thirty inches in height and shall not extend below the lower edge of the marquee. On the side of buildings facing Riverfront Park, wall signs shall be a maximum of 150 square feet. On the side of buildings facing the Willamette River, wall signs shall be further limited to thirty-two square feet.

(C) Projecting Sign Standards. Projecting signs shall conform with SRC 62.390.

(2) In addition to the sign allowed under subsection (a)(1) of this section, one freestanding sign to identify each motor vehicle access to the premises which shall be limited to eight square feet and a height of four feet.

(3) In addition to the sign allowed under subsection (a)(1) of this section, one wall sign may be used as a building directory. The square footage of the sign shall be based on the total number of occupants in the building, but shall be limited to one square foot per occupant.

(4) In addition to the sign allowed under subsection (a)(1) of this section, one freestanding sign located between Riverfront Park and the building. The sign shall be limited to a maximum of five feet in height, thirty-two square feet of total sign area and be set back at least five feet from a property line abutting the park.

(5) In addition to the sign allowed under subsection (a)(1)(A) of this section, if one or more of the street frontages of the property exceeds 300 feet, the building may have one additional freestanding sign on each frontage exceeding such length, which shall be limited to twenty feet in height and fifty square feet in sign area. If two freestanding signs are located on the same street frontage, there shall be a minimum distance of 100 feet between such signs.

(b) An individual business in the South Waterfront Mixed-Use zone is allowed the following signs:

(1) One wall sign or one projecting sign for each frontage on a designated arterial or designated collector or facing onto a parking lot. Wall sign area shall be as specified in Appendix 2 of this Chapter; provided, however, wall signs shall not exceed 150 square feet in area on the side of a building facing Riverfront Park. Wall signs shall not exceed thirty-two square feet on the side of a building facing the Willamette River.

(2) In addition to the sign allowed under subsection (b)(1) of this section, one wall sign on each street frontage or wall facing a parking lot. The wall sign shall be no greater than eight square feet in total sign area.

(3) In addition to the sign allowed under subsection (b)(1) of this section, one under marquee sign for each street frontage or wall facing a parking lot.

(c) Illuminated signs facing the Willamette River are prohibited. (Ord No. 47-08)

THEATER SIGNS

62.522. Signs for Theaters. Where a building is built within two feet of a street front property line and houses a theater, the theater may elect to use in lieu of all other signs along the same street frontage either the signs listed in paragraphs (a) below or paragraph (b) below, but not both. Sizes shall be limited as provided for other businesses in SRC 62.500 to 62.520. For the purpose of limiting the size and number of signs for theaters, advertisements contained within a glass case or frame on the face of a building advertising present or coming attractions shall be considered as signs located within a building and shall not be limited. The theater may elect to use:

- (a) One principal projecting sign and one reader board type secondary sign limited to a maximum projection of four feet, six inches over public property; or
- (b) One principal projecting sign and secondary signs on the faces of a theater marquee. (Ord No. 167-68; Ord No. 1-09)

NONCONFORMING SIGNS

62.525. Removal Deadlines for Nonconforming Signs.

- (a) Except as otherwise provided in this subsection, signs which do not comply with the ordinance shall be considered nonconforming signs which may remain for their lifetime, subject to the requirements of SRC 62.530. Where a sign permit is granted prior to the effective date of this ordinance for a sign that complies with then existing requirements, the permit shall be valid and the sign may be built if erected within 90 days of the effective date of this ordinance. If not erected within 90 days of this ordinance, the permit shall be void and any proposed sign under the permit shall comply with all provisions of this ordinance.
- (b) Except as provided in subsection (c) and (d) of this section,
 - (1) Nonconforming temporary signs may be maintained for a period of seven days, except signs in public right-of-way, in vision clearance areas, or signs which present an immediate public safety hazard.
- (c) Any nonconforming sign which is:
 - (1) Determined by the building official to be an unsafe sign shall be removed within the period provided in SRC 62.550. Temporary signs located within the vision clearance area shall be considered unsafe signs.
 - (2) Determined by the building official to be an abandoned sign shall be removed within the period of time specified in SRC 62.560.
 - (3) Maintained in violation of SRC 62.080 or SRC 62.250 to 62.290 shall be removed within the period specified in SRC 62.540.
- (d) No nonconforming sign shall be permitted to remain unless properly repaired and maintained as provided in this Chapter. A sign maintained in violation of this provision shall be removed as provided in applicable provisions of SRC 62.540 to 62.570. (Ord No. 167-68; Ord No. 173-71; Ord No. 95-73; Ord No. 82-75; Ord No. 54-83; Ord No. 44-88)

62.530. Special Requirements for Nonconforming Signs. Any nonconforming sign which is structurally altered, relocated, or replaced shall immediately comply with all provisions of this Chapter except that:

- (a) Such signs may be repaired and maintained and may have the advertising copy thereon changed including the change of the name of the business or owner thereof. A sign may be removed from its sign structure for the purpose of repair and maintenance under this subsection if a sign repair permit has been obtained.
- (b) Signs may be structurally altered where such alteration is necessary for structural safety.
- (c) Such signs may be reconstructed if they are moved for construction or repair of public works or public utilities and such reconstruction is completed within one year.

(d) Such signs may be reconstructed if they are damaged by an act of God or an accident, provided that such damage does not exceed 50 percent of the cost of reconstruction of the entire sign and provided that such sign is reconstructed within six months of the date the sign was damaged.

It is not the intent of this section to permit an increase in the size or number of signs which are nonconforming under provisions of this code. (Ord No. 167-68; Ord No. 56-69; Ord No. 8-80; Ord No. 54-83)

REMOVAL OF NON-COMPLYING SIGNS, UNSAFE SIGNS, AND ABANDONED SIGNS

62.540. Removal of Non-Complying Signs.

(a) The Building Official may remove, or may order the removal of, any sign erected or maintained in violation of the provisions of this Chapter or other applicable provisions of the Salem Revised Code.

(b) Unless the sign is an unsafe sign subject to SRC 62.550, the Building Official shall give thirty days written notice to the owner or lessee of the sign or to the owner of the building, structure, or premises on which the sign is located to remove the sign. If the sign is not removed in such thirty day period, the Building Official may remove or cause the sign to be removed. (Ord No. 167-68; Ord No. 92-07)

62.550. Removal of Unsafe Signs. If a sign is erected or maintained in violation of SRC 62.080 or SRC 62.130-62.240, SRC 62.250-62.290, or SRC 62.310 and presents an immediate and serious danger to public health, safety or welfare, the Building Official may, without prior notice, order the immediate removal or repair of the sign within such period of time that the Building Official deems appropriate to eliminate the danger. The Building Official may remove or authorize others to remove such sign in the event that the owner or lessee of the sign cannot be found, or refuses, after notification, to repair or remove the sign. (Ord No. 167-68; Ord No. 162-69; Ord No. 92-07)

62.560. Removal of Abandoned Signs.

(a) The Building Official may remove, or may order the removal of, any abandoned sign.

(b) Unless the sign is an unsafe sign, as provided in SRC 62.550, the Building Official shall give 30 days written notice to the owner or lessee of the sign, or to the owner of the building, structure, or premises on which the sign is located, to remove the sign. If the sign is not removed in such thirty day period, the Building Official may remove the sign or cause the sign to be removed.

(c) As used in this section, abandoned sign means any sign that has ceased to be actively used for communicative purposes. Evidence of cessation of active use includes, but is not limited to, failure to maintain a sign; failure to repair damage within ninety days of the date the damage occurs; failure to remove a temporary sign within a reasonable time period after the date the sign was erected; and vacation of the building, structure or premises upon which the sign is located. As used in this section, abandoned signs do not include:

(1) Outdoor advertising signs where a person has merely leased or contracted space thereon, and the owner of the sign provides evidence that the lease or contract has expired and the owner is actively seeking new lessees or persons with whom to contract for use of the sign.

(2) Signs which the successor to the owner or lessee agrees to maintain as provided in this Chapter, provided the new owner or new lessee files a letter of intent with the Building Official within 30 days after the written notification by the Building Official to remove the sign. (Ord No. 167-68; Ord No. 92-07)

62.570. Removal of Signs Erected Without a Permit. The Building Official may remove or order the removal, without prior written notice, of any sign erected without a sign permit required by this Chapter. (Ord No. 167-68; Ord No. 92-07)

62.575. Procedure Upon Removal; Costs of Removal.

(a) The Building Official shall, within thirty days after removal, notify the owner or lessee of a sign and the owner of the building, structure or premises upon which the sign was located that the sign has been removed. Any sign removed by the Building Official shall be stored for a period of 30 days from the date notification is given. If the identity or address of the owner or lessee of the sign or the owner of the building, structure or premises upon which the sign was located cannot, after reasonable effort, be determined, the Building Official shall store the sign for a period of thirty days after the date the Building Official determines that notification cannot be made. The Building Official shall continue to store any sign that has been removed for any additional period during which any appeal of such removal is pending. At the expiration of the time specified in this section, if the owner or lessee of the sign, or the owner of the building, structure or premises upon which the sign is located has not reclaimed the sign as provided in subsection (b) of this section, the Building Official may destroy the sign or dispose of it in any manner the Building Official deems appropriate.

(b) To reclaim any sign removed by the Building Official, the person reclaiming the sign shall pay to the City an amount equal to the all costs incurred by the Building Official in removing and storing the sign.

(c) Where the owner or lessee of a sign and/or the owner of the building, structure, or premises upon which the sign is located have been notified of the requirement to remove a sign under SRC 62.540, SRC 62.550 or SRC 62.560, and such person has refused to remove the sign, or where the building official has removed or caused the removal of any sign under SRC 62.550 or SRC 62.570, all costs incurred in removal, storage and disposal of the sign shall be charged to the owner or lessee of the sign, or the owner of the building, structure, or premises upon which the sign was located. The owner or lessee of the sign and the owner of the building, structure, or premises on which the sign is located, shall be jointly and severably liable for the cost of removing, storing and disposing of the sign and all costs of such removal, storage and disposal may be entered in the City's lien docket as a lien against land or premises on which the sign is located, and may be collected or foreclosed in the same manner as any debt, charge or lien. (Ord No. 92-07)

ENFORCEMENT, ADMINISTRATION, AND APPEALS

62.590. Powers and Duties of the Building Official.

(a) The Building Official shall administer and enforce all of the provisions of this Chapter, and shall have the authority to render written and oral interpretations of the Sign Code and to adopt administrative rules and procedures necessary and proper for the administration and enforcement of the Sign Code.

(b) All signs may be inspected or reinspected at the discretion of the Building Official. Upon presentation of proper credentials the Building Official or the Building Official's duly authorized representative may enter at reasonable times any building, structure or premises in the City of Salem, Oregon, to perform any duty imposed upon the Building Official by this Chapter. If entry is refused, the Building Official may use any other lawful means to obtain entry. If the building, structure, or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person with control of the building, structure or premises and request entry. If entry is refused, the Building Official may use any other lawful means to obtain entry. If the Building Official is unable, after making a reasonable effort, to locate the owner or other person with control of the building, structure or

premises, the Building Official may enter the building, structure or premises, but shall, as soon as is practicable, document the efforts made to locate the owner or other person, and inform the owner or other person of the entry.

(c) Nothing in this Chapter shall be construed to create mandatory enforcement obligations for the City. The enforcement of this Chapter shall be a function of the availability of sufficient financial resources consistent with adopted budgetary priorities and prosecutorial priorities within the range of discretion delegated to the Building Official.

(d) Neither the Building Official nor the City of Salem, Oregon, shall be liable for any damages for any failure to enforce any of the provisions of this Chapter. (Ord No. 167-68; Ord No. 44-88; Ord No. 51-96; Ord No. 92-07)

62.594. Adjustments. The Building Official may grant adjustments of up to ten percent of the allowable height and width standards in the Sign Code. Requests for adjustments shall be filed with the Building Official, on a form provided by the Building Official, and accompanied by a fee as approved by the City Council. The request shall include the information required for a sign permit, as specified in SRC 62.090(d), the specific standard from which the adjustment is requested, and the amount of the adjustment. (Ord No. 92-07)

62.595. Variances.

(a) Variances may be granted to enlarge the overall height of a sign; to increase the area of a sign; to increase the number of allowed signs; or to allow relocation of a sign; to allow

structural alterations to a sign, provided, however, that no variance shall be granted to allow structural alterations to a non-conforming or non-complying sign. Variances allowing the use of prohibited signs, changing a setback requirement or a special setback limitation, allowing a sign in a vision clearance area, or allowing signs other than those specifically allowed by this Chapter, are not permitted.

(b) Variances to the standards of this Chapter shall only be granted if the following criteria are met:

(1) Compliance with the applicable standard would create an unnecessary hardship due to unique or unusual physical conditions of the property over which the applicant has no control, such as topography and lot size or shape, which are not present on other properties in the same vicinity or sign district, and the variance is necessary to permit signage comparable with other properties in the same sign district in the vicinity;

(2) The hardship does not result from actions of the applicant, owner or previous owners of the property;

(3) Approval of the variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties; and will not impose limitations on other properties and signage in the area, including signage that would be allowed on adjacent properties; and

(4) The degree of the variance is limited to the minimum reasonably necessary to alleviate the problem created by the unique or unusual physical conditions identified pursuant to paragraph (1) of this subsection. (Ord No. 92-07)

62.597. Variance Procedure.

(a) Requests for variances shall be filed with the Building Official, on a form provided by the Building Official, and accompanied by a fee as approved by the City Council. The request shall include the information required for a sign permit, as specified in SRC 62.090(d), the specific standard from which the variance is requested, and the amount of the variance, and

why the variance satisfies the approval criteria.

(b) The Hearings Officer shall conduct a public hearing on the request for variance. The Hearings Officer shall approve, approve with conditions, or deny the variance, based upon the evidence introduced at the hearing. The Hearings Officer may impose such conditions as the Hearings Officer deems necessary to mitigate any adverse impacts which may result from approving the variance. The hearing shall be conducted under the procedures used for a quasi-judicial land use hearing.

(c) The Building Official shall give written notice of the hearing by mail to owners of property located within two hundred and fifty feet of the lot or parcel upon which the sign will be located, as shown upon the latest assessment role of the county assessor and each affected neighborhood organization. Failure of a person to receive the notice specified in this section shall not invalidate any proceeding in connection with the application for a variance.

(d) The Hearings Officer shall issue a decision in writing explaining the reasons why the variance was approved or denied. Notice of the decision shall be provided to the applicant by personal delivery or by First Class Mail mailed to the address of the applicant as set forth on the application. Notice of the decision shall be provided to any person who appeared before the Hearings Officer, in person or by written testimony, by personal delivery or by First Class Mail mailed to the address provided by the person to the Hearings Officer. Unless City Council review is initiated pursuant to SRC 62.600(b), the decision of the Hearings Officer shall be final. (Ord No. 92-07)

62.600. Appeals; Review by City Council; Procedures and Relief.

(a) Appeal of decision on a sign permit. An applicant or interested person who appeared by submission of comment may appeal the decision of the Director of an application for a sign permit, conditions of approval of the allowance of a permit, revocation of the permit, or an order to alter or remove a sign. An appeal, if submitted, must be initiated by filing a notice of appeal on a form prescribed by the Director, that is filed with the Director within fifteen days of the date of mailing of the decision. Except as provided herein, the appeal shall be to the Hearings Officer. The notice of appeal shall state the basis of the appeal, and why the Director's decision was in error, and shall be accompanied by an appeal fee as established by the City Council. Unless called up for review by the City Council pursuant to subsection (b) of this section, the Hearings Officer's decision shall be final.

(b) City Council Review. The City Council may by majority vote initiate review of a Hearings Officer's decision under subsection (a) of this section, or decision granting or denying a variance under SRC 62.597. Review under this subsection shall be initiated prior to the adjournment of the first regular City Council meeting following City Council notification of the decision.

(c) Stay of Decision. An order of the Director requiring the removal of a sign under SRC 62.540, SRC 62.560 or SRC 62.570 shall be stayed until a final decision is issued by the Hearings Officer or City Council, as the case may be. No stay shall be provided for an order of the Director requiring the removal of a sign under SRC 62.550.

(d) Procedures; Scope of Review; Constitutional Issues.

(1) The hearings upon appeal or review shall be conducted using the procedures used for a quasi-judicial land use hearing. The hearing shall be de novo, but shall be limited to the issues stated in the notice of appeal.

(2) When an appeal raises an issue involving the application of state or federal constitutional law, the municipal court judge shall resolve the constitutional law issues on an expedited basis. Notice of the hearing before the municipal court judge shall be provided as required by paragraph (1) of this subsection. The court shall conduct a public hearing on the constitutional issues and may allow the reception of evidence. The City Attorney may appear on behalf of the City. Following the hearing, the court shall issue a written opinion on the constitutional issues. The court's decision shall be appealable by either party by writ of review to Marion County Circuit Court. The City

Attorney shall have the authority to initiate an appeal of the court's decision on behalf of the City. If no appeal is filed, the Court's decision shall be binding upon the Hearings Officer, and shall be incorporated into the Hearings Officer's final decision. If the decision of the Hearings Officer is reviewed by the City Council pursuant to subsection (b) of this section, the City Council shall be bound by any decision of the Court regarding constitutional issues.

(e) Relief Available. On appeal or review, the Hearings Officer or City Council may affirm, reverse, modify or remand a decision for reconsideration. (Ord No. 167-68; Ord No. 191-70; Ord No. 173-71; Ord No. 82-75; Ord No. 114-77; Ord No. 186-82; Ord No. 51-96; Ord No. 62-96; Ord No. 92-07; Ord 4-08)

PENALTIES

62.605. Stop Work Orders; Permit Revocation; Civil Penalties; Enforcement.

(a) Stop Work Orders and Permit Revocation.

(1) The Building Official may suspend work or revoke a Sign Permit upon a finding that:

(A) The work is not authorized by a valid permit;

(B) Inaccurate information was used to obtain the permit;

(C) The applicant is not complying with the terms of the permit or the provisions of this Chapter; or

(D) The work is, or threatens to become, a hazard to property or public safety; is adversely affecting or about to adversely affect adjacent property or rights-of-way; or is otherwise adversely affecting the public health, safety, or welfare.

(2) The Building Official shall issue a written notice specifying the nature of the violation or problem which must be remedied prior to resuming other work on the project.

(b) Civil Penalty. Any person who fails to comply with the requirements of this Chapter, or the terms of a permit issued hereunder, who undertakes an activity regulated by this Chapter without first obtaining a permit, or who fails to comply with a stop work order issued pursuant to this Chapter shall also be subject to a civil penalty, not to exceed \$2,000 per violation. Each day that a violation continues shall constitute a separate violation.

(c) Civil Penalties Against Agents. Any person who acts as the agent of, or otherwise assists, a person who engages in an activity which would be subject to a civil penalty, may likewise be subject to a civil penalty.

(d) Prohibition of Final Occupancy; Injunctive Relief.

(1) The City shall not issue a Notice of Final Occupancy for property on which a violation of this Chapter has occurred or is occurring, until the violation has been cured and any penalty imposed for the violation is paid.

(2) The City may seek injunctive relief against any person who has willfully engaged in a violation of SRC 62.080; SRC 62.130-62.240; SRC 62.250-62.290; SRC 62.310; SRC 62.350(a); or SRC 62.508, such relief to be in effect for a period not to exceed five years.

(e) Remedies not Exclusive. The remedies provided in this Chapter are cumulative and not mutually exclusive and are in addition to any other right, remedies and penalties available to the city under any other provision of law. (Ord No. 92-07)

62.610. Violations. Violation of SRC 62.010 to 62.560 is an infraction. Each day that a violation continues shall constitute a separate violation. (Ord No. 167-68; Ord No.162-69; Ord No.193-79; Ord No. 92-07)

SPECIAL PROVISIONS

62.620. Severability. If any part of this Chapter is invalid, all valid parts that are severable from the invalid parts shall remain in effect. If any part of this Chapter is invalid in one or more of its applications, the part shall remain in effect in all valid applications that are severable from the invalid applications. (Ord No. 167-68)

APPENDIX 1 - Chapter 62

TYPE OF SIGN	HEIGHT OF TOP OF SIGN ABOVE GROUND LEVEL	MINIMUM WIND LOAD RESISTANCE IN POUNDS PER SQUARE FEET
Free-standing and other ground signs	Less than 50 feet	20
	Between 50 & 100 feet	25
	Over 100 feet	40
Wall Signs	All	20
Projecting Signs	Less than 50 feet	20
	More than 50 feet	25
Roof Signs	Less than 150 feet above ground level	30
	More than 150 feet above ground level	40

Combination signs and sign towers shall be built to withstand wind loads corresponding to the required standard for each component part of the sign. Where a portion of a wall sign or a wall facade for signs projects above the roof line at the wall or the top of the parapet wall, that portion shall conform to the requirements for a roof sign.

APPENDIX 2 - Chapter 62

Gross face area of the face of the building on the frontage on which the sign is located in square feet	Permitted sign area is the greater of:
0 to 1000	50 square feet or 15 percent of the gross face area
1001 to 2000	150 square feet or 12 percent of the gross face area
2001 to 4000	240 square feet or 10 percent of the gross face area
4001 to 6000	400 square feet or 8 percent of the gross face area
6001 and over	480 square feet or 6 percent of the gross face area

Where more than one business is housed in the same building only the gross face area of the building frontage occupied by the business shall be included in determining the area of the principal sign for such business.

APPENDIX 3 - Chapter 62

Gross face area of the permanent building or structure in square feet	Maximum total area of secondary signs is limited to the greater of the following:
0 to 500	50 square feet or 15 percent of the gross face area
500 to 1000	75 square feet or 12 percent of the gross face area
1001 to 2000	120 square feet or 10 percent of the gross face area
2001 to 4000	200 square feet or 8 percent of the gross face area
4001 to 6000	320 square feet or 6 percent of the gross face area
6001 and over	360 square feet or 5 percent of the gross face area

APPENDIX 4 - Chapter 62

Gross face area of the face of the building to which the sign is attached in square feet	Permitted sign area is the greater of the following:
0 to 450	150 square feet or 33-1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1250	250 square feet or 20 percent of the gross face area
1251 and over	15 percent of the gross face area

APPENDIX 5 - Chapter 62

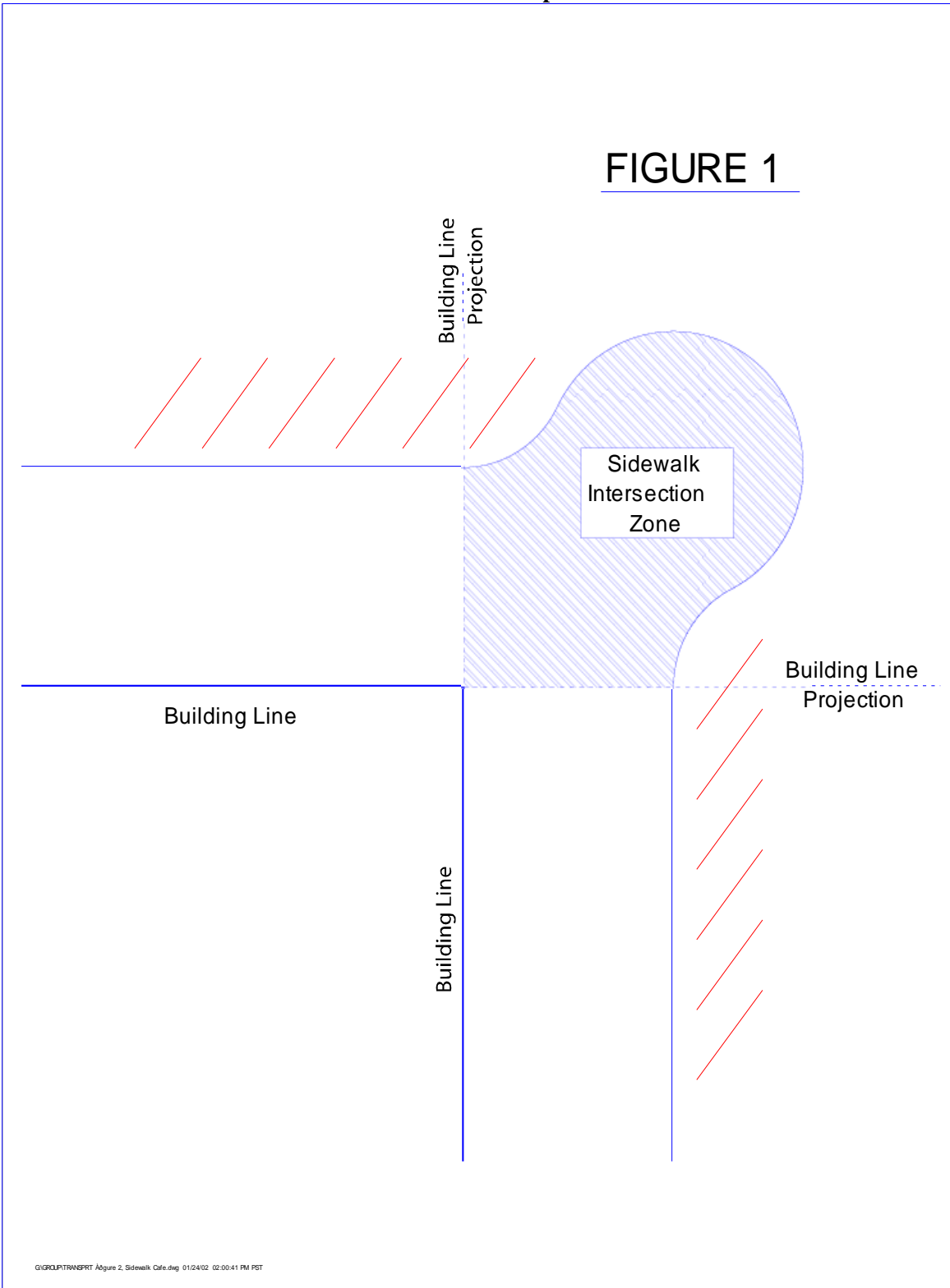
TABLE OF SPACING AND DENSITY REGULATIONS FOR ADVERTISING SIGNS

Type of Area	Spacing		Density Limit
	Interstate Freeway		Other Highways or Streets
Open Area	2,000 feet, same side of freeway	1,000 feet, same side of street or highway and 250 feet on the opposite side	5 signs per mile, but not more than 3 on the same side of the street or highway
Built-up	2,000 feet	On same side of street or highway, 500 feet between signs in separate blocks or 500 feet between signs in the same block and 250 feet on opposite side	3 signs in 1000 feet lineal distance, including both sides of the street or highway

APPENDIX 6 - Chapter 62

<u>Type of Zone</u>	<u>Lawn Signs</u> Sign area limitation for individual signs	<u>Rigid Signs</u> Sign area limitation for individual signs	<u>Total Number of Signs</u> (Collective area limitations, all temporary signs)
All Residential Properties	6 sq. ft.	6 sq. ft.	6 sq. ft. on any one premise
All Commercial Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise
All Commercial Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
All Commercial Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

FIGURE 1



(Ord No. 39-2003)

APPENDIX 7 - Chapter 62

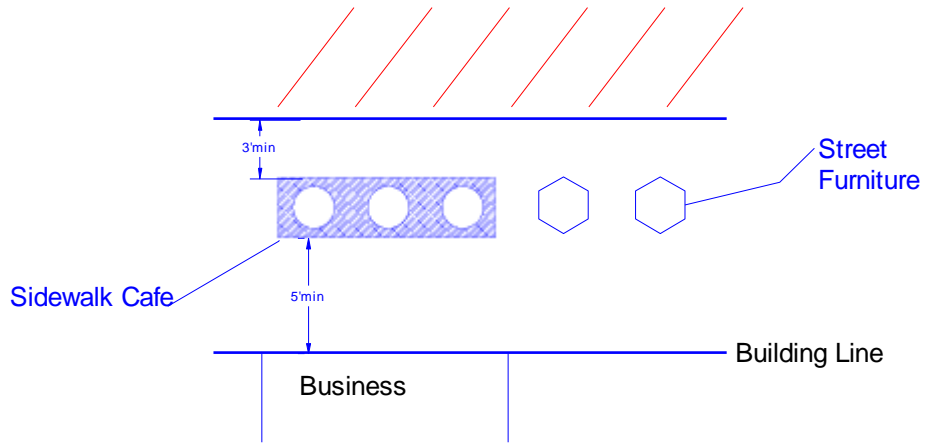


FIGURE 2

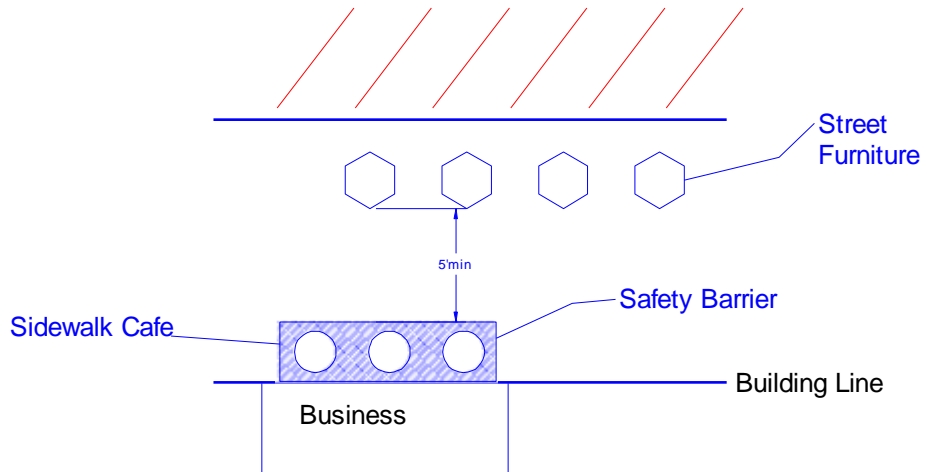
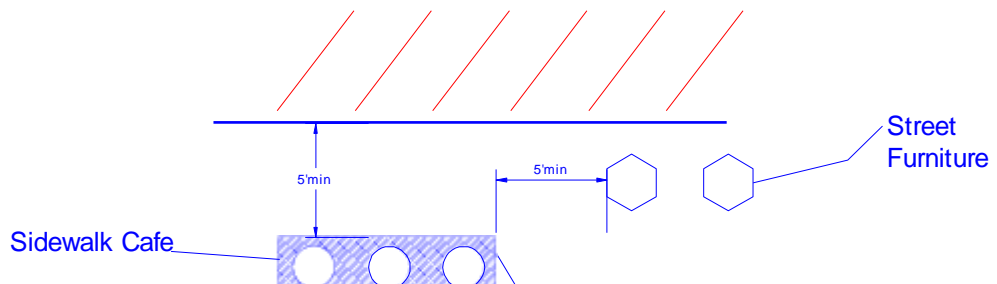


FIGURE 3a



(Ord No. 39-2003)