

CHAPTER 33

SIGN REGULATIONS

17-33-1	Purpose
17-33-2	Interpretation
17-33-3	Scope and Application
17-33-4	Definitions
17-33-5	Permit Required
17-33-6	Abatement of Dangerous Signs
17-33-7	General Sign Provisions
17-33-8	Prohibited Signs
17-33-9	Signs Permitted by Zone

17-33-1 Purpose. This Chapter seeks to promote public safety, enhance and promote the unique identity of Kaysville City and help both residents and visitors in locating civic, cultural, and business entities within the City by regulating the use and construction of signs.

It is also the intention and purpose of this Chapter to promote short and long term civic beauty and order by establishing standards and regulations for sign design, location, size, type, compatibility, and aesthetics to create streetscapes of buildings and landscaping that are functional and attractive to both residents of Kaysville City as well as visitors.

17-33-2 Interpretation. The sign requirements contained herein are declared to be the maximum allowable and sign types not specifically allowed as set forth within this Chapter are prohibited. Where other ordinances are in conflict with the provisions of this Chapter, the most restrictive ordinance shall apply.

17-33-3 Scope and Application. Except as provided in this Title, a sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged or altered, unless in conformity with the regulations herein specified. A non-conforming sign shall not be reconstructed, raised, moved, placed, extended or enlarged unless said sign is changed so as to conform to all provisions of this Title.

17-33-4 Definitions. In this Chapter the terms, phrases, words, and their derivatives shall have the meanings as stated and defined in this Chapter. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined in this Chapter, but defined in this Title, shall be construed as so defined.

Alterations – Change or rearrangement in the structural parts or its design, whether by extending on a side, by increasing in area or height, or in moving from one location or position to another.

Building, Front Line of – The line of that face of the building or structure nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches whether enclosed or unenclosed, but does not include uncovered steps less than four feet (4') above grades and eaves overhanging less than two feet (2').

Building Line – A vertical surface intersecting the ground along a line at which the front of the building occupies the lot on which it is constructed.

Non-complying Sign or Sign Structure – A sign or sign structure or portion thereof lawfully existing at the time this Chapter became effective, which does not comply with all height, area, and yard regulations prescribed in the zone in which it is located.

Setback – The minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line and yard line coterminous with a street.

Sign – Every advertising message, announcement, declaration, demonstration, display, illustration, insignia surface, or space erected or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service. The definition of sign shall also include the sign structure, supports, lighting system, and any attachments, ornaments or other features used to draw the attention of observers. This definition does not include any flag, badge, or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.

Sign, "A" Frame – A movable sign constructed of plastic, metal or wood with two sides attached at the top so as to allow the sign to stand in an upright position.

Sign, Advertising – An off-premise sign.

Sign, Animated – Any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.

Sign Area – The areas of a sign that are used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back-to-back or double face sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty-five degrees. In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

Sign, Awning – A roofed structure constructed of fabric or metal placed so as to extend outward from the building providing a protective shield for doors, windows, and other openings with supports extending back to the building, supported entirely by the building.

Sign, Balloon – Advertisement supported by a balloon anchored to the premises where the advertised use is conducted, commodity sold or service performed.

Sign, Banner – A sign constructed of cloth, canvas, fabric, or other light material and designed to be displayed on an on-premise, ground sign or building wall for a short period of time.

Sign, Billboard – An off-premise sign.

Sign, Business – An on-premise sign.

Sign, Canopy – A roofed structure constructed of fabric or other material placed as to extend outward from the building providing a protective shield for doors, windows, and other openings supported by the building and supports extending to the ground directly under the canopy.

Sign, Changeable Copy (Automatic) – An animated sign on which the copy changes automatically on a lamp bank or through mechanical means.

Sign, Changeable Copy (Manual) – A sign on which copy is changed manually in the field, e.g., reader boards with changeable letters.

Sign, Construction – A sign identifying an existing or proposed development project which may contain the name of the project, and name and address of construction firms, architects, engineers, developers, etc.

Sign, Development – A sign identifying a proposed or newly constructed development advertising property for sale or lease.

Sign, Directional – A sign indicating direction to a specific use which the user has applied for and the City has determined there is sufficient need and benefit to traffic safety.

Sign, Electronic Message Center (E.M.C.) – A sign that is capable of displaying a changeable electronic message or image.

Sign, Flat – A sign erected parallel to and attached to the outside wall of a building and extending not more than twenty-four inches from such wall with messages or copy on the face side only.

Sign, Floodlighted – A sign made legible in the absence of daylight by devices which reflect or project light upon it.

Sign, Frame – A movable sign mounted on a frame.

Sign, Governmental – A sign erected and maintained pursuant to and in discharge of any governmental function, or required by law, ordinance, or other governmental regulation.

Sign, Ground – A sign supported by a fixed permanent frame or support in the ground, including monument signs.

Sign, Identification – A sign displayed to indicate the name or nature of buildings or uses other than commercial or industrial uses located upon the premises, e.g., schools, churches, hospitals.

Sign, Illuminated – A sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign proper.

Sign, Interior – A sign located within a building so as to be visible only from within the building in which the sign is located.

Sign, Low Profile – On-premise, ground signs having a maximum height of four feet (4'), incorporated into some form of landscape design scheme or planter box.

Sign, Marquee – A permanent roofed structure designed to meet all provisions of the current International Building Code and other specifications as outlined in this Title. Where specifications as outlined in this Title are different from the provisions of the International Building Code, the more restrictive shall apply.

Sign, Menu Board – A sign which lists the meal items for sale.

Sign, Monument – An on-premise ground sign which is incorporated into the landscape or site features.

Sign, Name Plate – A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

Sign, Off-Premise – An advertising sign which directs attention to a use, product, commodity, or service not on the premises.

Sign, On-Premise – A sign which directs attention to a use conducted, product or commodity sold, or service performed upon the premises on which it is located.

Sign, Open House – An off-premise sign advertising real estate open for inspection.

Sign, Pedestal – A moveable sign supported by a column or columns in a base not attached to the ground, constructed of plastic, metal or wood, so as to allow the sign to stand in an upright position.

Sign, Political – A sign announcing, opposing or supporting a particular issue, political party or candidate for public office.

Sign, Projecting – A sign attached to a building or other structure and extending in whole or in part more than twenty four inches (24") beyond any wall of the building or structure.

Sign, Promotional – A permanently attached changeable copy sign for the display of promotional items offered for sale on the premises. Includes track letter signs.

Sign, Property (Real Estate) – A sign related to the property upon which it is located and offering such property for sale or lease.

Sign, Public Necessity – A sign informing the public of any danger or hazard existing on or adjacent to the premises.

Sign, Right-of-Way – A sign installed by Kaysville City constructed of cloth, canvas, fabric, or other light material and designed or intended to be displayed across or over a public right-of-way for a short period of time.

Sign, Roof – A sign erected partly or wholly on or over the roof of a building, including ground signs that rest on or overlap a roof twelve inches (12") or more.

Sign, Service – A sign which is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as direction to parking lots; location of rest rooms; sale of agricultural products produced upon the premises and which bear, as an incidental part of the sign, the name, address or trademark of persons furnishing such sign to the owner of the premises.

Sign, Snipe – A sign for which a permit has not been obtained which is attached to a public utility pole, light pole, service pole or supports for another sign.

Sign, Time and Temperature Device – Any mechanism that displays the time and/or temperature, but does not display any commercial advertising or identification.

Sign, Trailer – A sign mounted on a trailer or having wheels, displayed as an on-premise sign.

Sign, Vehicle – A sign on a vehicle not customarily and regularly used to transport persons or properties.

Sign, Wall – A sign that is either painted on a wall or its facing, or is painted in such a way that it gives the visual appearance of being painted on a wall or facing by not having a frame or separation from the wall or facing.

Sign, Window – A sign either attached to a window or door or located within a building so as to be visible through a window or door by people outside of the building.

Structure – Anything constructed or erected which requires location on or below the ground or attached to something having location on or below the ground, including signs but not including fences or walls used as fences which are six feet or less in height.

17-33-5 Permit Required. (1) Permits. Except as provided in this Chapter, it shall be unlawful to display, erect, relocate, or alter any sign without first filing with the Building Official an application in writing and obtaining a sign permit. A separate permit shall be required for a sign or signs for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits are required for electric signs. When a sign permit has been issued by the Building Official, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the Building Official.

(2) Application for Permit. The application for a sign permit shall be made to the Zoning Administrator, on forms provided, by the owner or tenant of the property on which the sign is to be located, or his authorized agent, or a licensed sign contractor. The application for a sign permit shall be accompanied by the following plans and other information:

- (a) The name, address and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
- (b) The location by street address of the proposed sign structure.
- (c) A site plan and elevation drawings of the proposed sign, caption and colors of the proposed sign, and such other data as are pertinent to the application. The site plan shall include the proposed location of the sign in relation to the face of the building and to the boundaries of the lot on which it is situated.
- (d) Plans indicating the scope and structural detail of the work to be done, including details of all connections, guy lines, supports and footings, and materials to be used.
- (e) Application and required information for an electrical permit for all electric signs.
- (f) A statement of valuation.
- (g) Payment of the permit fees.

(3) Fees for Sign Permit. Sign permit fees shall be as established from time to time by resolution of the City Council.

(4) Completion Date. If the work authorized under a sign permit has not been completed within one hundred-twenty (120) days after the permit was issued, said permit shall expire and become null and void, and there shall be no refund of any fee required by this Chapter.

(5) Sign permit not required. The following do not require a sign permit:

- (a) The changing of the text or copy of permitted signs.
- (b) The electrical, painting, or cleaning maintenance or repair of a permitted sign in accordance with the permit.
- (c) "A" Frame signs.
- (d) Banner signs.
- (e) Construction signs.
- (f) Government signs.
- (g) Interior signs.
- (h) Pedestal signs.
- (i) Property (Real Estate) signs no larger than 6 square feet.
- (j) Political signs.
- (k) Public Necessity signs.
- (l) Right-of-Way signs.
- (m) Window signs.

These exceptions are not to be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this Chapter or any other law or ordinance regulating the same.

17-33-6 Abatement of Dangerous Signs. If an unsafe or dangerous sign is not repaired or made safe within ten (10) working days after written notice is delivered to or sent by certified mail to the person having charge or control or benefit of such sign, the Building Official may at once abate and remove said sign and the person having charge, control or benefit of any such sign shall pay to Kaysville City the costs incurred in such removal within thirty (30) calendar days after written notice of the cost is delivered to or mailed to such person.

17-33-7 General Sign Provisions. (1) Signs to Conform with Other Codes and Regulations. All signs shall conform with the provisions of the Uniform Sign Code, National Electric Code, and other codes duly adopted by or applicable in Kaysville City. If any provision of this Chapter conflicts with any provision of other codes, then the more restrictive provision shall apply.

(2) Traffic Hazard. Signs shall not be erected at the intersection of any streets or driveways in such manner as to obstruct free and clear vision (see Section 17-31-18); or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal device, or make use of the words "Stop," "Drive-in," "Danger," or any other words, phrases, symbol or character in such manner as to interfere with, mislead or confuse vehicle operators.

(3) Clearances. Clearances shall be as specified in the Uniform Sign Code. Clearances over utility easements shall be a minimum of fourteen feet (14').

(4) Setbacks. Unless otherwise specified, the setback for all signs shall be at least eighteen inches (18") from the property line as measured from the leading edge of the sign.

(5) Signs On and Over Public Property. No sign shall be located on publicly owned land or inside a street right-of-way except signs required and erected by permission of an authorized public agency and "A" Frame, Pedestal and Projecting signs as allowed herein. Signs not permitted include, but are not limited to, handbills, posters, advertisements or notices that are fastened, placed, posted, painted or attached in any way upon any curbstone, lamp post, telecommunications pole, electric light or power pole, hydrant, bridge, tree, rock, sidewalk, or street.

Projecting signs may project over public property up to three feet (3'), but in no case be closer than two feet (2') to the curb line or edge of street, whichever is more restrictive. Other signs may not project over public property.

(6) Lighted Signs. A lighted sign shall not be installed which permits the light to penetrate beyond the property in such a manner as to annoy or interfere with the use of adjacent properties.

Such lights alleged to violate the above by the adjacent property owners or Building Official shall be subject to a public hearing before the Planning Commission as to the validity of the alleged violation. If such light is determined to be in violation, the owner of said light shall take appropriate corrective action as directed.

(7) Size Computation. The following shall be used when calculating sign sizes: When more than one use occupies a lot, the frontage may be used to calculate the sign sizes for one total of a ground or projecting sign, not for each use. The total may then be divided between the uses. There may be any number of flat or wall signs provided their total does not exceed the percentage of wall area coverage allowed.

(8) Planning Commission/Conditional Use Permits. For a site that is five (5) acres or larger, the Planning Commission may consider an on-premise sign proposal that is less restrictive than regulations set forth herein. Such sign plans shall be considered a conditional use and a determination shall be made that the proposed sign exceptions are not in conflict with the purpose of this Chapter and are in architectural harmony with the development and other buildings and uses adjacent to the development.

(9) Maintenance of Signs. All signs and advertising structures shall be maintained in a safe, presentable, and good condition including the replacement of defective parts, repainting, cleaning, and other acts required for the maintenance of said sign.

(10) Abandonment of Signs. Signs not maintained as required in Subsection (9), or relating to a product no longer available for purchase or to a business which has moved, shall be removed within thirty (30) days of such unavailability, closure or relocation.

If an abandoned sign is not maintained and used within ten (10) working days after written notice is delivered to or sent by certified mail to the person having charge or control or benefit of such sign, the Zoning Administrator may at once abate and remove said sign and the person having charge, control or benefit of any such sign shall pay to Kaysville City the costs incurred in such removal within thirty (30) calendar days after written notice of the cost is delivered to or mailed to such person.

17-33-8 Prohibited Signs. Signs not specifically allowed by this Chapter are prohibited. The following signs are specifically prohibited:

- (1) Snipe Signs.
- (2) Off-premise signs, except Open House signs and Directional signs

17-33-9 Signs Permitted by Zone.

ZONE: All

Sign:	<u>Construction</u>
Size:	32 sq. ft. plus 1 sq. ft. for each 10 ft. of frontage over 30 ft. to a maximum of 96 sq. ft. per development.
Height:	20 ft. maximum
Location:	On private property
Other:	Sign must be removed within 30 days from final building or conditional use inspection that allows occupancy or when 100% of the facilities are occupied, whichever occurs first.
Sign:	<u>Directional</u>
Location:	In City right-of-way
Other:	Sign(s) paid for by applicant and installed only by Kaysville City subject to complying with the Kaysville City Directional Sign Policy.
Sign:	<u>Governmental</u>
Other:	By government entity only
Sign:	<u>Identification</u>
Size:	36 sq. ft. maximum
Location:	Attached to main structure
Other:	Allowed with public or quasi-public uses. May be floodlighted, but not within 50 feet of a dwelling.
Sign:	<u>Interior</u>
Sign:	<u>Low Profile</u>
Size:	32 sq. ft. plus 1 sq. ft. for every 10 feet of frontage over 30 ft. to a maximum of 64 sq. ft.
Height:	4 ft. maximum
Location:	On private property and set back 6 ft. from property lines
Other:	One sign per street frontage and appropriately landscaped for the site. Conditional use in agricultural and residential zones. May be lighted by conditional use.
Sign:	<u>Name Plate</u>
Size:	1 sq. ft. maximum per use – residential zones; 3 sq. ft. maximum per use – other zones.
Location:	Attached to main structure

Sign: Open House
Size: 6 sq. ft. maximum
Height: 3 ft. maximum; 2 ft. in view obstruction area
Location: Within 1,000 feet of real estate open for inspection. On private property not closer than one foot to sidewalk or property line.
Other: Only displayed from one hour before to one hour after the time the real estate is open for actual inspection and not more than 5 continuous hours. Not more than four signs per open house. Not more than one sign on a parcel of property. Must have property owner's permission.

Sign: Political
Size: 32 sq. ft. maximum
Height: 6 ft. maximum
Location: On private property and not closer than 10 ft. to a driveway

Sign: Property (Real Estate)
Size: 6 sq. ft. maximum – residential zones; 32 sq. ft. maximum – other zones
Height: 6 ft. maximum – residential zones; 12 ft. maximum – other zones
Location: On private property
Other: Shall be removed within 30 days after the property is sold

Sign: Public Necessity
Other: By public agency only

Sign: Service
Size: 6 sq. ft. maximum
Height: 3 ft. maximum when free standing
Location: On private property
Other: May be lighted in GC, CC and LI zones

ZONE: Public Use (PU), Professional Business (PB), General Commercial (GC), Central Commercial (CC), Light Industrial (LI), Health Care (HC)

Sign: Flat or Wall
Size: 25% of a wall area maximum
Height: Not higher than building it is on
Location: Attached to a building
Other: Up to 40 sq. ft. may be promotional sign. Flat signs exposed to dwellings on adjacent property shall not be illuminated within 50 feet of such dwellings.

Sign: Monument
Size: 32 sq. ft. plus 1 sq. ft. per every 5 ft. of frontage over 30 ft. to a maximum of 64 sq. ft.
Height: 5 ft. maximum
Location: 1 sign per frontage on private property.
Other: The supporting structure or architectural detail of a monument sign is not calculated as sign area if the structure is incorporated into the surrounding landscaping design or with other structural or architectural aspects of the site. Architectural detail may extend beyond the 5 ft. height maximum by as much as 2 ft. and a horizontal distance of 2 ft. of the sign cabinet.

ZONE: PU, GC, CC, LI

Sign: Banner
Size: Limited to the difference between the size of the on-premise, ground sign, flat or wall sign and the size allowed.
Height: Not higher than the sign or wall it is on.
Location: On an on-premise, ground sign or building wall.
Other: Shall only be displayed for up to one calendar year. Shall be maintained and kept in good repair.

Sign: Menu Board
Size: 35 sq. ft. maximum
Height: 6 ft. maximum
Location: Behind the front landscaped setback area on private property.
Other: May be two (2) per site

Sign: On-Premise, Ground
Size: 1.5 sq. ft. per foot of frontage, up to 300 sq. ft. maximum within 300 feet of I-15; 1.5 sq. ft. per foot of frontage, up to 200 sq. ft. maximum within 3,000 feet of I-15 or within 1,320 feet of another Principal Arterial Street; 1.5 sq. ft. per foot of frontage, up to 120 sq. ft. maximum at other locations.
Height: 45 ft. maximum within 300 feet of I-15; 30 ft. maximum within 3,000 feet of I-15 or within 1,320 feet of another Principal Arterial Street, 8 feet maximum at other locations.
Location: 1 sign per frontage on private property.
Other: Up to 40 sq. ft. may be promotional sign. Illumination may be built into or attached to signs. More than one sign on one parcel shall be separated by 100 ft. The base and structure of all on-premise ground signs beyond 300 ft. of I-15 shall be the same method of construction, style and design of the materials used in the construction of the building(s). The sign elements shall be an integral part of the architecture and design of the site. The colors shall be subdued and unobtrusive. Signs with exposed metal supports or metal masking shall not be permitted.

ZONE: PB, GC, CC, LI

Sign: Electronic Message Center (EMC)
Size: Allowable EMC size shall not exceed 50% of total allowed sign size and not more than 75% of any sign cabinet.
Other: EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional use in zones where permitted. Allowed only as part of monument and ground signs. As part of the conditional use review the Planning Commission may consider hours of operation, sign height, sign size, and/or setbacks from property lines.

ZONE: GC, CC, LI

Sign: Animated
Other: Conditional use

Sign: Awning
Size: 25% of wall area maximum
Location: Attached to a building
Other: May be lighted, but not within 50 feet of a dwelling

Sign: Balloon
Location: On private property
Other: Conditional use for the period permitted.

Sign: Canopy
Height: Structure limit in zone
Location: Attached to a building
Other: Must have building permit

Sign: Marquee
Height: Structure limit in zone
Location: Attached to a building
Other: Must have building permit

Sign: Right-of-Way
Other: Installed by City only when approved.

Sign: Window

ZONE: GC, CC

Sign: "A" Frame or Pedestal
Size: 4 feet maximum width
Height: 6 feet maximum
Location: On the private property on which the business is located or in the area between the street curb or shoulder and the front lot line of the property on which the business is located, but not obstructing the roadway or pedestrian ways.
Other: Each business occupying a separate space in the building and having a separate exterior building entrance may display one such sign while the business is open for business.

Sign: Projecting
Size: 32 sq. ft. maximum
Height: Not higher than building it is on
Location: Attached to a building

ZONE: R-T, R-A, R-1, R-D, R-2, R-4, R-M (Residential Zoning Districts)

Sign: Development
Size: 32 sq. ft. plus 1 sq. ft. for each 10 ft. of frontage over 30 ft. to a maximum of 96 sq. ft. per development.
Height: 12 ft. maximum
Location: On private property
Other: Conditional use in all residential zoning districts, only for new development with at least 4 lots for sale. Subject to 17-30-7 Temporary Uses.