



# CITY OF ROGUE RIVER

133 Broadway • Box 1137 Rogue River, Oregon 97537 • (541) 582-4401

Fax: (541) 582-0937 • website: cityofrogue.com

## SIGN PERMIT APPLICATION

Fee: \$25.00 per sign, plus \$1.00 for each foot over 25 square feet

Business Name: \_\_\_\_\_

Business Location: \_\_\_\_\_ Phone: \_\_\_\_\_

Applicant Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Property Owner (must provide Authorization Letter if different than applicant): \_\_\_\_\_

Legal description of property: T36S, R4W, Section \_\_\_\_\_, Tax Lot \_\_\_\_\_

**It is recommended that Rogue River Municipal Code 17.85 be reviewed prior to any sign construction.**

**NUMBER AND TYPE OF SIGNS REQUESTED:** (i.e. ground, wall, marquee, electrical etc.)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

*Note: If your applying for a ground sign you must determine if placement will interfere with any underground lines, pipes, etc.? Please call 811 before you dig.*

**ARE ANY OF THE SIGNS TEMPORARY?** \_\_\_\_\_ **EXPLAIN:** \_\_\_\_\_

**ARE THERE ANY ALTERATIONS TO EXISTING SIGNS?** \_\_\_\_\_ **EXPLAIN:** \_\_\_\_\_

### ATTACH AN 8½" X 11" DRAWING AND SITE PLAN OUTLINING ALL OF THE FOLLOWING:

- \_\_\_\_\_ **Size of each sign requested**
- \_\_\_\_\_ **Size of each existing sign**
- \_\_\_\_\_ **Site Plan: Diagram the location of proposed signs and all existing signs in relationship to sidewalks, driveway, parking lot, street and location of the building (see examples attached)**
- \_\_\_\_\_ **Type of construction proposed for each sign: i.e. wood, metal, vinyl, canvas or glass and how it will be installed or attached to the structure**
- \_\_\_\_\_ **Photo or artwork of sign**

I hereby affirm that the information set forth above is correct to the best of my knowledge:

\_\_\_\_\_  
Signature of Applicant(s) \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\* (Do not write below this line) \*\*\*\*\*

Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Applicant informed of meeting date: \_\_\_\_\_

Staff comments for Sign Review Board: \_\_\_\_\_

\*\*\*\*\* (Process after Approval) \*\*\*\*\*

Received by: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Receipt No.: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

We are an AA/E/OE and comply with Section 504 of the Rehab. Act of 1973

"Home of the National Rooster Crowing Contest"



TREE CITY USA



# PLANNING/BUILDING/PUBLIC WORKS APPLICATION REVIEW AND SIGN OFF

(Staff to be review for placement and structure of this proposed sign and provide any comments on the Permit Clearance Sheet)

Planning Department	YES _____	NO _____	DATE: _____	INITIAL _____
Building Department	YES _____	NO _____	DATE: _____	INITIAL _____
Public Works Department	YES _____	NO _____	DATE: _____	INITIAL _____

IF NOT, WHY: \_\_\_\_\_

## ACTIONS OF THE SIGN REVIEW BOARD

DATE SIGN APPLICATION RECEIVED BY THE BOARD: \_\_\_\_\_

WAS APPLICANT OR REPRESENTATIVE PRESENT AT MEETING? \_\_\_\_\_

WAS SIGN APPLICATION COMPLETE FOR REVIEW? YES \_\_\_\_\_ NO \_\_\_\_\_

DATE INCOMPLETE SIGN APPLICATION RETURNED TO APPLICANT: \_\_\_\_\_

WAS SIGN SITE PHYSICALLY INSPECTED? YES \_\_\_\_\_ NO \_\_\_\_\_ DATE: \_\_\_\_\_ BY WHOM: \_\_\_\_\_

WAS APPLICANT OR REPRESENTATIVE PRESENT AT TIME OF INSPECTION? \_\_\_\_\_

WHO WAS PRESENT? \_\_\_\_\_

WERE ANY SUGGESTED CORRECTIONS AGREED TO AT TIME OF INSPECTION? YES \_\_\_\_\_ NO \_\_\_\_\_

COMMENTS: \_\_\_\_\_

WERE ANY VARIANCES ALLOWED? YES \_\_\_\_\_ NO \_\_\_\_\_

IF YES, EXPLAIN: \_\_\_\_\_

WERE ANY CONDITIONS SET? YES \_\_\_\_\_ NO \_\_\_\_\_

IF YES, EXPLAIN: \_\_\_\_\_

WAS APPLICATION APPROVED: YES \_\_\_\_\_ NO \_\_\_\_\_ DATE \_\_\_\_\_

IF NOT, WHY: \_\_\_\_\_

GENERAL COMMENTS OR RECOMMENDATIONS TO THE APPLICANT: \_\_\_\_\_

FEE ASSESSED \$25.00 X \_\_\_\_\_ SIGNS, PLUS \$1 AT \_\_\_\_\_ SQUARE FEET = \$ \_\_\_\_\_ TOTAL DUE  
(NUMBER OF SIGNS TIMES \$25 PLUS \$1 PER SQUARE FOOT OVER 25 SQUARE FEET)

### APPROVED BY:

CHAIRS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

MEMBERS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

MEMBERS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

## Chapter 17.85 SIGNS

### Sections:

- 17.85.010 Short title.**
- 17.85.020 Purpose.**
- 17.85.030 Definitions.**
- 17.85.040 Responsibilities.**
- 17.85.050 Sign permits.**
- 17.85.060 Construction and maintenance.**
- 17.85.070 General sign regulations.**
- 17.85.080 Residential sign regulations.**
- 17.85.090 Commercial and industrial regulations.**
- 17.85.100 Temporary and other exempt signs.**
- 17.85.110 Prohibited signs.**
- 17.85.120 Nonconforming signs.**
- 17.85.130 Notice of violation.**
- 17.85.140 Appeal to city council.**
- 17.85.150 Abatement procedure/enforcement.**

### **17.85.010 Short title.**

This chapter shall hereafter be known and designated as the "sign ordinance of the city of Rogue River." [Ord. 07-335-O § 1; Ord. 93-229-O § 1].

### **17.85.020 Purpose.**

The purpose of this chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures not located within a building. This chapter is adopted in recognition of the important function of signs and the need to safeguard and enhance the economic and aesthetic values in the city of Rogue River. The regulations of this code are not intended to permit any violation of the provisions of any other lawful ordinance. [Ord. 07-335-O § 2; Ord. 93-229-O § 2].

### **17.85.030 Definitions.**

Unless the context clearly requires otherwise, the singular includes the plural, and the following words and phrases shall mean:

"Alteration" means any change excluding content, and including, but not limited to, the size, shape, method of illuminations, position, locations, materials, construction, or supporting structure of a sign.

"Area" means the area included within the outer dimensions of a sign, normally the area of a rectangle, square, circle of the backboard to which the lettering, logo, etc., of the business is affixed, or a geometric border approximate to the outside of the lettering and/or logo.

"Awning" means a shelter projecting from and supported entirely from the exterior wall of a building and constructed of rigid or nonrigid materials on a supporting framework.

"Building face" or "wall" means all window and wall areas of a building in one plane or elevation.

"Bulletin board" or "reader board" means a sign which accommodates changeable copy.

"Business" means a commercial or industrial enterprise.

"Business frontage" means a lineal front footage of a building or portion thereof that is devoted to a specific business or enterprise.

"Business premises" means a parcel of property or that portion thereof occupied by one tenant.

"Canopy" means a nonmovable rooflike structure attached to a building.

"Changing image **sign**/electronic message **sign**" means a **sign** that makes use of:

1. Moving structural elements;
2. Flashing or sequential lights;
3. Lights in a dot matrix or LED configuration, which may be changed intermittently; or
4. Other automated method, which results in movement, the appearance of movement, or change of **sign** image, message or display.

"Directional **sign**" means a **sign** required by the travel information council as a followup **sign**, needed by a business having a freeway **sign**, or any approved **sign** requested by a business, but said **sign** to be located off the business premises and used as a locator and the definition also includes any master directional **sign** installed by the city.

"Flashing **sign**" means a **sign** incorporating an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

"Frontage" means the single wall surface of a building facing a given direction.

"Governmental entity" means any United States government, state of Oregon, Jackson County or Rogue River function.

"Ground **sign**" means a **sign** erected on a freestanding frame, mast or pole and not attached to any building.

"Illegal **sign**" means a **sign** which is erected in violation of this chapter.

"Illuminated **sign**" means a **sign** illuminated by an internal light source or an external light source primarily designed to illuminate the **sign**. The illumination is "external" when the light source is separate from the **sign** surface and is directed to shine upon the **sign** and "internal" when the light source is contained within the **sign**, but does not include **signs** where the text or image is composed of dot-matrix or LEDs. External illumination is "direct" when the source of sight is directly seen by the public, such as floodlight, and "indirect" when the source of light is not directly seen by the public, such as cove lighting.

"LED" means a semiconductor diode that converts applied voltage to light and is used in digital displays.

"Marquee" means a nonmovable rooflike structure attached to or supported by a building which is self-draining.

"Marquee **sign**" means a **sign** which is painted on, attached to, or supported by a marquee, awning, or canopy.

"Neon **sign**" means a **sign** which is internally illuminated by a light source consisting of neon or other gas contained in a tube, except for fluorescent lights.

"Nonconforming **sign**" means an existing **sign**, lawful at the time of enactment of the ordinance codified in this chapter, which does not conform to the requirements of this chapter.

"Projecting **signs**" means **signs**, other than wall **signs**, which are attached to and project from a roof or wall of a structure or building face, usually perpendicular to the building face.

"Public service entity" means any public service nonprofit organization, such as, but not limited to, Chamber of Commerce, fire department, ambulance, public museum, etc.

"Roof **sign**" means any **sign** erected upon, or against, or directly above a roof or top or above the parapet of a building.

"Setback" means the horizontal distance from the property line to the **sign**, measured at the closest points of the **sign** to the property line.

"Shopping center" or "business complex" means any business or group of businesses which are in a building or group of buildings, on one or more lots.

"**Sign**" means any writing, video projection, illumination, pictorial representation, illustration, decoration, emblem, symbol, design, trademark, banner, flag, pennant, captive balloon, streamer, spinner, ribbon, sculpture, statue, or any other figure or character that:

1. Is a structure or any part thereof (including the roof or wall of a building); or
2. Is written, printed, projected, painted, constructed, or otherwise placed or displayed upon or designed into a structure or an outdoor screen or monitor, or a board, plate, canopy, awning, marquee, or a vehicle, or upon any material object, device, or surface whatsoever; and
3. Communicates or is designed to communicate on any subject whatsoever.

"**Sign** copy" means the message or image conveyed by a **sign**.

"**Sign** face" means the sum of the surfaces of a **sign** face as seen from one plane or elevation included within the outer dimensions of the **sign** board, frame or cabinet.

"**Sign**, public" means a **sign** erected by a public officer or employee in the performance of a public duty which shall include, but not limited to, motorist informational **signs** and warning lights.

"Street frontage" means the lineal dimensions in feet that the property upon which a structure is or can be built abuts a public street or streets.

"Temporary **sign**" means a **sign** which is not permanently affixed. All devices such as but not limited to banners, pennants, flags (not including flags of national, state, or city governments), searchlights, sandwich boards, sidewalk **signs**, curb **signs**, balloons or other air or gas filled displays. In no case will these types of **signs** be displayed for over 45 days except for a product or event change and with approval from the **sign** review board. The procedure of taking down the **sign** for a short period of time and then reinstalling the same or identical **sign** will not be condoned.

"Tri-vision **sign**" means a **sign** that contains display surfaces composed of a series of three-sided rotating slates arranged side by side, either horizontally or vertically, that are rotated by an electro-mechanical process, capable of displaying a total of no more than three separate and distinct messages, one message at a time; provided, that the rotation from one message to another message is no more frequent than every eight seconds and the actual rotation process is accomplished in four seconds or less.

"Video **sign**" means a **sign** providing information in both a horizontal and vertical format (as opposed to linear), through the use of pixel and sub-pixel technology having the capacity to create continuously changing **sign** copy in a full spectrum of colors and light intensities.

"Vision clearance area" means a triangular area on a lot at the intersection of two streets or a street and a railroad, alley, or driveway as defined and measured in this title, or those areas near intersections or roadways and motor vehicle access points where a clear field of vision is necessary for traffic safety and to maintain adequate sight distance.

"Wall graphics" includes but is not limited to any mosaic, mural, painting or graphic art technique or combination or grouping of mosaics, murals, paintings or graphic art techniques applied, implanted or placed directly onto a wall or fence.

"Wall **sign**" means a **sign** attached to or erected against the wall of a building with the face in a parallel plane of the building wall.

"Wind **sign** or device" means any **sign** or device in the nature of banners, flags, balloons, or other objects fastened in such a manner as to move upon being subject to pressure by wind or breeze. [Ord. 09-367-O § 1; Ord. 07-335-O § 3; Ord. 93-229-O § 3].

**17.85.040 Responsibilities.**

The responsibilities for regulating, reviewing, amending and enforcing this chapter are as follows:

A. Mayor. The mayor will appoint three regular members and three alternate members of the community to the **sign** review board. The mayor will forward any and all information which requires attention to the appropriate department/committee.

B. City Council. The city council will review all recommendations pertaining to appointments, amendments, and interpretation of this chapter. The city council will hear all appeals made regarding the enforcement of this chapter. The city council will have the final decision in all matters regarding this chapter.

C. **Sign** Review Board. The **sign** review board will consist of three members of the community and three alternate members of the community. Members shall serve a term of one year. The term shall run from time of appointment until January 15th of the following year. **Sign** review board members shall:

1. Elect a chairperson at their first meeting, and meet at least once a month thereafter.
2. Review **sign** permit applications and make approvals, denials, recommend changes as applicable, and assess fees for **signs**.
3. Have 15 working days from receipt of a **sign** application to forward their decision to the city recorder.
4. Have 15 working days to determine if a violation exists, and forward their recommended method of enforcement to the city council.
5. Review and make recommendations for changes to this chapter to the city council at least annually.
6. Review complaints regarding any possible violations to this chapter and recommend method of enforcement.
7. Recommend variances to any **sign** application that may not conform to this chapter. Variances may be considered in cases where the visibility and identification of the business cannot be realistically made under the restrictions of this chapter. The **sign** review board shall make a finding that the **sign** which would result from a variance will not affect the surrounding neighborhood or other property which could be affected by the variance. The **sign** review board must outline the reasons for a variance in their endorsement portion of the **sign** application.

D. Public Works. The public works director shall act as technical advisor to the **sign** review board, and assist in determining **sign** placement with regard to state laws. It shall be the responsibility of the public works department to:

1. Report all observations or complaints of possible violations to the **sign** review board.
2. Take immediate action when a **sign** is in such condition that it constitutes an immediate hazard, and, if not removed or repaired, would cause physical injury to any person. Immediate action may include removal if the responsible owner is not available.
3. Carry out the recommendations of the city council or the municipal court when determination is reached to abate a violation.
4. Replace any city owned or erected **signs** that are in disrepair or have been damaged to the point that the intent is not clear.

E. Police Department. The police department shall:

1. Report all observations or complaints of possible violations to the **sign** review board.
2. Report **sign** conditions that constitute an immediate hazard to the public works department, and assist in locating the responsible owner.
3. Investigate all reports of possible violations determined by the **sign** review board, and initiate the abatement procedure as described in this chapter. [Ord. 09-367-O § 2; Ord. 07-335-O § 4; Ord. 93-229-O § 4].

**17.85.050 Sign permits.**

A city **sign** permit and fee will be required except under certain circumstances.

A. Required. A **sign** permit will be required under the following instances:

1. Prior to the placement of any new **sign**.
2. Prior to any alteration of an existing **sign**, including any **sign** content.
3. To place a temporary **sign** for a new business, not to exceed 90 days.
4. To relocate an established business **sign**.

B. Permit Requirements. For the purpose of review by the **sign** review board, the following information will be required:

1. A drawing which indicates location of **sign** and its proposed relationship to any building, and any existing **signs** on the building.
2. A detailed list of materials, dimensions, shape, method of attachment, and structural elements of the proposed **sign**.
3. A completed **sign** permit application.

C. Permit Fee. The fees for a **sign** permit shall be set forth in a resolution by the city council, except:

1. No fee shall be required for minor maintenance and repairs of existing **signs**.
2. No fee shall be required for temporary **signs**.
3. No fee shall be required for **signs** requested by governmental and certain public service, nonprofit agencies, as determined by the **sign** review board.
4. A minimum of double the regular fee shall be charged for **signs** erected without a permit. **Signs** erected prior to obtaining a permit from the **sign** review board may be allowed to remain if said **sign**(s) comply with this chapter and are approved by the **sign** review board.

D. Building Permit Required. A building permit and fee shall be required unless said **sign** is expressly exempted from the Uniform **Sign** Code.

E. Building Permit Requirements. For the purpose of review by the building official, the following information will be required:

1. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provision of the **sign** code and relevant laws, ordinances, rules and regulations, as determined by the building official.
2. Site plan showing the size and location of the new **sign**, and existing structures on the site and distances from lot lines. The building official may waive or modify the requirement for a site plan when the application for a permit is for alteration or repair or when otherwise warranted.
3. Construction documents (drawings) shall indicate location of **sign** and its proposed relationship to any building and any existing **signs** on the building.
4. A detailed list of materials, dimensions, shape, method of attachment, and structural elements of the proposed **sign**, including foundation details if necessary.
5. Additional information for structures located in whole or in part in a flood hazard area shall be provided to the building official.
6. A completed building permit application.

F. Building Permit Fee. The fees for a building permit shall be as set forth in a resolution adopted by the city council which established a building valuation and permit fee schedule. Said permit fee shall be based on the value of the work.

1. No fee shall be required for minor maintenance and repairs of existing **signs**.

2. An investigation fee shall be charged for all work started without a building permit. The investigation fee shall be double the regular fee.

G. Inspections. If a building permit is required, the building official shall perform a **sign** inspection upon notification by the permittee that the construction is ready for inspection. Failure of the permittee to notify the building official of the progress of construction for inspection purposes shall result in the revocation of the **sign** permit. A final inspection of a **sign** shall be made upon completion of all construction work and prior to its illumination. All **signs** may be inspected or reinspected at the discretion of the building official. The building official shall inspect footings for a monument, ground-mounted or freestanding **signs**.

H. Electrical Permit. When deemed necessary by the building official, electrical permits shall be obtained as part of the **sign** permit process. Electrical inspections shall be completed before the building official completes a final inspection.

I. Permit Issued. All occupation tax applicants within the city limits shall be issued a **sign** application for a **sign** permit, and will be advised that no **sign** will be erected, altered, or replaced until approval of the permit by the **sign** review board and the building official. Upon approval of the permit, the city recorder shall issue a permit and collect the necessary fees. The city recorder shall keep a copy and permanent record of each permit issued.

J. **Sign** Installation. All **signs** are to be installed within 180 days of approval. If not installed within the 180 days, a permit renewal will be required. [Ord. 09-367-O § 3; Ord. 07-335-O § 5; Ord. 93-234-O § 1; Ord. 93-229-O § 5].

#### 17.85.060 Construction and maintenance.

A. Materials and Construction Standards. All **signs** and their supporting members may be constructed of any suitable material, subject to the provisions of this chapter and meeting building code requirements, including but not limited to the following:

1. All glass used in the **sign** shall be shatter-resistant or, if plastic, approved by the building code.
2. All **signs** shall be designed, constructed, and erected in accordance with the requirements of the Oregon State Structural Code and the Uniform **Sign** Code and shall resist the applicable wind loads set forth in the aforementioned codes.
3. All illuminated **signs** must be installed subject to the requirements of the State Electrical Code. All electrically illuminated **signs** shall be listed, labeled, and tested by a testing agency recognized by the state of Oregon.
4. All **signs**, together with all of their supports, braces, guys, and anchors, shall be maintained at all times in a state of good repair. 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. **Signs** that are faded, torn, damaged, or otherwise unsightly, or in a state of disrepair, shall be immediately repaired or removed. [Ord. 09-367-O § 4; Ord. 07-335-O § 6; Ord. 93-229-O § 6].

#### 17.85.070 General **sign** regulations.

The following general provisions shall govern all **signs** in addition to all other applicable provisions of this chapter.

##### A. Obstruction by **Signs**.

1. No **sign** shall be placed so that its surface or supports obstruct any fire escape, standpipe, stairway, door or exit from any building.
2. No **sign** shall be erected in a manner that would confuse or obstruct the view or interpretation of any official traffic **sign**, signal or device.
3. No **sign** shall obstruct the view of vehicular or pedestrian traffic flow.
4. No **sign** shall obstruct vehicular or pedestrian traffic flow.
5. No **sign** 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, provision of this code, or provisions of the



State Building Code.

B. Placement of **Signs**.

1. No ground **sign** shall be erected where the **sign** projects into a pedestrian walkway.
2. No **sign** or portion thereof shall extend beyond any property line of the premises on which such **sign** is located, except for approved projections over public property.
3. The lowest portion of a projecting **sign** must be at least eight feet above grade, or 10 feet above grade if located within a corner clearance clear vision area.
4. All **signs** shall be sited in accordance with RRMC 17.65.040. [Ord. 09-367-O § 5; Ord. 07-344-O § 1; Ord. 07-335-O § 7; Ord. 93-229-O § 7].

**17.85.080 Residential sign regulations.**

Nothing contained herein shall be construed as permitting any type of **sign** in conjunction with a home occupation.

A. Neighborhood Identification **Signs**. One **sign** shall be permitted at each entry point to residential development not exceeding an area of 24 square feet per **sign**.

B. Conditional Use Permits. One ground **sign** or one wall **sign** not exceeding an overall height of five feet and an area of 24 square feet, set back at least 10 feet from property lines, may be permitted. Such **signs** shall be approved in conjunction with the issuance of the conditional use permit.

C. Other Residential **Signs**. Residential development shall be allowed one wall **sign** or one ground **sign** which meets the following criteria:

1. The total size of the **sign** is limited to 24 square feet.
2. The maximum height of the highest portion of any ground **sign** is to be eight feet above grade. [Ord. 07-335-O § 8; Ord. 93-229-O § 8].

**17.85.090 Commercial and industrial regulations.**

**Signs** in the commercial and industrial district shall conform to the additional following regulations:

A. Special Provisions.

1. Frontage. The number and use of **signs** allowed by virtue of a given business street frontage shall be placed only upon such business street frontage, and no business shall be allowed more than two **signs** for each business frontage except by application and approval of the **sign** review board.
2. Area. The total area of any **sign** shall not exceed 60 square feet.
3. Aggregate Area of **Signs**. The aggregate area of all **signs** established by and located on a given street frontage shall not exceed an area equal to two square feet for each lineal foot of building street frontage, not to exceed 120 square feet. Aggregate area shall not include nameplates, business hours, real estate and/or construction **signs**, product merchandise or reader type **signs**.

B. Types of **Signs** Permitted.

1. Wall **Signs**.

- a. **Signs** may project a maximum of 18 inches from the face of the building to which they are attached, provided the lowest portion of the **sign** is at least eight feet above grade.
- b. No business shall be allowed more than two wall **signs** for each business frontage except by application and approval of the **sign** review board.

2. Ground **Signs**.

- a. Ground **signs** shall be limited to one per business, and the height shall be determined by the **sign** review board with consideration given to location and area. No ground **sign** shall exceed 40 feet in height.

b. The lowest portion of a ground **sign**, if within a pedestrian traffic area, shall not be less than eight feet above grade.

### 3. Marquee or Awning **Signs**.

- a. A maximum of two **signs** shall be permitted for each business frontage in lieu of wall **signs**.
- b. **Signs** shall not exceed the permitted aggregate **sign** area, not taken up by a wall **sign**.
- c. **Signs** may not project beyond the face of the marquee if suspended, or above the face of the marquee if attached to and parallel to the face of the marquee.
- d. **Signs** shall have a maximum face height of nine inches if placed below the marquee, and the lowest portion of any **sign** must be at least eight feet above grade.

### 4. Projecting **Signs**/Roof **Signs**.

- a. One **sign** shall be permitted for each business or group of businesses occupying a single common space or suite in lieu of a wall **sign**.
- b. Except for marquee or awning **signs**, a projecting **sign** shall not exceed an area of one square foot for each two feet of lineal business frontage that is not already utilized by a wall **sign**. The maximum area of any projecting **sign** shall be 20 square feet.
- c. **Signs** may project from the face of the building to which they are attached a maximum of two feet if located eight feet above grade, or four feet if located 10 feet above grade or more.
- d. No roof **sign** shall exceed 40 feet in height from grade and shall be at a minimum of eight feet above grade.

### 5. Changing Image **Signs** or Electronic Message **Signs**. Changing image **signs** or electronic message **signs** permitted under this chapter shall comply with the following standards and all other applicable requirements under this code or other applicable law:

- a. The **sign** is constructed, established, operated, or otherwise functioning in such a way that the message or display changes no more frequently than every two seconds, and the actual copy change shall be accomplished in four seconds or less. Once changed, the copy shall remain static until the next change.
- b. The changing image **sign** may not be more than 40 square feet, whether the changing image is stand alone or a part of a more comprehensive or aggregate **sign**.
- c. Subject to subsection (B)(5)(d) of this section, the changing image **sign** must be constructed, established, operated, or otherwise function in such a way as to not exceed the following illumination limitations.

No electronic message **sign** lamp may be illuminated to a degree of brightness that is greater than necessary for visibility. In no case may the brightness exceed 5,000 nits or equivalent candelas during daylight hours, or 1,000 nits or equivalent candelas between dusk and dawn. **Signs** found to be too bright shall be adjusted or removed as directed by the city administrator.

- d. The permittee shall submit to the building official a written certification from the **sign** manufacturer stating that the light intensity of the **sign** has been factory pre-set not to exceed the levels specified in subsection (B)(5)(c) of this section, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the building official.
- e. No other flashing light is permitted on the same side of a **sign** containing a changing image sign.
- f. Displays may travel horizontally or scroll vertically onto electronic message signs, but must hold in a static position after completing the travel or scroll.
- g. Electronic message signs requiring more than four seconds to change from one copy to another shall be turned off during the change interval.

h. Sign copy shall not appear to flash, undulate, or pulse, or portray explosions, fireworks, flashes of lights, or blinking or chasing lights. Copy shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist, or otherwise portray graphics or animation as it moves onto, is displayed on, or leaves the sign face.

i. For shopping centers and business complexes, one single- or double-faced changing image sign or electronic message sign per site may be incorporated into a pole, monument, or ground sign; the sign area of the electronic message portion of the sign shall not exceed 50 percent of the total sign face, not to exceed the maximum allowable square footage of a changing image/electronic message sign of 40 square feet.

j. Changing image or electronic message signs located within 150 feet of any residence or residential zone, as measured from any part of the sign to the nearest boundary of a property used or zoned residential, are subject to the following additional requirements:

i. Between the hours of 7:00 a.m. and 10:00 p.m., the signs may operate in accordance with the provisions outlined above.

ii. Between the hours of 10:00 p.m. and 7:00 a.m., the sign may only display static images with a hold time of no less than three seconds, with instantaneous transitions from one static frame to another static frame, without the use of any frame entrance, exit or hold effects or the use of any animation or background animation. [Ord. 09-367-O § 6; Ord. 07-335-O § 9; Ord. 93-229-O § 9].

#### **17.85.100 Temporary and other exempt signs.**

The following signs are temporary by their nature, and are limited to special events, self-canceling upon completion of advertisement, or are placed by a governmental agency. All exempt signs shall be subject to the other regulations contained in this chapter relative to the size, lighting or spacing of such sign. Temporary and other exempt signs include, but are not limited to:

A. Informational signs placed by the city of Rogue River, Jackson County, state of Oregon, or the United States government in the publicly owned right-of-way.

B. Memorial tablets, cornerstones, or similar plaques not exceeding six square feet in size.

C. Temporary signs not exceeding four square feet that concern an election. These signs shall be erected no more than 45 days prior to and removed within seven days following the election.

D. Temporary signs painted or placed upon a window in a nonresidential zone maintained for a period not exceeding 90 days. Window signs which remain longer than 90 days will be considered permanent and must comply with the provisions of this chapter.

E. Temporary nonilluminated signs for charitable fund raising events placed by nonprofit and charitable organizations. Such signs shall not be placed more than 30 days prior to the event and must be removed within two days following the event.

F. Temporary, nonilluminated real estate or construction signs not exceeding 16 square feet in area in residential zones or 32 square feet in area in commercial and industrial zones, provided:

1. Only one sign may be placed adjacent to the public street frontage on each city-approved and recorded lot.
2. Signs may be erected on the applicable property only.
3. Flag lot properties may have one directional sign erected near the entrance of the private or flag lot driveway adjacent to the public street.

G. Small incidental signs, provided said signs do not exceed four square feet in area per sign, limited to two on any parcel or two per street frontage, whichever is greater.

H. Cloth, canvas, or fabric signs may extend across a public street only by permission of the city council. Such signs, when extended over a public street, shall maintain a minimum clearance of 18 feet above grade.

I. Reader board signs, to include sandwich board signs, are limited to 15 square feet, and shall be placed on the applicable property in a manner that does not interfere with pedestrian or vehicular traffic.

J. No temporary or incidental signs shall be placed on public property or utility poles.

K. No temporary or incidental signs shall be placed on private property unless permission is secured from property owner. [Ord. 07-335-O § 10; Ord. 93-229-O § 10].

#### **17.85.110 Prohibited signs.**

Signs that create a hazard, cause a public nuisance or are offensive or unsightly are prohibited.

A. No sign shall have or consist of any moving, rotating, flashing, or otherwise animated part.

B. No public address system or sound devices shall be used in conjunction with any sign or advertising device.

C. No wall graphics shall be permitted except as approved by the sign review board.

D. No unofficial sign which purports to be, is an imitation of, or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official traffic sign or signal shall be permitted.

E. Signs of a non-artistic nature or which are in themselves unsightly, grotesque, offensive or monstrous are prohibited.

F. Abandoned signs.

G. Billboards.

H. Video signs.

I. Any sign constructed, maintained or altered in a manner not in compliance with this chapter.

J. Any sign that is wholly or partially illuminated by a flashing or intermittent light, lights, lamps, bulbs, or tubes. Rotary beacon lights, zip lights, strobe lights, or similar devices shall not be erected or maintained, or attached to or incorporated in any sign.

K. Any sign within or over any public right-of-way, or located on private property less than two feet from any area subject to vehicular travel, except for:

1. Public signs (includes banners over the public right-of-way, with the approval of the city of Rogue River).
2. Temporary sign specifically allowed within the public right-of-way.
3. Awning signs as specifically allowed.

L. Unlawful signs.

M. Any sign which is judicially determined to be a public nuisance.

N. Any sign which purports to be or is an imitation of or resembles an official traffic sign or signal or it bears the words "stop," "go," "slow," "caution," "danger" or similar words or which hides from view any traffic sign or signal. [Ord. 09-367-O § 7; Ord. 07-335-O § 11; Ord. 93-229-O § 11].

#### **17.85.120 Nonconforming signs.**

Any sign which does not conform with a provision of this chapter prior to adoption is subject to this section. Nonconforming signs must be brought into conformance under the following circumstances:

A. When any physical alteration, change of location, change of ownership, or change of content is made.

B. When a site plan review or conditional use permit is required, or with the issuance of a building permit.

C. Prior to approval for an additional sign, all existing signs must be brought into conformance.

D. When a business ceases operations for a period of 60 days or more, all signs nonconforming or conforming shall be considered abandoned and must be removed.

E. When damaged beyond repair, the new sign must conform with the provisions of this chapter. Minor repairs and routine maintenance may be made to a nonconforming sign.

F. Billboards are nonconforming structures and are addressed in this title.

G. All signs in service as of the date of the passage of the ordinance codified in this chapter are allowed to remain, as long as said sign complied with the ordinances in existence at the time the sign permit was issued. Any construction, replacement, alteration, or relocation of an existing sign shall require a new sign permit application. [Ord. 09-367-O § 8; Ord. 07-335-O § 12; Ord. 93-229-O § 12].

#### **17.85.130 Notice of violation.**

A. The sign review board will review all complaints regarding signs. Review will include on-site inspection and be completed within 15 days of the board's receipt of said complaint.

B. If it is determined that a possible violation exists, the board shall direct the city recorder to issue a notice to the owner of the property and/or business. This notice will:

1. List the nature of the violation, and the action necessary to bring the sign into compliance.
2. Advise the owner that the violation must be corrected within 15 calendar days from receipt of the notice, which will be served by certified mail.
3. Advise that an appeal may be filed with the city council within seven calendar days from receipt of the notice.
4. Indicate the public works department as an addressee.

C. If no appeal is received and the corrections are not made within the 15-day period, the determination made by the sign review board will be final. If it becomes necessary, a summons to appear in municipal court will be served to the owner or person in charge of the property. [Ord. 07-335-O § 13; Ord. 93-229-O § 13].

#### **17.85.140 Appeal to city council.**

A. The standards and regulations as set forth in this chapter are the maximum allowable and will be adhered to in all circumstances, except the sign review board may authorize variances as outlined in RPMC 17.85.040(C)(7).

B. Any decision made by the sign review board may be appealed to the city council in writing within seven calendar days of the decision. The appeal must be from the person or business which was the subject of the decision.

C. If no appeal is received within the seven-day period, the decision of the sign review board will be final.

D. The city council shall hold a public hearing on an appeal within 30 days from the date the appeal is filed. The city council may continue the hearing for good cause.

E. Following the hearing the city council may uphold, overrule or modify the decision of the sign review board. The decision of the city council shall be final and have immediate effect. [Ord. 07-335-O § 14; Ord. 96-263-O § 1; Ord. 93-229-O § 14].

#### **17.85.150 Abatement procedure/enforcement.**

A. If the decisions made by the sign review board, city council or municipal court are not complied with, the sign(s) may be removed by the public works department or other qualified person at the owner's expense.

B. Any sign that creates a hazard, causes a public nuisance or is offensive or unsightly may be removed through the nuisance abatement procedures as outlined in Chapter 8.05 RPMC, Nuisances. Any sign which represents an immediate danger and/or an immediate public safety hazard shall be rectified or removed at the direction of the city administrator.

C. Any person, firm or corporation violating any of the provisions of this chapter shall upon conviction thereof be punished by a fine of not more than \$100.00. Such person, firm or corporation shall be in violation of this chapter and each day shall be treated as a separate offense until compliance with court order has been obtained. [Ord. 09-367-O § 9; Ord. 07-335-O § 15; Ord. 93-229-O § 15].