

SECTION 27

SIGNS

PURPOSE: THE TOWN COUNCIL OF ELSINORE DECLARES THAT THE PROVISIONS IN THIS CHAPTER SHALL:

1. TO REDUCE POTENTIAL HAZARDS TO MOTORISTS AND PEDESTRIANS.
2. ENCOURAGE SIGN OWNERS TO INTEGRATE SIGNS WITH BUILDING SITES
3. REDUCE DRIVER INATTENTION THROUGH THE ELIMINATION OF EXCESSIVE AND CONFUSING SIGN DISPLAYS.
4. PRESERVE AND IMPROVE THE APPEARANCE OF THE TOWN.
5. ALLOW EACH BUSINESS TO CLEARLY IDENTIFY ITSELF AND THE GOODS AND SERVICES IN WHICH IT OFFERS.
6. SAFEGUARD AND ENHANCE PROPERTY VALUES.
7. PROTECT PUBLIC AND PRIVATE INVESTMENT IN BUILDINGS AND OPEN SPACE.
8. PRESERVE FREEDOM OF SPEECH.
9. PROMOTE THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF THE CITIZENS OF ELSINORE TOWN.

GENERAL PROVISIONS:

1. NOTHING IN THIS SECTION SHALL PREVENT ANYONE FROM ENGAGING IN NONCOMMERCIAL SPEECH AS GUARANTEED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.
2. THIS SECTION SHALL APPLY TO ALL SIGNS, BUT DOES NOT APPLY TO ANY SIGNS LOCATED WITHIN THE INTERIOR OF ANY BUILDING OR STRUCTURES, OR HAND-HELD PLACARDS AND OTHER SIMILAR DEVICES TRADITIONALLY USED FOR PUBLIC PROTEST AND THE NON-COMMERCIAL EXERCISE OF FREE-SPEECH.
3. NO SIGN SHALL BE ERECTED, MOVED, RECONSTRUCTED, ENLARGED OR STRUCTURALLY ALTERED EXCEPT IN COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER **AND** NOT UNTIL A VALID SIGN PERMIT HAS BEEN REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION, AS IDENTIFIED BY THE SECTION.
4. NO PART OF ANY SIGN SHALL BE PERMITTED WITHIN THREE (3) FEET OF ANY ROAD OR STREET RIGHT-OF-WAY OR UTILITY EASEMENT AND ALL SIGNS MUST MAINTAIN NECESSARY CLEARANCES FROM UNDERGROUND OR OVERHEAD POWER TRANSMISSION LINES AS REQUIRED BY THE UTILITY PROVIDER.
5. NO SIGN OR PART OF ANY SIGN SHALL BE PERMITTED IN A MANNER THAT ANY PORTION OF ITS SURFACE OR SUPPORT(S) WILL INTERFERE WITH THE FREE USE OF FIRE PROTECTION APPLIANCES INCLUDING HYDRANTS, STANDPIPES, AUTOMATIC FIRE SPRINKLER CONNECTIONS AND SIMILAR FIRE PROTECTION AND SUPPRESSION EQUIPMENT. NO SIGN OR SIGN STRUCTURE SHALL OBSTRUCT ANY FIRE LANE.
6. NO SIGN SHALL BE PERMITTED THAT CREATES ANY TRAFFIC OR PEDESTRIAN HAZARD.

REQUIREMENTS:

1. PERMISSION FROM THE PLANNING AND ZONING COMMISSION MUST BE GRANTED BEFORE ANY SIGN IS ERECTED.
2. ALL BUSINESSES AND SERVICES ADVERTISED SHALL MAINTAIN NECESSARY LICENSES AND PERMITS, AS MAY BE REQUIRED BY STATE OF UTAH AND ELSINORE TOWN BUSINESS LICENSING REQUIREMENTS, AS APPLICABLE.
3. VALID BUILDING PERMIT APPROVAL MAY BE NECESSARY, IF REQUIRED, OBTAIN A BUILDING PERMIT FROM THE SEVIER COUNTY BUILDING DEPARTMENT.

STANDARDS OF CONSTRUCTION AND MAINTENANCE:

1. ALL POWER SOURCES FOR SIGNS SHALL BE CONCEALED UNDERGROUND OR LOCATED WITHIN THE STRUCTURE OF THE SIGN AND COMPLYING WITH ALL PROVISIONS OF THE BUILDING CODE.
2. ALL SIGN PERMIT APPLICATIONS SHALL DEMONSTRATE CONFORMANCE WITH THE APPLICABLE PROVISIONS OF THE BUILDING CODE, AS ADOPTED AND AS APPLICABLE, AND IF REQUIRED BY THE BUILDING INSPECTOR, SHALL BE ACCOMPANIED BY A DRAWING STAMPED BY AN APPROPRIATE LICENSED ENGINEER, ATTESTING TO THE ADEQUACY OF THE PROPOSED CONSTRUCTION OF THE SIGN AND ITS SUPPORTS.
3. ALL SIGNS SHALL BE KEPT IN GOOD REPAIR, MAINTAINED IN A SAFE AND ATTRACTIVE CONDITION BY THE OWNER, AND DISPLAYED SO AS TO CONFORM TO THE CONDITIONS REQUIRED BY THE SIGN PERMIT. SIGNS IN DISREPAIR WHICH HAVE NOT BEEN REPAIRED FOR SIXTY (60) CONSECUTIVE DAYS SHALL BE REMOVED FROM THE BUILDING OR PREMISES BY THE OWNER, THE PERSON HAVING CONTROL OF THE PREMISES, OR THE PERSON RECEIVING BENEFIT OF SUCH SIGN.

4. ALL DESIGNS SHALL BE DESIGNED TO BE AN INTEGRAL SITE OR BUILDING DESIGN ELEMENT. ALL SIGNS SHALL BE COMPATIBLE IN DESIGN, STYLE, COLOR AND MATERIALS WITH THE EXISTING OR PROPOSED BUILDINGS OR STRUCTURES TO WHICH THE SIGN IS ASSOCIATED.
5. ALL LIGHTING SOURCES MUST BE FULLY SHIELDED AND NO BULB OR OTHER LIGHTING SOURCE SHALL BE EXPOSED OR VISIBLE FROM ANY ROAD, STREET, OR ADJACENT PROPERTY.

PROHIBITED SIGN LOCATIONS:

1. NO PERSON SHALL ERECT OR MAINTAIN A SIGN ON OR OVERHANGING PUBLIC PROPERTY OR A PUBLIC RIGHT-OF-WAY. NOR SHALL ANY SIGN EXTEND OVER AN ADJOINING PROPERTY LINE; PROVIDED, HOWEVER, THAT GOVERNMENTAL SIGNS, AND SIGNS ERECTED BY A PUBLIC UTILITY COMPANY AND APPROVED BY THE TOWN WHICH ARE NECESSARY FOR PUBLIC SAFETY ARE EXEMPT FROM THIS SECTION.
2. THE TOWN MAY ERECT BANNERS WHICH OVERHANG PUBLIC PROPERTY OR A PUBLIC RIGHT-OF-WAY.
3. NO PERSON SHALL ERECT ANY SIGN SO AS TO INTERFERE WITH OR RESTRICT ACCESS TO WINDOWS, FIRE ESCAPES, OR REQUIRED EXITS.
4. NO PERSON SHALL ERECT ANY SIGN WHICH CONSTITUTES A SAFETY HAZARD OR OBSTRUCTS THE VIEW OF TRAFFIC.

PROHIBITED SIGNS:

1. ALL OFF-PREMISE SIGNS LOCATED ON ANY INDUSTRIAL, COMMERCIAL, OR RESIDENTIAL PROPERTY IF THE SIGN IS DESIGNED OR INTENDED TO DIRECT ATTENTION TO A BUSINESS, PRODUCT, OR SERVICE THAT IS NOT SOLD, OFFERED, OR EXISTING ON THE PROPERTY WHERE THE SIGN IS LOCATED, INCLUDING BILLBOARDS.
2. ALL SIGNS ERECTED, MOVED, RECONSTRUCTED, ENLARGED, OR STRUCTURALLY ALTERED WITHOUT RECEIVING TO NECESSARY APPROVAL(S).
3. SIGNS PLACED ON PRIVATE PROPERTY WITHOUT THE APPROVAL OF THE OWNER.
4. ALL SIGNS HAVING PULSATING, ANIMATED, OR MOVING PARTS, ROTATING OR SIMULATING MOVEMENT BY ANY MEANS OF FLUTTERING, SPINNING OR REFLECTION DEVICES, OR THAT EMITS SOUND.
5. SIGNS OR LIGHTS THAT CONTAIN PULSATING OR FLASHING LIGHT SOURCES.
6. ALL SIGNS THAT PROJECT AN IMAGE OR MESSAGE ONTO A WALL OR OTHER SURFACE.
7. ANY TEXT OR SHAPE THAT OBSTRUCTS THE VIEW OF MOTOR VEHICLE OPERATORS, BICYCLISTS AND PEDESTRIANS ENTERING A PUBLIC ROADWAY FROM ANY PARKING AREA, DRIVEWAY, ALLEY, OR OTHER THOROUGHFARE.
8. ALL SIGNS THAT OBSTRUCT FREE INGRESS TO OR EGRESS FROM REQUIRED DOOR, WINDOW, FIRE ESCAPE, OR OTHER REQUIRED EXIT.
9. ALL SIGNS CONSTITUTING A HAZARD TO PUBLIC HEALTH, WELFARE, OR SAFETY.
10. ALL SIGNS PROVIDING A LIGHTING SOURCE THAT IS EXPOSED OR DIRECTLY VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY OR ADJACENT PROPERTY.
11. ALL NEON, ROPE LIGHTS, STRING LIGHTS, EXPOSED BULBS OR TUBES, OR OTHER DIRECTLY VISIBLE LIGHT SOURCE DESIGNED SPECIFICALLY TO OUTLINE ANY BUILDING ROOF LINE OR BUILDING WALL WITH THE EXCEPTION OF SEASONAL HOLIDAY LIGHTING.
12. ANY SIGN, STATEMENT, SYMBOL, OR PICTURE OF AN OBSCENE NATURE.
13. FLASHING SIGNS ARE PROHIBITED.
14. ROTATING SIGNS ARE PROHIBITED.
15. ALL BILLBOARDS ARE PROHIBITED INSIDE ELSINORE TOWN LIMITS.

UNUSED AND ABANDONED SIGNS:

A SIGN SHALL BE CONSIDERED UNUSED OR ABANDONED AND SHALL BE REMOVED AFTER THE USE, ACTIVITY, PRODUCT, BUSINESS, OR SERVICE, WHICH IT ADVERTISED, HAS CEASED OR HAS VACATED THE BUILDING, STRUCTURE, LOT OR PARCEL FOR A PERIOD NOT LESS THAN ONE HUNDRED EIGHTY (180) DAYS. ALL UNUSED OR ABANDONED SIGNS SHALL BE SUBJECT TO REMOVAL BY THE TOWN, IF NOT REMOVED BY THE PROPERTY OWNER WITHIN THIRTY (30) CALENDAR DAYS OF NOTICE BY THE ZONING ADMINISTRATOR, OR OTHER TOWN STAFF, OR OTHER REMEDIES THAT MAY BE AVAILABLE TO THE TOWN.

UNSAFE OR DANGEROUS SIGNS:

IF AN UNSAFE OR DANGEROUS SIGN AS DETERMINED BY THE TOWN IS NOT REPAIRED OR MADE SAFE WITHIN FIVE WORKING DAYS AFTER THE TOWN HAS GIVEN WRITTEN NOTICE BY REGISTERED MAIL TO REPAIR OR MAKE THE SIGN SAFE, THE TOWN SHALL AT ONCE ABATE THE SIGN AT THE OWNER'S EXPENSE.

DEFINITIONS:

1. FREE STANDING POLE: A SIGN ATTACHED TO THE GROUND OR A FOUNDATION WITH A POLE, OR POLES, OR OTHER VISIBLE MEANS OF SUPPORT.
2. MONUMENT: A SIGN ATTACHED TO THE GROUND OR A FOUNDATION WITH NO POLE(S) BRACE(S), OR OTHER VISIBLE MEANS OF SUPPORT OTHER THE ATTACHMENT OR FOUNDATION TO THE GROUND.
3. WALL: A SIGN DISPLAYED AGAINST THE WALL OF A BUILDING, WHERE THE EXPOSED FACE OF THE SIGN IS PARALLEL OR PERPENDICULAR TO THE WALL AND EXTENDS NOT MORE THAN TWELVE (12) INCHES HORIZONTALLY FROM THE FACE OF THE WALL.
4. CANOPY: A SIGN ATTACHED TO, OR INCLUDED IN THE CONSTRUCTED OF A CANOPY, WHICH MAY BE LOCATED OVER A FUEL ISLAND OR DRIVE THROUGH.
5. AWNING: A SIGN ATTACHED FLAT AGAINST THE SURFACE OF AN AWNING.
6. TEMPORARY AND SEASONAL: A SIGN INTENDED TO BE DISPLAYED FOR A LIMITED PERIOD, SUCH PERIOD, DETERMINED BY THE NATURE OF THE USE. NO TEMPORARY SIGN SHALL BE APPROVED FOR A PERIOD EXCEEDING FORTY-FIVE (45) CALENDAR DAYS. NO SEASONAL SIGN SHALL BE APPROVED FOR A PERIOD EXCEEDING NINETY (90) CALENDAR DAYS.

ZONING TABLE. IF A USE IS NOT SPECIFICALLY DESIGNATED THEN IT IS PROHIBITED WITHOUT A CONDITIONAL USE PERMIT. APPLICANTS FOR CONDITIONAL USE PERMITS REFER TO SECTION 23. PLANNING COMMISSION MAY EXCEED THESE STANDARDS ON ANY PROJECT EXCEEDING TWO (2) ACRES IN SIZE.

ZONE	TYPE OF SIGN	NUMBER ALLOWED	MAX. AREA	MAX. HEIGHT	GENERAL RESTRICTIONS
RESIDENTIAL	FREE-STANDING POLE, MONUMENT, CANOPY, AWNING, BANNER, REAL ESTATE, CONSTRUCTION OR CAMPAIGN	1	15 SQ. FT.	6’	Low intensity light fixtures only.
COMMERCIAL	FREE-STANDING POLE, MONUMENT, CANOPY, AWNING, BANNER, REAL ESTATE, CONSTRUCTION OR CAMPAIGN	1	48 SQ. FT.	25’	
AGRICULTURAL/ RESIDENTIAL	FREE-STANDING POLE, MONUMENT, CANOPY, AWNING, BANNER, REAL ESTATE, CONSTRUCTION OR CAMPAIGN	1	32 SQ. FT.	6’	
LIGHT INDUSTRIAL	FREE-STANDING POLE, MONUMENT, CANOPY, AWNING, BANNER, REAL ESTATE, CONSTRUCTION OR CAMPAIGN	1	48 SQ. FT.	25’	
OPEN SPACE	ALL SIGNS	0			
TEMPORARY/ SEASONAL	ALL SIGNS	1	32 SQ. FT.	6’	

ENFORCEMENT:

ANY SIGN DETERMINED TO BE A HAZARD TO THE PUBLIC HEALTH, WELFARE, OR SAFETY, OR DETERMINED TO BE NUISANCE BECAUSE OF INADEQUATE MAINTENANCE, DILAPIDATION, OR BUILDING CODE VIOLATION SHALL BE REMEDIED UPON NOTICE BY THE TOWN COUNCIL. ANY SIGN NOT REMEDIED WITHIN THIRTY (30) DAYS NOTICE BY THE TOWN COUNCIL SHALL BE SUBJECT TO REMOVAL BY THE TOWN OR OTHER REMEDIES THAT MY BE AVAILABLE TO THE TOWN.