

ORDINANCE NO. 2004- 13

AN ORDINANCE ADOPTING ZONING REGULATIONS FOR SIGNAGE WITHIN HEBER CITY PURSUANT TO UTAH CODE 10-9-404, ET.SEQ.

BE IT ORDAINED BY THE HEBER CITY COUNCIL AS FOLLOWS:

Chapter 18.103 of the Heber City Municipal Code is adopted, and shall replace CHAPTER 18.104 and SECTIONS 18.108.035 (8) [Bed & Breakfast Signs], 18.24.020 (Q) [A-2 Zone], 18.108.025 B1 [Signs for Clinics and Hospitals in the R-3 Zone], 18.108.020 (F) [Home Occupation Signs], 18.50.090 [Signage in the R-C Residential Zone], and 18.46.170 [Signage in the Corporate Medical Park], of the Heber City Municipal Code, as follows:

Section 18.103 Signs.

Sections

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Section 18.103.010 Purpose.

It is the purpose of this chapter to regulate signs and to authorize the use of signs that are compatible with their surroundings, are legible under the circumstances in which they are seen, are effective in indexing the environment, and are conducive to promoting traffic safety and the convenience and enjoyment of public travel by preventing visual distraction; protecting pedestrians; attracting tourists to the City; preserving and enhancing property values; establishing first-class business and commercial districts; and eliminating fire hazards. 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. By doing so it is hoped this ordinance will help to create streetscapes that are functional and attractive to both residents of Heber City as well as visitors.

Section 18.103.020 Scope

The intent is to regulate the design and placement of commercial and governmental identification/communication devices and structures that are built specifically to identify, inform, and direct patrons to a particular merchant, store, establishment, or service. It is not the intent of this ordinance to regulate the content of public speech. The regulations of this chapter are intended to apply to both on-premise and off-premise signs, but do not apply to hand-held placards and other similar devices traditionally used for public protest and the exercise of free speech. Any non-commercial message may be substituted for any commercial message permitted under this ordinance.

Section 18.103.030 Interpretation

In interpreting and applying the provisions of this chapter, the sign regulations contained herein are declared to be the maximum allowable for the purposes set forth. If the Zoning Administrator determines that an application needs further interpretation, he may request Planning Commission review of the proposal. If the applicant wishes to propose or retain a sign that exceeds ordinance standards, he may apply to the Board of Adjustment for a variance or special exception.

Section 18.103.040 Definitions

In this chapter, the terms, phrases, words, and their derivatives shall have the meanings as stated and defined in this section. When not consistent 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 section, but defined in the building code which has been adopted by the city, shall be construed as defined in said building code.

A. 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 insignia of any government or governmental agency erected for and used to identify said government or governmental agency.

B. Sign, A-Frame. Any portable sign, structure, or configuration

composed of 1 or 2 sign faces mounted or attached back-to-back in such a manner as to form a basically triangular vertical cross-section.

- C. **Sign, Abandoned.** A sign which no longer correctly directs or influences any person, advertises a bona fide business, lessor, owner, product or activity conducted or available on the premises where such sign is displayed.
- D. **Sign, Advertising.** A sign which attracts or directs attention to a use, product, commodity, or service either related or not related to the premises on which the sign is located.
- E. **Sign, Animated.** A sign which involves motion or rotation of any part by mechanical or artificial means or displays flashing or intermittent lights.
- F. **Sign Area.** The area of a sign that is 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 object 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, with posted copy.
- G. **Sign, Awning.** An awning having copy or logo, or which is backlit or externally illuminated or a non-illuminated which does not have an architecturally compatible color and design with the structure.
- H. **Sign, Billboard.** An advertising sign which directs attention to a business, product, commodity, or services not related to the premises on which it is erected, and which is designed and constructed for the display of a temporary and changeable face advertising such business, product, commodity, or service, for which a sign permit is not required for the face change of the sign.
- I. **Sign, Business.** A sign which identifies a business of use conducted, product or commodity sold, or service performed upon the premises on which it is located.
- J. **Sign, Changeable Copy.** A sign on which the copy is changed manually or electrically such as a message center or reader boards with changeable letters or changeable pictorial panels, and electrically controlled time and temperature signs. It does not include poster panels or painted bulletins.
- K. **Sign, Festive Flag Banner.** A flag or banner constructed of cloth, canvas or light fabric that is hung from a light pole. The flag/banner shall contain no advertising except for cultural events; i.e., Wasatch County Fair Days, special holidays/seasons, etc.
- L. **Sign, Flashing.** A sign or parts thereof which is intermittently on and off or which revolves in such a manner to create the illusion of being on and off, with the exclusion

of time and temperature signs.

- M. Sign, Flat.** A sign erected parallel to and attached to the outside wall of a building and extending out not more than eighteen inches from such wall with messages or copy on the face side only.
- N. Sign, Floodlighted.** A sign made legible in the absence of daylight by devices which reflect or project light upon it.
- O. Sign, Free-Standing (or Pole Sign).** A sign supported by a fixed permanent form(s) or support(s) in the ground.
- P. Sign, Ground (or Monument Sign).** A low sign where the extent of the sign surface is attached to the ground or a foundation in the ground, and where there are no poles, braces, or other visible means of support other than attachment to the ground.
- Q. Sign, Guide and Directional.** Signs containing directional information about public places owned or operated by Federal, State, or local governments or their agencies; public or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites; and areas of natural beauty or naturally suited to outdoor recreation. Directional signs may also be erected for the purpose of facilitating or controlling the efficient or safe movement of pedestrians or vehicles on or into private property, and shall be located on the properties on which they pertain. No such sign is to be used for advertising purposes and shall not exceed 6 square feet in area.
- R. Sign, Home Occupation.** A sign identifying a home occupation legally existing on the premises.
- S. Sign, Illuminated.** A sign which has characters, letters, figures, designs, or outlines illuminated by electric lights or luminous tubes as part of the sign proper.
- T. Sign, Interior.** A sign located within a building so as to be visible only from within the building in which the sign is located.
- U. Sign Location.** A lot site or premises, building, wall, or any place wherever a sign is erected, constructed or maintained.
- V. Sign, Marquee or Canopy.** A sign attached to or constructed in or on a canopy or marquee and as defined separately in this chapter.
- W. Sign, Menu Board.** A sign that is used to advertise the product available at a fast foot restaurant.
- X. Sign, Movable (or Portable).** A sign excluding real estate signs constructed so as to allow the sign to be moved on vehicles or transported by hand.
- Y. 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.
- Z. Sign, Nonconforming.** A sign or sign structure of portion thereof lawfully existing at the time this Code became effective, which does not conform to all regulations

prescribed in the district in which it is located.

- AA. Sign, Off-Premise.** An advertising sign which directs attention to a business, product, commodity, or services not related to the premises on which it is erected, and the face of which is intended to be permanent, and for which a sign permit is required for a face change of the sign.
- BB. Sign, On-Premise.** A sign which directs attention to a business, commodity, product, use, service or other activity which is sold, offered or conducted on the premises upon which the sign is located.
- CC. Sign, Projecting.** A sign attached to a building and extending in whole or in part more than eighteen inches beyond any wall of the building.
- DD. Sign, Property.** A temporary sign related to the property on which is located advertising contemplated improvements or announcing the name of the builder, owner, designer, or developer of the project, or warning against trespassing.
- EE. Sign, Public Necessity or Hazard.** A sign informing the public of any danger or hazard existing on or adjacent to the premises.
- FF. Sign, Real Estate.** A temporary sign related to the property on which it is located and offering such property for sale or lease.
- GG. Sign, Roof.** A sign erected partly or wholly free-standing on or over the roof of a building.
- HH. Sign, Rotating.** A revolving sign in which all or a portion of the sign moves in a revolving or similar manner, with the exclusion of time and temperature signs.
- II. 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 or location of restrooms.
- JJ. Sign, Snipe.** A sign for which a permit is required and has not been obtained and which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, or fences, or other objects with the message appearing thereon.
- KK. Sign, Structure.** The supports, uprights, bracing, cables and framework of a sign or outdoor display.
- LL. Sign, Suspended.** A sign which is hung from a roof, wall, canopy or other similar structure.
- MM. Sign, Temporary.** A banner, pennant, valance or advertising display constructed of paper, cloth, canvas, fabric, cardboard, wall board or other materials, with or without frames, intended to be displayed in or out of doors for a short period of time; shall include political signs, special events signs, special business promotions or movable signs.
- NN. Sign, Wall.** A sign that is either painted on a building wall or it's 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.

- OO. Sign, Wind.** Any propeller or similar commercial device which is designed to flutter, rotate, or display other movement under the influence of the wind, not including pennants, flags or banners.
- PP. 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 from outside of the building.
- QQ. Marquee.** A permanent roofed structure over the entrance to a building often bearing an advertising sign. This structure is designed to meet all provisions of the current Building Code and other specifications as outlined in this Code. Where specifications in this Code and the Building Code as adopted by Heber City differ, the more restrictive shall apply.
- RR. Community Signs.** Temporary, on or off-premise signs, generally made of a woven material or durable synthetic materials primarily attached to or hung in a vertical fashion from light poles or on buildings, of solely a decorative, festive, and/or informative nature announcing activities, promotions, events, seasonal or traditional themes having broad community interest, and which are sponsored or supported by Heber City, or a local community based non-profit organization.
- SS. Canopy.** A roofed structure constructed of fabric or other material placed so as to extend outward from the building providing a protective shield for doors, windows, and other openings supported by the building or by supports extending to the ground directly under the canopy.
- TT. Planned Shopping Center.** A group of three (3) or more architecturally unified commercial establishments built on a site that is planned, developed, owned and managed as an operating unit related in its location, size and type of shops to the trade area that it serves. The unit provides on-site parking in definite relationship to the types and total size of the stores. Thus any number of small single ownership commercial developments would not qualify as a shopping center.

Section 18.103.050 Enforcement

Any sign not expressly allowed by this ordinance is prohibited. The Zoning Administrator or his authorized representatives shall be vested with the duty of enforcing the chapter and in performance of such duty, shall be empowered and directed to:

- A. Issue permits.** To issue permits to construct, alter, or repair signs which conform to the provisions of this Title. The expiration date for such permits shall be 180 days in conjunction with building permits.
- B. Determine conformance.** To ascertain that all signs, constructions, and all reconstructions or modifications of existing signs are built or constructed in conformance with

the Land Development Code by conducting:

1. **Initial Inspection After Construction.** The Chief Building Official, under the direction of the Zoning Administrator, may make an initial inspection upon the completion of construction, erection, re-erection, or remodeling of any sign for which a permit has been issued and an inspection request is made. This shall also include the inspection of temporary electrical signs.
2. **(If Necessary) Re-Inspection.** The Zoning Administrator or his authorized representative may make a reinspection of any sign for which a permit was issued but which upon primary inspection was not built in complete compliance with the regulations of this chapter.

C. Legal Action. The Zoning Administrator shall be empowered to institute any appropriate action or proceeding in any case where any sign is illegally erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of any City Ordinance including, but not limited to the Land Development Code by:

1. Issue Notices of Violations, Citations, and Information.

The Zoning Administrator or his designee may issue a written notice of violation to the person having charge or control or benefit of any sign found to be unsafe or dangerous or in violation of this code, particularly when the City is contemplating removal of said sign. Such official may also issue criminal citations and swear to information against violators.

2. Abate and Remove Unsafe or Dangerous Sign. If an unsafe or dangerous sign is not repaired or made safe within five working days after giving said notice, 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 Heber City within 30 calendar days after written notice is mailed to such person the costs incurred in such removal.

3. Abate and Remove illegal Sign.

a. If a permanent sign installed without a permit, or otherwise illegal as defined by this Code, is not made conforming within 30 calendar days after written notice has been given, the Zoning Administrator may at once abate and remove said sign. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost.

b. If a temporary sign posted upon private property has been installed without a permit or is otherwise illegal as defined by this Code and after written notice it has not been made conforming after 72 hours either through removal of the temporary sign or by obtaining a

temporary sign permit, the Zoning Administrator may at once abate and remove said temporary sign or, in the alternative, use all available legal means to have the sign removed, including but not limited to criminal or civil action with the appropriate court. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost.

- c. Any sign posted upon public property as defined in this Chapter may be removed by the City. Notwithstanding the foregoing, the sign, though removed, cannot be destroyed in a period less than thirty [30] days from the date of removal. In no case shall the failure to remove said signs constitute approval by the City of the illegal placement of the sign.

4. Abate and Remove Non-Maintained, Abandoned, or Sign

Identifying a Discontinued Use. The Zoning Administrator shall require each non-maintained, abandoned, or sign identifying a discontinued use to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within 45 calendar days after written notice of non-maintenance, abandonment or discontinuance is given to the owner, person having control, or person receiving benefit of such structure.

- D. **Right to Appeal.** Any person who has been ordered to alter or remove any sign, or any person whose application for a sign permit has been denied because of conflict with regulations stated herein, may appeal to the Board of Adjustment by serving a written notice to the Zoning Administrator within 10 working days of the order or denial. An applicant may also appeal to the Board of Adjustment an alleged error by the Zoning Administrator or staff.

Section 18.103.060 Nonconforming Signs

- A. **Previous Illegally Placed Signs.** Previous illegal signs shall not be grandfathered in under this chapter.
- B. **Regulation, Containment, and Elimination.** In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy the current sign ordinance standards, the City intends to apply firm regulation of existing nonconforming signs with a view to their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, and restoration. Excluding normal maintenance and repair, a nonconforming sign shall not be moved, altered (including face changes) or enlarged unless it is brought into complete compliance with this Chapter. The following

alterations are exempt from this provision: (1) Copy changes in nonconforming permanent signs which were originally approved by the City with a changeable copy feature; and (2) Existing non-compliant pole signs that are non-compliant because of height, area, or setback, but not non-conforming pole signs which project over a property line, may be altered but shall be required to come into compliance with the current height requirements when altered but may retain the original area of the existing sign.

- C. Abandonment.** Within 45 calendar days after vacation of an existing business, any on-site nonconforming signs must be removed or brought into compliance by the property owner. If removal does not occur, Heber City may have the entire nonconforming sign (both face and structure) removed through the processes specified in Section 18.103.050 C. An abandoned sign may not regain any legal nonconforming status later, even if the original business re-occupies the property.
- D. Special Exceptions.** Upon appeal by the sign owner or business, the Board of Adjustment is empowered to grant a Special Exception to allow the retention, alteration, movement, or expansion of a nonconforming sign, provided the Board determines that (1) the nonconforming sign poses an alternative equivalent means of meeting the intent of this chapter and the City's comprehensive plan; (2) the action will not impose a burden on other properties in the City beyond that posed by a conforming sign; and (3) approval will provide a forum for free expression or other articulable benefits to the public. Unfair competitive disadvantage of businesses in the City whose signs do comply with this Chapter is to be construed as a burden to be considered by the Board of Adjustment. A new business generally shall not qualify for a Special Exception for reuse of a nonconforming sign left by a previous business. Purely economic factors, such as the expense of removing or altering a nonconforming sign or of purchasing a new conforming sign are not to be considered as reasons for granting a Special Exception by the Board. The Board is empowered to attach reasonable requirements with which the petitioner must comply as a condition of approval of a Special Exception. The duration of the special exception shall not extend beyond that period allowed by any amortization ordinance in effect at the date the exception is granted and any special exception shall be conditioned on the posting of a bond with the City sufficient to cover the cost of timely removal of such sign.

Section 18.103.070 Prohibited Sign Devices

The following devices used to attract pedestrian or vehicular attention are prohibited in any zone in Heber City. Any sign not specifically allowed here is also prohibited.

- A. Hot or cold air balloons, or inflatables, except as**

specifically allowed by this ordinance for temporary signs or as part of a grand opening period or special promotion.

- B. Any sign which is animated or rotating, flashes, blinks, uses chaser lights, etc., or moves in any way, animate or inanimate, or constitutes a traffic hazard or nuisance as determined by the Zoning Administrator or Planning Commission. (Commercial signs may be approved with time/temperature or electronic message center capability.) Subtle lighting changes of low intensity are allowed. No electronic message center shall be located within any residential zone.
- C. Statuary bearing the likeness or suggestion of any product or logo.
- D. Projecting signs which project over property lines, except as allowed only in the C-3 Commercial Zone.
- E. Roof sign.
- F. Snipe sign.
- G. Wind sign.
- H. Wall Sign.
- I. Temporary Sign.
- J. Any truck, trailer, or other vehicle conspicuously or regularly parked on or off-premise with an advertising message or logo displayed to attract attention to a business, product or promotion. The Zoning Administrator shall require a business to remove same if such vehicle is being utilized for advertising purposes. A vehicle is considered in violation of this provision if such vehicle is unregistered, inoperable or unlicensed, or is regularly or intermittently parked in such a manner as to attract attention from the public street to the business, or is painted with a sign and the vehicle appears to be used primarily for sign purposes and not used for transportation purposes.
- K. Graffiti.
- L. Spotlights directed into the night sky except as part of an approved promotional period for temporary signs.
- M. Off-Premise signs except as allowed herein.
- N. Billboards.
- O. Hand-bills, signs-public places and objects. Except as otherwise stipulated, no person shall paint, mark or write on, or post or otherwise affix, any hand-bill or sign to or upon any public property, park, street, right of way, sidewalk, crosswalk, curb, curbstone, park strip, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light or power or telephone or telegraph or trolley wire pole, or wire appurtenance thereof or upon any lighting system, public bridge, drinking fountain, life saving equipment, street sign or traffic sign.
 - 1. Any hand-bill or sign found posted upon any public property contrary to the provisions of this section may be removed by the Police Department, the Public Works Department, the Parks and Recreation Department, or the

Community Development Department. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost.

2. Nothing in this section shall apply to the installation of a metal plaque or plate or individual letters or figures in a sidewalk commemorating an historical, cultural, or artistic event, location, or personality for which the Department of Public Works has granted a written permit.
3. Nothing in this section shall apply to the painting of house numbers upon curbs.

Section 18.103.080 Signs Allowed Without A Permit

A. The Following Signs Are Allowed in Any Zone (except on public property) Without the Requirement of a Sign Permit

1. **Directional or Instructional Signs.** Signs which provide direction or instruction and are located entirely on-premise and which do not in any way advertise a business shall not exceed 4 square feet in area or 4 feet in height. These signs may identify rest rooms, public telephones, walkways; or shall provide direction such as parking lot entrance and exit signs and those of a similar nature.
2. **No Trespassing or No Dumping signs.** No trespassing or no dumping signs may not exceed 16 square feet in area for a single sign or are limited to 4 signs at 4 square feet for each lot unless the Zoning Administrator finds more signs are required to prevent violation.
3. **Plaques.** Plaques or name plate signs not more than 2 square feet which are fastened directly to the building.
4. **Symbols or Insignia.** Religious symbols, commemorative plaques of recognized historical agencies; or identification emblems of religious orders or historical agencies, provided that no such sign shall exceed 8 square feet in area; and provided further that all such signs be placed flat against the building.
5. **Neighborhood Identification Signs.** In any zone district, a sign, masonry wall, landscaping and other similar materials or features may be combined to form a display for neighborhood identification; provided that the legend of such sign or display shall consist of only the neighborhood name and/or address.
6. **Institutional Uses.** Churches, public schools, public utility companies, libraries, governmental buildings, parks, public golf courses, etc., are allowed one monument sign of 32 square feet. If the institution has more than one frontage and is located on an arterial street, then an additional sign of the same size is allowed.

7. **Flags.** The flags, emblems, or insignia of any nation or political subdivision. Corporation flags may not exceed 12 square feet and may be flown in tandem with the State or National flag. Large flags flown in high wind may cause a noise nuisance and are subject to removal upon investigation.
8. **Public Necessity Signs.** Signs installed by a unit of the government for control of traffic and other regulatory purposes; including street signs, danger and warning signs, railroad crossing signs, hospital signs, directional or warning signs for public service companies, utilities or institutions, or signs erected by or on the order of a public officer in the performance of his public duty.
9. **Memorial Signs.** Memorial signs or tablets with the names of buildings and date of erection cut into any masonry surface or inlaid so as to be part of the building.
10. **Notice Bulletin Boards.** Notice bulletin boards not over 32 square feet in area for medical, public, charitable or religious institutions; where the same are located on the premises of such institutions and are oriented solely to the interior of the property and are not used to direct exterior vehicular attention to any product or service of the institution.
11. **Holiday Decorations.** Non-commercial signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local, or religious holiday. Such signs may be of any type, number, area, and shall be contained entirely within the boundaries of the lot or premise on which they are erected and should be placed so as to avoid confusion with authorized traffic lights and signals and shall conform to traffic safety standards. They shall be removed within a reasonable period after the holiday is over.
12. **Changing Copy.** The changing of the message on a permitted sign that has an approved marquee, reader board, electronic message center, or other replaceable copy area.
13. **Political or Campaign Signs.** In addition to signage otherwise authorized by this chapter, political or campaign signs on behalf of candidates for public office or measures on election ballots are allowed as follows: Said signs for all candidates or other referenda, may not be erected earlier than 45 days prior to the voting date and all signs shall be removed by the Monday following the voting date. Signs may not be placed within 45 feet of an intersection, nor in any other location that creates a vehicular or pedestrian traffic visibility hazard. Political and campaign signs may be placed only

with the approval of the property owner and must be placed on private property and not on public property or in a public right-of-way.

14. On-Premise Real Estate Signs

- a. Subdivisions and Developments.** One development promotional sign may be placed on the premises of each development. The size allowed for the sign shall not exceed 32 square feet and 8 feet in height. Such signs shall be removed within 5 years of the issuance of the first building permit in the project or if the lots are sold out before 5 years immediately upon sale of the last lot.
- b. Individual Lots.** One sign announcing the name of the construction/development company is allowed. Area of the sign may not exceed 16 square feet or 6 feet in height. The sign may not be erected more than 5 days prior to the beginning of construction for which a valid building permit has been issued. It must be removed before final occupancy.
- c. Temporary/Open House Real Estate Signs.** Open house signs not to exceed 6 square feet in area and 4 feet in height, advertising real estate open for inspection may be placed on private property in the vicinity of the property open for inspection. They shall not be placed in the park strip or upon the sidewalk or street. They shall not be attached to trees, poles or street signs, etc. Open house signs shall be displayed only during those hours/day(s) which the house is open for actual inspection.
- d. Model home signs** shall not exceed 16 square feet in area nor exceed 6 feet in height and shall be placed entirely upon the premises of the model.
- e. Signs advertising the sale, rent, or lease of property.** These signs shall be limited to one real estate sign on each lot. Each such sign shall not exceed 6 square feet in size and 6 feet in height.

15. Community Signs. Community signs require review by the Zoning Administrator including recommendation of the City Engineer and/or other pertinent City Department, for compliance with the following criteria:

- a.** No sign(s) shall be permitted which is unsafe for vehicular or pedestrian traffic, is inappropriate with respect to location, size, time or duration of display, or is maintained in a deteriorated condition.
- b.** Such sign(s):
 - i.** Must be made of durable, weather resistant material;
 - ii.** Must use logos or symbols instead of copy where possible, where copy would cause a distraction to vehicular traffic;
 - iii.** May be located at various gateway areas to the City,

along major streets and important intersections adjacent to non-residential properties as approved by the Zoning Administrator; and

- iv. May be attached upon light poles designed for banners and/or at approved banner locations over Main Street.
- c. Such signs shall be uniform in size for each individual display for signs attached to light or utility poles. Signs attached to a building may be larger but must be appropriate in scale and location as approved by the Zoning Administrator.
- d. Freestanding community signs shall be allowed on parcels with the permission of the owner and approval of the Zoning Administrator. The size of the sign shall be limited to 32 square feet and 12 feet in height.
- e. Such signs may not be attached to another temporary sign or a permanent traffic or business sign.
- f. Such signs may be part of a rotating permanent feature of the City or community for such events as:
 - i. Fair Days
 - ii. Holidays
 - iii. Cultural and/or Arts events
 - iv. Change in seasons
 - v. General community promotion: i.e., business, with the prohibition of commercial endorsement or name on any such sign.
- g. Such signs for any single purpose or event may not be displayed for more than 30 days. However, the Zoning Administrator may approve community purpose signs for long-term purposes subject to review on a 90-day basis.

B. Commercial And Industrial Zones.

- 1. **Window Signs.** Window signs which are painted on or temporarily affixed to the window surface shall cover no more than 25% of any single window, or 25% of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances or to create a safety hazard. This applies also to inside illuminated signs (e.g., neon, etc.) which are within 18 inches of the window surface.
- 2. **Menu Boards.** Menu boards for drive-in restaurants are to be reviewed and approved by the Community Development Department at site plan review. The following shall apply although the Planning Commission may approve them at different locations depending upon circumstances:
 - a. Only 2 menu boards are allowed per site and must be located behind the front landscaped setback area.
 - b. Maximum area shall not exceed 35 square feet per sign and 6 feet in height.
 - c. Gasoline Price Signs. One double faced sign for each

type of fuel sold is allowed per gas island with a maximum of 4 sets per station. The area of said sign may not exceed 4 square feet each.

Section 18.103.090 Signs That Require a Permit

- A. Purpose - Streetscape.** The streetscape is the combination of vehicles, buildings, signs, landscaping, roads, utility poles, etc., that dominate the view of the driver or pedestrian. The streetscape tells residents and visitors how the City as a whole feels about the environment, safety, aesthetics, and its sense of order, among other things. A useful, attractive, and safe streetscape is one that necessarily regulates the size, location, and design of business signs. Because a proliferation of poorly designed, oversized, and inappropriately located signs in commercial and industrial areas can be detrimental to the achievement of effective, safe and attractive streetscapes, it is important that the permanent signs in these areas receive approval (permits) from the City. Commercial and industrial uses are generally more intensive than those found in residential zones. Since these uses are designed by size, location, and style to attract attention and provide services to the public, they generally need signage to achieve that end. Business signs of any kind in residential neighborhoods can diminish the quality of life for which those zones were specifically created. However, there may be some residential uses which merit a sign, though much smaller and subdued than in commercial or industrial zones. Therefore, it is the intent and purpose of this section to outline regulations and design standards for signs in both commercial/industrial and residential areas that will allow the business to identify itself while allowing Heber City to create and maintain safe and aesthetically pleasing streetscapes regardless of zone.
- B. Sign Theme Required.** All planned shopping centers/buildings and developments of parcels 19,000 square feet or larger must submit a proposal for all on-premise signs to the Planning Commission for design and placement approval as part of a new or change of use development approval by the Planning Commission
- C. Electronic Message Centers, Changeable Copy Areas and Reader Boards.** Such signs are permitted but discouraged and shall only be permitted as part of a main sign and shall not exceed 25% of the total sign copy area of the sign. No such sign shall blink, scroll, flash, use chaser lights or move in any way, and shall not display the message in a manner that constitutes a traffic hazard or nuisance as determined by the Zoning Administrator or Planning Commission.
- D. On-Premise Freestanding Signs.** The Zoning Administrator may approve one freestanding sign per street frontage. No free standing sign shall be allowed for any parcel that has less

than 19,000 square feet or less than 99 feet of street frontage. Sign height shall not exceed twenty-five (25) feet. Signs must be located 45 feet from the street corner. Sign area may not exceed 50 square feet. There shall be a minimum of 7 feet of open space below the sign. Each sign shall be located upon a lawn or landscaped area, or within a masonry, concrete, stone, or brick landscape box at least 18 inches in height or within a landscaped area surrounded by a 6 inch tall control curb if located upon a hard surfaced area.

1. As a conditional use, the Planning Commission may approve a request for a freestanding sign upon a parcel less than 19,000 square feet or less than 99 feet of street frontage if the Planning Commission finds that the property, property location, existing structures and driveways are configured such that a monument sign would constitute a hazard to traffic and pedestrians. Any sign approved in this manner must meet all other applicable standards for freestanding signs in this Chapter.

E. On-Premise Freestanding Signs for Planned

commercial/industrial developments. The Zoning Administrator may approve one freestanding sign per street frontage for planned shopping centers with 3 or more tenants. No freestanding sign shall be allowed for any planned center or parcel that has less than 99 feet of street frontage. Sign height shall not exceed twenty-five (25) feet. Signs must be located 45 feet from the street corner. Sign area shall not exceed 20 square feet per tenant or 150 square feet, whichever is less. The sign shall have a logo/identification theme as part of the sign. There shall be a minimum of 7 feet of open space below the sign. Each sign shall be located upon a lawn or landscaped area, or within a masonry, concrete, stone, or brick landscape box at least 18 inches in height or within a landscaped area surrounded by a 6 inch tall control curb if located upon a hard surfaced area.

1. As a conditional use, the Planning Commission may approve a request for a freestanding sign upon a parcel with less than 99 feet of street frontage if the Planning Commission finds that the property, property location, existing structures and driveways are configured such that a monument sign would constitute a hazard to traffic and pedestrians. Any sign approved in this manner must meet all other applicable standards for freestanding signs in this chapter.

F. Monument Signs. One monument sign is allowed for any size parcel. Parcels with two street frontages are allowed a sign on each street. However, the signs must be separated by at least 100 feet as measured diagonally across the property from center to center of both signs or only one (1) sign will be allowed. Monument signs within a planned commercial/industrial development must have a

logo/identification theme as part of the sign. Monument signs for individual businesses or free standing buildings within a planned commercial/industrial development shall be located no closer than 100 feet to each other or other free standing signs. Signs within the 45 foot corner visibility triangle may be allowed with the permission of the Heber City Engineer, if such sign does not present a traffic hazard. Back lit/illuminated cabinets are allowed but discouraged. Monument signs shall be located upon a lawn or landscaped area, or may be located upon a paved surface if incorporated into a masonry, stone, brick, or concrete landscape box at least 18 inches in height. There are three (3) types of monument signs, regulated as follows:

1. **Freestanding Monument Sign.** This monument sign shall be limited in height to eight (8) feet and 32 square feet in area. The sign shall be supported by no less than 2 pole supports and shall have 2 feet of open space below the sign.
2. **Monolithic Monument Sign.** This monument sign shall be limited in height to 9 feet and 50 square feet in area. The monument sign shall have no visible supports or poles other than the sign itself and shall be supported at its base with a masonry, concrete, stone, or brick base at least 18 inches in height.
3. **Decorative Monument Sign.** This monument sign shall be limited in height to 12 feet and 50 square feet in area. The sign must incorporate a decorative design element/logo at the top of the sign. The monument sign shall be supported by no less than 2 pole supports and shall have 2 feet of open space below the sign. At least 30 percent of the area located between the pole supports shall remain open space. This monument sign shall be incorporated into a masonry, stone, brick, or concrete landscape box at least 18 inches in height.

G. Flat Signs. Flat signs should be the primary form of identification for business uses in the City. Each business is entitled to one flat sign if the following criteria are met:

1. The sign may not occupy more than 15% or 300 square feet, whichever is less, of the front flat wall area of the first floor or story of the building.
2. The 15% area of the primary wall may be divided into more than one sign under the following requirements and restrictions:
 - a. The sign package blends with the aesthetics of the building and surrounding natural and manmade environment.
 - b. The sign package color, style, size, scale and proportion enhances the exterior of the building and does not place too much bulk and external distractions on the exterior of the building.

- c. The number of signs is appropriate to the scale of the building.
 - d. The maximum number of flat signs on any given wall, including multi-tenant buildings, shall be seven [7]. For the purpose of this ordinance, a sign will be considered a complete phrase and the suggested layout of the sign package (i.e., the individual words may either be lumped together as one phrase to equal 1 sign, or spread out to be many different signs, such as "1 Hour Photo" would be considered one sign.)
 - e. The maximum number of multiple flat signs on any given wall shall be limited to seven [7]. The maximum square footage shall be limited to 300 square feet or 15% of the wall, whichever is less.
 - f. Multi-tenant buildings may receive a conditional use permit so that the building may exceed the maximum number of signs to accommodate the additional sign if the Planning Commission judges the additional sign to be consistent with the criteria set forth above.
 - g. Multiple flat signs shall utilize individual lettering and logos only. No multiple cabinet signs or combination of cabinet and individual lettering signs shall be approved. It is encouraged that the use of multiple materials and lettering styles, such as exposed neon, different type styles, and use of logos in conjunction with the lettering be implemented.
3. Painted signs applied directly to any building face are specifically prohibited.
 4. Buildings or businesses with exposure on the side(s) and front may choose which wall to mount their sign upon. Signs are allowed on the rear of the building with Planning Commission approval.
 5. Owners of buildings that have small offices inside, accessory and/or secondary to the main use are required to create a building identification sign instead of trying to obtain signage for every tenant. This is especially true for buildings with two or more levels.
 6. Flat signs on sloping roofs shall be erected so as to appear as a sign applied to a similarly vertical wall surface and finished in such a manner that the visual appearance from all sides is such that they appear to be part of the building itself. All such signs shall be installed or erected in such a manner that there is no visual support structure such as guy wires or braces and shall not project more than 3 feet above the top edge of the vertical surface of the wall.
 7. No flat sign including any light box or structural part, shall project more than 18 inches from the face of the building to which it is attached.

H. Off-premise Signs. Off-premise signs are permitted only in the

C-2 Commercial, I-1 Industrial, and C-4 Commercial Zones.

1. **Location.** Off-premise signs shall be allowed only on property adjacent to and fronting a public street. These signs must be oriented for street viewing only and be located within 50 feet of the nearest highway lane. All off premise signs must be located within a landscaped area. Placement upon a hard surface is prohibited.
2. **Size, Height and Spacing.** Off-premise signs shall be regulated as follows:
 - a. **Size.** Maximum area of one side of a sign (whether single or double faced) shall be 24 square feet.
 - b. **Height.** Maximum height of off-premise signs shall be 18 feet above the grade of the traveled way of the street.
 - c. **Spacing.** No off-premise sign shall be erected within 400 feet of another existing off-premise sign or within 20 feet from any adjoining private property boundary line. Sign structures shall not be located so close to intersections as to obstruct the view of automobile drivers and in no event shall be placed within a triangular area formed by the street property lines and a line connecting them at a point 45 feet from the intersection of the street lines.

I. Suspended and projecting Signs. Suspended or projecting signs used in place of flat signs are allowed if the architecture of the building or planned center lends itself to that design and a sign theme is submitted and approved by the Zoning Administrator. The following shall apply:

1. The Zoning Administrator must review any proposal for a suspended sign for compatibility with the building. One suspended/projecting sign is permitted for each business or tenant.
2. Any sign may not exceed 15% of the front flat wall first story or floor of the tenant space, or 300 square feet, whichever is less.
3. No sign may project beyond the outside limit of the arcade, marquee, or canopy or facade to which they are attached.
4. Such signs may project up to 3 feet across the front property line but not closer than two feet to the curb and gutter. Where a building is near the property line, a 3 foot projection will be allowed from the property line. Where state or federal regulations limit or prohibit projection over property lines, such regulations will take precedence.
5. No sign may project over property lines except in the C-3 Commercial Zone.
6. Any sign must have at least an 8 foot clearance above the sidewalk or 7 feet above any landscaped area. Signs which project over streets, alleys or any vehicular traveled way or access must maintain a minimum clearance

of fourteen feet.

7. There must be a minimum horizontal distance of 5 feet on both sides between suspended signs.
8. Supports for projecting signs must be hidden, and the sign must appear to be attached to the wall and not from a pole.

J. Awning Signs. Awning signs are allowed only under the following circumstances:

1. The Zoning Administrator may approve any applicant for an awning sign which fully complies with sign standards.
2. Awning signs in planned centers must be designed to conform to an approved sign theme.
3. No awning signs will be allowed on multi-tenant buildings or in planned centers unless the building or center has consistent treatment.
4. Awning signs shall be limited to single story buildings or to the first level only of multi-story buildings.
5. Awning signs must function as true awnings by being placed over a doorway, window, or walkway to protect such from the elements.
6. Awning signs are not allowed on or above sloping or mansard roof.
7. The area of awning signs shall be a maximum of 300 square feet or 15% of the flat wall area of the floor or story occupied by the business upon which the sign is mounted, whichever is less.
8. Area of copy/logo on awnings shall be limited to 40% of the awning. Illuminated signs on other sides shall be permitted.
9. Awning signs shall conform to all provisions of the Building Code governing such structures.
10. Illuminated (backlit), translucent, vinyl awnings are not permitted. Translucent letters or accents sewn into opaque canvas or acrylic awnings are permitted.
11. Awning signs shall not project out from the wall more than 8 feet, nor less than 2 feet, and in no event closer than 2 feet from the back of curb. In the case of entrance canopies the awning may project out from the building over a walkway and must lead to a bona fide business entrance. Such canopies will be permitted if they are compatible with the architecture of the building.
12. Awning signs shall not project above the roof line, defined as the highest part of the vertical wall.
13. Awning signs shall maintain a minimum clearance of 7 feet to the bottom of the valance and 8 feet to the frame above the sidewalk and comply with all other clearance requirements.
14. Awning signs shall be maintained in a clean, safe and attractive condition. Awnings must be replaced every 10

years or when the awning falls into a sun bleached and/or deteriorated condition as determined by the Zoning Administrator. Failure to do so will result in revocation of the sign permit.

K. Canopies (Gas Stations). Signs for canopies over gas islands are regulated as follows:

1. Sign copy, corporate logos, etc. may be a maximum of 15% of one face of the canopy.
2. Up to 3 sides of the canopy may be used for signs.
3. The height to the top of the canopy may not exceed 20 feet from grade and no canopy fascia may exceed 4 feet in height.
4. Individual letters, logos, or symbols may not exceed 4 feet in height or project out from the surface of the canopy more than 18 inches or project above or below the canopy face.
5. Gas price signs are allowed on the monument sign or below the canopy over the pumps. One double faced sign for each type of fuel sold is allowed per gas island with a maximum of 4 sets per station. Area of said sign may not exceed 4 square feet each.

L. Signs in the Residential and Residential-Commercial Zones.

Conditional uses may risk being more intensive uses allowed in residential zones. Therefore, the sign allowances are more restrictive than in commercial areas.

1. **On-Premise Signs for Home Occupations, Hair and Beauty Salons, and Day Care and Nursery Schools.** The Zoning Administrator may permit one non-illuminated flat wall sign 2 square feet in area which identifies the name of the business. This applies to uses operated out of a single family home.
2. **Signs for all other non-residential uses permitted in Residential and Residential-Commercial Zones.** These signs are a conditional use to be approved by the Planning Commission at the time of approval of such use through the commercial concept approval process, conditional use process, or other such applicable process. Each such use is limited to one monument sign of 16 square feet in area and 5 feet in height, or one wall sign, awning sign, or suspended/projecting sign having a maximum area of 2 percent of the front flat wall area of the first floor or story of the building, not to exceed 10 square feet, whichever is less. Such signs may not have changeable copy capability. Multi-tenant buildings with monument signs must identify the center primarily.

Section 18.103.100 Temporary Signs

A. Standards for Temporary Signs. Temporary signs shall not be placed in or over a public right-of-way, may not flash, blink,

spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind. They shall not be attached to telephone poles, fences, or trees. They must be firmly secured to the building. Temporary signs may be attached to existing permanent signs only for the grand opening period. Temporary signs may cover or obscure an existing permanent sign only if the business has changed hands or changed names. Temporary signs shall not be used as the main advertising sign for business after the grand opening period. No off-premise temporary signs are allowed except those specifically noted and regulated for real estate purposes or otherwise noted in the ordinance.

B. Permitted Temporary Signs.

1. **Grand Opening Signs.** Temporary signs announcing the initial opening of a business, or the relocation, or change of ownership of an existing business may be allowed provided that the event shall not continue for more than 60 days and that the permit is issued within the first year of operation. There shall be no more than 2 signs allowed per business. A combination banner and portable sign is acceptable. The signs must comply with general size and location standards for signage in this Chapter and must be removed at the end of the 60 day period. A temporary sign permit is required. **NOTE:** "Now Open", "Grand Opening", "New Location of . . .", "New Ownership," etc. are appropriate type message for such signs.
2. **Special Promotion Periods.** A business may apply for a special promotional sign in conjunction with a special sales event or promotion. The sign shall be attached to a building or structure and be regularly maintained and changed. Damaged or deteriorated banners shall be removed. Each business may have up to two (2) special promotion signs at any time. **NOTE:** Special product, price, or service advertising are appropriate during these periods.
3. **Going Out of Business/Bankruptcy Period.** A business may apply for a special permit in order to facilitate the liquidation of inventory for a failing business for a period not to exceed 90 calendar days. Such permit will be allowed only once for any business license. A temporary sign permit is required. A banner or portable sign is allowed during this period. **NOTE:** Special product, price or service advertising are appropriate during these periods.
4. Hot or cold air balloons, or inflatables are permitted as part of a grand opening period or special promotion. Such items shall be firmly attached to the roof of a building or other such structure and shall be sized, placed, and maintained appropriately so as not to

constitute a traffic hazard or nuisance as determined by the Zoning Administrator.

Section 18.103.110 Sign Permit Process

- A. Sign Permit Required.** No person shall erect, install, or paint any sign, or change the face of any sign, whether it be temporary or permanent in nature, without obtaining a sign permit from the Community Development Department except as outlined in this ordinance. This includes new signs, signs to be added to existing buildings or uses, and existing signs that are to be enlarged, changed, or modified. A fee as established by the City Council shall be paid to the City for each sign permit issued under this chapter. The fee will cover the cost of issuance, including inspection.
- B. Penalty for Installing Sign Without Permit.** New or existing signs installed or maintained without a permit will be required to be removed or will be charged a penalty fee of \$100, or a double sign permit fee, whichever is greater, at the time the owner/operator of the sign makes application for a sign permit with the Community Development Department.

Section 18.103.120 Site Plan Review/Sign Design

- A. Site Plan Review.** When new buildings or developments are presented for Commercial Concept Approval, signs proposed for the development shall be reviewed concurrently by the Planning Commission. All planned centers and multi-tenant buildings must submit a sign theme for approval by the Planning Commission. The center must have an approved sign theme before any sign permits will be issued.
- B. Sign Design.** Applicants for sign permits should give serious consideration to the following elements when submitting plans for signs.
1. Architectural Compatibility
 2. Color and Style
 3. Size, scale, proportion (balance)
 4. Location
 5. Landscaping
 6. Legibility
- C.** The Zoning Administrator may refer an application for a sign permit to the Planning Commission for further approval/denial if the Zoning Administrator feels adherence to the above listed criteria is not shown in submitted plans (see Section 18.103.030).
- D.** All signs within the C-3 Commercial Zone shall comply with the Downtown Design Criteria.

Section 18.103.130 Required Permit Information

A. Monument and Freestanding Signs

1. Plot plan showing relationship of sign to buildings, property lines, setback from public rights-of-way,

- intersections, easements and driveways.
2. Two accurately dimensioned, scaled drawings showing height, color, square foot dimensions, landscaping, sign composition, type of illumination, and how the sign will appear from the street.
 3. Details of sign construction including electrical plan, foundation scheme, and value of the sign.
 4. Number of acres and length of lineal frontage of property.

B. Wall Signs and other signs attached to walls

1. Two scaled drawings showing square foot dimensions of both the building and the sign, sign composition, and type of illumination.
2. A profile drawing of how the sign will appear from the street/parking area and on the building.
3. Details of sign construction and attachment including electrical plan.

C. Temporary Signs

1. Plot plan showing relationship of sign(s) to buildings, property lines, setback from public rights-of-way, intersections, easements and driveways.
2. Length of period for display, type of request.

D. Additional Information Required

1. Proof of current Heber City business license.
2. Business address and phone number.
3. Address of property owner and phone number.
4. General or electrical contractor license, phone and address.
5. Value of the sign.

Section 18.103.140 Safety And Location Standards For Permanent Signs

A. Standards of Construction

1. All signs erected in Heber City shall comply with the provisions of the National Electrical Code, Building Code and the Heber City Sign Ordinance effective at the time the permit is issued.
2. Licensed Sign Contractor required. No sign, fixture or device involving electrical wiring or connections shall be erected or installed in Heber City except by a licensed and bonded contractor.
3. Engineering Required. All sign permit applications shall be engineered to demonstrate conformance with the applicable provisions of the Building Code; and, where required by the Chief Building Official, shall be accompanied by a drawing stamped by a structural engineer licensed by the State of Utah attesting to the adequacy of the proposed construction of the sign and its supports.

4. Durability. All signs must be built of durable and permanent materials. Permanent materials include metal, glass, stone, concrete, high density foam board, brick, or solid wood. Vinyl, cloth, cardboard, and plywood are not permanent materials.
5. Readability. All signs, both temporary and permanent, must be professional looking and be legibly lettered.
6. Power Source. Permanent power sources for signs must be concealed underground away from public view.

B. Traffic Safety. No sign or other advertising structure shall be erected which in any manner may be confused with an official traffic sign or signal, or which bears words normally used in such signs, i.e., stop, go slow, caution, danger, warning, etc. No sign or any advertising structure shall be erected which by reason of its size, location, shape, content, coloring, or manner of illumination might be confused as a traffic control device. No sign shall have lighting which impairs the vision of anyone traveling upon a public street or distracts any driver so as to create a public nuisance.

Specifically, no sign or group of signs may not exceed 1 foot candle in brightness as measured at the property line

C. Clear View of Intersecting Streets. No sign more than 3 feet in height (above the top back of curb) shall be erected at any intersection for vehicular traffic within a triangular area formed by the intersection of straight lines extended from the edge of asphalt and a line connecting them at points 45 feet from the intersection of the lines. NOTE: Monument signs may be erected in the above mentioned area if they are less than 3 feet above the curb grade to the top of the sign. The Planning Commission must approve any removal of landscaping in order to accomplish that objective. Deviations from these requirements must be reviewed and approved by the Heber City Engineer, if found to maintain an acceptable degree of safety. Deviations beyond those approved by the Engineer must be appealed to the Board of Adjustment.

D. Specific Clearance And Location Requirements. The following rules apply for all signs:

1. Freestanding signs shall not extend over any pedestrian or vehicular access area unless specifically approved by the City Engineer.
2. No part of any sign shall interfere with the use of any fire escape, exit, required stairway, door ventilator, or window.
3. No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the State of Utah or its agencies.
4. No sign shall be located on publicly owned land or inside street rights-of-way, except signs owned and erected by permission of an authorized public agency or specifically

authorized herein.

5. High profile (freestanding) and low profile (ground or monument) signs shall be located at least their height in distance from side property lines in order to prevent damage to adjacent land in case a sign is toppled by accident or an act of God.
 6. Low-profile (monument) signs shall be set back at least three [3] feet from the front sidewalk and from all driveways.
 7. No sign may be closer than ten feet to any adjoining residential property.
- E. Maintenance.** Every sign shall be kept in complete operating condition. The landscaped area in which any sign is placed shall be kept free from weeds, garbage, and debris. "Maintenance" includes the repair of facades where signs have been removed; the painting, cleaning, repairing of the sign. "Maintenance" does not include structural alterations, cosmetic or style changes or enlargements of face changes.
- F. Foundations.** All signs must be permanently mounted on foundations and footings which conform to the Building Code.
- G. Lighting.** The light from the illumination of signs shall be carefully directed so that the light is not obtrusive or a nuisance to adjacent properties particularly residential areas.
- H. Building Identification.** All buildings shall be identified with a numbered or lettered street address in addition to optional business identification. The letters or numbers shall be at least 4 inches in height.

Section 18.103.150 Measurement Of Regulated Sign Area

- A. Flat Signs.** Sign copy mounted or painted on a background panel or area distinctly painted, textured or constructed as a background for the sign copy shall be measured as that area contained within the outside dimensions of the background panel or surface. Any illuminated bands or illuminated structures which contain sign copy, corporate logos, etc. are by definition flat signs in their entirety and as such may not exceed 15% of the wall area or 300 square feet, as regulated in this chapter. However, illuminated bands on canopies covering gasoline pump islands shall be regulated per this Chapter. For sign copy mounted as individual letters and/or graphics against a wall or fascia of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, the area shall be defined as the area enclosed by the smallest six-sided polygon that will enclose all sign area. For sign copy on an illuminated sign or illuminated architectural element of a building, the entire illuminated surface or illuminated architectural element which contains sign copy shall be counted as sign area.

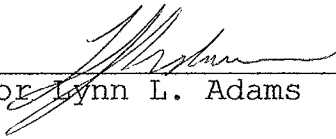
- B. Monument Signs.** The regulated area of a monument sign shall include all parts of the sign or structure that contains identification (words or symbols) and information. The height of a ground sign shall be the distance from the highest point of the sign to the height of the street curb or sidewalk.
- C. Multiple Face Signs** (including but not limited to freestanding or monument signs).
1. Single Panel. Measure the area of the single face only.
 2. Double Panel. If the interior angle between the top two faces is 45 degrees or less, the area to be measured will be the area of one face only. If the angle between the two sign faces is greater than 45 degrees, the sign area to be measured will be the sum of the areas of the two faces.
 3. Three or More. The sign area shall be the sum of the areas of the three or more faces.
- D. Freestanding Signs.** The regulated area of a freestanding sign shall include all parts of the sign or structure that contains identification (words or symbols) and information. The height of a freestanding sign shall be the distance from the highest point of the sign to the top of the curb or sidewalk or crown of the street when there is no curb or sidewalk.
- E. Non-planer Signs.** For spherical, free-form, sculptural, or other non-planer signs, the sign area shall be the sum of the areas of the four vertical sides of the smallest polyhedron that will encompass the sign structure.

This ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder, and (c) a short summary of it has been published in the Wasatch Wave or a complete copy has been posted in three public places within Heber City but not prior to the 17th day of June, 2004.

ADOPTED AND PASSED by the City Council of Heber City, Utah this 17th day of June, 2004, by the following vote:


	AYE	NAY
Councilman Terry Wm. Lange	<u>X</u>	_____
Councilman Vaun Shelton	<u>X</u>	_____
Councilman David R. Phillips	<u>X</u>	_____
Councilman John Burns	_____	_____ <i>Absent</i>
Councilwoman Shari K. Lazenby	<u>X</u>	_____

APPROVED:



Mayor Lynn L. Adams

ATTEST:



RECORDER

(Seal)

Date of First Publishing:

6-23-04
