

ORDINANCE 1102

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO SIGN REGULATIONS, AMENDING SECTIONS 16.75.020, 16.75.090, 16.75.110, 16.75.120, 16.75.140, REPEALING CHAPTER 16.78, AND ADOPTING A SUMMARY FOR PUBLICATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Chapter 16.75 of the Lacey Municipal Code is amended to change the title of such chapter to "Sign Regulations."

Section 2. Section 16.75.020 of the Lacey Municipal Code is hereby amended to read as follows:

16.75.020 Definitions and abbreviations. For the purpose of this chapter, definitions as defined in Chapter 16.06 and certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this section.

- A. "Abandoned sign" means any sign which is located on property which becomes vacant and unoccupied for a period of six months or more, or any sign which relates to any occupant or business unrelated to the present occupant or his business, or any sign which pertains to a time, event, or purpose which no longer applies.
- B. "Advertising vehicles" means any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way which has attached thereto, or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during normal course of business. Franchised buses or taxis are exempt from this chapter.
- C. "Animated sign" means any sign which includes action or motion or the optical illusion of action or motion, or color changes of all or any part of the sign facing, requiring electrical energy, or set in motion by movement of the atmosphere. Excluded from the definition are public service signs, changing message center signs, searchlights and flags.
- D. "Awning" is a temporary shelter supported entirely from the exterior wall of a building.

- E.** "Banner" is a sign made of flexible material designed to be displayed against a wall.
- EF.** "Bulletin board (readerboard)" means a sign so designed that the message may be changed by removal or addition of specially designed letters that attach to the face of the sign.
- FG.** "Changing message center signs" means an electronically or electrically controlled sign where different automatic changing messages are shown on the same lamp bank.
- GH.** "Construction sign" means any sign used to identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended.
- HI.** "Directional sign" means signs erected by the city on arterial streets directing the public to public, civic or nonprofit facilities.
- IJ.** "Flashing sign" means any sign which contains 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. Excluded from the definition are public service and changing message center signs.
- JK.** "Free-standing sign" means any sign which is supported by one or more uprights, poles or braces in or upon the ground.
- KL.** "Garage sale signs," i.e., yard sales, moving sales, patio sales, means temporary signs used to announce a sale of used items.
- LM.** "Grade" means the elevation or level of the street closest to the sign to which reference is made, as measured at the street's centerline, or the relative ground level in the immediate vicinity of the sign.
- MN.** "Grand opening displays" means temporary signs, posters, banners, strings of lights, clusters of flags, balloons and searchlights used to announce the opening of a completely new enterprise or the opening of an enterprise under new management.
- NO.** "Height" or "height of sign" means the vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns.
- OP.** "Informational sign" means a sign within a business park or commercial subdivision indicating only the name of a particular use and the direction in which it is located. Such sign shall be used for informational purposes only, and not for advertising copy. Such signs may be a maximum four feet high, and must be designed in a uniform manner using a single background color and a single color and typeface for wording.
- PQ.** "Internal circulation sign" means a sign used to aid customers in circulation within parking lots of commercial uses. Such signs may also be used to indicate entrances, exits or customer drive-thru's, but may not contain advertising or logos. Maximum two and one-half feet high, maximum two feet width, maximum six inch high lettering size and these signs may also be designed to be on poles.

- QR.** "Landscaping" means any material used as a decorative feature, such as shrubbery or planting materials, planter boxes, concrete bases, brick work, decorative framing or pole covers, used in conjunction with a sign which expresses the theme of the sign and related structure but does not contain advertising copy.
- RS.** "Legal nonconforming sign" means a sign which on the effective date of the ordinance codified in this chapter was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior sign ordinance or code but which sign does not conform to the applicable limitations established by this chapter; or on or after the effective date of the ordinance codified in this chapter was lawfully maintained and erected in accordance with the provisions of this chapter but which sign, by reason of amendment of the ordinance codified in this chapter after the effective date thereof, does not conform to the applicable limitations established by the amendment of this chapter.
- ST.** "Mansard roof" means a sloped roof or roof-like facade architecturally able to be treated as a building wall.
- TU.** "Marquee" is a permanent roofed structure attached and supported by the building.
- UV.** "Monument sign" is a ground-mounted sign which is higher than three feet above the average ground elevation and which is attached to the ground by means of a wide base of solid appearance.
- VW.** "Multiple building complex" means a group of structures housing at least one retail business, office, commercial venture or independent or separate part of a business which shares the same lot, access and/or parking facilities.
- WX.** "Multiple occupancy building" means a single structure housing more than one retail business, office or commercial venture.
- Y.** "Off-Premises Sign" means a permanent sign not located on the premises of the use or activity to which the sign pertains.
- Z.** "Off-Premises Directional Sign" means an off-premises sign designed to guide the public to an area, place, business or service without arterial or collector frontage within the City and is consistent with the standards in Section 16.75.110.B.8.
- X:AA.** "Political sign" means a sign advertising a candidate or candidates for public elective office, or a political party, or sign urging a particular vote on a public issue decided by ballot.
- Y:BB.** "Portable (mobile) sign" means a sign made of any material which by its design is readily movable and is equipped with wheels, casters or rollers or which is not permanently affixed to the ground, structure or building. (Also includes ~~sidewalk or sandwich board signs, and~~ signs mounted upon the tops of vehicles.)
- Z:CC.** "Public service signs" means an electronically or electrically controlled public service sign or portion of a larger sign which conveys only information such as time, date,

temperature, atmospheric condition or general news information where different alternating copy changes are shown on the same lamp bank matrix.

~~AA-DD~~. "Real estate or property for sale, rental or lease sign" means any sign pertaining to the sale, lease or rental of land or buildings.

~~BB-EE~~. "Roof sign" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

~~FF~~. "Sandwich Board Sign" means a temporary sign made of metal, wood, chalkboard, or white board that is not permanently attached to the ground, is consistent with the standards set forth in Section 16.75.110.A.8., and is designed for and oriented to pedestrians

~~GGG~~. "Seasonal sales sign" means any sign used to advertise a sale of merchandise or other items during a particular holiday season including seasonal fireworks or Christmas holiday sales.

~~DDHH~~. "Searchlight" means an apparatus containing an electric light and reflector on a swivel for projecting a far-reaching beam in any desired direction.

~~EEI~~. "Sign" means any commercial communication device, structure or fixture that is intended to aid an establishment in identification and to advertise and/or promote a business, service, activity or interest. For the purpose of this chapter, a sign shall not be considered to be building or structural design, but shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way.

~~FFJJ~~. "Sign area" means the entire area of a sign on which copy is to be placed. Only one side of a double-faced or three-faced sign shall be included. The area of painted signs, individual letter signs, and other indirectly illuminated signs shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between letters and lines, as well as the areas of any devices, illuminated or non-illuminated, which are intended to attract attention.

~~GGKK~~. "Special event signs" means temporary signs used to announce a circus, a carnival, festivals or other similar events.

~~HHLL~~. "Temporary sign" means any sign, banner, pennant, valance, flags (not intended to include flags of any nation, state, city or other governmental agency or non-profit organization), searchlights, balloons or other air-filled or gas-filled figures or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frame, intended to be displayed for a limited period of time only. Different types of temporary signs and banners included in this category are: construction, grand opening displays, real estate, special event, sandwich board, and garage sale.

~~HMM~~. "Wall" means any member or group of members, which defines the exterior boundaries of a building and which has a slope of sixty degrees or greater with the

horizontal plane. The height of a wall shall be measured as the two-dimensional height from the average finish grade of the particular architectural building elevation adjacent to the wall to the finish roof plane.

~~JNN~~. "Wall sign" means any sign attached to or painted directly on the wall, or erected against the wall of a building being parallel or approximately parallel to said wall; and does not exceed a distance of fifteen inches from said wall.

Section 3. Section 16.75.090 of the Lacey Municipal Code is hereby amended to read as

follows:

16.75.090 Prohibited signs. Prohibited signs are subject to removal (except legal nonconforming signs as defined by this chapter) by the city at the owner's or user's expense. The following signs or displays are prohibited:

- A. Roof signs;
- B. Animated signs;
- C. Flashing signs;
- D. Portable signs (except as provided for in section 16.75.110.A);
- E. Advertising vehicles;
- F. Signs which purport to be, or are, an imitation of, or resemble an official traffic sign or signal, or which bear the words "stop," "caution," "danger," "warning," or similar words;
- G. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or radio equipment vehicle, or which obstruct the visibility of traffic or street sign or signal device;
- H. Signs which are located upon or projecting over public streets, sidewalks, or rights-of-way except as provided for awnings and marquees in Section 16.75.175, sandwich board signs in Section 16.75.110.A.8 and off-premises directional signs in Section 16.75.110.B.8;
- I. Signs attached to utility poles;
- J. Off-premises signs ~~as referred to in off-premises sign ordinance~~(except as provided for in sections 16.75.110.A.4.b. and 16.75.110.B.8);
- K. Strings of banners, pennants, and other graffiti-like material;
- L. Freestanding signs except as referenced in Section 16.75.110.

Section 4. Section 16.75.110 of the Lacey Municipal Code is hereby amended to read as

follows:

16.75.110 Permitted signs. The following signs are permitted subject to the applicable limitations as noted.

- A. Temporary signs. The following signs are classified as temporary (non-permanent). Temporary signs are permitted subject to the applicable limitations:
1. Construction signs. A sign permit is required. Such signs may be displayed only after a building permit is obtained and during the period of construction on the construction site. Only one such sign is permitted per construction project for each public street upon which the project fronts. The applicable limits are as follows:
 - a. In all zones other than single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line or closer than thirty feet from the property line of the abutting owner.
 - b. In single-family residential zones, no construction sign shall exceed thirty-two square feet in sign area (printed copy on one side only) or ten feet in height, nor be located closer than ten feet from the property line of the abutting owner.
 2. Grand opening displays. No sign permit is required. Such temporary signs, posters, banners, strings of lights, clusters of flags, balloons or other air or gas filled figures, and searchlights are permitted for a period of seven days only to announce the opening of a completely new enterprise or the opening of an enterprise under new management. All such materials shall be removed immediately upon the expiration of seven days. Such displays are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations. Searchlights may be permitted by any business or enterprise provided the beam of light does not flash against any building or does not sweep an arc of forty-five percent from vertical.
 3. Special event signs. No sign permit is required. Such temporary signs may be placed upon private property only and shall not be larger than four square feet. Said signs shall not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs may be displayed thirty days prior to an event and must be removed within seven days after the event's conclusion. The event committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code. Searchlights may be permitted by any business or enterprise provided the beam of light does not flash against any building or does not sweep an arc of forty-five percent from vertical.
 4. Real estate signs. No sign permit is required. All exterior real estate signs must be of wood or plastic or other durable material. The permitted signs, with applicable limits are as follows:
 - a. Residential "for sale" and "sold" signs. Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area, placed wholly on the property for sale, and not to exceed a height of seven feet.

- b. Residential directional "open house" signs. Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a Realtor has more than one house open for inspection in a single development or subdivision, he/she is limited to four off-premises "open house" signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the Realtor or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area. ~~The sign may be placed along the periphery of a public right of way within one mile of the subject residential development.~~
 - c. Undeveloped commercial and industrial property "for sale or rent" signs. One sign per street frontage advertising undeveloped commercial and industrial property for sale or rent. The sign shall not exceed thirty-two square feet in sign area and seven feet in height.
 - d. Developed commercial and industrial property "for sale or rent" signs. One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed seven feet in height and, if free-standing, shall be located more than fifteen feet from any abutting property line or a public right-of-way line. Said sign shall not exceed thirty-two square feet in sign area.
 - e. Undeveloped residential property "for sale" signs. One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding thirty-two square feet in sign area. Said sign must be placed more than thirty feet from the abutting owner's property line and may not exceed a height of seven feet.
 - f. Subdivisions approved after the effective date of this ordinance are permitted one cluster of flagpoles (not to exceed five flagpoles) in front of sales offices to advertise the new development.
- 4-5. Political signs. No sign permit is required. Political signs or posters may be placed upon private property only and shall not be larger than ten square feet of sign area and shall not be posted or attached to telephone poles, power poles or other public utility facilities. Such signs ~~may be displayed no sooner than the next to the last Monday in July prior to an election (except for special elections which may display such signs no sooner than sixty days prior to the election) and~~ must be removed seven days after the election in which the candidate or issue advertised on a sign has been determined. For a successful candidate in a primary election the sign may remain until the final election, but shall be removed within seven days after the election. The candidate or committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code.

56. Community Banners or cloth signs. Such signs may be permitted and extend across a public street by permission of the city manager or his appointed representative. Such signs may only be placed at city designated locations and erected by city personnel.
7. Banners. Such signs may be permitted on private property. Banners may be used to advertise a sale, other special events, or for new businesses waiting for a permanent sign. Notification to the City is required prior to hanging the banner. This notification shall include acknowledgment of the banner requirements, the dates the banner will be used and location of the banner. Businesses are only allowed one banner per wall with a maximum of two banners per business at any one time. All banners must comply with the following:
- a. Maintenance standards. All banners must be legible, made of durable materials, and must be well maintained.
 - b. Time limitation. Banners are limited to two-30 day placements per calendar year.
 - c. Location on property. Banners must be located completely on a wall, and tacked down on four corners. Banner size shall be regulated to a maximum of 10% of the architectural elevation per wall.
8. Sandwich Board Signs. Only businesses that cater to pedestrians - such as: restaurants, retail businesses that sell clothing, gifts, accessories, small markets, or other similar uses as determined by the Director of Community Development - shall be allowed to have sandwich board signs. Such signs shall only be pedestrian oriented in nature and businesses will only be allowed a maximum of one sandwich board sign. These signs are subject to the following conditions:
- a. Notification. Notification to the City is required prior to displaying a sandwich board sign. This notification shall include acknowledgment of the sandwich board sign requirements, list of materials used, and rendering of the sign, including the dimensions. Prior to the issuance of the permit, the applicant shall furnish proof to the City that the applicant is covered by liability insurance in the minimum aggregate sum of \$500,000.00 and that the City of Lacey is named as an additional insured on such policy.
 - b. Size. The area of the sign shall not exceed six (6) square feet per side in size and shall not be wider than two (2) feet.
 - c. Maintenance Standards. Signs shall be constructed out of materials able to withstand typical Northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard or plastic; signs and copy shall be of professional quality. Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well maintained manner.
 - d. Display Time. Signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a

location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.

e. Location. Signs may be located no further than 12 feet from the entrance to the business. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.

69. Garage sale (yard sales, moving sales, patio sales). No sign permit is required. Such sign shall be limited to one sign on the premises and three off-premises signs. No such sign shall exceed four square feet in sign area. The sign or signs may be displayed only during the sale and must be removed the day the sale ends. The person or persons for which the sign or signs are displayed shall be responsible for its removal and subject to the penalties as provided in this code.
710. Seasonal sales. No sign permit is required. Vendors who receive a temporary business license as defined in Section 5.12.050 for seasonal or temporary sales activities (e.g. Christmas trees or fireworks) are permitted one sign not to exceed twenty square feet in sign area. This sign shall be mounted to the booth or trailer used for temporary sales.

B. Permanent signs.

1. Signage on awnings and marquees. Signage will be allowed on awnings and marquees in commercial and industrial zones of the city. Such signage shall be limited to thirty percent coverage of the face of the marquee or the exposed surface of the awning. The signage area shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculations shall include the areas between letters and lines as well as the areas of any devices which are intended to attract attention.
2. Freestanding signs. Freestanding signs are permitted only where it can be demonstrated that monument signs are not effective due to topography, landscaping and/or natural vegetation, building locations/setbacks, adjacent land uses, or other physical restraints not created by acts of the property owner. In such cases, such sign shall not exceed fifteen feet in height, shall not exceed the size standards of Section 16.75.180(H), and shall be subject to design approval by the city. It shall be incumbent upon the owner/operator of such facility to establish the need for such sign based upon the above criteria.
3. Wall signs.
4. Monument signs. Monument signs shall be permitted subject to Table 16T-21.1 and Table 16T-21.2.

5. Low profile monument signs. Low profile monument signs shall be permitted, subject to the following criteria:
 - a. Shall not exceed five feet in height as measured from the average ground elevation at the base of the sign, provided there is no sight obstruction.
 - b. Sign area shall not exceed eighteen square feet.
 - c. Two signs per entrance to the parcel are permitted, with a maximum of four signs total.
6. Informational signs. As defined in Section 16.75.020.O are permitted for the uses identified in Table 16T-21.1.
7. Internal circulation signs. As defined in Section 16.75.020.P are permitted for the uses identified in Table 16T-21.1.
8. Off-Premises Directional Signs. As defined in 16.75.020.Z, are permitted for certain uses. It is the intent of this section to allow the limited placement of off-premises directional signs by co-locating on an existing conforming monument sign. The business locating on an existing sign must conform to the following criteria:
 - a. The business must be located on a private easement or local access street;
 - b. The business must prove an off-premises directional sign is necessary for directions to access the site;
 - c. The business and proposed sign must be located in a commercially zoned area;
 - d. Text shall be limited to the business name, logo, and a directional arrow or may include certain advancing language as "next right";
 - e. The sign must be located on the nearest collector or arterial. If a business has double frontage, staff will review this unique situation to determine if two directional signs are warranted;
 - f. Sign area is limited to six square feet; this shall not be construed to allow the on-premises sign to increase its sign area; and
 - g. If the business using an off-premises directional sign leaves its location, the business must remove the sign within 60 days.

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Section ~~16.75.120~~⁵ Section 16.75.120 of the Lacey Municipal Code is hereby amended to read as follows:

16.75.120 District regulations. This section shall apply to all zones designated in the zoning ordinance.

A. Residential districts.

1. Nonresidential uses within residential districts. Each use is permitted one monument sign as described in Table 16T-21.1 and Table 16T-21.2.

2. Home occupations. Home occupation signs relate to home occupation as defined in the zoning ordinance. The sign shall be flush-mounted and shall not exceed two square feet in area, and cannot be internally illuminated, but may be indirectly illuminated.
3. Single-family subdivisions and mobile or manufactured home parks or subdivisions. Two signs may be permitted per entrance from an access street, provided said signs do not exceed eighteen square feet in sign area each and five feet in height. Such signs can be low profile monument or fence mounted, and can be placed anywhere on the property along access streets, not necessarily at entrances.
4. Multi-family complex. Each multi-family complex is permitted two signs per entrance from an access street provided said signs do not exceed eighteen square feet in sign area each and five feet in height. Rental information such as contact name and phone number can be included as a subservient portion of this sign. Such signs can be low profile monument or fence mounted, and can be placed anywhere on the property along access streets, not necessarily at entrances.

B. Commercial, industrial and open space/institutional districts.

1. Each single occupancy building not in a multiple building complex is permitted signs as described in Table 16T-21.1, Table 16T-21.2 and Table 16T-22.1 of this code.
2. Each multiple occupancy building is permitted signs as described in Table 16T-21.1, Table 16T-21.2 and Table 16T-22.1 of this code.
3. Each multiple building complex is permitted signs as described in Table 16T-21.1, Table 16T-21.2 and Table 16T-22.1 of this code.
4. A regional shopping center (more than thirty acres in size and more than three hundred fifty thousand square feet in gross floor area of buildings) is permitted one sign not exceeding thirty feet in height and three hundred square feet in sign area. Such sign must be located at least twenty feet from all property lines and rights-of-way.
5. Businesses which conform to the standards in Section 16.75.110.B.8 may have an off-premises directional sign.

- C. Commercial subdivision, planned industrial development, planned community and business park.** Each commercial subdivision, planned industrial development, planned community and business park is permitted monument signs as described in Table 16T-21.1 and Table 16T-21.2 of this code. Each use within a planned community or business park, and each use within a commercial subdivision which cannot be described as a multiple building complex, is permitted inclusion on an informational sign. One informational sign per entrance may be located along any internal street, generally at intersections with other internal streets. Such signs may be low profile monument signs subject to Table 16T-22.2, or a maximum five foot high freestanding sign subject to design review.

Each separate parcel within a business park zone is permitted monument signs as described in section 16.75.180(H) and Table 16T-21.1 of this code.

D. Freeway-oriented businesses. Parcels with significant freeway frontage are permitted freeway-oriented signs under the following criteria:

1. Parcels must have a minimum of one thousand one hundred feet of frontage along a freeway. A frontage road or other right-of-way between the parcel and the freeway does not disqualify the parcel.
2. Parcels must have limited or no visibility from the freeway, as determined by the city.
3. Businesses advertising on such signs must not be eligible to be advertised on Department of Transportation informational signs (food, fuel, lodging).
4. Monument signs are the first and preferred option unless, in the judgment of the city, they will not provide adequate identification.
5. Adjacent parcels may combine to meet the minimum freeway frontage. However, in such cases wall signs on the freeway side of buildings on such parcels are not permitted.
6. For parcels with less than one thousand one hundred feet of freeway frontage and limited or no visibility, not located within large commercial complexes and if other adjacent parcels within one thousand one hundred feet have freeway visibility, an on-site monument sign on the freeway side is permitted. Such sign shall be considered in addition to the permitted monument sign(s) for the business.
7. The design of any sign permitted under this section must be approved by the city and be in keeping with the design of structures on the parcel(s). Any sign permitted under this section must be reviewed by the site plan review committee and approved only with a finding that the above criteria are met.
8. Any sign permitted under this section must comply with the size and height standards in this chapter.
9. Any sign permitted under this section must be reviewed by the site plan review committee and approved only with a finding that the above criteria are met.

Century 102
Section ~~16~~⁵ Section 16.~~74~~⁵.140 of the Lacey Municipal Code is hereby amended to read as

follows:

16.75.140 Legal nonconforming signs.

A. Continuance. Subject to the abatement requirements of subsection B. of this section, legal nonconforming signs may remain in use under the following conditions:

1. No such sign shall be changed in any manner that increases the noncompliance of such sign with the provision of ordinance codified in this chapter established for signs in the district in which the sign is located.

2. The burden of establishing a sign to be legally nonconforming under this section rests upon the person or persons, firm or corporation claiming legal status for a sign.
3. "Structural alteration" means any action that changes the height, size, or shape of the sign or any action that affects the base or support(s) of the sign. When a sign is structurally altered, it ceases to be a legal nonconforming sign and must conform with the provisions of this chapter.
4. When a business or activity containing a legal nonconforming sign is enlarged or remodeled to a value of fifty percent or more of existing value of real property improvements, then such sign must be brought into conformity with this chapter.
5. When a business or activity containing a legal nonconforming sign changes the type of the business, then such sign must be brought into conformance with this chapter.
6. Violations. Any violation of this chapter shall terminate immediately the right to maintain a nonconforming sign.

B. Abatement

1. Any sign which is nonconforming in that it does not conform to the regulations in this chapter shall either be removed or brought into compliance with the chapter requirements within the time period prescribed herein.
 - a. Any sign existing within the city of Lacey on May 1, 1999 ~~on September 11, 1980, the date of adoption of Ordinance No. 589 which created the previous sign ordinance, that does not comply with this chapter must be removed or brought into compliance by December 31, 2002. However if such sign complies with the standards contained in Ordinance No. 589, then it must be removed or brought into compliance by December 31, 2010.~~
 - ~~b. Any sign erected or installed within the city after September 11, 1980, must be removed or brought into compliance by December 31, 2010.~~
 - e-b. Any nonconforming sign in an area subsequently annexed into the city of Lacey shall have until December 31, 2002, or ten years after the effective date of the annexation, whichever period is longer, to be removed or brought into compliance with this chapter.
2. To encourage the removal/abatement of nonconforming signs, the city establishes an incentive program to assist the owners of such signs.
3. The city will make available, on a competitive application basis, the sum of \$10,000 per annum to assist owners of nonconforming signs to replace such signs with conforming signs. Such awards will be limited to a maximum of \$2,000 per applicant and no more than five such awards will be given out in any calendar year. To be eligible, applications for awards must be received by the city at least three years prior to the dates detailed above for compliance.

The city will waive sign permit fees for new sign permits to replace nonconforming

signs.

entire

~~Section 7~~ Chapter 16.78 of the Lacey Municipal Code is hereby repealed.

~~Section 8~~ The summary of this Ordinance, which is attached hereto, is approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,

this 22nd day of April, 1999.

CITY COUNCIL

By Nancy Peterson
Mayor

Attest:

Approved as to form:

Charlotte M Taylor
City Clerk

[Signature]
City Attorney

Published: April 26, 1999
Monday

SUMMARY FOR PUBLICATION

ORDINANCE 1102

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on April 22, 1999, Ordinance No. 1102 entitled " AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO SIGN REGULATIONS, AMENDING SECTIONS 16.75.020, 16.75.090, 16.75.110, 16.75.120, 16.75.140, REPEALING CHAPTER 16.78, AND ADOPTING A SUMMARY FOR PUBLICATION"

The main points of the ordinance are described as follows:

- 1) The ordinance combines within Chapter 16.75, those provisions dealing with both on premise and off premise signs.
- 2) The ordinance makes specific limited provisions for the display of banners and the placement of sandwich board signs.
- 3) The type and location of off premise directional signs is regulated by provisions of the ordinance.
- 4) The ordinance provides that signs existing within the city of Lacey on May 1, 1999 that do not conform with provisions of the sign code, must be removed or brought into compliance by December 31, 2010.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

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