



AGENDA

MOLALLA CITY COUNCIL MEETING

February 27, 2019

7:00 PM

Molalla Adult Center

315 Kennel Ave., Molalla, OR 97038

Mayor Jimmy Thompson

*Council President Elizabeth Klein
Councilor Leota Childress
Councilor DeLise Palumbo*

*Councilor Terry Shankle
Councilor Jody Newland
Councilor Keith Swigart*

CALL TO ORDER

Convene Meeting and Roll Call
Pledge of Allegiance

PUBLIC COMMENT/COMMUNICATIONS AND PRESENTATIONS

(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generically engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)

ADOPTION OF AGENDA

CONSENT AGENDA

1. City Council Minutes February 13, 2019

PUBLIC HEARING

ORDINANCES, RESOLUTIONS, PROCLAMATIONS

2. 2019-03 Updating MMC Chapters 10.08, 10.70 and 10.72
3. Ordinance 2019-04 to Amend MMC Title 1.02 Council Rules

NEW BUSINESS

OLD BUSINESS

4. Discuss additional change on Ordinance 2019-02 Sign Code
5. Park Use Fee

REPORTS AND ANNOUNCEMENTS

ADJOURN



AGENDA

MOLALLA CITY COUNCIL MEETING

February 27, 2019

7:00 PM

Molalla Adult Center

315 Kennel Ave., Molalla, OR 97038

Agenda posted at City Hall, Senior Center, Library and the City Website at <http://www.cityofmolalla.com/meetings>

This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-829-6855



**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, February 13, 2019**

CALL TO ORDER OF THE MOLALLA CITY COUNCIL MEETING; the regular meeting of Wednesday, February 13, 2019 was called to order by Council President Elizabeth Klein at 7:02 P.M.

COUNCIL ATTENDANCE:

Mayor Jimmy Thompson – Resigned
Councilor Elizabeth Klein – Present
Councilor Leota Childress – Present
Councilor DeLise Palumbo – Present
Councilor Terry Shankle – Present
Councilor Jody Newland – Present
Councilor Keith Swigart – Present

STAFF IN ATTENDANCE

Dan Huff, City Manager - Present
Gerald Fisher, Public Works Director - Absent
Chaunee Seifried, Finance Director – Absent
Rod Lucich, Police Chief - Present
Kelly Richardson, City Recorder - Present
Diana Hadley, Library Director - Absent
Chad Jacobs, City Attorney – Absent
Lieutenant Schoenfeld – Present

PUBLIC COMMENT/COMMUNICATIONS AND PRESENTATIONS

Council President Klein announced the resignation of Mayor Jimmy Thompson effective immediately. Klein thanked Thompson for his many years of service to the community. Klein then called to add Resolution 2019-02 which would declare the Mayor’s seat vacant and declare the seat open.

Motion made by Councilor Swigart to add Resolution 2019-02 declaring the Mayors seat vacant and declaring the seat now open, Seconded by Councilor Palumbo.

Voting Yea: Councilor Klein, Councilor Childress, Councilor Palumbo, Councilor Swigart, Councilor Newland, Councilor Shankle

(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generically engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)

ADOPTION OF AGENDA

Motion made by Councilor Swigart to adopt the amended agenda to include Resolution 2019-02, Seconded by Councilor Newland.

Voting Yea: Councilor Klein, Councilor Childress, Councilor Palumbo, Councilor Swigart, Councilor Newland, Councilor Shankle



**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, February 13, 2019**

CONSENT AGENDA

Motion made by Councilor Newland to approved as presented, Seconded by Councilor Swigart.

Voting Yea: Councilor Klein, Councilor Childress, Councilor Palumbo, Councilor Swigart, Councilor Newland, Councilor Shankle

1. City Council Minutes January 23, 2019
2. Resolution 2019-02 To Declare the Mayors Seat Vacant and Open

ORDINANCES, RESOLUTIONS, PROCLAMATIONS

2. Sign Code Ordinance 2019-02

City Recorder, Richardson presented Ordinance 2019-02 with the amended language as requested by Council at the previous meeting. Council had no questions or comments.

Councilor Klein called for a motion to be read by title only.

Motion made by Councilor Swigart to read Ordinance 2019-02 by title only, Seconded by Councilor Palumbo.

Voting Yea: Councilor Klein, Councilor Childress, Councilor Palumbo, Councilor Swigart, Councilor Newland, Councilor Shankle

Motion made by Councilor Newland to read Ordinance 2019-02 updating the Molalla Sign Code for the second reading by title only, Seconded by Councilor Swigart.

Voting Yea: Councilor Klein, Councilor Childress, Councilor Palumbo, Councilor Swigart, Councilor Newland, Councilor Shankle

Motion made by Councilor Swigart to adopt Ordinance 2019-02 updating Molalla Sign Code chapter 18.02, Seconded by Councilor Palumbo. Voting Yea: Councilor Klein, Councilor Childress, Councilor Palumbo, Councilor Swigart, Councilor Newland, Councilor Shankle

3. Ordinance 2019-03 Updating the Towing Regulations
Chief Lucich presented Ordinance 2019-03 updating the City towing regulations.
Following a brief discussion with Council, it was decided to bring back Ordinance 2019-03 with a few edits.

NEW BUSINESS

1. N/A

OLD BUSINESS

1. N/A

REPORTS AND ANNOUNCEMENTS

City Manager Huff stated the parks fee update will be presented at the next meeting.

Huff explained to Council the issue surrounding the 1-year time lapse limit between Councilors serving on other Boards and Commissions. Following the discussion, Council requested staff bring it back to the next meeting.



**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
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Wednesday, February 13, 2019**

Huff informed Council the crosswalk at Hezzie/213 would be going in very soon. Council asked staff to find out if ODOT would be willing to advertise/notify the public in advance of the road work. Huff gave an update to the fire investigation on Molalla Ave.

The entire Council applauded the community for coming together and helping everyone in need following the recent fire which affected both Bentley Feed Store and the tragic loss of life the Tolstead family has endured. Councilors thanked Jimmy Thompson for his many years of volunteer service to the City of Molalla and wished him well.

Councilor Swigart applauded all the efforts staff has done to eliminate DEQ violations regarding the treatment plant. Swigart wished all the spouses of Council and staff a happy Valentine's Day.

Councilor Childress informed Council she had recently attended the Ford Family meeting and updated Council on the warming center status, which has been very busy with this cold weather.

Councilor Klein echoed all the sentiment regarding the recent fire victims and added that she was extremely proud of the many different Share the Love events in our community.

ADJOURN

Motion made by Councilor Swigart to adjourn the meeting of February 13, 2019 at 7:58 pm, Seconded by Councilor Childress.

Voting Yea: Councilor Klein, Councilor Childress, Councilor Palumbo, Councilor Swigart, Councilor Newland, Councilor Shankle

Council President, Elizabeth Klein

DATE

ATTEST:

City Recorder, Kelly Richardson, CMC

City of Molalla

City Council Meeting



Agenda Category: Ordinance

Subject:	2019-03 Updating MMC Chapters 10.08, 10.70 and 10.72
Recommendation:	Approve as presented
Date of Meeting to be Presented:	2/21/2019
Fiscal Impact:	N/A
Submitted By:	Chief Lucich
Approved By:	City Manager Dan Huff and reviewed by Legal

Background:
These chapters have not been updated in over 20 years and based on citizens complaints and issues over the years staff finds the updates necessary to administer the code effectively and to eliminate long response times.



ORDINANCE NUMBER 2019-03

**AN ORDINANCE OF THE CITY OF MOLALLA, OREGON.
AMENDING THE MOLALLA MUNICIPAL CODE CHAPTERS 10.08, 10.70
AND 10.72 UPDATING THE CITY'S REGULATIONS FOR TOWING AND
DISPOSITION OF VEHICLES.**

WHEREAS, Chapter 10.70 of the Molalla Municipal Code regulates towing and disposition of vehicles; and

WHEREAS, Chapter 10.72 of the Molalla Municipal Code regulates parking, storage and maintenance of inoperable vehicles; and

WHEREAS, Chapter 10.08 of the Molalla Municipal Code defines parking, storage and inoperable vehicles; and

WHEREAS, Chapters 10.08, 10.70 and 10.72 were last updated more than twenty years ago; and

WHEREAS, the Molalla Police Department has found the notice timeframes for towing onerous and out of line with state law and other jurisdictions; and

WHEREAS, the Molalla Police Department also wishes to amend when the Department will tow a vehicle to align with current practice and when a vehicle is considered "parked, stored, or permitted to be parked or stored" on a City street or right-of-way.

NOW, THEREFORE, THE CITY OF MOLALLA ORDAINS AS FOLLOWS:

Section 1: Chapter 10.08 Definitions of the Molalla Municipal Code is hereby amended as follows adding a new definition of 10.08.170 Inoperable Vehicle. (additions in underline and deletions in strikethrough fonts:

10.08.170 Definitions. For purposes of this section an "inoperable motor vehicle" is defined as any vehicle which is ~~unregistered or unlicensed, or in a wrecked, abandoned and/or junked condition, or which cannot be moved without being repaired or dismantled, or which is no longer safely useable for the purposes for which it was manufactured. The term "inoperable~~

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motor vehicle” includes major parts of vehicles, including but not limited to bodies, panels, fenders, engines, running gear and transmissions.

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Section 21: Chapter 10.70.010 of the Molalla Municipal Code is hereby amended as follows (additions in underline and deletions in ~~striketrough~~ fonts):

When a vehicle may be towed.

A vehicle may be towed and held at the expense of the owner or person entitled to possession thereof from:

- A. Any public right-of-way, public park or other public place, when:
1. The vehicle is parked in violation of a temporary or permanent parking restriction;
 2. The vehicle is parked unlawfully or in a manner that may be hazardous to traffic;
 3. The vehicle is parked on City-owned or operated property without express City permission;
 4. The vehicle was used in committing a traffic or parking violation for which an unserved warrant or citation is on file with the Clerk of any Court;
 5. The vehicle has been reported stolen;
 6. The vehicle or its contents are to be used as evidence in traffic or criminal prosecutions;
 7. The vehicle is in possession of a person taken into custody by a law enforcement agency, no other reasonable disposition of the vehicle is available and the location of the vehicle creates a public safety hazard or there is a need to protect the vehicle; or
 8. The vehicle is parked in a space that is marked as reserved for disabled persons unless such vehicle conspicuously displays appropriate decals, insignia, or registration plates as required by state statutes; ~~or~~
 9. ~~A police officer reasonably believes that the vehicle's operator is driving without liability insurance.~~
- B. Private property if:
1. The vehicle is parked or stopped without the permission of the person in control of such property; or
 2. Is parked or stopped in violation of this title or in violation of state law.

Section 32: Chapter 10.70.020 of the Molalla Municipal Code is hereby amended as follows (additions in underline and deletions in ~~striketrough~~ fonts):

Towing without prior notice.

Any authorized officer may, without prior notice, order a vehicle towed, when:

- A. The vehicle is impeding or likely to impede the normal flow of vehicular or pedestrian traffic;
- B. The vehicle is illegally parked in a conspicuously posted restricted space, zone, or traffic lane where parking is limited to designated classes of vehicles or is prohibited in excess of a designated time period, or during certain hours, or on designated days, or at any time and place the vehicle is interfering or reasonably likely to interfere with the intended use of such a space, zone, or traffic lane;
- C. The vehicle poses an immediate danger to the public safety;
- D. The vehicle is illegally parked within 10 feet of a fire hydrant;
- E. A police officer reasonably believes that the vehicle is stolen;
- F. A police officer reasonably believes that the vehicle or its contents constitute evidence of any offense, if such towing is reasonably necessary to obtain or preserve such evidence;
- G. The vehicle was in possession of a person taken into custody by a law enforcement officer, ~~and~~ no other reasonable disposition of the vehicle is available and the location of the vehicle creates a public safety hazard or there is a need to protect the vehicle.
- ~~H. The vehicle is in the possession of a person arrested for any felony traffic offense, as defined by Oregon Revised Statutes; or~~
- ~~I. A police officer reasonably believes that the vehicle's operator is driving uninsured.~~

Section 43: Chapter 10.70.050 of the Molalla Municipal Code is hereby amended as follows (additions in underline and deletions in ~~striketrough~~ fonts):

Notice of vehicle tow.

- A. When notice is required before towing a vehicle, notice shall be provided by:
 - 1. Affixing a tow warning to the vehicle at least 72 hours ~~10 days~~ prior to the tow; and
 - 2. Mailing a notice to the registered owner(s) and any other person(s) who reasonably appear to have an interest in the vehicle within 24 hours ~~48 hours~~ (Saturdays, Sundays, and holidays excluded) after the tow warning is affixed to the vehicle.
- B. The tow warning and the mailed notice will state:
 - 1. The vehicle is parked in violation of City code or state law;
 - 2. The City intends to tow and remove the vehicle (in 72 hours) if the violation is not corrected; and

3. A hearing is available to contest the validity of the intended tow, and state the method of requesting a hearing, including the date by which a hearing may be requested.

C. If a timely request for hearing is received pursuant to Section 10.70.090, the vehicle will not be towed until the Tow Hearings Officer makes a determination.

Section 5-4: Chapter 10.70.090 of the Molalla Municipal Code is hereby amended as follows (additions in underline and deletions in ~~striketrough~~ fonts):

Request for hearing.

A. After a vehicle has been towed pursuant to Section 10.70.060, and prior to towing pursuant to Section 10.70.050, the owner(s) and any other person(s) who reasonably appear to have an interest in the vehicle are, upon timely application filed with the Tow Hearings Officer, entitled to request a hearing to contest the validity of the tow or intended tow of the vehicle.

1. In the case of a vehicle towed pursuant to Section 10.70.060, such application must be filed with and received by the Tow Hearings Officer not later than 5 days ~~10 days~~ after the vehicle was towed. The 5-day notice does not include holidays, Saturdays or Sundays.

2. In the case of a vehicle proposed to be towed pursuant to Section 10.70.050, such application must be filed with and received by the Tow Hearings Officer not later than 5 days ~~10 days~~ after the notice was mailed. affixing of the tow warning to the vehicle. The 5-day notice does not include holidays, Saturdays or Sundays.

B. The Tow Hearings Officer may, for good cause shown, grant a request for hearing filed after the foregoing time requirements have expired. If the mailing of the towed vehicle notice was delayed, the Tow Hearings Officer will grant a request for hearing received and filed within 5 days ~~10 days~~ of the mailing date of the notice or 5 days ~~10 days~~ of the date the vehicle was reclaimed, whichever first occurs. The 5-day notice does not include holidays, Saturdays or Sundays.

C. The request for hearing must be in writing and will state the grounds upon which the person requesting the hearing believes the tow or proposed tow invalid, or, for any other reason unjustified. The request for hearing will also contain such other information, relating to the purposes of this chapter, as the Tow Hearings Officer may require.

D. The Tow Hearings Officer will set and conduct an administrative hearing on the matter within 72 hours ~~14 days~~ of receipt of a proper request filed pursuant to this section. ~~In all cases where a vehicle has been towed and not yet released, however, the Tow Hearings Officer will set and conduct the hearing within 72 hours, not~~

including Saturdays, Sundays, or holidays, on receipt of the request. The 72-hour period does not include holidays, Saturdays or Sundays.

Section 6: Chapter 10.72.010

B. Definitions. For purposes of this section an “inoperable motor vehicle” is defined as any vehicle which is unregistered or unlicensed, or in a wrecked, abandoned and/or junked condition, or which cannot be moved without being repaired or dismantled, or which is no longer safely useable for the purposes for which it was manufactured. The term “inoperable motor vehicle” includes major parts of vehicles, including but not limited to bodies, panels, fenders, engines, running gear and transmissions.

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Section 75: Chapter 10.72.020 of the Molalla Municipal Code is hereby amended as follows (additions in underline and deletions in ~~striketrough~~ fonts):

Storage of vehicles or personal property on public property – Designated time limits.

A. No person shall park, store, or permit to be parked or stored, an inoperable vehicle or other motor vehicle, trailer, bus, camper, motor home, recreational vehicle, boat, or other personal property on any public street, right-of-way or other public property in excess of 72 hours without express written permission of the City Manager or designee; ~~provided, however, that passenger vehicles with seating for up to 12 persons may be parked or stored for a period of up to 14 consecutive days.~~ This section shall not apply to vehicles or other property being stored or impounded by the City of Molalla or any other municipal entity.

B. A recreational vehicle, motor home or camper may be parked on public property longer than the period allowed in subsection A of this section if:

1. It is owned by the resident or guest of the resident of the property in front of which it is parked; and

2. It is parked in the public street or right-of-way in front of or adjacent ~~tealong-side~~ the lot of the resident; and

3. It is parked in a manner which does not interfere with traffic or create a hazard by obstructing the view of drivers; and

3. It is parked in such location no longer than 10 days in any calendar year.

C. A motor vehicle, trailer, bus, camper, motor home, recreational vehicle, boat, or other personal property is considered parked, stored, or permitted to be parked or stored if it remains in the same half mile radius without first exiting the half mile radius.

D. Any attempt to delay, alter, or circumvent the effectiveness of the tow process by re-positioning a vehicle on the roadway without permanently removing the vehicle may be a violation of ORS 162.235 (Obstructing governmental or judicial administration) which is a Class A misdemeanor.

Section 86: This Ordinance shall take effect 30 days after enactment. Ordinance being necessary for the safety and preservation of the City of Molalla, an emergency is hereby declared, and this Ordinance shall take effect immediately upon its adoption.

Read the first time on _____ and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Elizabeth Klein, Council President

ATTEST:

Kelly Richardson, CMC, City Recorder

Date



ORDINANCE NUMBER 2019-04

**AN ORDINANCE OF THE CITY OF MOLALLA, OREGON
AMENDING ORDINANCE 2011-09 TITLE 1.02. COUNCIL RULES
SECTION 1.02.220 BOARDS AND COMMISSIONS.**

WHEREAS, In 2011 Council felt it necessary to a requirement of Council members a one year period to elapse before they could serve on any other board or commission; and

WHEREAS, since it is now required that the Mayor seek approval of the Council before appointing boards or commission members; and

WHEREAS, this Council doesn't see the need for such a period of time to elapse.

Now, Therefore, the City of Molalla does ordain as follows:

Section 1: Chapter 1.02.220 of the Molalla Municipal Code is hereby amended as follows (additions in underline and deletions in strikethroughs fonts):

~~C.— Notwithstanding any other provision of the Molalla Municipal Code relating to boards and commissions, no former member of the City of Molalla City Council may serve on a board, commission or committee established by city ordinance, either as a voting or nonvoting member, until a minimum of one year has elapsed from the person's separation from membership of the City Council.~~

Section 2. Effective date. ~~This ordinance shall be effective within 30 days of adoption.~~

/ / / / /

/ / / / /

Read the first time on _____ and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Council President, Elizabeth Klein

ATTEST:

Kelly Richardson, CMC, City Recorder

Date



Administration – City Records Office
117 N Molalla Avenue, PO Box 248, Molalla, Oregon 97038
Phone: (503) 829-6855 Ext. 291 Fax: (503) 829-3676

DATE: February 21, 2019
TO: Council
FROM: Kelly Richardson, City Recorder
SUBJECT: Sign Code 18.02 requested changes and agreed with Spencer.

18.02.040 Permit Requirements

At the last meeting the sign code had been passed, however upon further staff discussion by keeping the language for an appeal process we inadvertently took it back to a land use situation. Which is what we were moving away from in the first place.

Staff proposes to remove all text in yellow and replace with text in red. This still allows an applicant a process to follow if the applicant feels staff missed something during the review process. The sign code is very clear and concise and should not be hard to follow and administer.

E. Permit Appeal Completely removed (SEE NEW TEXT BELOW)

1. An applicant whose sign application has been conditioned, denied, suspended or revoked may file a written notice of appeal with the City Manager. The notice of appeal must be filed within 10 business days after the notice of conditioned, denied, suspended or revoked is mailed or delivered, whichever is earlier. The notice of appeal shall include:
 - A. The name and address of the appellant, and the business owner if different than the appellant;
 - B. The nature of the determination from which an appeal is taken and a copy of the determination;
 - C. The reason or reasons why the determination is alleged to be incorrect; and
 - D. What the correct determination should be.
2. Upon completion of the above appeal process if not satisfied applicant can within 5 business days file a written notice to the Molalla City Council for review. The written notice should include:
 - A. The name and address of the appellant, and the business owner if different that the appellant.
 - B. Th nature of the determination from which an appeal is taken, and a copy of the determination made by the City Manager.
 - C. The reason or reasons why the determination is alleged to be incorrect; and

D. What the correct determination should be.

And put in section 18.02.040 Permit Requirements

As 3 A following the already approved new text of #3

18.02.040 Permit requirements.

A. **Permit Required.** All signs erected after the effective date of this chapter, other than signs exempt from permit requirements of this chapter shall require a sign permit.

B. **Permit Application.**

1. Application for a sign permit shall be made on forms provided by the Planning Director.
2. An application shall include all plans and information necessary to establish that the proposed sign complies with the applicable requirements of this chapter and applicable building, structural and life safety codes.
3. Sign permit applications shall be submitted on a form provided by the City. The sign permit application fee shall be set from time to time by resolution of the City Council. Such application and required fee shall be filed in the office of the City Recorder. Applications shall be reviewed administratively by the City within approximately five – seven business days set forth in Section 18.02.040, and such issuance or denial shall constitute the City's **final** decision on the application. A denial shall be in writing and explain the reason for such denial.

A. REVISED TEXT (to avoid a land use situation/insinuation)

a. An applicant whose sign application has been conditioned, denied, suspended or revoked may file a written **notice of appeal request** with the City Manager. The **request notice of appeal** must be filed within 10 business days after the notice of conditioned, denied, suspended or revoked is mailed or delivered, whichever is earlier. The **written request notice of appeal** shall include:

- A. The name and address of the **applicant appellant**, and the business owner if different than the **applicant appellant**;
- B. The nature of the determination from which **an appeal the request** is taken and a copy of the determination;
- C. The reason or reasons why the determination is alleged to be incorrect; and
- D. What the correct determination should be.
- E. **This will be the final decision on the application.** *(as again to avoid land use and elevating to Council)*

REMOVE ALL TEXT HIGHLIGHTED IN YELLOW AND REPLACE WITH RED TEXT.

Chapter 18.02

SIGNS

Sections:

- 18.02.010 Purpose.
- 18.02.020 Rules for reading and applying sign code language.
- 18.02.030 Area of signs.
- 18.02.040 Permit requirements.
- 18.02.050 Construction and maintenance.
- 18.02.060 Sign removal.
- 18.02.070 Nonconforming signs.
- 18.02.080 Exempt signs.
- 18.02.090 Prohibited signs.
- 18.02.100 Design standards.
- 18.02.110 Permanent signs exempt from permit and fee.
- 18.02.120 Regulation of temporary signs.
- 18.02.130 Temporary signs requiring a permit.
- 18.02.140 Signs requiring a permit.
- 18.02.150 Automobile service station sign standards.
- 18.02.160 Signage on cars.
- 18.02.170 Garage/household sales.
- 18.02.180 Nameplates.
- 18.02.190 Open house signs/for sale signs.

18.02.010 Purpose.

- A. The purpose of the sign regulations is to:
 - 1. Protect the health, safety, property and welfare of the public;
 - 2. Provide a neat, clean, orderly and attractive appearance in the community;
 - 3. Provide for safe construction, location, erection and maintenance of signs;
 - 4. Encourage signs to be well designed and wisely located;
 - 5. Prevent sign clutter, minimize adverse visual safety factors to travelers in the public right-of-way;
 - 6. Provide a simple and efficient regulatory process; and
 - 7. Achieve these purposes consistent with state and federal constitutional limits on the regulation of speech.
- B. To achieve this purpose, it is necessary to regulate the design, quality of materials, construction, location, electrification, illumination, and maintenance of signs that are visible to the public.
- C. Nothing in these regulations is intended to control the construction or location of directional or informational signs installed by the City, county or state for the purpose of controlling traffic, indicating street names, providing legal or public notice, or other public purposes. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.020 Rules for reading and applying sign code language.

- A. **Reading and Applying the Code.** Literal readings of the code language will be used. Regulations are no more or less strict than as stated. Application of the regulations that are consistent with the rules of this sign code are non-discretionary actions of the Planning Director to implement the code.
- B. **Situations Where the Code is Silent.** Proposals for signs where the code is silent, or where the rules of this chapter do not provide a basis for concluding that the sign is allowed, are prohibited. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.030 Area of signs.

Sign area includes the area within a perimeter enclosing the limits of lettering, writing, representation, emblem, figure, essential sign structure, foundations or supports. For a multiple-face (more than 2-sided) sign, the sign area shall be the total of all faces. If the sign consists of more than 1 section or module, all areas will be totaled. For a double-faced sign in a single cabinet, the allowed area shall be the dimension of the cabinet, not the total of the area of the message. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.040 Permit requirements.

A. **Permit Required.** All signs erected after the effective date of this chapter, other than signs exempt from permit requirements of this chapter shall require a sign permit.

B. **Permit Application.**

- 1. Application for a sign permit shall be made on forms provided by the Planning Director.
- 2. An application shall include all plans and information necessary to establish that the proposed sign complies with the applicable requirements of this chapter and applicable building, structural and life safety codes.
- 3. Sign permit applications shall be submitted on a form provided by the City. The sign permit application fee shall be set from time to time by resolution of the City Council. Such application and required fee shall be filed in the office of the City Recorder. Applications shall be reviewed administratively by the City within approximately five – seven business days set forth in Section 18.02.040, and such issuance or denial shall constitute the City’s ~~final~~ decision on the application. A denial shall be in writing and explain the reason for such denial. 4.

An approved sign review does not replace, supersede, or waive structural or electrical standards and permits required. These other permits must also be obtained prior to work on the installation of the sign.

a. An applicant whose sign application has been conditioned, denied, suspended or revoked may file a written request with the City Manager. The request must be filed within 10 business days after the notice of conditioned, denied, suspended or revoked is mailed or delivered, whichever is earlier. The written request shall include:

A. The name and address of the applicant and the business owner if different than the applicant;

B. The nature of the determination from which the request is taken and a copy of the determination;

C. The reason or reasons why the determination is alleged to be incorrect; and

D. What the correct determination should be.

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E. This will be the final decision on the application.

5. Signs requested to be placed in any public right-of-way must first obtain permission from the jurisdiction having control of said right-of-way.
6. A sign review permit issued under this chapter is void if substantial physical action is not taken in accordance with the conditions of the permit and the applicable provisions of this chapter, and the finding that the applicant did not misrepresent or falsify any information supplied in the application.
7. Site plan and/or building elevation plans drawn to scale and dimension showing:
 - a. Existing structures;
 - b. Driveways;
 - c. Street and right-of-way;
 - d. Existing signs;
 - e. Proposed sign;
 - f. Vision clearance;
 - g. All incidental signs.
8. A proposed sign plan drawn to scale and dimension showing:
 - a. Height;
 - b. Width;
 - c. Square footage;
 - d. Thickness;
 - e. Size and style of letters;
 - f. Color;
 - g. Type of illumination;
 - h. Materials.

C. **Fees.** A fee as established by resolution of the City Council shall be paid upon the filing of an application. Such fees shall not be refundable.

D. **Permit Conditions.** The Planning Department shall attach conditions in conjunction with the approval of a sign permit in order to ensure the intent of this Code is met. The Planning Department may also require guarantees and evidence to ensure that such conditions will be complied with.

~~.1. An applicant whose application has been conditioned, denied, suspended or revoked may file a written notice of appeal with the City Manager. The notice of appeal must be filed within 10 business days after the notice of conditioned, denied, suspended or revoked is mailed or delivered, whichever is earlier. The notice of appeal shall include:~~

~~A. The name and address of the appellant, and the business owner if different than the appellant;~~

~~B. The nature of the determination from which an appeal is taken and a copy of the determination;~~

~~C. The reason or reasons why the determination is alleged to be incorrect; and~~

~~D. What the correct determination should be.~~

~~2. Upon completion of the above appeal process if not satisfied applicant can within 5 business days file a written notice to the Molalla City Council for review. The written notice should include:~~

~~A. The name and address of the appellant, and the business owner if different than the appellant.~~

~~B. The nature of the determination from which an appeal is taken, and a copy of the determination made by the City Manager.~~

~~C. The reason or reasons why the determination is alleged to be incorrect; and~~

~~D. What the correct determination should be.~~

F. **Permit Suspension or Revocation.** The Planning Director or duly authorized representative may, in writing, suspend or revoke a permit issued under provisions of this chapter whenever the permit is issued on the basis of incorrect information supplied, or in violation of applicable ordinance or regulation or any of the provisions of this chapter.

G. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.050 Construction and maintenance.

A. Signs shall be constructed, erected and maintained to meet the requirements of the Oregon Structural Specialty Code, National Electric Code and Oregon Mechanical Code. In addition, all illuminated signs shall be subject to the provisions of the Underwriters' Standards, as defined in Underwriters' Laboratories, "Standards for Safety, Electric Signs." For purposes of this section, "illuminated sign" means any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as part of the sign property.

B. All signs and component parts shall be kept in good repair and maintained in a safe, neat, clean and attractive condition.

C. All signs shall be located entirely within the boundaries of the subject property unless specifically authorized by this Code.

D. No sign shall be erected or maintained in such a manner that any portion will interfere in any way with the free use of, or any access to, any fire escape, or be erected or maintained so as to obstruct any window of light or ventilation required by any applicable law or building code.

E. It is unlawful to erect or maintain a sign which, by reason of its size or location, pose immediate danger to the health, safety and welfare of the citizens of the City, either pedestrian or motorists, at public and/or private roadways, intersections, and driveways.

F. All signs shall be able to withstand a wind pressure at a minimum of 20 pounds per square foot of exposed surface.

G. All signs shall be constructed securely and shall not constitute a fire hazard.

H. When wood is used which comes into contact with the ground, the wood must be pressure treated. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.060 Sign removal.

The Planning Department may order removal of any sign erected, replaced, reconstructed or maintained in violation of these regulations.

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- A. The Planning Department shall deliver written notice by certified mail (return receipt requested) to the owner of the sign, or, if the owner of the sign cannot be located, to the owner of the lot(s) as shown on the tax rolls of Clackamas County, on which such sign is located, directing that the sign shall be removed or brought into compliance with these standards.
- B. If the owner of such sign or the owner of the lot(s) on which the sign is located fails to remove the sign or remedy the violation within 30 days after receipt of written notice from the City, the Planning Director shall cause such sign to be removed at the expense of the property owner. Such costs shall be entered by the City Recorder on the docket of City liens against the property owner and shall be collectible in the same manner as liens for public improvements.
- C. If the condition of the sign presents an immediate threat to the safety of the public, the Planning Director may cause removal of the sign immediately, without prior notice, and the expenses for such removal shall be paid by the owner of the sign or the permit applicant. If such persons cannot be found, the expense shall be paid by the owner of the building, structure or property. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.070 Nonconforming signs.

- A. A nonconforming sign lawfully existed prior to the adoption of applicable zoning requirements with which it does not comply. Except, however, signs shall be considered to be nonconforming where the sign, by reason of its size, location, construction, or lack of maintenance creates a public hazard or nuisance. In the case of such public hazard or nuisance, the City may begin immediate abatement procedures, as provided in this chapter and other City ordinances.
- B. Relocation, replacement, structural alteration or expansion of a nonconforming sign is subject to the same limitations, application procedures and requirements set forth in this chapter for other nonconforming structures. Except, approval of a nonconforming structure application is not required for the following:
 - 1. Normal repair and maintenance, where the cost to repair the sign does not exceed 50% of the replacement cost of the sign using new materials, as determined by the Building Official.
 - 2. Change of sign copy.
 - 3. Structural alteration when the alteration is necessary for structural safety, as determined by the Building Official.
 - 4. A nonconforming sign may be reconstructed if it is required to be temporarily removed to accommodate construction or repair of public utilities or public works and the sign reconstruction is completed within 90 days after the completion of the public utilities or public works construction activity.
- C. Signs installed in violation of any prior sign code or applicable laws or regulations, and which are in violation of this chapter, shall be removed, replaced or altered in order to conform to the requirements of this chapter.
- D. Signs recognized as historical element of a historical landmark are exempt from this chapter.
- E. All nonconforming signs shall be altered to conform to the requirements of this chapter by January 1, 2025.
- F. A sign for which a variance is granted under the provisions of this chapter is not considered nonconforming.

- G. If a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds 60% of its replacement value, the nonconforming sign shall be removed.
- H. An unlawful sign shall be removed or made to conform within 60 days after written notice from the Planning Department. Said 60-day period may be extended if the owner of an unlawful sign submits to the Planning Department a declaration signed under penalty of perjury, on forms provided by the Department, stating that he/she intends to terminate the business identified by said sign within 12 months of the date of the notice and agrees to remove the sign upon the expiration of the 12-month period or the date he/she terminates his/her business, whichever occurs first. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.080 Exempt signs.

All signs which are placed inside a structure or building, which are not visible through windows or building openings and are not intended to be visible to the public are exempt from the provisions of the sign code. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.090 Prohibited signs.

- A. No sign, unless exempt or allowed pursuant to this chapter shall be permitted except as may be permitted pursuant to a variance procedure (Chapter 20.04).
- B. In a commercial or industrial zone no sign shall be placed inside or outside a structure so as to obscure more than 25% of any individual window surface. In a residential zone no sign shall be placed so as to obscure more than 10% of any individual window surface. Glass doors shall be considered an individual window surface.
Holiday paintings and temporary specials painted on windows shall be exempt from this percentage of limitation.
- C. No permanent sign, other than a public sign, may be placed within or over any portion of the public right-of-way, except those signs which are consistent with the provisions of this chapter.
- D. No sign shall be allowed within 2 feet of any area subject to vehicular travel.
- E. No temporary sign, except for banner signs for which a permit has been issued and those necessary for temporary traffic control shall be placed within or over any portion of the public right-of-way of a major collector or arterial street.
- F. No sign shall be located in a manner which could impede travel on any pedestrian or vehicular travel surface.
- G. No temporary signs, bench signs. Banners, pennants, wind signs, balloon signs, flags, or any other temporary sign structure shall be allowed as except specifically authorized by this chapter.
- H. Except as otherwise provided herein, no sign shall be equipped or displayed with moving, flashing or intermittent illumination except athletic scoreboards.
- I. No sign shall be or consist of any moving, rotating, or otherwise animated part.
- J. No signs on buildings shall be placed on the roof or extend above the roof line or parapet of the structure.
- K. No sign shall be attached to a tree or vegetation.

- L. No non-public sign which purports to be, is an imitation of, or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic on the street, or which hides from view any official traffic sign or signal shall be permitted.
- M. No public address system or sound devices shall be used in conjunction with any sign or advertising device.
- N. No signs that are internally illuminated shall be permitted in any residential zone.
- O. No sign that obstructs free and clear vision of the traveling public at the intersection of any street or driveway shall be permitted.
- P. A sign with lighting of such intensity or brilliance as to cause glare on adjoining properties or roadways or impair the vision of a driver of a motor vehicle or otherwise to interfere with the operations thereof or allows light to be directed upward.
- Q. A sign erected or maintained on public property or within the public right-of-way without permission of the public body having jurisdiction.
- R. Any sign larger than 32 square feet (counting both sides) on an undeveloped lot or parcel of property.
- S. Signs larger than 3 square feet on fences or fencing.
- T. Signs placed on, affixed to, or painted on any motor vehicle, trailer or other mobile structure not registered, licensed and insured for use on public highways, City and/or parked with the primary purpose of providing a sign not otherwise allowed by this chapter.
- U. Video signs.
- V. Any signs advertising a business or other use which has discontinued operation within the building, on the lot or in the development shall be deemed abandoned and shall be removed within ninety days of the time the business or use is discontinued, unless a new occupancy permit is issued for a new sign. Removal of the sign is the business owners responsibility however if not removed within the 90 days becomes the property owners responsibility.
- W. Signs in violation of the other chapters of the Molalla Municipal Code. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.100 Design standards.

- A. All illuminated signs must be installed by a licensed sign contractor, subject to provisions of the State Electrical Code. All electrically illuminated signs shall bear the Underwriters' Laboratory label or equivalent.
- B. Building and electrical permits shall be the responsibility of the applicant. Prior to obtaining permits the applicant bears the burden of providing an approved sign permit or demonstrating exemption from the permit requirements of this chapter.
- C. Signs shall be designed to be compatible with nearby signs, other elements of street and site furniture and with adjacent structures. Compatibility shall be determined by the relationship of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering.
- D. Content on signs visible from streets shall be designed to minimize distractions to motorists. Signs may be reviewed for clarity and readability.

- E. **Setbacks.** Signs are required to meet the setback requirements of the applicable zoning district, except however the street yard setback for signs may be reduced to 50% of that required for other structures in the zone. Signs shall not obstruct a vision clearance area.
- F. **Size of Sign.** The maximum size of all signs per building shall not exceed the totals listed in the table below:

Street Frontage (ft)	Maximum Display Surface Area (sq ft)	Maximum Area of Any One Sign Face (sq ft)	Maximum Height Freestanding Signs (ft)
1 – 50	50	25	30
50 – 200	100	50	30
201+	300	150	30

On a building containing multiple tenants signage requirements shall meet the maximum below as an entire building not as individual business.

G. **Illumination.**

1. External illumination is allowed. The external illumination may be either “direct” or “indirect,” provided that the source of light (e.g., bulb) is shielded such that it is not directly seen by the public. External light sources shall be carefully located, directed and shielded in order to avoid direct illumination of any off-site object or property.
2. Internal illumination is allowed.
3. Sign illumination shall not result in glare onto neighboring properties or onto public right-of-way, such that due to level of brightness, lack of shielding, or high contrast with surrounding light levels, the sign illumination results in “light intrusion” onto adjacent properties.
 - a. Direct lighting means exposed lighting or neon tubes on the sign face.
 - b. Indirect lighting means the light source is separate from the sign face or cabinet and is directed so as to shine on the sign.
 - c. Internal lighting means the light source is concealed within the sign.
4. Signs shall not flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights.
5. Exposed incandescent bulbs may be used on the exterior surface of a sign if each of such bulbs do not exceed 25 watts or unless each of such bulbs is screened by a diffusing lens, sun screen or similar shading device.

H. **Monument Signs.**

1. Monument signs shall have a distinct base, middle, and top. These elements of the sign shall vary from one another in terms of their thickness, materials, or color.
2. Monument signs shall incorporate the following materials, unless otherwise approved pursuant to subsection (H)(4) of this section.
 - a. The base and top shall be constructed of stone, brick, or wood;
 - b. The middle shall be constructed of stone, brick, wood, metal with a matte/non-reflective finish, vinyl, or other materials as noted in subsection c.

- c. Other materials may be used for bulletin board or electronic message board components in the middle portion of a monument sign, as needed to allow the bulletin board or electronic message board to function.
3. Monument signs shall provide street addresses when street addresses are not visible from the street.
4. A monument sign which does not meet 1 or more of the standards detailed above in subsections (H)(1) through (3), may be approved by the Planning Director pursuant to the Type II Land Use Procedure. A discretionary monument sign application may be approved if the applicant demonstrates compliance with all of the following criteria:
 - a. The overall design of the sign exhibits a sense of structure; and
 - b. Materials, similar to stone, brick, or wood are used; and
 - c. The proposed sign is in conformance with all other applicable City ordinances concerning its location, construction, and design.

I. Blade/Overhang Signs.

1. Blade/overhang sign shall not extend more than 8 feet from the building face.
2. The outer edge of a blade/overhang sign shall be set back a minimum of 2 feet from the curb.
3. A minimum 9-foot clearance shall be provided between grade and the bottom of a blade/overhang sign.

J. Wall Signs.

1. A wall sign shall not project more than 18 inches from the wall to which it is attached (or 12 inches from a wall directly abutting an alley). An encroachment permit is required prior to encroachment into any public right-of-way.
2. The surface area of a wall sign shall not be more than 2 square feet per lineal foot of the wall on which it is erected.

For shopping centers, the footage will be counted on the entire surface of the wall on which the sign is being erected and include all signs erected on that wall in the total footage.

K. Reader Boards and Electronic Message Boards.

1. The rate of change for sign copy on a bulletin or electronic message board from 1 message to another message shall be no more frequent than every 8 seconds. Once changed, content shall remain static until the next change.
2. Displays may travel horizontally or scroll vertically onto electronic message boards but must hold a static position after completing the travel or scroll.
3. Sign content shall not appear to flash, undulate, pulse, or portray explosions, fireworks, flashes of light, or blinking or chasing lights. Content shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist, or otherwise portray graphics or animation as it moves onto, is displayed on or leaves the electronic message board.
4. No electronic message board may be illuminated to a degree of brightness that is greater than necessary for adequate visibility.
5. Electronic reader boards may be placed in commercial, industrial and public zones only.
6. No electronic message board may be located closer than 500 feet from another electronic message board.
7. These signs are only allowed as part of a blade/overhang sign, marquee sign, monument sign, pole sign, or wall sign.

L. A-Frame Signs.

1. **Dimensions.** The A-frame sign area shall not exceed 3 feet high by 2 feet wide. The top of the sign shall be no more than 42 inches from the ground (including feet and hinge mechanisms).
2. **Construction.** Shall be constructed of wood, plastic, or metal with a matte/non-reflective finish.
3. **Location.** Shall not be located further than 100 feet from the primary business. Signs must not obstruct vehicle sight clearances or be placed so as to obscure permanent signs.
4. **Quantity.** No more than 1 A-frame sign per business.
5. No A-frame sign shall include any parts or attachments that extend beyond the edge of the sign dimensions.
6. No reflective materials shall be incorporated into the A-frame sign.
7. Neon colors shall not be incorporated into the A-frame sign.
8. No A-frame sign shall be placed along any designated sidewalk, or walkway in such a manner as to impede pedestrian passage.
9. A-frames shall not be placed in landscaped areas.
10. All A-frames shall comply with the requirements of this Code within 1 year of adoption of this Code.
11. **Time Period.** A-frame signs may be displayed only during public business hours and shall be promptly removed from public display when the business is closed, or at dusk, whichever comes first. For enforcement purposes, dusk is when nearby street lights turn on.
12. An A-frame sign which does not meet 1 or more of the standards detailed in this section above, may be approved by the Planning Director pursuant to a Type II Land Use Procedure. A

discretionary A-frame sign application may be approved if the applicant demonstrates compliance with all of the following criteria:

The proposed materials, colors, and dimensions of the A-frame sign do not pose a hazard concerning its location, construction, and design.

M. **Signs in Residential Zones.** In addition to the temporary and permanent signage allowed without a permit in the residential zones the following signage is allowed subject to permit and fee:

1. **Monument Signs.**

a. **Subdivision Identification Sign and Multifamily (16 or More Units) Monument Signs.** A permanent sign may be located at the principle entrance to a subdivision identifying the name of the development. Any sign permitted pursuant to this provision shall meet all the following requirements:

- i. **Size.** Maximum area on 1 sign face is 32 square feet;
- ii. Maximum height 6 feet.
- iii. **Lighting.** Indirect lighting shall be used when lighting is requested.
- iv. Types of materials to be used shall be similar to that of the surrounding area. These types include:
 - (A) Wood;
 - (B) Stone;
 - (C) Brick.
- v. No bright colors of any kind shall be allowed on these signs. All signage shall follow the base color code.
- vi. Signs shall be placed in a landscaped area.
- vii. Signs may include the name of the subdivision or apartment complex as well as a phone number and the owner of the complex.

b. **Church, School, Public/Semi-Public Facility or Privately-Owned Community Center.**

- i. **Size.** Maximum of 40 square feet per sign face.
- ii. Maximum height 7 feet.
- iii. **Location/number.** One sign per parcel.

2. **Blade/Overhang Signs.**

a. **Home Occupation or Permitted Commercial Use.**

- i. **Size.** Maximum 2 square feet per sign face.
- ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
- iii. **Location/number.** One sign per building frontage.

b. All other uses not allowed.

3. **Wall Signs.**

a. **Church, School, Public/Semi-Public Facility.**

- i. **Size.** Maximum 9% of building elevation area, with a maximum sign face of 60 square feet on a primary frontage or 30 square feet on a secondary frontage.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** One sign per building frontage.
 - b. Home occupation or permitted commercial use other than those listed above in subsection (M)(3)(a):
 - i. **Size.** Maximum 2 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** Maximum 1 sign; no specific location requirement.
 - c. All other uses not allowed.
- 4. **Reader Boards and Electronic Message Boards.**
 - a. **Reader Boards for Church, School, Public/Semi-Public Facility.**
 - i. **Size.** Bulletin board may encompass up to 75% of sign face area.
 - ii. Maximum height determined by height of sign.
 - iii. **Location/number.** Only allowed as a permitted sign.
 - b. **Electronic Message Board for Church, School, Public/Semi-Public Facility.**
 - i. **Size.** Electronic message board may be no larger than 8 foot horizontal by 3 foot vertical from the ground.
 - ii. Maximum height determined by height of sign.
 - iii. **Location/number.** Only allowed as part of permitted sign.
 - c. Bulletin board and electronic message board all other areas—Not allowed.
- 5. **Pole Signs.**
 - a. **Church, School, Public/Semi-Public Facility.**
 - i. **Size.** Maximum 40 square feet per sign face.
 - ii. Maximum height 8 feet.
 - iii. **Location/number.** One sign may be located adjacent each street frontage.
 - b. All other uses not allowed.
- 6. **Awning Sign or Canopy Sign.** Not permitted on any use.
- 7. **Marquee Sign.** Not permitted on any use.
- 8. **Window Sign.**
 - a. **Size.** Maximum 15% of total window area.
 - b. Maximum height determined by height of window.
 - c. **Location/number.** Only allowed in ground floor or 2nd floor windows.

N. **Signs in the Central Business District.** In addition to the temporary and permanent signage allowed without permit in the following Central Business District zones the following signage is allowed subject to permit and fee:

1. **Monument Signs.**

a. **Church, School, or Public Facility.**

- i. **Size.** Maximum 40 square feet per sign face up to 2 sign faces.
- ii. Maximum height 9 feet.
- iii. **Location/number.** One sign may be located adjacent on each street frontage.

b. **Minor Business Complex.**

- i. **Size.** Maximum 50 square feet per sign face up to 2 sign faces.
- ii. Maximum height 12 feet.
- iii. **Location/number.** One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.

c. **Major Business Complex.**

- i. **Size.** Maximum 65 square feet per sign face up to 2 sign faces.
- ii. Maximum height 12 feet.
- iii. **Location/number.** One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.

d. **All Other Uses.**

- i. **Size.** Maximum 40 square feet per sign face up to 2 sign faces.
- ii. Maximum height 9 feet.
- iii. **Location/number.** One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.

2. **Blade/Overhang Sign.**

a. All Other Uses.

- i. **Size.** Each sign shall have a maximum sign face area of 20 square feet. The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12% of the building elevation area.
- ii. **Maximum Height** The height of the sign shall not project above the roofline or top of the parapet wall, whichever is higher.
- iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location.

3. **Wall Signs.**

a. **Church, School, Public/Semi-Public Facility.**

- i. **Size.** Maximum 9% of building elevation area, with a maximum sign face of 60 square feet on a primary frontage or 30 square feet on a secondary frontage.
- ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.

- iii. **Location/number.** One sign per building frontage.
 - b. **Home Occupation.**
 - i. **Size.** Maximum 2 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** Maximum 1 sign; no specific location requirement.
 - c. **Commercial Uses.**
 - i. **Size.** Maximum sign area of all signage allowed on a primary building frontage is 8% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.
 - (A) The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.
 - (B) The maximum sign face area of all signage allowed on a secondary building frontage is 6% of the building elevation area of the secondary building frontage, up to a maximum of 60 square feet.
 - (C) If the building elevation area of a primary or secondary building frontage exceeds 5,000 square feet, the total sign face area allowed on that frontage is 130 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location.
 - d. All other uses not allowed.
- 4. **Reader Boards and Electronic Message Board Signs.**
 - a. **Size.** May be no larger than 8-foot horizontal by 3-foot vertical from the ground.
 - b. Maximum height determined by height of sign.
 - c. **Location/number.** Only allowed as a permitted sign.
- 5. **Bulletin Board—All Other Uses.**
 - a. **Size.** May encompass up to 50% of sign face area.
 - b. Maximum height determined by height of sign.
 - c. **Location/number.** Only allowed as of a permitted sign.
- 6. **Pole Signs.**
 - a. **Church, School, Public/Semi-Public Facility.**
 - i. **Size.** Maximum 40 square feet per sign face (up to 2 faces).
 - ii. Maximum height 12 feet.
 - iii. **Location/number.** One sign may be located adjacent to each street frontage.
 - b. **Minor Business Complex.**

- i. **Size.** Maximum 50 square feet per sign face (up to 2 faces).
 - ii. Maximum height 18 feet.
 - iii. **Location/number.** One sign may be located adjacent to each street frontage.
- c. **Major Business Complex.**
- i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 8% of the building elevation area of the primary building frontage, up to a maximum of 60 square feet.
 - (A) The total combined area of the marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.
 - (B) The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12% of the building elevation area.
 - (C) The maximum sign face area of all signage allowed on a secondary building frontage is 6% of the building elevation area of the secondary building frontage, up to a maximum of 30 square feet.
 - ii. **Maximum Height.** Shall not project above the roof line or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at the location.
7. **Awning Sign or Canopy Sign.**
- a. **Use on Site—All Uses.**
 - i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 60 square feet.
 - (A) The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.
 - (B) The maximum sign face area of all signage allowed on a secondary building frontage is 8% of the building elevation area of the secondary frontage, up to a maximum of 30 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or parapet wall whichever is higher..
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location. Sign shall not extend more than 8 inches from the building face. Outer edge of sign shall be set back a minimum of 2 feet from the curb. A minimum 8½ foot clearance shall be provided between grade and bottom of the sign.
8. **Marquee Sign.**
- a. **Use on Site—All Uses.**

- i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.

The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of the building elevation area allowed.

- ii. **Maximum Height.** Shall not project more than 8 feet above the roofline or parapet wall, whichever is higher the blade/overhang portion of the sign may extend above the roof line or parapet wall.
- iii. **Location/number.** One sign per primary building frontage for each business license on file with the City at that location. Outer edge of sign shall be setback a minimum of 2 feet from a curb.

9. **Window Sign.**

a. **Use on Site—All Other Uses.**

- i. **Size.** See Section 18.02.090(B).
- ii. Maximum height determined by height of window.
- iii. **Location/number.** Only allowed in ground floor or 2nd floor windows.

O. **Signs in the Commercial District.** In addition to the temporary and permanent signage allowed without permit in the following commercial zones the following signage is allowed subject to permit and fee:

1. **Monument Signs.**

a. **Church, School, or Public Facility.**

- i. **Size.** Maximum 48 square feet per sign face up to 2 sign faces.
- ii. Maximum height 9 feet.
- iii. **Location/number.** One sign may be located adjacent on each street frontage.

b. **Minor Business Complex.**

- i. **Size.** Maximum 100 square feet per sign face up to 2 sign faces.
- ii. Maximum height 12 feet.
- iii. **Location/number.** One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.

c. **Major Business Complex.**

- i. **Size.** Maximum 150 square feet per sign face up to 2 sign faces.
- ii. Maximum height 12 feet.
- iii. **Location/number.** One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.

d. **All Other Uses.**

- i. **Size.** Maximum 48 square feet per sign face up to 2 sign faces.
- ii. Maximum height 12 feet.

- iii. **Location/number.** One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.
2. **Blade/Overhang Signs.**
- a. **All Other Uses.**
 - i. **Size.** Each sign shall have a maximum sign face area of 48 square feet. The total combined area of wall and blade/overhang signs on a primary frontage shall not exceed 12% of the building elevation area.
 - ii. **Maximum Height.** The height of the sign shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location.
3. **Wall Signs.**
- a. **All Uses.**
 - i. **Size.** Maximum sign area of all signage allowed on a primary building frontage is 8% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.
 - (A) The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.
 - (B) The maximum sign face area of all signage allowed on a secondary building frontage is 6% of the building elevation area of the secondary building frontage, up to a maximum of 60 square feet.
 - (C) If the building elevation area of a primary or secondary building frontage exceeds 5,000 square feet, the total sign face area allowed on that frontage is 130 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location.
4. **Reader Boards and Electronic Message Board Signs.**
- a. **Bulletin Board for Church, School, Public/Semi-Public Facility.**
 - i. **Size.** May encompass up to 75% of the sign face area.
 - ii. Maximum height determined by height of sign.
 - iii. **Location/number.** Only allowed as a permitted sign.
 - b. **Bulletin Board—All Other Uses.**
 - i. **Size.** May encompass up to 50% of sign face area.
 - ii. Maximum height determined by height of sign.
 - iii. **Location/number.** Only allowed as part of a permitted sign.
 - c. **Electronic Message Board—All Uses.**

- i. **Size.** May be no larger than 8-foot horizontal by 3-foot vertical from the ground.
 - ii. Maximum height determined by height of sign.
 - iii. **Location/number.** Only allowed as part of permitted sign.
- 5. **Pole Signs.**
 - a. **Church, School, Public/Semi-Public Facility.**
 - i. **Size.** Maximum 48 square feet per sign face (up to 2 faces).
 - ii. Maximum height 18 feet.
 - iii. **Location/number.** One sign may be located adjacent each street frontage.
 - b. **Minor Business Complex.**
 - i. **Size.** Maximum 100 square feet per sign face (up to 2 faces).
 - ii. Maximum height 20 feet.
 - iii. **Location/number.** One sign; except on a site with more than 1 street frontage, 1 sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than 1 sign is permitted on a site, the signs must be separated by at least 300 feet.
 - c. **Major Business Complex.**
 - i. **Size.** Maximum 130 square feet per sign face (up to 2 faces).
 - ii. Maximum height 26 feet.
 - iii. **Location/number.** One sign; except on a site with more than 1 street frontage, 1 sign may be located adjacent each collector or arterial street frontage that is at least 500 feet in length. Where more than 1 sign is permitted on a site, the signs must be separated by at least 300 feet.
 - d. **All Other Uses.**
 - i. **Size.** Maximum 48 square feet per sign face (up to 2 faces).
 - ii. Maximum height 18 feet.
 - iii. **Location/number.** One sign; except 1 sign may be located adjacent each collector or arterial street frontage.
- 6. **Awning Sign and Canopy Sign.**
 - a. **Use on Site—All Uses.**
 - i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.
 - (A) The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of building elevation area allowed.
 - (B) The maximum sign face area of all signage allowed on a secondary building frontage is 8% of the building elevation area of the secondary frontage, up to a maximum of 30 square feet.

- ii. **Maximum Height.** Shall not project above the roof line or parapet wall whichever is higher.
- iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location. Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8½ foot clearance shall be provided between grade and bottom of sign.

7. **Marquee Sign.**

a. **Use on Site—All Uses.**

- i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.
The total combined area of marquee signs, awning or canopy signs, and wall signs on a primary frontage shall not exceed the maximum percentage of the building elevation area allowed.
- ii. **Maximum Height.** Shall not project more than 8 feet above the roofline or parapet wall, whichever is higher the blade/overhang portion of the sign may extend above the roof line or parapet wall.
- iii. **Location/number.** Outer edge of sign shall be setback a minimum of 2 feet from a curb. A minimum 8½ foot clearance shall be provided between grade and bottom of sign.

8. **Window Signs.**

a. **Use on Site—All Other Uses.**

- i. **Size.** See Section 18.02.090(B).
- ii. Maximum height determined by height of window.
- iii. **Location/number.** Only allowed in ground floor or 2nd floor windows.

P. **Signs in the Community Planning Area.** In addition to the temporary and permanent signage allowed without permit in the Community Planning Area the following signage is allowed subject to a permit and fee.

1. **Monument Signs.**

a. **Church, School, or Public Facility.**

- i. **Size.** Maximum 32 square feet per sign face up to 2 sign faces.
- ii. Maximum height 7 feet.
- iii. **Location/number.** One sign may be located adjacent on each street frontage.

b. **Residential—None.**

c. **All Other Uses.**

- i. **Size.** Maximum 32 square feet per sign face up to 2 sign faces.
- ii. Maximum height 7 feet.

- iii. **Location/number.** One sign, except on site abutting a collector or arterial street, 1 sign may be located adjacent to each collector/arterial street frontage.
- 2. **Blade/Overhang Signs.**
 - a. **All Other Uses.**
 - i. **Size.** Each sign shall have a maximum sign face area of 6 square feet.
 - ii. **Maximum Height.** The height of the sign shall not project above the roofline or top of the parapet wall whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location.
- 3. **Wall Signs.**
 - a. **Church, School, Public/Semi-Public Facility.**
 - i. **Size.** Maximum sign face area for each sign is 60 square feet on a primary building frontage.
The maximum sign face area of all signage allowed on a secondary building frontage is 6% of the building elevation area of the secondary building frontage, up to a maximum of 30 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** One sign per building frontage.
 - b. **All Uses.**
 - i. **Size.** The maximum sign face area of all signage allowed on a secondary building frontage is 6% of the building elevation area of the primary building.
The maximum sign face area of all signage allowed on a secondary building frontage is 4% of the building elevation of the secondary building frontage, up to a maximum of 8 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is greater.
 - iii. **Location/number.** No more than 1 wall sign per building frontage for each business license on file with the City at that location. A wall sign shall not project more than 18 inches from the wall to which it is attached (or 12 inches from the wall on a building frontage abutting an alley).
- 4. **Bulletin Board Sign and Electronic Message Board Signs.**
 - a. **Bulletin Board for Church, School, Public/Semi-Public Facility.**
 - i. **Size.** May encompass up to 75% of the sign face area.
 - ii. Maximum height determined by height of sign.
 - iii. **Location/number.** Only allowed as a permitted sign.
 - b. **Bulletin Board—All Other Uses.**
 - i. **Size.** May encompass up to 50% of sign face area.
 - ii. Maximum height determined by height of sign.

- iii. **Location/number.** Only allowed as part of a permitted sign.
 - c. **Electronic Message Board—All Uses.**
 - i. **Size.** May be no larger than 8-foot horizontal by 3-foot vertical from the ground.
 - ii. Determined by height of sign.
 - iii. **Location/number.** Only allowed as part of permitted sign.
- 5. **Pole Signs.**
 - a. **Church, School, Public/Semi-Public Facility.**
 - i. **Size.** Maximum 32 square feet per sign face (up to 2 faces).
 - ii. Maximum height 8 feet.
 - iii. **Location/number.** One sign may be located adjacent to each street frontage.
 - b. **All Other Uses.**
 - i. **Size.** Maximum 32 square feet per sign face (up to 2 faces).
 - ii. Maximum height 8 feet.
 - iii. **Location/number.** One sign; except on a site with more than 1 street frontage, 1 sign may be located adjacent to each collector or arterial street frontage.
- 6. **Awning Sign or Canopy Sign.**
 - a. **Use on Site—Church, School, or Public/Semi-Public Facility.**
 - i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 50 square feet.
The maximum sign face area of all signage allowed on a secondary building frontage is 8% of the building elevation area of the secondary frontage, up to a maximum of 25 square feet.
 - ii. **Maximum Height.** Shall not project above the roof line or parapet wall whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location. Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8½ foot clearance shall be provided between grade and bottom of sign.
 - b. **Use on Site.** All other uses not allowed.
- 7. Marquee sign not allowed.
- 8. **Window Sign.**
 - a. **Use on Site—All Other Uses.**
 - i. **Size.** See Section 18.02.030(B).
 - ii. Maximum height determined by height of window.
 - iii. **Location/number.** Only allowed in ground floor or 2nd floor windows.

- Q. **Signs in Industrial Districts.** In addition to the temporary and permanent signage allowed without permit in the following industrial zones the following signage is allowed subject to permit and fee:
1. **Monument Signs.**
 - a. All uses in the M1 or M2 zones.
 - i. **Size.** Maximum 32 square feet per sign face up to 2 sign faces.
 - ii. Maximum height 6 feet.
 - iii. **Location/number.** One sign.
 - b. **All Uses in Support Commercial.**
 - i. **Size.** Maximum 32 square feet per sign face up to 2 sign faces.
 - ii. Maximum height 8 feet.
 - iii. **Location/number.** One sign.
 2. **Blade/Overhang Signs.**
 - a. **All Other Uses.**
 - i. **Size.** Each sign shall have a maximum sign face area of 48 square feet.
The total sign face area of all signs placed on a primary building frontage shall not exceed 12% of the building elevation area of the primary building frontage.
 - ii. **Maximum Height.** The height of the sign shall not project above the roofline or top of the parapet wall whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location.
 3. **Wall Signs.**
 - a. **All Uses.**
 - i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 8% of the building elevation area of the primary building frontage, up to a maximum of 300 square feet.
The maximum sign face area of all signage allowed on a secondary building frontage is 6% of the building elevation area of the secondary building frontage, up to a maximum of 190 square feet.
 - ii. **Maximum Height.** Shall not project above the roofline or top of the parapet wall, whichever is higher.
 - iii. **Location/number.** Painted wall signs are prohibited. Internally illuminated box style signs, also called can signs, are prohibited. For other types of wall signs, 1 sign is permitted per building frontage for each business license on file with the City at that location.
 4. **Reader Boards and Electronic Message Boards.**
 - a. **Bulletin Board—All Other Uses.**
 - i. **Size.** May encompass up to 50% of sign face area.
 - ii. Maximum height determined by height of sign.

- iii. **Location/number.** Only allowed as part of a permitted sign.
 - b. **Electronic Message Board—All Uses.**
 - i. **Size.** May be no larger than 8-foot horizontal by 3-foot vertical from the ground.
 - ii. Determined by height of sign.
 - iii. **Location/number.** Only allowed as part of permitted sign.
- 5. Pole signs not allowed.
- 6. **Awning Sign or Canopy Sign.**
 - a. **Use on Site—All Uses.**
 - i. **Size.** Maximum sign face area of all signage allowed on a primary building frontage is 12% of the building elevation area of the primary building frontage, up to a maximum of 120 square feet.
The maximum sign face area of all signage allowed on a secondary building frontage is 8% of the building elevation area of the secondary frontage, up to a maximum of 60 square feet.
 - ii. **Maximum Height.** Shall not project above the roof line or parapet wall whichever is higher.
 - iii. **Location/number.** One sign per building frontage for each business license on file with the City at that location. Sign shall not project above the roof line. Sign shall not extend more than 8 feet from the building face. Outer edge of sign shall be set back a minimum of 2 feet from a curb. A minimum 8½ foot clearance shall be provided between grade and bottom of sign.
- 7. Marquee sign not allowed.
- 8. **Window Signs.**
 - a. **Use on Site—All Uses.**
 - i. **Size.** See Section 18.02.090(B).
 - ii. Maximum height determined by height of window.
 - iii. **Location/number.** Only allowed in ground floor or 2nd floor windows. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.110 Permanent signs exempt from permit and fee.

The following signs shall comply with all provisions and regulations of this chapter; however, no fee, permit or application is required:

- A. One sign not exceeding 1 square foot in area hung from a building.
- B. One sign not exceeding 2 square feet in area placed on any occupied residential lot.
- C. **Incidental Signs.** Not exceeding 6 square feet in area shall be allowed on any parcel that a multiple dwelling is constructed.
- D. **Public Signs.** For hospitals or emergency services, legal notices, railroad signs, and danger signs.

Signs or tablets (including names of buildings, and the date of erection) when cut into any masonry surface, or constructed of bronze or other noncombustible surface not to exceed 8 square feet in area.

- E. **Athletic Field Signs.** Rigid signs located on the outfield fence of athletic fields may be installed. Each individual sign shall be no more than 32 square feet in area. There shall be no more than 32 square feet of area for any 8 linear feet of fence. The maximum height shall not exceed 8 feet above grade. The signs shall be placed so as to be visible from the interior of the field and/or viewing stands. One sign located at 1 end of the field visible to spectators shall have a maximum height of 15 feet above grade and shall be a maximum of 64 square feet.
- F. Accessory signs within a commercial or industrial zone which are permanent and an internal part of permitted outdoor accessory or display structures such as soft drink machines, fuel pumps, and newspaper dispensers.
- G. No “solicitation” sign pursuant to size.
- H. Signs attached to or carried by a person limited to 6 square feet in total size.
- I. Flags as outlined in Chapter 21.30. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.120 Regulation of temporary signs.

The following signs shall comply with all provisions and regulations of this chapter; however, no fee, permit or application is required. Temporary signs are prohibited signs except as provided by this section.

A. Generally.

- 1. **Illumination.** No temporary sign shall be internally or externally illuminated.
- 2. **Location.**
 - a. No temporary sign shall extend into or over the public right-of-way of any street.
 - b. Signs allowed in the right-of-way for temporary traffic control shall provide a minimum of 5 feet of clear passage of pedestrians on the sidewalk where a sidewalk exists and shall come no closer than 2 feet from areas subject to vehicular travel.
 - c. No temporary sign shall extend into the vision clearance area.
- 3. **Maintenance.** Temporary signs shall be kept neat, clean and in good repair. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
- 4. **Placement.** Except as provided by this section, temporary signs shall not be attached to trees, shrubbery, utility poles, or traffic control signs or devices. They shall not obstruct or obscure primary signs on adjacent premises.
- 5. **Sign Collection and Retrieval.**
 - a. The City may collect temporary signs placed in the public right-of-way without a permit.
 - b. Each sign collected will be stored for a minimum of 30 days.
 - c. Notice will be mailed within 3 business days of the date of collection to the owner of each sign if the ownership is reasonably discernible from the sign or as previously filed by the owner of the sign with the Planning Department.

- d. The owner of a sign may retrieve a sign collected by the City within 30 days of the collection date. The owner must present proof of ownership of the sign and pay a sign retrieval fee in the amount established by City Council resolution.
- e. The owner of the sign may request a hearing before the Planning Commission to contest the sign removal. To request a hearing, the owner of a sign must file an application for a hearing and pay a hearing fee in an amount established by resolution of the City Council within 15 days of the date of mailing of the notice as provided in subsection (A)(5)(c) above. The hearing fee and the sign retrieval fee are refunded if the Planning Commission finds that the sign was removed improperly. At the hearing, testimony and evidence begins with the City, followed by the owner, and concludes with rebuttal by the City. After the evidence has been provided, the Planning Commission will close testimony and issue a written decision that states the facts of the case and the conclusions of the decision.

B. Allowed Signage.

- 1. To any residential zone temporary signage shall be allowed for each and every lot. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, home construction or remodeling, etc. Signage shall be allowed for each lot as follows:
 - a. Temporary signs not exceeding 6 square feet, provided the signs are erected not more than 90 days prior to an election and removed within 5 days following the election.
 - b. One temporary sign not exceeding 6 square feet provided the sign is removed within 15 days from the sale, lease or rental of the property or within 7 days of completion of any construction or remodeling. An additional sign of the same size may be erected if the property borders a second street and the signs are not visible simultaneously. On tracts of land of more than 2 acres in residential zones the sign area may be increased to 32 square feet. In no case shall the sign or signs be erected for more than 12 months.
 - c. One temporary sign not exceeding 4 square feet in area which is erected for a maximum of 8 days in any calendar month and is removed by sunset on any day it is erected.
 - d. Temporary signs erected within a building which do not obstruct more than 10% of any individual window surface.
- 2. In any commercial or industrial zone temporary signage shall be allowed for each and every lot. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate signs, political or ideological positions, construction or remodeling, etc. The signage shall be allowed for each lot as follows:
 - a. Temporary signs not exceeding 6 square feet, provided the signs are erected not more than 90 days prior to an election and removed within 5 days following the election.
 - b. Temporary sign not exceeding 32 square feet provided said signs are removed within 15 days from the sale, lease or rental of the property or within 7 days of completion of any construction or remodeling. An additional sign of the same size may be erected if the property borders a second street and the signs are not visible simultaneously.
 - c. Temporary non-illuminated signs not exceeding 16 square feet for charitable fundraising events placed by nonprofit and charitable organizations. Such signs shall not be placed

more than 7 days prior to the event and must be removed within 2 days following the event. No more than 3 such events shall be advertised in this manner per lot per year.

- d. Temporary signs not exceeding 16 square feet in area erected in association with the temporary uses allowed by code including Christmas tree sales, pushcart vendors, Saturday market and sidewalk sales. This signage shall be allowed for the same duration as the temporary use. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.130 Temporary signs requiring a permit.

- A. The City Manager may allow temporary signs larger than those allowed by this Code to be erected. This signage shall not be restricted by content, but is usually and customarily used to advertise special events and store openings on banners. The City Manager shall allow the erection of such signs only if the City Manager finds that the proposed sign will not materially impair the purposes of the Sign Code. Seasonal decorations erected within the public right-of-way shall be considered to be such signs. These signs shall meet all applicable City Code provisions. Lighting of such signs will be reviewed as part of the application and may be allowed depending on impact to surrounding development.
- B. The following requirements shall be met, as applicable:
 - 1. Written consent from the property owner where the sign will be located shall be provided. The consent shall identify any restrictions that the property owner requires of the permit holder. Banners hung from utility poles shall require written approval from Portland General Electric. Banners hung over a state highway will require written approval from the Oregon Department of Transportation.
 - 2. Plans or a description showing the location of the sign; banner height above the right-of-way; support devices for the banner; and proposed dates shall be provided.
 - 3. The display period shall not exceed 25 consecutive days in duration and no more than once in any 12-month period. All such signs shall be removed no later than 1 day following the event being advertised.
 - 4. A copy of any liability and/or property damage insurance required by the property owner where the sign or banner will be located.
 - 5. A signed rebate and indemnity agreement shall be provided if placing a banner over the public right-of-way.
 - 6. The extent of signage allowed and the location of the signage is at the discretion of the City Manager.
- C. The extent of signage allowed and the location of the signage is at the discretion of the City Manager.
- D. Any temporary sign that exceeds 6 square feet in size. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.140 Signs requiring a permit.

- A. It is unlawful and a civil infraction for any person to erect, construct, alter or relocate any sign without first obtaining a permit pursuant to the provisions of this chapter unless a provision of this chapter specifically exempts a sign from the permit requirement.

- B. It is unlawful and a civil infraction for any person to construct a sign that is not specifically allowed by this chapter or to erect, construct, maintain or allow to exist a sign in violation of the terms of the permit issued pursuant to this chapter. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.150 Automobile service station sign standards.

Sign denoting gasoline prices, as provided for in Oregon Revised Statutes 649.030, are permitted subject to the following provisions:

- A. Maximum area on 1 sign face is 20 square feet.
- B. Maximum height is 25 feet or that required under freestanding signs whichever is less.
- C. Only 1 gasoline sign shall be allowed per business location street frontage. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.160 Signage on cars.

Signs on cars not otherwise discussed in the MDC shall meet the following requirements:

- A. Shall not project beyond the original frame of the vehicle more than 1/4 inch; exceptions: pizza delivery, taxi, and the like;
- B. Shall not be larger than 6 square feet; car wraps are exempt from the size requirements; and
- C. Shall not be parked in a right-of-way for periods of time to be used as a portable sign. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.170 Garage/household sales.

Signs advertising household goods, such as a garage sale, are permitted, subject to the following provisions:

- A. Maximum area on 1 sign face is 6 square feet.
- B. Height of 3 square feet.
- C. On premises sign—One sign.
- D. Three off-premises A-frame signs.
- E. Placement no earlier than 8:00 a.m. on the first day and removal no later than 7:00 p.m. on the last day.
- F. Sign cannot create a traffic hazard, impede pedestrian passage or create a public nuisance.
- G. All garage sale signs shall include the address of the location of the garage sale.
- H. The City shall have available a reasonable supply of professional sale signs that can be rented by individuals. In addition, the City may secure a deposit to recover the cost of replacing the sign in the event of damage or loss. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.180 Nameplates.

Nameplates identifying the occupant of a residence are permitted outright when not exceeding 1 square foot in size. (Ord. 2010-15 §1; Ord. 2010-04 §1)

18.02.190 Open house signs/for sale signs.

- A. Additional temporary single or double-faced open house signs shall be permitted on private property during daylight hours provided such additional temporary signs are removed prior to sunset the day of placement. Such signs are permitted only on private property with the consent of the occupant. Units displaying an open house sign must remain unlocked during the time the sign is posted. An open house is to be attended by the seller or representative at all times during the open house. This section does not apply to model homes within subdivisions or model apartment units. An open house sign may not be displayed for the same address for more than 2 consecutive weekends.
- B. One temporary sign per frontage, not exceeding 6 square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 days of the sale, lease or rental of the lot/structure. (Ord. 2010-15 §1; Ord. 2010-04 §1)

City of Molalla

City Council Meeting



Agenda Category: Old Business

Subject:	Park Use Fee
Recommendation:	To approve a revenue source for Park, use
Date of Meeting to be Presented:	February 23, 2019
Fiscal Impact:	N/A
Submitted By:	Dan Huff, City Manager
Approved By:	CM

Background:
Per my original memo dated January 23, 2019 staff has provided a draft Resolution for discussion.



City of Molalla – Administration Office
117 N Molalla Avenue, PO Box 248, Molalla, Oregon 97038
Phone: (503) 829-6855 Fax: (503) 829-3676

DATE: January 18, 2019
TO: Mayor and Council
FROM: City Manager
SUBJECT: **Park Use Policy Discussion**

Staff will be presenting a few recommendations for Council discussion regarding Park Use Policies for your regular meeting of January 23, 2019. We have experienced a marked increase in demand for use of our park system over the past 24 months and our expectation is for that to continue to increase. Recently, we had two proposed users apply to use our facilities for the same timeframes.

What we are proposing is that we discuss our current rules or lack of rules regarding park use and also consider if park use fees should be raised and/or implemented. Please remember there is always a cost to the City. However, we cannot measure the need for our community to recreate and have programs for youth.

Part of our issue in Molalla is that we do not have a revenue source for Parks. Our Park system is funded entirely by the General Fund. This situation limits our ability to provide extra maintenance and oversight to park use.

My Staff has worked hard to compromise with users, and we will be bringing information to Council for discussion and hopefully obtain direction moving forward.

Dan Huff
City Manager