

## FRANKLIN COUNTY SIGN ORDINANCE

### ORDINANCE NO. 2006 -3

AN ORDINANCE REGULATING SIGNEAGE IN THE UNINCORPORATED AREAS OF FRANKLIN COUNTY; PROVIDING FOR A PURPOSE; REQUIRING A PERMIT; PROVIDING FOR DEFINITIONS; ENUMERATING TYPES OF SIGNS ALLOWED IN THE COUNTY; SETTING FORTH A PROCEDURE FOR CONFLICTING REGULATIONS; SETTING FORTH EXEMPTION TO SIGN STANDARDS; ENUMERATING PROHIBITING SIGNS; SETTING FORTH FOR THE MAINTENANCE OF SIGNS; PROVIDING FOR ENFORCEMENT; ESTABLISHING PERIMETERS FOR NONCONFORMING EXISTING SIGNS; PROVIDING FOR REGULATIONS REGARDING ILLUMINATION; AND PROVIDING AN APPENDIX.

#### SECTION 1 - Title

This ordinance shall be known and may be cited as the Franklin County Sign Ordinance.

#### SECTION 2 - Authority

This ordinance is adopted pursuant to the authority contained in article XII, § 2 of the constitution of the State of Idaho and title 31, chapter 44 of the Idaho Code.

#### SECTION 3 - Purpose

To regulate the location, size, placement, and certain features of signs in order to increase safety to life and property, to reduce unnecessary distractions along public road rights-of-way, and assure the continued attractiveness of Franklin County while allowing for the appropriate identification of property and businesses.

#### SECTION 4- Permit required

No person or entity shall erect, alter or relocate any sign within Franklin County without first obtaining a sign permit from the Building Inspector, except where exempted in Section 1-6 of this Chapter. Permit applications may be obtained at the Building Inspectors office. A fee of \$25.00 per permit application shall be remitted at the time of application. The Building Inspector shall have one week from the application date to either grant or reject a permit application. Appeals from action of the Building Inspector may be taken to the Planning and Zoning Commission within thirty (30) days. Appeals from the Planning and Zoning Commission may be taken to the Board of County Commissioners within thirty (30) days.



"Off-Premise sign" means any off-premises sign, which advertises or directs attention to a business, commodity, service or activity conducted, sold or offered elsewhere than on the same lot or within the same building upon which sign is erected or displayed. The sign will not exceed 72 square feet, may not be illuminated, and must be located on the property of an existing Commercial business, with no more than one off-premise sign allowed per commercial business. Off-premise signs shall not be allowed when the commercial business where the off-premise sign is located ceases its business activities for a period of six (6) months. On scenic and/or historic byways, off premise signs are prohibited in any established city impact area. There shall also be a 1000 foot distance between any two off-premise signs.

"Projecting sign" means a sign attached to a building or extending in whole or part, twelve (12) inches or more horizontally beyond the surface of the building to which the sign is attached. Support structure must be perpendicular to surface of the building.

"Roof sign" means a sign painted on the roof of a building, or a sign supported by poles, uprights, or braces attached to the roof of a building. No part of the sign may extend vertically above the highest portion of the roof and the sign erected upon or against the side of the roof must have a forty-five (45) degree angle, or less, from the vertical.

"Time-temperature-date sign" means a sign which displays the current time, outdoor temperature and/or date of the month. See electronic message sign.

"Wall sign" means a sign painted on a wall or displayed upon or against the wall of an enclosed building, where the exposed face of the sign is in a place parallel to the plane of said wall and extends not more than twelve inches horizontally from the face of said wall.

"Window sign" means a sign which is painted on, applied or attached to, or located within three feet of, the interior of a window; which sign can be seen through the window from the exterior of the structure. Merchandise which is included in a window display shall not be included as part of a window sign.

## **SECTION 7 - Conflicting Regulations**

Where there exists conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures, and the use of land, or any other matter, the more stringent limitation or requirement shall govern or prevail.

## **SECTION 8 - Exemptions to Sign Standards (permits not required)**

Bulletin boards 20 sq. feet or less which are used for the purpose of notification to the public of an event or occurrence of public interest, such as a church service, political rally, civic meeting or other similar events.

Identification signs for church or other institutions, provided such signs are erected and contained on the property where the church or institution is located, do not have illumination, and do not exceed twelve (12) square feet in area.

Dead End Road Sign. Provided such signs are 2' X 3', six (6) square feet or smaller, and located entirely on private property.

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Election Signs. Provided such signs favoring or opposing a candidate or issue are confined to private property and County road right of ways. Election signs may be erected 60 days prior to the election and must be removed within one (1) week following the election. No election sign shall be placed within or on publicly owned property except for County road right of ways as far from the center of the road as possible; all election signs must be authorized by the owner of property on which the election sign is placed. No election signs shall exceed an area of thirty-two (32) square feet.

Flags. Flags bearing the official design of a nation, state, municipality, or educational institution or related to the business. And must be attached to a permanent pole.

Incidental sign which is generally informational that has a purpose secondary to the purpose of the lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives and is less than 4 square feet in total area. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

Real Estate Signs. Temporary signs located on the premises, shall be placed on the property for no longer than one month past the sale, and used for the purpose of selling or renting property. Signs for selling or renting a residence shall be no larger than 2' X 3' or six (6) square feet; signs for selling or leasing farm ground or commercial shall be no more than 4' X 8' or thirty two (32) square feet.

No Trespassing Signs. Signs that are 2' X 3', six (6) square feet or smaller, and located entirely on private property.

Residential Identification Signs. Provided such signs are limited to no more than six (6) square feet or smaller, and located entirely on private property.

Seasonal Agricultural Produce. Signs for the sale of seasonal agricultural produce provided such signs are placed for a period not to exceed four (4) months and located entirely on the property where the produce is being sold.

Special Events. Provided such signs shall be placed no earlier than three (3) weeks prior to the event, shall be removed no later than one (1) week following the event, shall not exceed thirty-two (32) square feet in area, shall be safely affixed, shall not be placed within or on publicly owned property or rights-of-way, shall be authorized by the owner of the property on which the sign is placed and shall not project beyond the property boundary.

Public Signs. Signs required or specifically authorized for a public purpose by any law, statute or ordinance; may be of any type, number area, height, location or illumination authorized by law. Such signs are considered to include safety signs, danger signs and traffic signs.

Construction Signs. Signs advertising subdivision development, construction, alteration, or repair, announcing the names of contractors, architects, engineers, and firms involved with the construction, or announcing the character of the building enterprise or the purpose for which the building is intended. Such signs shall conform with the following:

- 8.1 Limited to on-premises freestanding, wall or window signs shall not exceed sixty-four (64) square feet in total area or thirty-two (32) square feet per face, and shall not exceed eight feet in height, and shall be removed within fourteen (14) days after the completion of work.



- 8.2 Subdivision signs announcing names of architects, engineers, contractors, developers, or other individuals, or firms involved with the subdivision of property or announcing the character of the subdivision; shall not exceed thirty-two (32) square feet per side in total area per sign and shall not exceed eight feet in height to the top of sign.

Grand Opening-Closing Signs. Signs of a temporary nature announcing a grand opening or closing, or re-opening of an establishment. Such signs are permitted fourteen (14) days before the event and must be removed within seven days after the event, with a total time limit of thirty (30) days. Streamers, ribbons and pennants are allowed during the same time.

## SECTION 9 - Prohibited Signs

All animated signs and all flashing signs that have on and off phases.

All wind signs that include streamers, banners, balloons, and similar wind activated materials, except at Grand Openings-Closings and Special Events as regulated in Section 8.

Obsolete signs advertising for longer than thirty days a discontinued business, service, or activity or directional signs for a business, service, or activity which has changed the location to which it directs.

Signs resembling or imitating traffic control signs or other government signs.

Signs erected or placed which partially or completely obstructs the view or the face of another sign.

Parking of Advertising Vehicles. No person shall park any vehicle or trailer so as to be visible from a public right-of-way, which has attached thereto or thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property.

Any external sign with lights which blink, flash, move, rotate, scintillate, flicker, vary in intensity or color or use intermittent electrical pulsation's, except light which are placed behind rigid, permanently affixed translucent panels and approved by conditional use. Time-temperature-date signs incorporating the use of blinking lights to display a message or graphic shall be permitted if a conditional use permit is granted and provided two of the following are displayed within each message cycle as a public service: time, temperature, or date. Electronic message signs as previously defined are not prohibited.

Any sign which contains words, statements or pictures of an obscene nature; or any sign which would violate the provisions of Chapter 41, Title 18, Idaho Code.

Any sign which is structurally unsafe or constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation or placement.

Signs with direct rays of light which penetrate a property used for residential purposes or which may cause a glare, impair the vision of, or otherwise interfere with the driver of any motor vehicle.

## SECTION 10 - Maintenance of Signs

Signs regulated by this Chapter shall be maintained in good visual and structural appearance at all times. Franklin County, or any of its officers or employees, shall not be



liable for negligence for failure of the owner or the person responsible for maintaining any sign to keep such sign in good condition or be responsible for damages caused by defective conditions. Those signs damaged by weather conditions or by accident shall be repaired within thirty (30) days, or shall be replaced or removed. The removal of signs shall be at the land owner's expense.

#### SECTION 11- Enforcement

Any person violating the provisions of this chapter shall be guilty of a misdemeanor and shall be punished by fine of not more than three hundred dollars (\$300.00). Every person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted to continue by any such person.

#### SECTION 12 - Non-conforming Signs

All signs in existence at the passage of the ordinance codified in this chapter that do not comply with such ordinance may be maintained. However, if such signs are changed physically altered in size or location or illumination, then, such signs must conform to this chapter.

#### SECTION 13 - Illumination

Illuminated signs shall be subject to the following conditions:

Any direct light used for the illumination of a sign shall be shielded downward on to the sign so that the beams or rays of light will not shine directly onto surrounding areas or into the sky, but directly onto the sign.

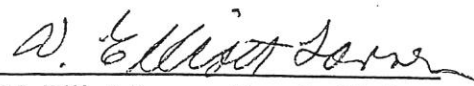
Signs in commercial and industrial areas may be illuminated, provided they do not shine directly into any residential areas.

All illuminated signs shall be fitted with timers, which will turn off all lights from 10:30 p.m. to 5:00 a.m. Businesses which are open for commerce between 10:30 p.m. and 5:00 a.m. are exempted and are required to turn off the lights when closing.

DATED THIS 8 day of MAY, 2006

Board of Franklin County Commissioners

  
William S. Palmer, Chairman

Attest:   
V. Elliott Larsen, County Clerk

Published in the Preston Citizen on the Following date(s):



Type of Sign	Size in Square Feet	Maximum Height (feet)	Permit Required
Canopy	Defined (1)	20	Yes
Free Standing	150 (7)	30	Yes
Identification	32 (2)	8	Yes
Joint Identification	100/200 (3)	25	Yes
Monument	72 (7)	8 (4)	Yes
Off -Premise	72	20 max	Yes
Projecting	20 (1)	20 max 8 min	Yes
Roof Sign	100 (1)	Defined	Yes
Temporary	32	Defined (5)	No
Electronic Message Sign	(6)	Defined	Yes
Wall	(1)	35	Yes
Window	(1)	Defined	Yes



1. All signs attached to or painted on a building cannot cumulatively exceed 20% of the building facade to which they are attached. (includes canopy, projecting, roof, wall and window signs)
2. Institutional buildings exempt at 8 sq. ft. and non-illuminated.
3. 100 square feet plus 25 square feet for each additional business with a maximum of 200 square feet
4. Monument height is 8 ft. but can be placed on a 4 ft. earth berm or mound that is appropriately landscaped.
5. Must be removed within 1 week of the event.
6. Electronic Message Sign or Time-Temp-Date part of sign does not increase the maximum size of the sign into which it is incorporated.
7. One free standing or monument sign allowed per business.