

SIGN CODE
TOWN OF
FAIRPLAY
STATE OF
COLORADO

2004

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1-1 PURPOSE

The purpose of the regulations contained herein is to create a comprehensive and balanced system of visual communication within the town that will not, by size, location, and construction, endanger the public health and safety, or confuse, mislead, or obstruct vision necessary for traffic safety, or decrease the value of surrounding properties. Because of the reliance of the community on the tourist industry arising from the natural and scenic beauty of the area, this code is intended to create a more aesthetically pleasing environment for both visitors and residents by preventing the over-concentration, improper placement, and bulk of signs. To accomplish these purposes, it is the intent of this code to encourage and to authorize the use of signs which:

- A. Insure appropriate identification of establishments.
- B. Maintain a reasonable number and moderate scale of signs.
- C. Enhance the appearance of the community so as to attract new business and improve the town=s economic base.
- D. Protect the public welfare by controlling the infringement or encroachment of signs upon public rights-of-way.
- E. Preserve the beauty of the community and its setting by promoting attractive signs.

1-2 DEFINITIONS

ANIMATED SIGN: Any sign or exterior graphic display device, or any part thereof, which changes physical position by movement or rotation.

ANNOUNCEMENT: Any sign announcing a special event unrelated to the business in which the sign is placed.

AWNING, CANOPY, OR MARQUEE SIGN: A sign that is mounted or painted on or attached to an awning, canopy, or marquee.

ARCHITECTURAL FEATURE: A prominent or characteristic part of a building including, but not limited to, windows, columns, awnings, marquees, or fascia.

ART: Things that have form and beauty including paintings, sculptures, or drawings.

ATTENTION-GETTING DEVICE: Any flag, streamer, spinner, pennant, costumed character, light, balloon, continuous string of pennants, flags or fringe or similar devices, or ornamentation used primarily for the purpose of attracting attention for promotion or advertising a business or commercial activity which is visible by the general public from any public right-of-way or public area.

BACK-LIT: See definition for Internal Lighting.

BANNER: A long strip of cloth or similar material securely affixed to a pole, wire, or rope which is located outdoors and which has lettering on it as an advertisement, greeting, or similar message. Under this code banners are classed as a civic event banner.

BILLBOARDS: A large stationary outdoor advertising device having the capacity of being visible from a state highway.

BUILDING FRONTAGE: The lineal measured width of a building facing a street. In the case of a corner lot, the building frontage may be either of the street frontages, but not both, at the option of the property owner.

BUILDING IDENTIFICATION SIGN: A wall sign, a freestanding sign, or copy painted on a building that states the name of the building, but does not advertise any business or product.

BUSINESS IDENTIFICATION SIGN: Any sign identifying the name of the business.

BUSINESS LOT FRONTAGE: The lineal measured width of the lot, measured parallel to the street, on which the business resides. In the case of a corner lot, the building frontage may be either of the street frontages, but not both, at the option of the property owner.

BUSINESS HOURS SIGN: Any sign displaying operating hours of a business.

CIVIC EVENT: Any type of race, parade, show, competition, entertainment, or community activity to which the general public is invited, either expressly or by implication.

CLASS A BANNER: A banner the primary purpose of which is to inform the public about a civic event.

CLASS B BANNER: A banner the primary purpose of which is to serve temporary purposes, such as for community events, social events, entertainments, special or limited sales.

CLASS C BANNER: A banner the primary purpose of which is to serve as a temporary sign when a permanent sign has been applied for and approved, but is not available to hang at time new business opens.

CODE: The Town of Fairplay Sign Code.

COMMISSION: The Planning Commission of the Town of Fairplay.

COMMUNITY INFORMATION BOARD: A sign used to publicize community-wide events.

CONSTRUCTION SIGN: A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors, or the owners, financial supporters, sponsors, or similar individuals or firms having a role or interest with respect to the structure or project.

CONVENTION: An assembly, often periodical, of members or delegates of a bona fide political, social, professional, or religious group or organization.

COPY: Any graphic, letter, numeral, symbol, insignia, text sample, model, device, or combination thereof that is primarily intended to advertise, identify, or notify.

CORNER LOT: Any lot bounded on two (2) sides by streets that intersect with each other.

DECORATIVE SIGN: Mural or historically significant logo painted on a building.

DIRECTIONAL SIGN: A sign limited to directional messages, principally for pedestrian or vehicular traffic.

DIRECTORY SIGN: A sign that serves as a common or collective identification of two (2) or more uses on the same property and which may contain a directory to the uses as an integral part thereof or may serve as a general identification for such developments as shopping centers, industrial parks, and similar uses.

DISPLAY SURFACE: The area made available by the sign structure for the purpose of displaying the advertising message.

ELECTRIC SIGN: Any sign containing electrical wiring, but not including signs illuminated by an exterior light source.

FLASHING SIGN: Any directly or indirectly illuminated sign, either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever.

FREESTANDING SIGN: Any sign independent of buildings and consisting of self-supporting elements.

GARAGE/YARD SALE SIGN: Any sign advertising a garage sale, yard sale, or any other temporary sale at a residence.

HANGING SIGN: See PROJECTING SIGN.

HIGHWAY SIGN: A building or business identification sign or subdivision entrance sign which is displayed adjacent to a street where the posted speed limit is greater than thirty-five (35) m.p.h.

HISTORIC DISTRICT: The Town of Fairplay Historic District as described in Section 13 of the Zoning Ordinance.

HISTORIC PLACE SIGNS: Any sign indicating the historical significance of a site or structure.

HISTORIC SIGN: Any sign that has historic significance as determined by the Planning Commission on the recommendation of the Historic Preservation Commission.

INFORMATION SIGN: A sign used to dedicate or provide information or direction with respect to permitted uses on the property, including, but not limited to, signs indicating the hours of operation, and such signs as “no smoking”, “open”, “closed”, “restrooms”, “no solicitors”, “deliveries in rear”, current credit car signs, trade association emblems, and the like.

INDIRECT LIGHTING: A source of external illumination located a distance away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any normal position of view.

INTERNAL LIGHTING: A light source supplied to the internal portion of a sign illuminating the surface of the sign.

MASTER SIGN PLAN: A sign plan of any multiple use office or commercial building which includes the number, size, description, and location of all signs located, or to be located, in or upon such property.

MENU DISPLAY BOX: A freestanding or wall sign enclosed in glass for the express purpose of displaying menus. This shall include menus displayed flat against the interior of a window.

MOVING SIGN: A sign that moves or that simulates motion.

MULTIPLE STORE FRONTS: Several businesses in the same building with the same business lot frontage.

NEON SIGN: A light source supplied by a tube that is built to form letters, symbols, or other shapes.

NONCONFORMING SIGN: Any sign lawfully established prior to the initial enactment of or amendment to the regulations contained in this code, which does not conform to the requirements presently in effect.

OBSOLETE SIGN: Any sign that is obsolete in terms of identifying a business, service, attraction, or event that no longer exists or applies.

OFF-PREMISE SIGN: Any sign placed other than on the parcel of land or premise wherein or upon which the business or activity in reference is located.

OFFICIAL SIGN: Any sign required by law or authorized for public or quasi-public institutions to meet the needs of public information, health, safety, and welfare.

ON-PREMISE SIGN: A sign that advertises or directs attention to a business, product, service, or activity that is available on the premises where the sign is located.

“OPEN” AND “CLOSED” SIGN: Any sign indicating that a business is open or closed.

OUTLINE LIGHTING: Strings of lights or lighting tubes that outline windows, the shape of the building, or are used to decorate trees. Outline lighting arranged in the shape of a product being sold or to spell out a commercial message is a sign rather than a festive decoration and is not allowed. Outline lights include those that blink randomly, but exclude lights that simulate motion or flash on and off all at once.

PARKING SIGN: Any sign indicating parking or directing vehicular traffic into a parking area.

PERMANENT SIGN: Any sign made of a durable material affixed, lettered, attached to, or upon a fixed, non-movable, supporting structure.

POLITICAL SIGN: A temporary sign pertaining to any local, state or national public or political issue, or to any national, state, or local election.

PROJECTING SIGN: A sign other than a wall sign, which projects eight inches (8") or more from, and is supported by, a wall of a building or structure.

REAL ESTATE SIGN: A sign intended to advertise the financing, development, sale, transfer, lease, exchange, or rent of real property or properties.

REFLECTIVE SURFACE: Any material or device that has the effect of intensifying reflected light, including, but not limited to, Scotchlite, Dayglo, glass beads, and luminous paint.

RESIDENTIAL NAMEPLATE: A type of sign allowed for the sole purpose of identifying the inhabitants of a residential structure, the house name, or identifying the address of the residence. The sign may not contain any form of advertising.

ROOF SIGN: Any sign erected upon or over the roof or parapet of any building.

SANDWICH BOARD SIGN: A temporary sign that is constructed with two (2) pieces of material, connected at the top, which pieces form a triangular shape and are self-supporting, also known as an “A-frame” sign.

SEPARATE FRONTAGE: A second building frontage, parallel and adjacent to a public right-of-way and on the opposite side of a building=s primary frontage, which includes a public entrance.

SIGN: Any advertisement, announcement, direction, or communication produced in whole or in part by the construction, erection, affixing, or placing of a structure or object on any land or on any other structure or produced by painting, posting, or placing any printed, lettered, pictured, figured, or colored material on any building, structure, or surface. Displayed merchandise shall not be considered a sign.

SIGN AREA or SURFACE AREA: The area that includes the entire face of the sign, frame, artwork, and any spacing between letters, figures, and designs, but not including any incidental decoration or the bracing or structure of the sign.

SIGN ILLUMINATION DEVICE: Any fixture or mechanism used to shine light onto a sign or to make a sign luminous.

SIGN OWNER: The person entitled to possession of such sign; the owner, occupant, or agent of the property where the sign is located; or any person deriving a benefit from the sign.

SIGN PERMIT: A permit issued for the erection, construction, enlargement, alteration, moving, or conversion of any sign and issued pursuant to the Building Code and this code.

SIGN STRUCTURE: Any supports, upright braces, or framework of a sign.

SITE DEVELOPMENT SIGN: A temporary sign used to identify a real estate development that is under construction, or the owners, architects, contractors, real estate agents, or lenders involved with the development. Sales and lease information may be included.

STATUARY SIGN: Any sign that is a modeled or sculptured likeness of a living creature or inanimate object.

SUBDIVISION ENTRANCE SIGN: A sign used to identify the name and entryway to a subdivision.

TEMPORARY SIGN: Any sign, which is not of a permanent nature.

TWO-SIDED SIGN: Any sign with two (2) identically-sized faces no greater than twelve (12) inches apart or connected so as not to exceed a forty-five (45) degree angle.

WALL SIGN: Any sign attached to, painted on, or erected against the exterior of a building or structure.

WINDOW SIGN: Any permanent sign applied to, attached to, or located within twelve (12) inches of the interior of a window that can be seen through the window from the exterior of the structure.

1-3 GENERAL PROVISIONS, RESTRICTIONS AND PROHIBITIONS

Except as otherwise specifically provided in this code, or as may be allowed by a duly issued variance, the following provisions apply in all zones and for all signs:

- A. No sign shall be displayed or permitted which visually obstructs or interferes with the line of sight at the intersection of streets, alleys, or driveways.
- B. No sign shall be allowed which advertises activities that are illegal under federal, state, county, or town laws.
- C. No sign shall be painted on retaining walls, rocks, or natural features, nor shall any sign be erected or painted on any vegetation, pole, or existing sign.
- D. If any provision of this code conflicts with any other municipal regulation governing signs, the more restrictive shall control.
- E. Any sign not specifically authorized in this code is prohibited in all districts.
- F. Signs may be erected, altered, and maintained only for a permitted use in the district in which the signs are located, and all signs shall be located on the same lot as the permitted use, and shall be clearly incidental, customary, and commonly associated with the operation of the permitted use.
- G. With the exception of misleading information and profanity, the Town does not intend by any provision of this code to regulate the content of any sign.
- H. Off-premises signs shall be prohibited.
- I. All lighted signs not associated with a business such as, but not limited to a school, church, etc. must be turned off no later than 10 PM each day.
- J. All temporary signs must be applied for and approved by the Public Works Department whether a fee is charged for the sign or not and the applicant must supply the dates when the sign will be erected and also the date it will be removed on said application.

- K. All signs, including temporary signs, must be maintained in good condition at all times or they will be subject to removal from their permitted location until necessary maintenance is completed on them.

1-4 SIGNS SUBJECT TO PERMITS

Except as specifically exempted under the terms of this code, no sign shall be painted, constructed, erected, remodeled, relocated, expanded, or have the copy of the sign changed or altered, until a permit has been obtained; and no permit shall be issued unless there is full compliance with the provisions of this code.

- A. In the Restricted Business (R-B) and Business (B) Districts:

- 1. Area:

- a. The total square footage of allowable sign area for any building shall not exceed sixty-six percent (66%) of the building's frontage or one hundred (100) square feet, whichever is less.
- b. The sum of the areas of all window, wall, hanging, roof, and freestanding signs for a building shall not exceed the maximum sign area allocated to that building.

- 2. Types:

The following signs are allowed, subject to the following provisions, which may apply in more than one of the following categories:

- a. Window Signs:

- (1) Size: Total sign area shall not exceed fifteen percent (15%) of glass area.

- b. Wall Signs:

- (1) Location: On wall areas visible from the public right-of-way, signs shall be located a minimum of one (1) foot inward from perimeter edges of walls, and shall not project outward from walls more than eight (8) inches.

- (2) Size: Building frontage provisions apply.

- c. Projecting Signs:

- (1) Location: Maximum projection shall be three (3) feet from the building to which it is attached. Such sign shall have a minimum clearance of eight (8) feet from grade to the bottom of the sign.
- (2) Size: Sign area shall not exceed eight (8) square feet per side (exclusive of brackets).
- (3) Liability: If a projecting sign projects into or over a public right-of-way, the business or property owner shall assume full liability for any damage incurred due to the positioning of the sign. The business or property owner may be required to agree to this condition in writing, or obtain an encroachment license, before a permit is issued.

d. Freestanding Signs:

- (1) Location: Signs less than eight (8) square feet in size shall not encroach into the public right-of-way and shall be setback from side lot lines a minimum of six (6) feet.

Signs more than eight (8) square feet in size shall be setback from all property lines a minimum of six (6) feet. For each additional foot in height over six (6) feet, there must be an additional one (1) foot setback. No portion of any sign shall extend into the six (6) foot setback area. Signs less than forty (40) feet from any street corner shall be setback at least fifteen (15) feet from the intersection.

- (2) Size: Sign area shall not exceed fifty (50) square feet per side.
- (3) Height: Shall not exceed fifteen (15) feet in height measured at the highest point.

e. Temporary Signs:

(1) Class A Banner:

- (a) Location: Limited to being hung across Main Street at 5th Street for civic events.
- (b) Size: Approximately forty (40) feet long and three (3) feet wide to stretch across Main Street.
- (c) Number: Limited to one (1) double-sided banner per civic event.

- (d) Time: Two (2) weeks prior to event and through event date.
- (2) Class B Banner:
- (a) Location: Must conform to same requirements as all permanent signs.
 - (b) Size: Sign area combined with all other signage on property shall not exceed maximum signage square footage allowed for subject property.
 - (c) Time: Seven (7) days prior to event, through event date and must come down within two (2) days after event. 12:01 AM is the beginning of date the sign is erected and 12:00 AM is the end of the date the sign is removed.
 - (d) Fees: No fee will be assessed if sign is up for 16 days or less. \$25.00 sign permit fee will be charged for 17-30 days. If event will last more than 30 days, applicant must re-apply and pay \$25.00 for each 30-day period the sign will be up, with a maximum of 90 consecutive days.
- (3) Class C Banner:
- (a) Location: Must conform to same requirements as all permanent signs.
 - (b) Size: Signs are combined with all other signage on property and shall not exceed maximum signage square footage allowed for subject property.
 - (c) Time: Thirty (30) days or when permanent sign is put up, whichever happens first. 12:01 AM is the beginning of date the sign is erected and 12:00 AM is the end of the date the sign is removed.
 - (d) Fee: No additional fee will be assessed. Applicant must have an approved sign application for a permanent sign and have paid for the same.
- (4) Real Estate Signs:
- (a) Location: Shall be limited to freestanding and shall not encroach upon any public right-of-way.
 - (b) Size: Shall not exceed four (4) square feet.

(c) Time: Sign may be erected from the time of listing the property until the sale date.

(5) Garage/Yard Sale and Other Temporary Signs:

Temporary signs not specifically regulated by the preceding subsections, except garage/yard sale signs, shall not exceed 18" x24" in size and may be displayed for a period of not more than four (4) days; except that the Building Official may, for good cause, allow a larger sign and extend the time period for a temporary sign up to four (4) days upon application. Garage/yard sale signs shall be governed by Section 1.5B.8 of this code.

f. Lighting:

- (1) Flashing Lights: Not allowed.
- (2) Indirect: Allowed in Business and Restricted Business.
- (3) Internal Lighting: Allowed if approved by the Planning Commission. Lighted signs must be turned off when business is closed each day. Lighted signs for businesses that remain open past 10 PM must be dimmed at 10 PM each day.
- (4) Neon: Neon signs are not allowed in Restricted Business. Neon signs are allowed in Business District. Any neon signs greater than four (4) square feet in size must be approved by the Planning Commission.
- (5) Outline Lighting: Allowed November 1 through April 1.

g. Roof Signs:

- (1) Height: Shall not be higher than one (1) foot below the highest point of the roof.
- (2) Size: The size area shall not exceed eighteen (18) square feet per side.
- (3) Restrictions: Sign cannot project beyond roof overhang and cannot exceed total permitted sign area.

h. Historic Signs: Are permitted regardless of size, height, and obsolescence if approved by the Planning Commission upon recommendation by the Historic Preservation Committee.

- i. Awnings: Shall not be counted as signs. Lettering may be applied to a fabric awning surface; however, this additional lettering may not increase the allowable signage by more than twenty-five percent (25%). The calculation for additional sign area shall include only the immediate area of the lettering and not the whole surface of the awning.

B. In the Commercial One (C-1) and Commercial Two (C-2) Districts:

1. Area:

- a. Sign area per building shall be allotted on the basis of two (2) square feet of sign per one (1) foot of building lot frontage, and two hundred fifty (250) square feet maximum, whichever is less.
- b. The sum of the areas of all window, wall, hanging, roof, and freestanding signs for a building shall not exceed the maximum sign area allocated to that building.

2. Types:

The following signs are allowed, subject to the following provisions, which may apply to more than one of the following categories:

a. Window Signs:

- (1) Size: Total sign area shall not exceed twenty-five percent (25%) of glass area.

b. Wall Signs:

- (1) Location: On wall areas visible from the public right-of-way, shall be located a minimum of one (1) foot inward from perimeter edges of walls and shall not project outward from walls more than eight (8) inches.
- (2) Size: The total square footage of allowable sign area for any building shall be equal to sixty-six percent (66%) of the building's frontage or one hundred (100) square feet maximum, whichever is less.

c. Projecting Signs:

- (1) Location: Maximum projection shall be four (4) feet from the building to which it is attached. Such sign shall have a minimum clearance of eight (8) feet from grade to the bottom of the sign.

- (2) Size: Sign area shall not exceed sixteen (16) square feet per side (exclusive of brackets).
- (3) Liability: If a projecting sign is in the public right-of-way, the business or property owner shall assume full liability for any damages incurred due to the positioning of the sign. The business or property owner may be required to agree to this condition in writing, or obtain an encroachment license, before a permit is issued.

d. Freestanding Signs:

- (1) Location: Signs shall be setback from all property lines a minimum of ten (10) feet. For each additional foot of height over ten (10) feet, there must be an additional one (1) foot setback. No portion of any freestanding sign shall extend into the setback area. Signs less than forty (40) feet from any street corner shall be setback at least fifteen (15) feet from the intersection.
- (2) Size: Sign area shall not exceed one hundred fifty (150) square feet per side.
- (3) Height: Shall not exceed twenty-five (25) feet in height measured at the highest point.

e. Temporary Signs:

- (1) Class A Banner:
 - (a) Location: Limited to being hung across Main Street at 5th Street for civic events.
 - (b) Size: Approximately forty (40) feet long and three (3) feet wide to stretch across Main Street.
 - (c) Number: Limited to one (1) double-sided banner per civic event.
 - (d) Time: Two (2) weeks prior to event and through event date.
- (2) Class B Banner:
 - (a) Location: Must conform to same requirements as all permanent signs.

- (b) Size: Sign area combined with all other signage on property shall not exceed maximum signage square footage allowed for subject property.
 - (c) Time: Seven (7) days prior to event, through event date and must come down within two (2) days after event. 12:01 AM is the beginning of date the sign is erected and 12:00 AM is the end of the date the sign is removed.
 - (d) Fees: No fee will be assessed if sign is up for 16 days or less. \$25.00 sign permit fee will be charged for 17-30 days. If event will last for more than 30 days, applicant must re-apply and pay \$25.00 for each 30-day period the sign will be up, with a maximum of 90 consecutive days.
- (3) Class C Banner:
- (a) Location: Must conform to same requirements as all permanent signs.
 - (b) Size: Signs are combined with all other signage on property shall not exceed maximum signage square footage allowed for subject property.
 - (c) Time: Thirty (30) days or when permanent sign is put up, whichever happens first. 12:01 AM is the beginning of date the sign is erected and 12:00 AM is the end of the date the sign is removed.
 - (d) Fee: No additional application fee will be assessed. Applicant must have an approved sign application for a permanent sign and have paid for the same.
- (4) Construction Signs:
- (a) Location: Shall be limited to freestanding, wall, or window signs and set back a minimum of six (6) feet from side property lines.
 - (b) Size: Sign area shall not exceed sixty-four (64) square feet in total area or thirty-two (32) square feet per side and not exceed eight (8) feet in height. No riders or attachments to such signs shall be permitted.
 - (c) Time: May be installed upon issuance of grading permit; must be removed when occupancy permit issued.

(5) Political Signs:

- (a) Location: Shall be limited to freestanding and window signs and shall not encroach upon any public right-of-way in a manner that presents a danger to pedestrian or motor vehicle traffic or safety.
- (b) Size: Sign area shall not exceed 36" X 36".
- (c) Time: The person or organization responsible for the erection or distribution of a political sign regarding a candidate or ballot issue shall remove such signs within ten (10) days after the election to which the sign pertains.

(6) Real Estate Signs:

- (a) Location: Shall be limited to freestanding and shall not encroach upon any public right-of-way.
- (b) Size: Shall not exceed four (4) square feet.
- (c) Time: Sign may be erected from the time of listing the property until the sale date.

(7) Garage/Yard Sale and Other Temporary Signs:

Temporary signs not specifically regulated by the preceding subsections, except garage/yard sale signs, shall not exceed 18" X 24" in size and may be displayed for a period of not more than four (4) days; except that the Building Official may, for good cause, allow a larger sign and extend the time period for a temporary sign up to four (4) days upon application. Garage/yard sales signs shall be governed by Section 1.5B.8 of this code.

f. Lighting:

- (1) Flashing Lights: Not allowed.
- (2) Indirect: Allowed in Commercial.
- (3) Internal Lighting: Allowed if approved by the Planning Commission.
- (4) Neon Lighting: Any neon signs greater than eight (8) square feet in size, or signs with internal lighting, must be approved by the Planning Commission.

(5) Outline Lighting: Allowed November 1 through April 1.

- g. Roof Signs: Permitted regardless of size, height or obsolescence if approved by the Planning Commission. Cannot exceed the total permitted sign area.
- h. Historic Signs: Are permitted regardless of size, height or obsolescence if approved by the Planning Commission upon recommendation by the Historic Preservation Committee.
- i. Awnings: Shall not be counted as signs. Lettering may be applied to a fabric awning surface; however, this additional lettering may not increase the allowable signage by more than twenty-five percent (25%). The calculation for additional sign area shall include only the immediate area of the lettering and not the whole surface of the awning.

C. In the Commercial One (C-1) and Commercial Two (C-2) Districts -- Multiple Store Fronts:

1. Area:

- a. Sign area per business shall be allotted on the basis of one (1) square foot for every two (2) linear feet of business frontage, excluding the business identification sign.
- b. One (1) business identification sign shall be allowed plus window signage per business frontage. The sum of all signage, excluding the business identification sign, shall not exceed the maximum sign area allocated to that business.

2. Types:

The following signs are allowed, subject to the following provisions, which may apply to more than one (1) of the following categories:

a. Window Signs:

- (1) Size: The total sign area shall not exceed twenty-five percent (25%) of glass area.

b. Wall Signs: As per master sign plan submitted to Building Official.

c. Projecting Signs: As per master sign plan submitted to Building Official.

d. Freestanding Signs: Not permitted except for temporary signs.

e. Temporary Signs:

(1) Class A Banner:

- (a) Location: Limited to being hung across Main Street at 5th Street for civic events
- (b) Size: Approximately forty (40) feet long and three (3) feet wide to stretch across Main Street.
- (c) Number: Limited to one (1) double-sided banner per civic event.
- (d) Time: Two (2) weeks prior to event and through event date.

(2) Class B Banner:

- (a) Location: Must conform to same requirements as all permanent signs.
- (b) Size: Sign area combined with all other signage on property shall not exceed maximum signage square footage allowed for subject property.
- (c) Time: Seven (7) days prior to event, through event date and must come down within two (2) days after the event. 12:01 AM is the beginning of date the sign is erected and 12:00 AM is the beginning of date the sign is erected and 12:00 AM is the end of the date the sign is removed.
- (d) Fees: No fee will be assessed if sign is up for 16 days or less. \$25 sign permit fee will be charged for 17-30 days. If event will last more than 30 days, applicant must re-apply and pay \$25.00 for each 30-day period the sign will be up with a maximum of 90 consecutive days.

(3) Class C Banner:

- (a) Location: Must conform to same requirements as all permanent signs.
- (b) Size: Signs are combined with all other signage on property shall not exceed maximum signage square footage allowed for subject property.

- (c) Time: Thirty (30) days or when permanent sign is put up whichever happens first. 12:01 AM is the beginning of date the sign is erected and 12:00 AM is the end of the date the sign is removed.
 - (d) Fee: No additional application fee will be assessed. Applicant must have an approved sign application for a permanent sign and have paid for the same.
- (4) Construction signs:
- (a) Location: Shall be limited to free standing, wall, or window signs and setback a minimum of six (6) feet from side property lines.
 - (b) Size: Sign area shall not exceed sixty-four (64) square feet in area or thirty-two (32) square feet per side and not exceed eight (8) feet in height. No riders or attachments to such signs shall be permitted.
 - (c) Time: May be installed upon issuance of grading permit; must be removed when occupancy permit is issued.
- (5) Political Signs:
- (a) Location: Shall be limited to freestanding and window signs and shall not encroach upon any public right-of-way in a manner that presents a danger to pedestrian or motor vehicle traffic or safety.
 - (b) Size: Sign area shall not exceed 36" X 36".
 - (c) Time: The person or organization responsible for the erection or distribution of a political sign regarding a candidate or ballot issue shall remove such signs within ten (10) days after the election to which the sign pertains.
- (6) Real Estate Signs:
- (a) Location: Shall be limited to freestanding and shall not encroach upon any public right-of-way.
 - (b) Size: Shall not exceed four (4) square feet.
 - (c) Time: Sign may be erected from the time of listing the property until the sale date.

(7) Garage/Yard Sale and Other Temporary Signs:

Temporary signs not specifically regulated by the preceding subsections, except garage/yard sale signs, shall not exceed 18" X 24" in size and may be displayed for a period of not more than four (4) days; except that the Building Official may, for good cause, allow a larger sign and extend the time period for a temporary sign up to four (4) days upon application. Garage/yard sale signs shall be governed by Section 1.5B.8 of this code.

- f. Lighting: As per master sign plan submitted to Building Official.
- g. Roof Signs: As per master sign plan submitted to Building Official.
- h. Awnings: As per master sign plan submitted to Building Official.
- i. Directory Signs: As per master sign plan submitted to Building Official.

3. Approval of Master Sign Plan:

The Building Official will review the master sign plan and submit the plan to the Planning Commission for approval or denial.

D. Residential Districts:

- 1. Illuminated Signs: Not allowed.
- 2. Individual Residences:
 - a. Size: Total allowed sign area shall not exceed four (4) square feet, excepting temporary garage/yard sale signs, political signs and real estate signs.
- 3. Temporary Site Development Signs:
 - a. Location: Shall be limited to freestanding and set at the entrance to the project area.
 - b. Size: One (1) project sign not more than forty (40) square feet in area announcing the sale of lots or houses in a subdivision may be located on such development. Such sign shall be removed when eighty percent (80%) of the lots or houses in the subdivision have been sold.
 - c. Number: Shall not exceed one (1).
- 4. Temporary Construction Signs:

- a. Location: Shall be limited to freestanding, wall, or window signs and setback a minimum of six (6) feet from property lines.
 - b. Size: Sign area shall not exceed 18"X 24" per side. No riders or attachments to such signs shall be permitted.
 - c. Number: Construction signs shall be displayed only on the property to which the sign pertains. One (1) such sign shall be permitted per street upon which the property either has frontage or has an entrance from a major thoroughfare provided that the minimum distance between signs on any single development shall be one thousand (1,000) feet.
 - (1) In addition to a construction sign advertising a subdivision, there shall be permitted one (1) model home sign identifying each different model, not to exceed six (6) square feet in total area on each lot upon which a model home is located. Such model home sign shall be removed at the time the unit ceases to be a model home.
 - d. Time Limitations: In the case of a subdivision, construction signs shall not be displayed prior to the date of recordation of the subdivision plat in the office of the Park County Clerk and Recorder and shall be removed within two (2) years from the date of issuance of the first building permit in the project, or within (30) days from the time that seventy-five percent (75%) of the lots or dwellings in the subdivision or filing thereof have been sold, whichever occurs first. In either case, an individual sign may be displayed on an individual lot for the duration of construction on that lot and until issuance of a certificate of occupancy.
5. Subdivision Directional Signs: Signs informing the public as to route or change in direction of travel in order to arrive at a platted subdivision located in or within one (1) mile of the town shall be allowed in any zoning district and shall comply with following:
- a. Such signs shall not exceed fifteen (15) square feet per sign in total area or ten (10) square feet per sign face and shall not exceed eight (8) feet in height.
 - b. Copy of such signs shall be limited to the name of the developer, the name of the development or project, the name(s) of any contractor, any characteristic insignia or trademark, or necessary travel directions. No riders or attachments to such signs shall be permitted.
 - c. Subdivision directional signs shall be located only on undeveloped land adjacent to major thoroughfares, which land may be property other than the subdivision or development to which the sign refers. The minimum

distance between signs located on the same thoroughfare and referring to the same subdivision shall be one (1) mile.

- d. Applications for permits for subdivision directional signs shall be accompanied by a statement, signed by the owner of the property on which the sign is to be placed, indicating his consent to erect the sign and assuming the responsibility for its removal.
- e. Subdivision directional signs shall not be displayed prior to the date of recordation of the subdivision plat in the office of the Park County Clerk and Recorder and shall be removed within two (2) years from the date of issuance of the first building permit in the project, or within thirty (30) days from the time that seventy-five percent (75%) of the lots or dwellings in the subdivision or filing thereof have been sold, whichever occurs first.

6. Business Signs:

- a. Location: Shall be attached to the building (wall or hanging) near the main entrance.
- b. Size: Shall not exceed four (4) square feet.
- c. Number: Shall not exceed one (1) per residence.

7. Real Estate Signs:

- a. Location: Shall be limited to freestanding and shall not encroach upon any public right-of-way.
- b. Size: Shall not exceed four (4) square feet.
- c. Time: Sign may be erected from the time of listing the property until the sale date.

8. Political Signs:

- a. Location: Shall be limited to freestanding and window signs and shall not encroach upon any public right-of-way in a manner that presents a danger to pedestrian or motor vehicle traffic or safety.
- b. Size: Sign area shall not exceed 36"x 36".
- c. Time: The person or organization responsible for the erection or distribution of a political sign regarding a candidate or ballot issue shall remove such signs within ten (10) days after the election to which the sign pertains.

9. Garage/Yard Sale Signs: See Section 1.5B.8 below.
- E. Planned Unit Development (PUD) District:
1. Number: One (1) sign advertising the sale of the Planned Unit Development.
 2. Size: As approved by the Planning Commission.
 3. Signs on residential lots within a PUD shall be governed by the sign regulations for residential districts set forth in Section 1-4D above.
- F. Parks (P) District:
1. Number: As approved by the Planning Commission.
 2. Area: Sign area shall not exceed eighty (80) square feet.
 3. Types:
 - a. Wall Sign: Thirty-two (32) square feet.
 - b. Projecting Sign: Ten (10) square feet total surface area and five (5) square feet per side.
 - c. Real Estate Sign: Not to exceed eighty (80) square feet.
- G. Agricultural (A) District:
1. Number: One (1) sign allowed per property.
 2. Area: Sign area shall not exceed eighty (80) square feet.
 3. Types:
 - a. Wall Sign: Thirty-two (32) square feet.
 - b. Projecting Sign: Ten (10) square feet total surface area and five (5) square feet per side.
 - c. Real Estate Sign: Not to exceed eighty (80) square feet. Free standing signs
- H. Free Standing Signs
1. Maximum size- 48"X 30.25"

2. Cannot weigh less than 40 lbs.
3. Materials to be used- 2X4, $\frac{3}{4}$ " plywood, 2 heavy-duty door hinges at the top and two feet of chain at the bottom to hold legs together.
4. Cannot go out before dawn and must be removed before dusk every night.
5. Must adhere to outdoor advertising act- C.R.S 43-1-401.
6. Cannot block C-DOT right-of-way.
7. Fees- \$25.00 for 3 month permit. Can be renewed for two more 2-month periods, at \$15 each. Total-7 months in any 12-month period.
8. Bevel on 2X4 legs to match angle of the sign when open.

1-5 EXEMPTIONS

- A. The following signs shall be exempt from the requirements of this code, except for requirements relative to public safety:
1. Flags or emblems of government, political, civic, philanthropic, educational, or religious organizations displayed on private property, as long as such flags or emblems do not exceed twenty (20) square feet.
 2. Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazard, parking, swimming, dumping, etc.
 3. Address numerals and other signs required to be maintained by law or governmental order, rule, or regulation, provided that the content and size of the sign does not exceed the requirement of such law, order, rule, or regulation.
 4. Non-commercial identification and directional signs not exceeding five (5) square feet in area displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances, and the like.
 5. Scoreboards in athletic stadiums.
 6. Holiday decorations or special family event signs that are clearly incidental and customarily and commonly associated with any national, local, or religious holiday, or, for example, the birth of a child or a birthday or school graduation, provided

that such signs shall be displayed for a period of not more than forty-five (45) consecutive days.

- B. The following signs are exempt from the requirement of obtaining a permit but shall comply with all other regulations imposed by this code:
1. Memorial signs and tablets displayed on private property.
 2. Residential nameplate signs not exceeding two (2) square feet in gross surface area accessory to a single family or two-family dwelling.
 3. Identification signs for a church, school, public, or non-profit institution.
 4. Bulletin board signs for a church, school, public, or non-profit institution.
 5. Business signs pertaining to the sale of agricultural products.
 6. Political signs
 7. Real estate signs
 8. Garage/yard sale signs, subject to the following requirements.
 - a. Signs shall not be placed in or along public rights-of-way in a manner that obstructs pedestrian or motor vehicle traffic or safety, and may only be located on private property with the permission of the property owner.
 - b. Signs shall not exceed four (4) square feet in size.
 - c. Signs shall only be displayed for three (3) days before and during the day(s) of the garage/yard sale, not to exceed seven (7) days total, and the sign(s) shall be removed immediately upon the end of the sale.

1-6 CONSTRUCTION AND MAINTENANCE STANDARDS

All signs, both currently existing and constructed in the future, and all parts thereof shall be maintained in a safe condition and good state of appearance. The owner or lessee of any sign is responsible for the maintenance of all signs.

1-7 VEHICLE SIGNS

No person shall park any vehicle or trailer on a public right-of-way or public property, or on private property, so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the purpose of providing advertisement of

products or directing people to a business or activity located on the same or nearby premises, except during Town designated special occasions. This provision applies where the primary purpose of a vehicle is for advertising purposes and is not intended to prohibit any form of vehicular sign, such as a sign attached to a truck or motor vehicle, which vehicle is primarily used for business purposes other than advertising.

1-8 NONCONFORMING SIGNS

- A. Signs lawfully established at the time of their erection or placement but no longer in conformity with the regulations contained in this code, or any amendments thereto, shall be allowed to continue subject to the terms and conditions set forth in paragraph B below.
- B. Whenever one of the following conditions occurs, a sign which is nonconforming to the regulations of this code shall be brought into conformance or shall terminate:
 - 1. Whenever there is a change in the business name or the use to which the sign pertains.
 - 2. Whenever there is a change in the copy on the sign, other than on reader panels.
 - 3. Whenever a written request is made for a permit to change the sign.
 - 4. Any nonconforming sign, or a portion thereof, destroyed or damaged in excess of fifty percent (50%) of its size, area, or reasonable physical replacement value, shall not be restored or reconstructed except in conformity with the requirements of this code.
 - 5. Whenever the location of the sign is moved or altered.

1-9 PERMIT PROCESS

Except as may otherwise be provided in this code, it shall be unlawful for any person to erect, install, display or modify a sign without first obtaining a permit from the Building Official or, as appropriate, the Planning Commission. Applications for a sign permit shall be submitted on forms provided by the town and must be accompanied by the appropriate fee. Persons aggrieved of a decision by the Planning Commission or Building Official with regard to a sign permit may contest such decision by timely submitting an appeal of same to the Board of Adjustment.

1-10 VARIANCE PROCEDURES

A variance from the strict application of the provisions of these regulations may be granted by the Board of Adjustment in accordance with the variance procedures and standards set forth in the town's zoning code.

1-11 ENFORCEMENT

- A. The Building Official shall be charged with the responsibility of enforcing the provisions of this code. He shall make a periodic inspection, review complaints, and perform such tasks necessary to insure compliance with the provisions of this code.
- B. If the Building Official makes a preliminary determination that any sign violates any provision of this code, he shall issue a correction notice by certified mail or in person to the business or property owner. Such notice shall include preliminary determinations and an order that the violation be remedied within a reasonable specified time period. If no action is taken to remedy the violation within the period specified in the notice, a summons and complaint commanding the violator to appear in municipal court will be issued, and the Building Official may pursue corrective measures and penalties as outlined in this code. Notwithstanding the foregoing, the Building Official may immediately remove, or order the removal of, any sign that is improperly located on town-owned property, or that has been placed within, or that encroaches upon, a public right-of-way in such a manner as to interfere with the safe passage of pedestrian, motor vehicle or bicycle traffic, or which poses an immediate threat to public safety.
- C. In the event that conflicts arise with the standards set forth in this code, the more restrictive standards shall be enforced.

1-12 VIOLATIONS AND PENALTIES

- A. Any person may file a written complaint whenever a violation of this code occurs, or is alleged to have occurred. The complaint shall contain the reasons and basis therefore and shall be filed with the Building Official. The complaint shall become a public record. The Building Official shall record the complaint, investigate it within thirty (30) days, and take such action thereon as he deems necessary or appropriate. At the conclusion of the investigation, the Building Official shall advise the complainant in writing of the disposition of the complaint.
- B. Penalties:
 - 1. It shall be unlawful to erect, construct, reconstruct, alter, maintain, use, or have on one's property any sign or sign structure in violation of this code. Any person, firm, or corporation violating any provision of this code shall, upon conviction, be fined not more than one hundred dollars (\$100.00) for the first offense, and not less than one hundred dollars (\$100.00) or more than two hundred dollars (\$200.00) for a second or any subsequent offense and conviction.
 - 2. Each day on which violation occurs or continues shall be deemed a separate offense and violation.

3. The penalties provided for herein are not exclusive and the town may institute an action for abatement, injunction or other appropriate relief to prevent, enjoin, or remove an unlawful sign, the cost of which shall be assessed against the sign owner and, until paid, shall constitute a first and perpetual lien against the property on which the unlawful sign was constructed or maintained, which lien may be enforced and foreclosed upon in the same manner as unpaid taxes.

(Sign Code 07/19/04)