

# Chapter 420. Accessory Uses, Prohibited Uses and Non-Conforming Uses

## Article IV. Non-Conforming Situations and Vested Rights

### Section 420.220 Non-Conforming Signs.

[Ord. No. 1142 §14, 12-8-2004; Ord. No. 1259 §1, 5-21-2008]

- A. Subject to the remaining restrictions of this Section and the provisions of Section **420.200**, non-conforming signs that were otherwise lawful on the effective date of this Article may be continued.
- B. No person may engage in any activity that causes an increase in the extent of non-conformity of a non-conforming sign. Without limiting the generality of the foregoing, no non-conforming sign may be enlarged or altered in such a manner as to aggravate the non-conforming condition, nor may illumination be added to any non-conforming sign.
- C. A non-conforming sign may not be moved or replaced and the message may not be changed, except to bring the sign into complete conformity with this Article, except for "sign maintenance" as defined in Section **430.020**. In conducting "sign maintenance" to a non-conforming sign, a new sign permit is required any time a sign is ~~altered~~refaced.
- D. Subject to the other provisions of this Section, non-conforming signs may be maintained and repaired so long as the cost of such work within any twelve (12) month period does not exceed fifty percent (50%) of the value (tax value if listed for tax purposes) of such sign. No such work shall be done without the person proposing to do such work first submitting such information as may be required to satisfy the Public Works Director that the cost of such work would not exceed fifty percent (50%) of the value of the sign.
- E. If a non-conforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be deemed abandoned and shall be removed (including support structure) within thirty (30) days after such abandonment by the sign owner, owner of the property where the sign is located or other person having control over such sign.
- F. If a non-conforming billboard remains blank for a continuous period of one hundred eighty (180) days, that billboard shall be deemed abandoned and shall, within thirty (30) days after such abandonment, be altered to comply with this Article or be removed by the sign owner, owner of the property where the sign is located or other person having control over such sign. For purposes of this Section, a sign is "blank" if:
  - 1. It advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted; or
  - 2. The advertising message it displays becomes illegible in whole or substantial part; or
  - 3. The advertising copy paid for by a person other than the sign owner or promoting an interest other than the rental of the sign has been removed.
- G. Sales or leasing signs existing on the effective date of this Article which do not conform to the requirements of Section **430.080(C)** or not previously in compliance with applicable regulations shall be removed by July 1, 2005.