

Chapter 18.06 SIGN REGULATIONS

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18.06.010 Intent and Purpose.

A. Intent. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the neighborhood. The Town relies upon its scenery and physical beauty to attract commerce, aesthetic considerations assume economic value. It is the intent of the Town, through this Chapter, to protect and enhance the Town's historic and residential character and its economic base through the provision of appropriate and aesthetic signage. In addition, it is the intent of the Town to limit the size, type and location of signs in order to minimize their distracting effect on drivers and thereby improve traffic safety.

B. Purpose. The purpose of this Chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements. This Chapter has also been adopted to:

1. Promote and accomplish the goals, policies and objectives of the Town's Comprehensive Plan and Zoning Code;

2. To safeguard life, health, property and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location and maintenance of sign and sign structures;

3. Recognize free speech rights by regulating signs in a content-neutral manner;

4. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting and/or illegible signage;

5. Protect the beauty of the Town's built environment by encouraging signs that are compatible with the architectural style, characteristics and scale of the building to which it may be attached, and to encourage signs that are compatible with adjacent buildings and businesses;

6. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;

7. Protect the Town from liability which may be fully or partially attributable to signage;

8. Protect and encourage creative and innovative approaches to signage, and signs that are of a quality design, pleasing in appearance and are appropriate in size, materials and illumination to the surrounding neighborhood;

9. Provide an improved visual environment for the citizens of and visitors to the Town; and

10. Adopt a clear, understandable process which enables the fair and reasonable application of this Chapter.

11. Ensure that the illumination from any sign conforms to lighting requirements in Chapter 19.02.060 Lighting A. Intent, Subsections 1 through 4.

Section 18.06.020 Applicability and Interpretations.

A. This Chapter applies to all signs as defined in Section 18.06.030 (Definitions) and as defined in the Town of Eatonville Sign Code Guidelines Handbook, within the Town which are visible from any street, sidewalk or public place, regardless of the type or nature.

B. This Chapter is not intended to, and shall not be interpreted to, restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this Chapter which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, shall be interpreted to allow commercial or non-commercial speech on the sign. No part of this Chapter shall be construed to favor commercial speech over non-commercial speech. To the extent that any provision of this Chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.

Section 18.06.030 Definitions.

The words and phrases used in this Section shall be construed as defined in this Chapter, unless the context clearly appears otherwise. Unless specifically defined in this Section, the definitions set forth in other provisions of this Code shall likewise apply to this Chapter.

“Abandoned sign” means a sign, the face of which has been removed or is broken and is not refaced within 180 days thereafter. Abandoned signs shall also include signs with rusted, faded, peeled, cracked or otherwise deteriorated materials or finishes that have not been repaired within 90 days after the City provides notice of the sign’s deteriorated condition under Chapter 18.08.100(F).

“Alter” means to change the copy, color, size, shape, illumination, position, location, construction or supporting structure of a sign, not including ordinary maintenance.

“Changeable copy sign” means a sign or portion thereof which is designed to have its message or copy readily changed manually or by remote or automatic means without altering or replacing the face or surface. Changeable copy signs support hard-copy text or graphics and do not use digital or electronic text or images.

“Content neutral” means without regard to the substance or subject matter of the public expression or to the viewpoint(s) expressed; restrictions on time, manner and space shall be applied without discrimination toward the content or view being expressed.

“Digital sign” means a changeable copy sign with monochrome LED (light emitting diodes) text, graphics or symbols over a black, non-illuminated background.

“Dilapidated” means a building or structure or part thereof that by reason of inadequate maintenance, structural deterioration, or abandonment is unsafe, unsanitary, or constitutes a hazard or nuisance and is no longer fit for use as originally intended.

“Electronic message center sign” means an electrically activated changeable copy sign having variable message and/or graphic presentation capability that can be electronically programmed by computer or handheld device from a remote location. EMC’s typically use light emitting diodes (LED’s) or liquid crystal display (LCD) as a lighting source.

“Flag” means a piece of cloth, attached to a staff, with distinctive colors, patterns or symbols, used as a national or state symbol.

“Guidelines” refers to the Eatonville Guidelines Handbook. The Eatonville Guidelines Handbook is supplemental material providing further clarity on the Eatonville Municipal Sign Code.

“Illegal sign” means a sign which does not conform to the requirements and standards of this Chapter and which does not meet the criteria of a nonconforming sign as defined in this Definitions Section.

“Legal nonconforming use” refers to a use of land, structure, or site element which was legally established according to the applicable zoning and building laws of the time, but which does not meet current zoning and building regulations. A use, structure, or site element can become “legal nonconforming” due to rezoning, annexation, or revisions to the municipal code.

“Logo” means a design of letters, colors or symbols used as a trademark or for identification in lieu of, or in conjunction with, other signs.

“Neon sign” means a sign with illumination affected by a light source consisting of a neon or other gas tube which is bent to form letters, symbols or other shapes.

“Nonconforming sign” means any sign, which at one time conformed to all applicable requirements and standards of this Chapter, including all permit requirements, but which subsequently ceased to so conform due to changes in such requirements and standards or structural defects.

“Permanent sign” means a sign constructed of weather resistant material and intended for permanent use and that does not otherwise meet the definition of “temporary sign.” Wall mounted sign holders designed for insertion of signs and posters shall be considered permanent signage and subject to all standards of this chapter.

“Pole sign” means a sign mounted on a weighted base, intended to be movable.

“Portable sign” means a free-standing sign that is readily moveable and not permanently affixed to the ground, including A-frame or sandwich board signs, pole signs mounted on weighted bases, and similar signs that are used on more than a temporary basis.

“Public Works Team” refers to a team made up of three or more of the following officials: Town Administrator, Director of Public Works, Town Planner, Building Inspector and the Mayor.

“Right of Way” is the strip of land platted, dedicated, condemned, established by prescription or otherwise legally established for the use of pedestrians, vehicles or utilities.

“Sign” means letters, figures, symbols, trademarks, or logos, with or without illumination, intended to identify any place, subject, person, firm, business, product, article, merchandise or point of sale. A sign also includes balloons attached to sign structures, products, streamers, spinners, pennants, flags, inflatables or similar devices intended to attract attention to a site or business, as well as architectural or structural forms, illuminated panels, spandrels, awnings and other structural or architectural features not common to classic vernacular or noncorporate regional architecture and that are intended to convey a brand, message or otherwise advertise a location or product, whether or not such features include text or graphics and whether or not they serve other practical purposes such as lighting, covering or enclosure of persons or products. A sign includes any device which streams, televises or otherwise conveys electronic visual messages, pictures, videos or images, with or without sound or odors.

“Site” means a unit of land, together with all improvements thereon, determined as follows:

- 1) a unit of land which may be conveyed separately from any and all adjacent land without the requirement of approval of a boundary line adjustment, short plat or a preliminary plat.
- 2) Two (2) or more buildings or business activities that are or will be related to each other physically or architecturally, such as by sharing off-street parking facilities, so as to form an integrated development, such as a shopping center, industrial park, or office complex.

“Special event sign or temporary sign” means signs or advertising displays or a combination thereof which advertises or attracts public attention to a special one-time event, including but not limited to, the opening of a building or business activity, the sale of goods and services at discounted or otherwise especially advantageous prices or similar event.

“Temporary sign (which may include special event sign)” means any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, excluding portable signs as defined by this

Chapter, including any poster, banner, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention.

“Wayfinding signage” refers to a system of public signs identifying directions to major public and private facilities or destinations of interest to the general public and typically including graphic elements mounted on separate freestanding poles or incorporated with other sign, light, or traffic standards.

“Window” means the entire window unit including individual sashes or panes that might otherwise divide the area between the head, jamb and sill; except that in commercial storefront window assemblies, a single “window” is the glass area between each mullion that divides the window assembly, whether installed as a single piece of glass or as multiple pieces of glass divided by muntins.

Section 18.06.040 Required Signs.

Address signs. Each residence, building, business or complex of businesses shall display and maintain on-premises street address number identification. The number or letters shall be easily visible from the street and of a color contrasting with the background upon which placed. Street address identification signs shall not require a sign permit.

Section 18.06.050 Prohibited Signs.

No person shall erect, alter, maintain or relocate any of the following signs in the Town.

- A. Nuisance signs. Any signs which emit smoke, visible particles, odors and sound, except that speakers in drive-through facilities shall be permitted.
- B. Hazardous signs. Any sign that is dangerous or confusing to motorists on the public right-of-way, including any sign which by its color, wording, design, location or illumination resembles or conflicts with any official traffic control device or which otherwise impedes the safe and efficient flow of vehicular or pedestrian traffic is prohibited.
- C. No sign may impede free ingress and egress from any door, window or exit way required by building and fire regulations.
- D. Abandoned signs. Abandoned signs shall be deemed a nonconforming use, and as such, shall also be subject to the provisions of Chapter 18.08.100 (C).
- E. Signs on utility poles.

Section 18.06.060 Temporary Signs.

- A. No Permit required. No sign permit is required for temporary signs.

B. Removal. Temporary signs shall be removed if the sign is in need of repair, is worn, dilapidated or creates a public nuisance.

C. Materials. Temporary signs may only be made of non-durable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl mesh products of less than 20 oz. fabric, vinyl canvas and vinyl mesh products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of this Chapter.

D. Town property (excluding City right-of-way). Temporary signs on Town-owned property (excluding Town right-of-way) are allowed only in conjunction with an approved Special Event permit.

E. Town Right-of-Way outside of the Roadway. Temporary signs on Town Right-of-Way placed outside of the Roadway, must comply with the following requirements:

1. Location. Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement. Signs may not be placed on sidewalks, driveways or other paved areas designed for pedestrian or vehicular use, or as conditioned in a right-of-way use permit.

2. Type. Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a right-of-way use permit.

3. Dilapidated or Nuisance signs. Any temporary sign in the right-of-way that is dilapidated or a nuisance, shall be removed by the person responsible for placement of the sign.

4. Other signs. The City may allow other signs in City right-of-way with a Right-of-Way use permit.

5. Temporary signs shall be removed after 14 days or once their purpose has been fulfilled, whichever is longer.

Section 18.06.070 Nonconforming signs, Maintenance, Removal and Enforcement.

A. Nonconforming signs. Any lawful nonconforming sign may be continued, as long as it is maintained only in the manner and to the extent that it existed at the time it became nonconforming. Illegal signs shall not be considered nonconforming signs. Nonconforming signs are subject to the provisions of chapter 18.08 (Nonconforming Uses and Structures).

B. Maintenance. It is unlawful for any owner of record, lessor, lessee, manager or other person having lawful possession or control over a building, structure or parcel of land to fail to maintain any signs on the building, structure or parcel in compliance with this Chapter and the Zoning Code. Failure to maintain a sign constitutes a violation of this Chapter, and shall be subject to enforcement under the provisions of Chapter 18.10 of the Eatonville Municipal Code.

1. Sign maintenance. All signs, whether or not in existence prior to adoption of this Chapter, shall be maintained. Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it

continues to comply with the requirements and contents of the sign permit issued for its installation and provisions of this Chapter.

2. Landscape maintenance. Required landscaped areas contained by a fixed border, curbed area or other perimeter structure shall receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within six (6) months of the plant's demise or within the next planting season, whichever event first occurs.

C. Removal. Any vacant and/or unused sign support structures, angle irons, sign poles or other remnants of old signs which are currently not in use, or are not proposed for immediate reuse by a sign permit application for a permitted sign, shall be removed. In addition to the remedies in Chapter 18 of the Eatonville Municipal Code, the Public Works Team shall have the authority to require the repair, maintenance or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health or welfare of the public, at the cost of the sign and/or property owner.

D. Enforcement. Violations of the provisions of this Chapter shall be enforced according to Chapter 18.10 of the Eatonville Municipal Code.

Section 18.06.080 Adoption of RCW 47.42.040

To the extent that the Town has any roads that are part of the state interstate system, primary system, or scenic system, all sign restrictions and requirements as outlined in RCW 47.42.040 shall apply.

Section 18.06.090 Sign permits.

- A. Permit Required. No person shall erect, alter or relocate any sign requiring a permit under this Chapter without first submitting a sign permit application and receiving approval of the sign permit from the Town, unless the sign is identified as exempt under Section 18.06.100 (Exemptions). Some sign types may be regulated under other codes adopted by the Town, which may require additional permits that are subject to additional regulations, including, but not limited to, Chapter 16.08 EMC and Chapter 18.06 EMC. Signs for which permits are not required shall nonetheless comply with all applicable provisions of this Chapter.
- B. Applications for permits shall contain the name and address of the owner and user of the sign, the name and address of the owner of the property on which the sign is to be located, the location of the sign structure, drawings or photographs showing the design and dimensions of the sign and details of its proposed placement and such other pertinent information as the town planner may require to ensure compliance with this chapter. If the applicant is not the property owner, then the property owner must be identified, and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation/posting of the sign on the property owner's property. Permit applications shall be available for inspection by the public upon request. Upon completion of a permit application, the application shall be acted on within three weeks unless there is a requirement for further time under SEPA.
- C. Sign permit fees shall be set by the town council by resolution.

- D. If sign has an illumination component, an electrical permit shall be required and all requisite electrical inspections will be performed by the building official.
- E. Expiration of Sign Permit. Once the sign permit for the sign issues, the sign must be installed within 180 days or the sign permit will expire. No sign may be erected if the sign permit has expired.
- F. Once a completed sign permit has been received by the town, it will be submitted to the Citizen Sign Committee for review. The Citizen Sign Committee will consist of three members from the Eatonville Business Association and two private citizen members. All members will reside in the greater Eatonville area (98328 zip code) and be appointed by the Mayor. The committee is directed to consult the Town of Eatonville Sign Code Guidelines Handbook when reviewing the permit but are not required to abide by it. They are required to look to the intent and purpose section of this code (18.06.010) to ensure the sign meets these goals. Every effort should be made to work with the applicant. To the extent that the accepted permit deviates from the Town of Eatonville Sign Code Guidelines Handbook, the committee must make notes for the reasoning behind the decision in the annotation section at the end of the Handbook.
- G. If the permit is not accepted as submitted by the Citizen Sign Committee and the applicant is not willing to adjust the permit to address the Committee's concerns, then the applicant can request that it be further reviewed by the Public Works Team. The Public Works Team is expected to follow the same procedure as the Citizen Sign Committee outlined in F above. If the Public Works Team and the applicant are unable to agree, then the decision of the Public Works Team is final.

Section 18.06.100 Exemptions.

The following signs or activities relating to signs are exempt from the permitting requirements of this Chapter.

- A. Changes to the face or copy of changeable copy signs, digital signs, electronic messaging signs, provided such changes do not change the material or appearance of the sign as originally permitted by the Town.
- B. The normal repair and maintenance of conforming or legal nonconforming signs.
- C. Temporary signs on private property or public property, meeting the requirements in Section 18.06.060 (Temporary Signs).
- D. Building identification numbers as required pursuant to this Code (chapter 18.06.040) or any other Town or State regulation.

E. Governmental signs. Signs installed by the Town, County, or a federal or State governmental agency for the protection of the public health, safety and general welfare, including, but not limited to, the following:

1. Emergency and warning signs necessary for public safety or civil defense;
2. Traffic and/or wayfinding signs erected and maintained by an authorized public agency;
3. Signs required to be displayed by law;
4. Signs showing the location of public facilities; and

5. Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety and general welfare.

F. Flags. Any flags, provided that they conform to all provisions of this chapter for signs.

G. Certain historic and architectural features. Historical plaques erected and maintained by non-profit organizations, memorials, building cornerstones, and date-constructed stones, provided that none of these exceed four (4) square feet in area.

H. Interior signs. Signs or displays located entirely inside of a building.

I. Non-visible signs. Signs not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.

J. Vehicle with signs. Any sign on a vehicle, unless such vehicle is parked or stationed near an activity for the primary purpose of attracting public attention to such activity.

K. Temporary signs in windows. Any temporary sign taped or otherwise affixed to the inside of a window, in such a manner as to be easily removed.

L. Bench signs. Any outdoor bench or furniture with any signs of one square foot or less in area.

M. Privately-maintained traffic control signs in a subdivision with private roads or signs in a parking lot.

18.06.110 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter which shall continue in full force and effect, and to this end, the provisions of this chapter are hereby declared to be severable.

18.06.120 Savings Clause

This chapter shall not affect violations of any other ordinance, code or regulation existing prior to the effective date of the ordinance codified in this chapter, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.