



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

August 7, 2008

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 017-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 25, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Amy Dixon, City of Salem

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NOTICE OF ADOPTION

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

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DEPT OF

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LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: City of Salem

Local File Number: CA 07-6

Date of Adoption: July 28, 2008

Date Mailed: August 1, 2008

Date the Notice of Proposed Amendment was Mailed to DLCD: November 28, 2007

Is this a **REVISED** Proposal previously submitted to DLCD: ___ YES x NO Date Submitted:

___ Comprehensive Plan Text Amendment

___ Comprehensive Plan Map Amendment

x Land Use Regulation Amendment

___ Zoning Map Amendment

___ New Land Use Regulation

___ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

To exempt signs inside sports complex and stadiums and address administrative and legal issues.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME." If you did not give notice of the Proposed Amendment, write "N/A."

Same

Plan Map changed from: NA

To: NA

Zone Map Changed from: NA

To: NA

Location: City Wide

Acres Involved: NA

Specify Density: Previous:

New:

Applicable Statewide Planning Goals:

Was an Exception Proposed: ___ YES x NO

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment

Forty-five (45) days prior to first evidentiary hearing? x Yes ___ No

If no, do the statewide planning goals apply? ___ Yes ___ No

If no, did Emergency Circumstances require immediate adoption? ___ Yes ___ No

Affected State of Federal Agencies, Local Governments or Special Districts:

Local Contact: Amy Dixon, Associate Planner

Phone: (503) 588-6173 Extension: 7404

Address: 555 Liberty Street SE, Room 305

City: Salem

Zip: 97301

Fax Number: (503) 588-6005

E-Mail Address: adixon@cityofsalem.net

DLCD File No:

DLCD # 017-07 (16553)

1 **ENGROSSED**

2 **ORDINANCE BILL NO. 4-08**

3 AN ORDINANCE RELATING TO SIGNS, AND MAKING CERTAIN HOUSEKEEPING
4 CHANGES TO THE SALEM SIGN CODE; AMENDING SRC 62.010, SRC 62.020, SRC 62.040,
5 SRC 62.050, SRC 62.030, SRC 62.060, SRC 62.080, SRC 62.090, SRC 62.095, SRC 62.227, SRC
6 62.225, SRC 62.190, SRC 62.130, SRC 62.230, SRC 62.180, SRC 62.210, SRC 62.310, SRC
7 62.350, SRC 62.440, SRC 62.450, SRC 62.600; AND REPEALING SRC 62.140, SRC 62.150, SRC
8 62.160, SRC 62.220, SRC 62.170, AND SRC 62.460; AND DECLARING AN EMERGENCY

9 *The City of Salem ordains as follows:*

10 **Section 1.** SRC 62.010 is renumbered SRC 62.001 and amended to read as follows:

11 ~~62.001. 62.010.~~ **Short Title.** This ~~Chapter~~ ordinance shall be known as the Salem Sign
12 ~~Code~~ Ordinance, and shall consist of chapter 62 of the Salem Revised Code, and may be so
13 cited and pleaded.

14 **Section 2.** SRC 62.020 is renumbered SRC 62.005 and amended to read as follows:

15 ~~62.005. 62.020.~~ **Purpose.** The ~~purpose of this Chapter is~~ Council of the City of Salem,
16 Oregon, finds and declares that in order to protect the health, safety, property, and welfare of
17 the public, to improve the neat, clean, orderly, and attractive appearance of the community, to
18 improve the effectiveness of signs in identifying and advertising businesses, to provide for
19 safe ~~construction location~~ erection and maintenance of signs, to codify existing sign
20 regulations, and to eliminate signs that demand, rather than invite, public attention, to prevent
21 proliferation of sign clutter, to minimize adverse visual safety factors to travelers on public
22 highways, to minimize adverse impacts on adjacent properties, and to achieve these purposes
23 consistent with state and federal constitutional limits on the regulation of speech. To achieve
24 these purposes, it is necessary to regulate the construction, erection, maintenance,
25 electrification, illumination, type, size, number, and location of signs.

26 **Section 3.** SRC 62.040 and SRC 62.050 are hereby combined, renumbered as SRC 62.010, and
27 amended to read as follows:

28 //

1 ~~62.010.~~ ~~62.040. General Definitions, Rules of Construction.~~ For the purpose of the
2 Salem Sign Ordinance, words used in the present tense include the future, the singular
3 number includes the plural, the word "shall" is mandatory and not directory and the word
4 "building" includes "structures" except "sign structures."

5 ~~62.050. Specific Definitions.~~

6 (a) As used in this Chapter, unless the context specifically requires otherwise:

7 (1) "Approved plastic" means a plastic that meets the standards of an
8 approved testing agency for use in construction of an electric sign.

9 (2) "Approved testing agency" means a nationally recognized organization
10 primarily established for the purpose of testing methods and materials to
11 approved standards, and accepted as such by the Director.

12 (3a) "Blanketing" means blocking of a motorist's view of one projecting sign
13 by another projecting sign.

14 (4) "Building" or "Structure" means a combination of materials to form a
15 construction used for occupancy, use or ornamentation, whether installed on
16 above, or below, the surface of land. As used in this Chapter, "building"
17 includes all structures other than sign structures.

18 (5) "Building frontage" means a building facade facing a street or a parking
19 lot.

20 (b) "Building Line" means the location of a line extended along the front of
21 the majority of buildings located on the same block face.

22 (c) "Building Official" means the head of the Building and Safety Division
23 of the Department of Community Development for the City, or the Building
24 Official's designee, person assigned by the director of community
25 development to administer and enforce this chapter. The term shall also mean
26 such person's deputy.

27 (d) "Canopy" means a permanent roofed structure, which may be
28 freestanding or partially attached to a building, created for the purpose of

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providing shelter to patrons in automobiles, ~~that is~~ but shall not mean a completed ~~completely~~ enclosed structure.

~~(8e)~~ "Curb line" means the line indicating the edge of the vehicular roadway within the overall right-of-way.

~~(9f)~~ "Cutout" means every type of display in the form of letters, figures, characters, representations, or others in cutout or irregular form attached to or superimposed upon an advertising sign.

~~(10h)~~ "Designated arterial and collector" means those streets designated as ~~arterials and collectors~~ in the Salem Transportation System Plan adopted under SRC 64.230 and ~~all~~ those streets included in the area bounded by 13th Street, Mission Street, the Willamette River, and D Street.

~~(11)~~ "Director" means the City Manager, or the City Manager's designee. The City Manager's designee may subdelegate any or all authority, duties and powers conferred under this Chapter.

~~(12)~~ "Display" means any identifiable visual form or character, and which may be comprised solely or be comprised of a combination of words, symbols, images, and graphic elements.

~~(13g)~~ "Display surface" means the area ~~on a~~ made available by the sign structure for the purpose of ~~carrying the display~~ displaying a message.

~~(14i)~~ "Effect" means electrical animation involving sequential ~~flashing or simultaneous~~ illumination by electrical means. ~~of lights.~~ As used in this Chapter, "effect" to produce and may include ~~includes, but is not limited to:~~

~~(A1)~~ "Animated effect" ~~illumination that depicts~~ depicting a moving object, thing, person, animal, or happening ~~or depicts an ongoing series of images.~~ through apparent movement.

~~(B2)~~ "Chaser effect" ~~illumination that is intended~~ tending to lead the eye by producing lineal or circular movement.

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~~(C3)~~ "Scintillating effect" ~~illumination that provides~~ providing a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.

~~(D4)~~ "Speller effect" ~~illumination that spells~~ spelling out a word, one letter, ~~sentence~~ number, or character at a time, ~~including~~ and may include flashing ~~a complete~~ the completed word or words ~~or sentence~~.

~~(15j)~~ "Flashing" means ~~sudden or~~ electrical animation producing intermittent sign ~~electrical~~ illumination.

~~(k)~~ "Frontage, building" means a building front facing a street or parking lot.

~~(l)~~ "Frontage, street" means a lot line fronting on a street. Unless the premises has only one such frontage, the width along such lot line must be at least 50 feet to qualify as a "frontage." An access easement shall not qualify as a "frontage." Access to the street is not required to establish a "frontage."

~~(n)~~ "Illuminated sign" means a sign illuminated by an interior or exterior light source, which exterior light source is primarily designed to illuminate such sign.

~~(O)~~ "Integrated shopping center" or "office complex" means a premises planned and developed as a unit, ~~that has~~ with an undivided or non-segregated parking area; that is ~~identified by a name that characterizes the development~~ advertised as ~~units or premises~~ a unit; ~~that~~ and which has multiple ~~occupancies~~ occupancy by ~~retail~~ business or service firms; ~~and that does~~ shall not include a business which does not participate in the maintenance and promotional activities of the ~~premises~~ center; ~~that~~ which fronts on a designated arterial or ~~designated~~ collector streets; ~~that~~ and, which business has a marked or segregated parking or use area ~~for use by patrons of the premises~~; and, if the premises contains offices, that does not include separate from the "integrated shopping center" parking or access areas, provided an office complex shall contain no retail outlets.

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(17p) "Interchange, Market Street Interchange" means the an area within six hundred and sixty 660 feet from the edge of the pavement of the main-traveled way, excluding exit or entrance ramps of Interstate Freeway 5, and within one thousand 1,000 feet of the centerline of Market Street that is zoned for retail or general business or industrial use.

(18q) "Marquee" means a permanent roof-like roofed structure projecting over the entrance of a building, and attached to or supported by the a building. As used in this Chapter, marquee does, but not include including a "canopy."

(19m) "Noncombustible, Incombustible material" or "incombustible" means any material that in the form in which it is used and under the conditions anticipated which will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat at, or below, a temperature of 1200 degrees F during an exposure of five minutes, and which will not continue to burn or glow at that temperature. Test for an "incombustible material" shall be conducted as specified in the Uniform Building Code.

(20r) "Nonstructural trim" means a molding, batten, cap, nailing strip, lattice, or letter walkway attached to a sign structure.

(21) "Office complex" means a premises planned and developed as a unit that has an undivided or non-segregated parking area that is identified by a name that characterizes the development as a unitary premises; that has multiple occupancies by business or service firms; that does not include a business which does not participate in the maintenance and promotional activities of the premises; that fronts on a designated arterial or collector streets; that has a marked or segregated parking or use area for use by patrons of the premises; and that does not include any retail outlets.

(22s) "Pedestrian Pathway" means an area located on a public sidewalk that is maintained for the purpose of free and unobstructed pedestrian movement.

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(23t) "Person" means an individual, corporation, ~~limited liability company,~~ firm, partnership, ~~co-operative,~~ association, joint venture, joint stock company, or other ~~entity in law or fact,~~ organized and identifiable group or combination of such persons.

~~(u) "Plastic, approved" means a plastic approved by Underwriters Laboratory for use in construction of an electric sign.~~

~~(v) "Safety Barrier" means a barrier having a minimum height of 30 inches, as measured from the sidewalk surface, for the purpose of guiding visually impaired persons. The bottom 18 inches of the barrier, as measured from the bottom of the sidewalk surface, shall be constructed of a solid and seamless material to assist the visually impaired.~~

(24w) "Sidewalk Intersection" means the sidewalk area located at an intersection on a street corner that is created by extending intersecting property lines to the edge of a roadway at a street intersection (Appendix 7, Figure 1). The sidewalk intersection is a pedestrian-only area with the purpose of allowing free and unobstructed pedestrian movement while maintaining a safe vision clearance triangle for motor vehicles at roadway intersections.

~~(25x) "Sign" means any structure, board, poster, placard or device which contains or comprises an advertising sign, outdoor advertising sign, on-premise sign, display, temporary sign, message, light, emblem, device, figure, mannequin, painting, drawing, placard, poster, or other thing that is designed, used, or intended for an advertising purpose, or to attract, inform or to attract the attention of the public. As used in this Chapter, "sign", and includes, where applicable, the sign structure, display surface, and all other components. of the sign. For purpose of this Chapter, the types of signs are:~~

"Sign" includes, but is not limited to:

(A19) Temporary signs. A lawn sign, rigid sign, balloon or banner which ~~that~~ is not permanently affixed or attached to a building,

1 structure, or the ground and that is intended to be used for a limited
2 time. Temporary signs are comprised of the following types:

3 (ii7) Lawn sign. A temporary sign which is made up of a
4 corrugated plastic, greyboard or similar type material which
5 does not meet an 80 mph wind load factor.

6 (ii12) Portable Sign. Any sign that is not permanently affixed
7 to a building, structure, or the ground; a sign designed to be
8 moved from place to place. These signs primarily include, but
9 are not limited to, A-frame or sandwich board signs, signs
10 attached to wood or metal frames, designed to be
11 self-supporting and moveable, and further including trailer
12 reader boards.

13 (iii15) Rigid sign. A temporary sign meeting an 80 mph
14 wind load factor and constructed of materials of a grade and
15 quality consistent with the requirements for structural materials
16 in the SRC Chapter 56. Uniform Building Code.

17 (ii18) Sidewalk Sign. A temporary sign that is portable and
18 self-supporting, and temporary sign which is made up of a
19 corrugated cardboard plastic, greyboard or similar type
20 material which does not meet an 80 mph wind load
21 factor. These signs primarily include, but are not limited to, A-
22 frame or sandwich board signs, signs attached to wood or metal
23 frames that are designed to be self-supporting and moveable,
24 but do not including include trailer reader boards.

25 (ii20) Temporary sign display. An attention attracting device
26 or devices, including, but not limited to, flags, pennants,
27 banners, streamers, or valences or balloons, but excluding
28 flags of the United States, State of Oregon, U.S. or state

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military services, foreign countries, the United Nations, or flag of civil, fraternal or charitable organizations.

(B11) Permanent sign. Any sign that is permanently affixed or attached to a building, structure, or the ground and that is intended to be used for an ongoing, indefinite period of time, other than a temporary sign. Permanent signs are comprised of the following types:

(12) Building directory. An attached wall sign giving the name and room number of the occupants of a building. Where secondary signs are permitted, a building directory it may be included as a secondary sign.

(ii) Interior sign. A sign located inside an enclosed building or structure, regardless of whether the sign is visible from the exterior of the building.

(iii) On-premise sign. A permanent sign which is used by the owner or lessee of the property upon which the sign is located. On-premise signs are not restricted as to content but are normally and customarily used to advertise, advertises only the business or facility located on the property or the goods, products, or services provided by the business or facility facilities located on the property, on which the sign is located or the sale or lease of such property.

(iv) Outdoor advertising sign or advertising sign. A permanent sign which advertises goods, products, businesses, services, or facilities which are not sold, manufactured, or distributed on or from the property or facilities on which the sign is located, and which is supported by a substantial permanent sign structure with a display surface or display

1 surfaces normally and customarily used designated primarily
2 for the purpose of painting or posting a display message
3 thereon at periodic intervals and which is located on property
4 other than the property owned or leased by the person
5 constructing, erecting, or using the sign. A sign bearing a
6 message dealing with political, public interest, public service,
7 education, an election, a candidate for election, a ballot
8 measure, religious matters, health, or any other noncommercial
9 matter is included as an outdoor advertising sign. Outdoor
10 advertising signs are not limited as to content, but are usually
11 and customarily used to advertise goods, products, businesses,
12 services, or facilities which are not sold, manufactured, or
13 distributed on or from the property or facilities on which the
14 sign is located, to present messages dealing with political
15 public interest, public service, education, an election, a
16 candidate for election, a ballot measure, religious matters,
17 health, and other similar subjects.

18 (13) Principal sign. The principal permanent, on-premise
19 sign. Principal signs are not limited as to content, but are
20 normally and customarily used designed primarily to identify or
21 advertise a business or facility located on the property to
22 approaching motorists or pedestrians. approaching the business
23 facility. At least 75 percent of the sign area of a principal sign
24 shall be used to identify the business and not more than 25
25 percent of the sign shall be used to advertise services or
26 products. A principal sign is limited to a freestanding, roof,
27 wall, or projecting sign or signs located on a wall facade for
28 signs, marquee face, canopy face, or sign tower.

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~~(vii17)~~ Secondary sign. An incidental, permanent, on-premise attached wall sign or sign on the face, or ends of a marquee, or canopy, or on a wall facade for signs.

~~(C) Categories of Permanent Signs Based on Structure~~

~~(1) Attached wall sign. A wall sign which does not extend beyond the corners of the building face to which it is attached or on which it is painted and which does not project above the higher of the eave line, roof line at the wall, or top of the parapet wall a distance equal to the lesser of one-third of the height of the sign or three feet.~~

~~(5) Freestanding sign. A~~ An on-premise sign supported by one or more upright poles or braces ~~or placed upon a foundation~~ in or upon the ground and wholly detached from or only incidentally attached to any building or other structure.

~~(ii14)~~ Projecting sign. A sign, other than a wall sign ~~that~~ which projects beyond the building face to which it is attached. "Projecting" means the distance which a sign extends from the building face to which it is attached.

~~(iii16)~~ Roof sign. A sign erected upon or painted upon the roof of a building, a roof structure, or a canopy roof.

~~(iv21)~~ Under marquee sign. A sign which is erected or maintained under ~~and is supported by~~ a marquee.

~~(v22)~~ Wall sign. A sign painted on or attached to or erected against the wall or parapet of a building or structure or against the faces or ends of a marquee or canopy or on a wall facade for signs with the exposed face of the sign in a plane parallel to the plane of the ~~said~~ wall or face and projecting not more than eighteen ~~18~~ inches therefrom. "Wall sign" also means and

1 includes a principal or secondary sign erected in supporting or
2 ornamental columns attached to and located under an
3 overhanging roof and which sign is erected in a plane generally
4 parallel to the nearest face of the building.

5 **(D) Categories of Illuminated Signs**

6 **(i4)** Electric sign. A sign containing electrical wiring but not
7 including a sign illuminated by an exterior flood light source.

8 **(ii3)** Electronic time and temperature sign. A sign employing
9 matrix display(s) or lighted bulbs, lamps or tubes to announce
10 time, temperature, or date.

11 **(iii6)** "~~Externally~~ illuminated sign" means a sign illuminated
12 by an interior or exterior light source, which exterior light
13 source is primarily designed to illuminate such sign.

14 **(iv6)** Internally illuminated sign ~~means~~—a sign ~~that~~ which is
15 wholly or partially illuminated by an internal light source ~~that~~
16 from which source light passes through the display surface to
17 the exterior of the sign.

18 **(8)** Message sign. a sign providing information by means of
19 sequential illumination of lights contained in or upon the sign.

20 ~~(26) "Street frontage" means a lot line fronting on a street. Unless the~~
21 ~~premises has only one such frontage, the width along such lot line must be at~~
22 ~~least fifty 50 feet to qualify as a frontage. An access easement shall not~~
23 ~~qualify as a frontage. Access to a street is not required to establish a frontage.~~

24 **(27y)** "Unobstructed" means an area that does not have any physical
25 obstructions ~~to free passage~~ or tripping hazards, ~~or~~ and includes people
26 standing or sitting. The term ~~"Unobstructed"~~ ~~does~~ shall not include a
27 ~~pedestrian pathway through which~~ persons that are actively ~~travell~~ traveling
28 through a pedestrian pathway.

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(28z) "Vehicle Buffer Zone" means an area that runs parallel to and abuts a roadway. Its purpose is to create a pedestrian safety zone and unobstructed accessibility to parked vehicles (See Appendix 7, Figure 3a and 3b).

~~(b) As used in this Chapter, words used in the present tense include the future, the singular number includes the plural, the word "shall" is mandatory and not directory.~~

Section 4. SRC 62.030 is renumbered SRC 62.015 and amended to read as follows:

~~62.015. 62.030. General Rule. Scope.~~

~~(a) All signs shall be constructed in accordance with the provisions of this Chapter and all the requirements specified pursuant to SRC Chapter 56 that are in effect at the time of the application is submitted and deemed complete.~~

~~(b) Except as provided in section SRC 62.020, 62.060, of this Code, no person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter.~~

~~(c) Except as provided in SRC 62.020, no person in control of any premises within the City of Salem, Oregon, shall erect, construct, enlarge or alter a sign or permit the same to be done, unless a sign permit therefor has been issued by the City, thereon any sign which violates the provisions of this chapter.~~

~~(d) Nothing in this Chapter is intended, to nor shall be construed to permit the erection, construction, enlargement, alteration or maintenance of any sign at any place or in any manner unlawful under any other ordinance or state or federal, state or local law. If any part of this Chapter conflicts with another provision of the Salem Revised Code, the provision that establishes the stricter standard shall control.~~

~~(e) Nothing in this Chapter is intended, and shall not be construed, to restrict speech on the basis of its speaker, content, or viewpoint, and, to the extent that any provision of this Chapter is ambiguous, the provision shall not be interpreted to regulate on the basis of speaker, content, or viewpoint.~~

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1 **Section 5.** SRC 62.060 is renumbered SRC 62.020 and amended to read:

2 ~~62.020. 62.060. Exempt Signs.~~ Except for signs prohibited by this chapter, The following
3 signs, symbols, numbers, and notices shall be ~~are~~ exempt from the provisions of this Chapter:

4 (a) Official traffic signs, signals, and notices.

5 (b) Directional signs erected by proper public authority.

6 (c) A warning sign erected on private property to warn the public of a danger on or
7 prohibiting or limiting access to the premises on which the sign is located, provided
8 such sign does not exceed four square feet in area and six feet in height and is not
9 located in the vision clearance area.

10 (d) Permanent building plaques, corner stones, name plates, and similar building
11 identifications.

12 (e) House and building numbers, provided that the height of the numerals does not
13 exceed six inches.

14 (f) Historical markers erected or maintained by public authority or by a recognized
15 historical society or organization identifying sites, buildings, or structures of
16 recognized historical value and not located in the vision clearance area.

17 (g) Notices and signs erected by public officers performing official duties including
18 those erected pursuant to law, administrative order, or court order.

19 (h) One non-illuminated sign per single family dwelling unit, or per dwelling unit in
20 a duplex, in a residential zone not exceeding one square foot in ~~of-sign area.~~ ~~giving~~
21 ~~the name, occupation, or both of the occupant or the home occupation of the occupant~~
22 ~~of the residentially used property.~~

23 (i) Non-illuminated signs not visible from a public sidewalk, street, highway, or
24 alley.

25 (j) Interior signs.

26 (1) Non-illuminated interior signs in commercial and industrial zones
27 designed primarily to be viewed from a sidewalk or street when erected and
28 maintained inside a building, including, but not limited to, signs attached to or

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1 painted on the inside of a window.

(2) Electrical interior signs ~~intended to be viewed from the public right-of-way~~, provided such sign: is plugged into an approved grounded outlet; is not animated; does not flash; burns steady; conforms to the illumination requirements of this Chapter; does not exceed eight square feet in sign area. (Note: If a sign is wired in with a building's approved electrical wiring in conduit and connected to a power source, ~~both an sign permit and electrical permit must be obtained.~~)

~~(3) Electrical interior signs not intended to be viewed from the public right-of-way. (Note: If a sign is wired in with a building's approved electrical wiring in conduit and connected to a power source, an electrical permit must be obtained.)~~

(k) On-premise directional signs designed primarily to be read by a person on the premises on which the sign is located and used only to identify and locate an office, entrance, exit, telephone, or similar place, service, or route, and limited to eight square feet in area.

(l) Directional signs in commercial and industrial districts, designating an automobile service entrance onto the premises, limited to a maximum sign area of ~~twenty-two~~ 22 square feet for freestanding signs. Such signs shall be limited to one per business per premise. Other vehicle directional signs designating an automobile entrance onto or exits from the property limited to eight square feet in area. If located on a building where projecting signs would be permitted, for a principal sign under SRC 62.390, such directional sign may project not more than four feet six inches over public property.

(m) For businesses with canopies, including but not limited to gasoline stations, ~~twenty-four~~ 24 square feet of sign area per canopy for the display of temporary signs, such signs may be attached to the supporting structure of the canopy providing that they are not installed in any manner that would present a hazard to vehicles driving

1 under said canopy.

2 (n) Temporary signs located in Wallace Marine Park's Sports Field Complex ~~erected~~
3 ~~pursuant to a park use permit with the City~~ approved by the director of community
4 services under regulations developed by the director and the building official.

5 (o) Temporary signs ~~authorized by~~ approved for use in a park ~~use~~ with a permit
6 issued under SRC 94.200.

7 **Section 6.** SRC 62.080 is renumbered SRC 62.025 and amended to read as follows:

8 ~~62.025~~ **62.080. Prohibited Signs.** ~~The following signs are prohibited:~~ No sign shall be
9 constructed, erected, or maintained:

10 (a) ~~Any sign~~ which ~~creates a public nuisance due to~~ bears or contains statements,
11 words, or pictures of an obscene ~~or pornographic~~, indecent, or immoral character,
12 such as will offend the public morals or decency.

13 (b) ~~Any sign~~ which violates any provision of ORS Chapter 377, applicable to
14 advertising signs.

15 (c) ~~Any sign~~ which is placed on, affixed to, or painted on a motor vehicle, vehicle, or
16 trailer and placed on public or private property with the primary purpose of providing
17 a sign not otherwise permitted by this ~~C~~chapter.

18 (d) ~~Other than lawfully established non-conforming signs, any sign~~ which does not
19 conform to all other provisions of this Chapter.

20 (e) ~~Any sign~~ which is a temporary, portable sign not approved by ~~the City~~.

21 (f) Which advertises or publicizes an activity, business, product, or service not
22 conducted on the premises upon which signs are maintained; except as provided in
23 SRC 62.502(3)(f), 62.507 to 62.519.1.

24 (g) ~~Any sign~~ which ~~employs~~ is a "speller effect." sign that spells out a word, one
25 letter, number, or character at a time and may include flashing the completed word or
26 words, save and except electronic time and temperature signs.

27 (h) ~~Any sign located in a manner which could impede traffic on any street, alley,~~
28 ~~bikeway or other vehicular travel way.~~

1 (h) Any sign constructed in such a manner or at such a location that it will obstruct
2 access to any fire escape or other means of ingress or egress from a building or an exit
3 corridor, exit hallway or exit doorway. No sign or supporting structure shall cover
4 wholly or partially any window or doorway in any manner that it will substantially
5 limit access to the building in case of fire.

6 (i) Any non-public sign constructed or maintained which, by reason of its size,
7 location, movement, coloring or manner of illumination may be confused with or
8 construed as a traffic control device or which hides any traffic control device from
9 view.

10 (j) Any non-public sign located within a vision clearance area as defined by SRC
11 62.170.

12 (k) Any sign that employs structures, materials, or placements that are not
13 specifically allowed under the provisions of this Chapter.

14 **Section 7.** SRC 62.090 is renumbered SRC 62.030 and amended to read as follows:

15 ~~62.030~~ ~~62.090~~. **Sign Permits.**

16 (a) Except as provided in SRC ~~62.035~~ 62.095 of this chapter, no person shall
17 ~~construct~~ erect, alter, or relocate any sign, or install electrical parts, wiring, or
18 illumination in or upon a sign until ~~all required permits have been obtained including~~
19 ~~but not limited to, sign permits, building permits, and any other permits required under~~
20 ~~federal, state or local law~~ a sign permit has been issued by the Building Official.

21 (b) Each sign shall be ~~authorized~~ covered by a separate ~~sign~~ permit. ~~, provided,~~
22 however, a temporary sign display may be covered by a single appropriate permit.
23 Except for electrical signs, where secondary signs are erected at the same time for the
24 same business and on the same premises, the permittee may apply for one permit to
25 cover all such secondary signs.

26 (c) ~~Where an electrical permit for sign installation is required, it shall be obtained~~
27 ~~from the department of community development, Permit Application Center, prior to~~
28 ~~making the final electrical connection from the sign to the electrical power source.~~

1 Pursuant to the National Electrical Code, Electrical permits are required when new or
2 used signs are initially installed and connected; however, a sign removed for repair
3 and reinstalled in the same place only requires a sign permit.

4 (cd) Applications for a sign permit shall be made in writing upon forms furnished by
5 the ~~Director~~ Building Official. Such ~~The~~ application shall contain the location of the
6 sign or display by street and number, as well as the name and address of the sign
7 owner and of the sign erector. ~~In addition,~~ Two complete sets of plans for each
8 proposed sign prepared in a graphic form must be submitted with each completed sign
9 permit application. ~~A sign permit application will only be deemed complete when all~~
10 ~~required materials have been submitted.~~ ~~The~~ These plans must be detailed enough
11 ~~and be of sufficient clarity~~ to show compliance with ~~this Chapter,~~ and ~~shall~~ the sign
12 code. A complete set of plans must include ~~but are not limited to:~~

13 ~~(1) A detailed drawing of the proposed sign, drawn to scale~~

14 ~~(2)~~ (1) Plot plan drawn to scale, including location of all existing signs and
15 sizes.

16 ~~(3)~~ (2) Elevation(s).

17 ~~(4)~~ (3) Identification of type of sign, such as painted, wood, metal, neon,
18 illuminated, or other.

19 ~~(5) A statement whether the sign is located on property owned or leased by the~~
20 ~~person constructing, erecting or using the sign~~

21 ~~(4)~~ (4) Approved testing laboratory number for each illuminated sign. Plans of
22 insufficient clarity or detail will be returned to the applicant.

23 ~~(de)~~ (de) No-Sign ~~permits which also require a building permit for an advertising sign~~
24 shall be valid for ~~not~~ more than ~~one hundred and eighty~~ 180 days after the date of
25 issuance. ~~All other sign permits shall be valid for not more than~~

26 ~~(f)~~ (f) Except as provided in subsection (e) of this section work under a sign permit must
27 be completed within ~~ninety~~ 45 days ~~file~~ from the date of issuance. The ~~Director~~
28 Building Official may ~~grant a one-time extension for a sign permit not to exceed~~

1 extend this time for up to an additional ninety 45 days upon showing that there was
2 of reasonable cause for the delay and a further showing that the construction erection,
3 alteration, or other sign-work still complies with this Chapter and other applicable
4 provisions of the Salem Revised this Code. This time limit shall not apply to
5 temporary signs.

6 (g) Where the applicant applies for a permit to construct a wall facade for signs, the
7 facade shall require a separate sign permit and the facade shall conform to all
8 requirements for a sign structure contained in this Chapter. Prior to issuance of a
9 permit for a wall facade for signs, the building official shall have the plans checked
10 and approved by the inspection division of the department of community
11 development.

12 (ch) The Director Building Official shall issue a permit for a sign covered by
13 application duly made unless the sign is in violation of the provisions of this Chapter
14 or other provisions of this the Salem Revised Code.

15 (d) Sign permits mistakenly issued in violation of this Chapter or of other provisions
16 of this the Salem Revised Code are void.

17 (ei) The Director Building Official may revoke a sign permit if he finds that there
18 was a material and misleading or false statement of fact in the application for the
19 permit or notice given to the Director Building Official pursuant to subsection (h) of
20 this section. The Building Official may revoke a sign permit for a temporary sign
21 display if he finds that the display does not conform to the provisions of this Chapter.

22 (hj) A person who constructs, erects, re-erects or structurally alters any sign for
23 which a sign permit is required, except a temporary sign or temporary sign display
24 shall notify the Director Building Official of completion of the work thereon and
25 request final inspection.

26 (k) Except for a sign repair permit, a sign permit tag issued by the Building Official
27 shall be attached to all signs which require a sign permit. This provision shall apply to
28 all signs erected after August 15, 1967. The tag shall be placed by the permittee in

1 accordance with any regulations thereon by the Building Official.

2 ~~(f) Where the applicant who applies for a permit as required by this section is~~
3 ~~engaged in the business of erecting, altering, or relocating signs, or installing~~
4 ~~electrical parts, wiring, or illumination in or upon signs, there shall accompany the~~
5 ~~application, a certificate of insurance or other acceptable proof of insurance in force~~
6 ~~for the term of the permit in the sum of \$500,000 combined single limits either~~
7 ~~commercial or comprehensive general liability insurance. The insurance requirements~~
8 ~~shall not apply to those permit applications to only paint signs.~~

9 **Section 8.** SRC 62.095 is renumbered SRC 62.035 and amended to read as follows:

10 ~~62.035. 62.095. Sign~~ **Permit Exceptions.** The following signs ~~or activities~~ do not require a
11 sign permit:

12 ~~(a) Exempt signs listed in SRC 62.060 of this chapter.~~

13 ~~(b) Lawn signs and rigid signs, other than lawn signs and rigid signs located in the~~
14 ~~public right-of-way, except as provided in SRC 62.520(e)(2).~~

15 ~~(c) The changing of advertising copy or the advertising message on a printed or~~
16 ~~painted sign or sign specifically designed for the use of replaceable copy.~~

17 ~~(d) The Painting, repainting, cleaning, and normal maintenance and repair of an~~
18 ~~existing sign, unless a substantial structural alteration to the existing sign is made.~~

19 **Section 9.** SRC 62.227 is renumbered SRC 62.045 and amended to read as follows:

20 ~~62.045. 62.227. Inspections Required.~~ The ~~Director~~ Building Official shall perform the
21 following sign inspection upon notification by the permittee. ~~that the construction is ready for~~
22 ~~each inspection.~~ Failure of the permittee to notify the ~~Director~~ Building Official of the
23 progress of construction for inspection purposes shall ~~be cause to revoke~~ result in the
24 revocation of the sign permit. A final inspection of all signs shall be made upon completion
25 of all construction work and prior to the illumination of any sign.

26 **Section 10.** SRC 62.225 is renumbered SRC 62.050 and amended to read as follows:

27 ~~62.050. 62.225. Measurements.~~ The following shall be used in measuring a sign to
28 determine compliance with this Chapter:

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(a) Area or sign area.

(1) Area shall be measured within lines drawn between the outermost points of a sign, but excluding essential sign structure, foundations, or supports. The area of all signs in existence at the time of enactment of this ordinance, whether conforming or nonconforming, shall be counted in establishing the permitted sign area. Where a sign is of a three dimensional, round, or irregular solid shape, the largest cross-section shall be used in a flat projection for the purpose of determining sign area.

(2) Where open area is employed between sections or modules forming the display surface of an on-premise sign, an additional ten percent of sign area is permitted within the perimeter lines drawn to measure the sign.

(b) Height. Height is measured from the average level of the grade below the sign to the topmost point of the sign.

(c) Clearance. Clearance is measured from the average grade below the sign to the lower most point of the sign.

(d) Gross face area. The gross face area expressed in square feet shall be computed by drawing a line around the outermost points of the building face or other surface to which the sign is attached, including any wall facade for signs extending beyond the building face and measuring the area contained within such lines. Where secondary signs are permitted on a frontage other than a street or parking lot frontage, ~~gross face area~~ ~~GFA~~ shall be measured on street frontage only.

(e) Multiple business occupancies. Where more than one business is housed in the same building, only the gross face area of the building frontage, the lineal lot frontage or the lineal building frontage occupied by the business shall be included in determining the size of signs for such business.

(f) Size. Size includes the height, length, width, and area of a sign.

(g) Spacing and density.

(1) For the purpose of applying spacing requirements or density limits to

1 signs, including, but not limited to, advertising signs, distances shall be
2 measured parallel to the centerline of the adjacent street or highway. The same
3 method shall be used in determining setback of an advertising sign from a
4 residential sign district.

5 ~~(2)~~ The sign or sign location under consideration shall be included as one
6 sign.

7 ~~(3)~~ A back-to-back sign is counted as a single sign for the purpose of
8 spacing and density limits.

9 ~~(4)~~ Where advertising signs are located "in separate blocks," there must be an
10 intervening public street or highway separating the signs.

11 **Section 11.** SRC 62.190 is renumbered SRC 62.055 and amended to read as follows:

12 **~~62.055, 62.190.~~ Sign Location for Safety.**

13 (a) No sign shall be erected or maintained in such a manner that any portion of its
14 surface or supports will interfere in any way with the free use of any fire escape, exit,
15 or standpipe. No signs shall be erected or maintained so as to obstruct any building
16 opening to such an extent that light or ventilation is reduced below minimums
17 required by any applicable law or ~~other~~ provisions of ~~the Salem Revised~~ this Code.

18 (b) No sign shall be erected within five feet of an exterior wall in which there are
19 openings ~~that lie~~ within the ~~sign~~ area of the sign unless the sign conforms to all the
20 ~~requirements specified by SRC Chapter 66~~ provisions of chapter 38 of the Uniform
21 Building Code, and unless: (1) the sign is constructed of ~~noncombustible~~
22 ~~incombustible~~ materials or approved plastics.

23 ~~(c) Any sign located on a sidewalk shall have a safety barrier not less than 18 inches~~
24 ~~as measured from the bottom of the sidewalk surface, constructed of a solid and~~
25 ~~seamless material to assist the visually impaired.~~

26 **Section 12.** SRC 62.130 is renumbered SRC 62.060 and amended to read as follows:

27 **~~62.060, 62.130.~~ Sign Maintenance.**

28 ~~(a)~~ All signs, together with all of their supports, braces, guys, and anchors shall be

1 kept in good repair and be maintained in a safe condition. All signs and the site upon
2 which they are located shall be maintained in a neat, clean, and attractive condition.
3 Signs shall be kept free from excessive rust, corrosion, peeling paint or other surface
4 deterioration. The display surfaces of all signs shall be kept neatly painted or posted.

5 ~~Materials used for temporary signs shall not fade, tear, rip or otherwise become~~
6 ~~unsightly during the period of display.~~

7 ~~(b) No person required to obtain a sign permit under this Chapter shall scatter, daub,~~
8 ~~or leave any paint, paste, glue, or other substances used for painting or affixing~~ copy
9 ~~photos, or other~~ advertising matter ~~to the sign~~ or scatter or throw or permit to be
10 scattered or thrown any bills, waste matter, paper, cloth, or materials of whatsoever
11 kind removed from signs on any public street, sidewalk, or private property.

12 **Section 13.** SRC 62.230 is renumbered SRC 62.065 and amended to read as follows:

13 ~~62.065~~ **62.230. Permitted Materials.**

14 (a) Materials for construction of signs shall be of the quality and grade as specified
15 for buildings and structures pursuant to SRC Chapter 56 in the Uniform Building
16 Code, except as specified in SRC 62.180, 62.230 and 62.240.

17 ~~(b) Materials and details of construction for signs shall conform with the following:~~
18 ~~(1) Structural steel shall be of such quality as to conform to The Uniform~~
19 ~~Building Code. Secondary members in contact with or directly supporting the~~
20 ~~display surface may be formed of light gauge steel, providing such members~~
21 ~~are designed in accordance with the specifications of the design of light gauge~~
22 ~~steel as specified in the Uniform Building Code and are treated as provided in~~
23 ~~subsection (2) of this section. When formed integrally with the display surface~~
24 ~~secondary members shall not be less than No. 24 gauge in thickness. When not~~
25 ~~formed integrally with the display surface, the minimum thickness of hot~~
26 ~~rolled steel members furnishing structural support for signs shall be one-fourth~~
27 ~~inch except that if treated as provided in subsection (2) of this section such~~
28 ~~members shall be not less than one-eighth inch thick. Wood stringers of three~~

1 inches by six inches in rough cut dimension may be used for the support of
2 sections of the display surface of outdoor advertising signs. Steel pipes shall
3 be of such quality as to conform to the Uniform Building Code. If the
4 connection is adequate to transfer the stresses in the members, steel members
5 may be connected with one bolt treated as provided in subsection (2) of this
6 section.

7 ~~(2) Structural steel shall be galvanized or shall be given two coats of paint,~~
8 ~~the first to be of red lead or equal. When paint is used, steel shall first be~~
9 ~~cleaned of rust, loose mill scale, and other foreign material. Bolts shall be~~
10 ~~galvanized, plated, or coated so as to resist rust and deterioration.~~

11 ~~(3) Anchors and supports, when of wood and embedded in the soil, or within~~
12 ~~six inches of the soil, shall be of all heartwood of durable species or shall be~~
13 ~~pressure-treated with an approved preservative. Such members shall be~~
14 ~~marked or branded by an approved agency.~~

15 ~~(b4) Except for neon tubing, lamps, tubes, or bulbs, or neon tubing, no glass shall be~~
16 ~~used in the face of any sign.~~

17 **Section 14.** SRC 62.180 is renumbered SRC 62.0075 and amended to read as follows:

18 ~~62.075~~ **62.180. Anchorage and Sign Supports.**

19 ~~(a) Members supporting unbraced signs shall be so proportioned that the bearing~~
20 ~~loads imposed on the soil in either direction, horizontal or vertical, shall not exceed~~
21 ~~safe values. Braced ground signs shall be anchored to resist the specified wind or~~
22 ~~seismic load acting in any direction. Anchors and supports shall be designed for safe~~
23 ~~bearing loads on the soil and for an effective resistance to pull-out amounting to a~~
24 ~~force of 25 percent greater than the required resistance to overturning. Anchors and~~
25 ~~supports shall penetrate to a depth below ground greater than the frost line.~~

26 ~~(b) Chains, cables, wire, or rope used to attach portable signs to a building, sign~~
27 ~~structure, sign tower, or any other structure, shall not be considered sufficient~~
28 ~~anchorage or support to meet the requirements of this Chapter and shall not be~~

1 allowed.

2 ~~(c) Signs attached to masonry, concrete, or steel shall be safely and securely fastened~~
3 ~~thereto by means of metal anchors, bolts, or approved expansion screws of sufficient~~
4 ~~size and anchorage to support safely the loads applied.~~

5 ~~(d) Unless such wall is designed in accordance with the requirements specified in~~
6 ~~chapter 23 of the Uniform Building Code, no anchor or support of any sign or wall~~
7 ~~facade for signs shall be connected to, or supported by, an unbraced parapet wall.~~

8 ~~(e) Roof signs shall be thoroughly secured and anchored to the frame of the building~~
9 ~~over which they are constructed and erected. Frames for roof signs shall be supported~~
10 ~~on and attached to the building and shall be positively anchored to the main structural~~
11 ~~members of the building which may be designed for this additional load. Sills and~~
12 ~~stringers used for the anchorage of the frames supporting the sign connected to the~~
13 ~~structural framework shall be of timber with a minimum dimension of six inches or of~~
14 ~~structural steel which may be either galvanized or treated as provided in subsection~~
15 ~~(b) of SRC 62.230.~~

16 ~~(f) Except in the case of signs attached to wood framing with approved lag screws, no~~
17 ~~wooden blocks or plugs or anchors with wood used in connection with screws or nails~~
18 ~~shall be considered proper anchorage.~~

19 ~~(g) Unless approved by the Director Building Official pursuant to SRC 62.120~~
20 ~~62.350, the supports of all signs shall be placed in or upon private property.~~

21 **Section 15.** SRC 62.210 is renumbered SRC 62.085 and amended to read as follows:

22 ~~62.085~~ **62.210. Electric Sign Construction.**

23 ~~(a) Electric signs, including outdoor advertising signs with component parts that are~~
24 ~~electric signs, shall be constructed and installed in conformance with the requirements~~
25 ~~of the Electrical Code of the City of Salem, Oregon. All wiring connecting~~
26 ~~freestanding signs with a power source shall be underground wiring.~~

27 ~~(b) Electrical signs shall be permanently and rigidly affixed to the sign structure,~~
28 ~~building, or other structure to which they are attached. Such Electric signs may be~~

1 mechanically activated for animation, but may not be wind-activated.

2 ~~(c) All electrical signs or signs with electrical components shall have installed on the~~
3 ~~sign or sign structure a circuit breaker (switch) for each primary circuit.~~

4 ~~(d) Clearance.~~ The bottom of electric signs and outline lighting enclosures shall not
5 be less than ~~sixteen~~ 16 feet above areas accessible to vehicles; ~~provided, however,~~
6 ~~Exception:~~ the bottom of such ~~signs and~~ enclosures may be less than ~~sixteen~~ 16 feet
7 above areas accessible to vehicles where such enclosures are protected from physical
8 damage.

9 ~~(e) Every electric sign shall have placed within easy view, a laboratory label from an~~
10 ~~approved testing agency.~~

11 **Section 16.** SRC 62.310 is renumbered SRC 62.115 and amended to read as follows:

12 ~~62.115~~ **62.310. Temporary Signs, Generally.**

13 (a) Lawn signs shall not exceed a height of ~~thirty~~ 30 inches above grade and may be
14 displayed a maximum of two, ~~sixty~~ 60-day continuous periods per year. ~~Rigid signs~~
15 ~~shall not exceed a height of six feet above grade and may be displayed a maximum of~~
16 ~~one year. Temporary signs shall not be attached to fences, trees, shrubbery, utility~~
17 ~~poles, or like items and shall not obstruct or obscure permanent signs on adjacent~~
18 ~~premises.~~ The date of erection or placement of lawn signs shall be clearly noted on
19 signs or sign posts or the earliest date of erection certified to in writing by the sign
20 erector to the ~~Director~~ Building Official. ~~Rigid signs shall not exceed a height of 6~~
21 ~~feet above grade and may be displayed a maximum of one year. Lawn or rigid signs~~
22 ~~shall be kept neat, clean and in good repair. Materials used shall not fade, tear, rip or~~
23 ~~otherwise become unsightly during the period of display. Such signs may not be~~
24 ~~attached to fences, trees, shrubbery, utility poles, or like items and shall not obstruct~~
25 ~~or obscure permanent signs on adjacent premises.~~

26 (b) No temporary sign shall be internally illuminated or be illuminated by external
27 light source primarily intended for the illumination of the temporary sign.

28 //

- 1 (c) ~~Except as provided in SRC 62.350 and SRC 62.520, no temporary sign shall~~
2 ~~project over public property or extend into any landscaped area, or into any vision~~
3 ~~clearance area, required by any provision of this Code.~~
- 4 (d) No temporary sign shall be erected or maintained which, by reason of its size,
5 location, or construction constitutes a hazard to the public.
- 6 (e) Except for temporary sign displays, no temporary sign shall be located in a vision
7 clearance area, ~~established pursuant to SRC 76.170~~ prescribed by Section 111.230 of
8 this Code; provided, however, the clearance required shall be ten feet instead of seven
9 feet. In addition to said vision clearance requirements, no temporary sign exceeding
10 four square feet in area and resting upon or supported by the ground shall be located
11 within an area bounded by a street front property line and a line drawn parallel thereto
12 ten feet inside the property line if there is an entrance or exit from the street crossing
13 such property line, except as provided in SRC 62.360(d).

14 **Section 17.** SRC 62.350 is segregated and renumbered as SRC 62.120 and SRC 62.280 and
15 amended to read as follows:

16 ~~62.120~~ **62.350: Signs Requiring Council Approval Installed Over or Within the Right**
17 **of Way and Signs Permitted in Public Zones:**

18 (a) ~~Signs requiring council approval. Except as provided in SRC 62.390, no street~~
19 ~~clock, sidewalk sign, or sign projecting over a street or sidewalk shall be erected~~
20 ~~unless first approved by the council. The resolution giving approval for such signs~~
21 ~~may contain any condition which the council deems necessary to insure safety, proper~~
22 ~~maintenance, and appearance and removal of such signs when required.~~

23 (a) ~~Except as provided in SRC 62.390 and 62.520, no sign shall be erected over or~~
24 ~~within the right of way unless the sign is first approved by the governmental unit~~
25 ~~having jurisdiction over the right of way. If the approving authority is the City, then~~
26 ~~the Director of Public Works shall have authority to approve the sign. The Director~~
27 ~~of Public Works or the Director may impose conditions deemed necessary to insure~~
28 ~~public health, safety, and welfare, including, but not limited to, conditions to insure~~

proper maintenance and removal.

(b) An adverse decision of the Director of Public Works shall be deemed to be an adverse decision of the Director, and may be appealed to the hearings officer in the manner prescribed by this Chapter.

62.280. Signs Permitted in Public Zones.

(ab) Signs permitted allowed in Public and Private Cemeteries (PC), Capitol Mall (PM), and Public Service (PS) Districts.

(1) The following signs are permitted in PC, PM and PS districts:

(A1) Wall Signs. One wall sign for each facing or frontage on a street or parking lot. Wall signs, which shall be limited to the greater of thirty-two square feet or two percent of the gross face area of the building face on which it is located.

(B2) Freestanding Signs. One freestanding sign for each frontage on a street or parking lot, which shall be limited to five feet in height and twenty-four square feet in total sign area. Such signs shall be set back at least three feet from a street front property line or the special set back area established by the Salem Zoning Ordinance, whichever is greater, provided further that where adjacent property is zoned residential or commercial office, signs shall be set back at least 20 twenty feet from the side lot line abutting a CO or residential district.

(C3) Vehicle Directional Signs. One permanent sign to identify each motor vehicle entrance onto or exit from the premises shall be permitted, which shall be limited to thirty inches in height and four square feet in total sign area.

(D) Signs no larger than eight hundred square feet shall be permitted in the PS district within stadiums, athletic fields and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the

1 facility and viewing stands, and are only used during events where the
2 public attends as spectators. Notwithstanding any other provision of
3 this Chapter, signs allowed by this paragraph may employ any effect
4 and shall not be subject to the limitations imposed under SRC 62.270.

5 ~~(E)~~ (D) Where a commercial use is permitted in a PS district, the signs
6 allowed for such a use shall be the same as those permitted in
7 subsection (d) of this section.

8 ~~(2b)~~ (b) **Illumination.** Where adjacent property is zoned commercial or
9 industrial, signs in PC, PM and PS districts may be illuminated internally or
10 externally. No flashing signs shall be permitted.

11 ~~(35)~~ (5) **Animation.** No sign in a PC, PM, or PS district shall be mechanically or
12 electrically animated or wind activated.

13 ~~(6)~~ Where a commercial use is permitted in a PS district, the signs allowed
14 for such a use shall be the same as those permitted in SRC 62.350(d).

15 ~~(b)~~ (c) **Signs permitted in Public and Private Educational Services districts (PE).**

16 (1) The following signs are permitted in PE districts:

17 (A) ~~Wall Signs.~~ One wall sign for each facing or frontage on a street
18 or parking lot. Wall signs, which shall be limited to the greater of
19 thirty-two square feet or two percent of the gross face area of the
20 building face on which it is located. All signs permitted and set forth
21 in SRC 62.350 (b) shall be allowed in PE districts. In addition:

22 (B) ~~Freestanding Signs.~~ One freestanding sign, for each frontage on
23 street or parking lot, which shall be limited to five feet in height and
24 twenty-four square feet in total sign area, provided, however, that one
25 such freestanding sign, limited to may be sixteen feet in height and
26 thirty-two square feet in total sign area. Such signs shall be set back at
27 least three feet from a street front property line or the special set back
28 area established by the Salem Zoning Ordinance, whichever is greater.

1 provided further that where adjacent property is zoned residential or
2 commercial office signs shall be set back at least twenty feet from the
3 side lot line abutting a CO or residential district. No other freestanding
4 sign shall be allowed on the same frontage.

5 (C) **Vehicle Directional Signs.** One permanent sign to identify each
6 motor vehicle entrance onto or exit from the premises shall be
7 permitted, which shall be limited to thirty inches in height and four
8 square feet in total sign area.

9 (D) Signs no larger than eight hundred square feet shall be permitted
10 in the PS district within stadiums, athletic fields and other outdoor
11 assembly facilities, where they are intended primarily for viewing by
12 persons within the facility, are oriented toward the interior of the
13 facility and viewing stands, and are only used during events where the
14 public attends as spectators. Notwithstanding any other provision of
15 this Chapter, signs allowed by this paragraph may employ any effect,
16 and shall not be subject to the limitations imposed under SRC 62.270.

17 (2) **Illumination.** Signs in PE districts may be illuminated internally or
18 externally. Except as provided in paragraph (C)(C) of this subsection no
19 flashing signs shall be permitted.

20 (d) **Signs permitted in Public and Private Health Services Hospital Districts**
21 **(PH).**

22 (1) The following signs are permitted in PH districts:

23 (A) **Wall Signs.** One wall sign for each facing or frontage on a street
24 or parking lot. Wall signs, which shall be limited to the greater of
25 fifty-two square feet or two percent of the gross face area of the
26 building face on which it is located. All signs permitted and as set
27 forth in SRC 62.350(b) shall be allowed in PH districts. In addition:

28 (B) **Freestanding Signs.** One freestanding sign, for each frontage on a

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street or parking lot, which shall be limited to five feet in height and twenty-four square feet in total sign area; provided, however, that one such freestanding sign, limited to may be fifteen feet in height and twenty-four square feet in total sign area. Such signs shall be set back at least three feet from a street front property line or the special set back area established by the Salem Zoning Ordinance, whichever is greater, provided further that where adjacent property is zoned residential or commercial office, signs shall be set back at least twenty feet from the side lot line abutting a CO or residential district. No other freestanding sign shall be allowed on the same frontage.

(C) Vehicle Directional Signs. One permanent sign to identify each motor vehicle entrance onto or exit from the premises shall be permitted, which shall be limited to thirty inches in height and four square feet in total sign area.

(D) Signs no larger than eight hundred square feet shall be permitted in the PS district within stadiums, athletic fields and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ any effect and shall not be subject to the limitations imposed under SRC 62.270.

(2) Illumination. Only those signs which designate emergency vehicle directional signs and emergency entrances to a building in PH districts shall be illuminated. No flashing signs shall be permitted

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1 **(de) Signs permitted in Public Amusement (PA) Districts.**

2 ~~(d) The following signs are permitted in the PA District:~~

3 ~~(A) All signs permitted in commercial and industrial districts as set~~
4 ~~forth in SRC 62.502 shall be permitted in a PA District. provided;~~
5 ~~however, that where a PA District is adjacent to a Residential District,~~
6 ~~no illuminated sign shall be~~ A sign permitted by this paragraph shall
7 ~~not be an illuminated sign if it is erected or maintained within three~~
8 ~~hundred feet of the boundary of the residential district.~~

9 ~~(B) Freestanding Signs~~ For ~~an office~~ a business complex in a PA
10 district, each separate occupancy may have one freestanding sign not
11 exceeding thirty feet in height and one hundred square feet in total sign
12 area. Each such sign shall be separate and not part of any other sign
13 allowed on this property. No such freestanding sign shall be installed
14 within one hundred feet of another freestanding sign on the same
15 property. Where a PA district is adjacent to a residential district, no
16 illuminated sign shall be installed or maintained within three hundred
17 feet of the boundary of the residential ~~such a~~ district.

18 ~~(C) Signs no larger than eight hundred square feet shall be permitted~~
19 ~~in the PS district within stadiums, athletic fields and other outdoor~~
20 ~~assembly facilities where they are intended primarily for viewing by~~
21 ~~persons within the facility, are oriented toward the interior of the~~
22 ~~facility and viewing stands, and are only used during events where the~~
23 ~~public attends as spectators. Notwithstanding any other provision of~~
24 ~~this Chapter, signs allowed by this paragraph may employ any effect,~~
25 ~~and shall not be subject to the limitations imposed under SRC 62.270.~~

26 **Section 18.** SRC 62.440 is amended to read as follows:

27 **62.440. Wall Facades for Signs.**

28 (a) Except as provided in subsection (b) of this section, wall facades for signs may

1 extend the full length of the wall to which they are attached but shall not exceed a
2 height above the roof line of the wall or the top of the parapet greater than one-third
3 of the height of the building where the building is less than ~~fifteen~~ 15 feet in height or
4 six feet where the building is over ~~fifteen~~ 15 feet in height.

5 (b) If a wall facade for signs extends the full length of the wall, the maximum height
6 of the wall facade shall not exceed four feet measured from the roof line directly
7 behind the wall to the top of the wall facade. If it is less than full length, there shall
8 be a ~~five-foot~~ clearance at the end of a wall and such facade shall conform to ~~SRC~~
9 ~~Chapter 56~~ chapter 38 of the Uniform Building Code.

10 (c) The supporting structure for any wall facade for signs shall be completely
11 enclosed so as not to be visible from any public street, alley, or adjacent property.

12 **Section 19.** SRC 62.450 is amended to read as follows:

13 **62.450. Sign Towers.**

14 (a) Sign towers shall be governed as to materials and construction by ~~SRC Chapter~~
15 ~~56~~ the Uniform Building Code standards for buildings as applicable.

16 (b) **Width.** ~~The width of a sign tower shall be limited as provided in this subsection.~~
17 The horizontal dimension of a sign tower measured parallel to the front or
18 street-facing wall of the building on which the sign tower is erected shall not exceed:

19 (1) ~~Twenty~~ 20 percent of the length of the wall if the sign does not project
20 from the wall a greater distance than the horizontal dimension parallel to the
21 wall of the building.

22 (2) Four feet if the sign tower projects from the wall a distance greater than
23 the horizontal dimension parallel to the wall.

24 (3) Four feet if the sign tower is erected in the form of a fin on the roof of a
25 building and is located generally perpendicular to the front or street facing
26 wall of the building.

27 (4) Four feet for a combination sign tower which embodies elements of both
28 sign towers described in paragraph (b) and (c) of this section.

1 (c) **Height.** The height of a sign tower measured above a flat roof or the eave line on
2 a pitched, hip, or gabled roof, shall not exceed the following:

3 (1) For buildings under ~~fifteen~~ 15 feet, six feet;

4 (2) For buildings between ~~fifteen~~ 15 and ~~twenty-five~~ 25 feet in height, the
5 greater of nine feet or ~~forty~~ 40 percent of the height of the building.

6 (3) For buildings over ~~twenty-five~~ 25 feet in height, the greater of ~~twelve~~ 12
7 feet, six inches or ~~thirty~~ 30 percent of the height of the building.

8 (d) Sign towers shall be used only for on-premise signs.

9 (e) Sign towers shall not project over public property or into any area required by any
10 provisions of this Code to be landscaped or over a setback line.

11 (f) Sign towers shall be located only in areas zoned for commercial or industrial use,
12 but shall not be located in a commercial office district.

13 (g) Sign towers shall conform to the same clearance and fire access requirements as a
14 roof sign under SRC 62.420.

15 (h) The supporting structure for any sign tower shall be completely enclosed so as
16 not to be visible from any public street, alley, or adjacent property.

17 **Section 20.** SRC 62.600 is amended to read as follows:

18 **62.600. Appeals; Review by City Council; Procedures and Relief.**

19 (a) Appeal ~~of decision on a sign permit. An applicant or interested person who~~
20 ~~appeared by submission of comment may appeal the decision of the Director of an~~
21 ~~application for a sign permit; conditions of approval of the allowance of a permit;~~
22 ~~revocation of the permit; or an order to alter or remove a sign. An appeal if~~
23 ~~submitted, must be initiated by filing a notice of appeal on a form prescribed by the~~
24 ~~Director, that is filed with the Director within fifteen days of the date of mailing of the~~
25 ~~decision. Except as provided herein, the appeal shall be to the~~ to Hearings Officer.
26 Any person whose application for a sign permit has been denied, whose sign permit
27 has been revoked, or who has been ordered to alter or remove a sign, may appeal the
28 decision of the Building Official to the Hearings Officer, by filing a written notice of

1 appeal with the Building Official, not later than fifteen business days after the date the
2 decision is issued. The notice of appeal shall state the basis of the appeal, and why the
3 ~~Director's~~ Building Official's decision was in error, and shall be accompanied by an
4 appeal fee as established by the City Council. Unless called up for review by the City
5 Council pursuant to subsection (b) of this section, the Hearings Officer's decision
6 shall be final.

7 **(b) City Council Review.** The City Council may by majority vote initiate review of
8 a Hearings Officer's decision under subsection (a) of this section, or decision granting
9 or denying a variance under SRC 62.597. Review under this subsection shall be
10 initiated prior to the adjournment of the first regular City Council meeting following
11 City Council notification of the decision.

12 **(c) Stay of Decision.** An order of the ~~Director~~ Building Official requiring the
13 removal of a sign under SRC 62.540, SRC 62.560 or SRC 62.570 shall be stayed until
14 a final decision is issued by the Hearings Officer or City Council, as the case may be.
15 No stay shall be provided for an order of the ~~Director~~ Building Official requiring the
16 removal of a sign under SRC 62.550.

17 **(d) Procedures; Scope of Review; Constitutional Issues.**

18 (1) The hearings upon appeal or review shall be conducted using the
19 procedures used for a quasi-judicial land use hearing. The hearing shall be de
20 novo, but shall be limited to the issues stated in the notice of appeal.

21 (2) When an appeal raises an issue involving the application of state or
22 federal constitutional law, the municipal court judge shall resolve the
23 constitutional law issues on an expedited basis. Notice of the hearing before
24 the municipal court judge shall be provided as required by paragraph (1) of
25 this subsection. The court shall conduct a public hearing on the constitutional
26 issues and may allow the reception of evidence. The City Attorney may
27 appear on behalf of the City. Following the hearing, the court shall issue a
28 written opinion on the constitutional issues. The court's decision shall be

1 appealable by either party by writ of review to Marion County Circuit Court.
2 The City Attorney shall have the authority to initiate an appeal of the court's
3 decision on behalf of the City. If no appeal is filed, the Court's decisions shall
4 be binding upon the Hearings Officer, and shall be incorporated into the
5 Hearing's Officer's final decision. If the decision of the Hearings Officer is
6 reviewed by the City Council pursuant to subsection (b) of this section, the
7 City Council shall be bound by any decision of the Court regarding
8 constitutional issues.

9 **(e) Relief Available.** On appeal or review, the Hearings Officer or City Council may
10 affirm, reverse, modify or remand a decision for reconsideration.

11 **Section 21. Repeal.** The following sections are hereby repealed:

12 ~~62.140. Stress.~~

13 ~~(a) All bracing systems of signs shall be designed and constructed to transfer lateral~~
14 ~~forces to the foundations. For signs on buildings, the dead and lateral loads shall be~~
15 ~~transmitted through the structural frame of the building to the ground in such a~~
16 ~~manner as not to overstress any of the elements thereof.~~

17 ~~(b) The overturning moment produced from lateral forces shall in no case exceed~~
18 ~~two-thirds of the dead-load resisting moment. Uplift due to overturning shall be~~
19 ~~adequately resisted by proper anchorage to the ground or to the structural frame of the~~
20 ~~building. The weight of earth superimposed over footings may be used in~~
21 ~~determining the dead-load resisting moment. If used, such earth shall be carefully~~
22 ~~placed and thoroughly compacted.~~

23 ~~(c) The design of wood, concrete, or steel members of signs shall conform to the~~
24 ~~requirements of chapters 25 to 27 of the Uniform Building Code.~~

25 ~~(d) Loads, both vertical and horizontal, exerted on soil shall not produce stresses~~
26 ~~exceeding those specified in chapter 29 of the Uniform Building Code.~~

27 ~~(e) The working stresses of wire rope and its fastening shall not exceed 25 percent of~~
28 ~~the ultimate strength of the rope or fasteners.~~

1 ~~62.150. Wind Loads.~~ Signs shall be designed and constructed to withstand wind loads as
2 set forth in Appendix I, SRC Chapter 62.

3 ~~62.160. Seismic Loads.~~ Signs shall be designed and constructed to resist seismic forces as
4 specified in chapter 23 of the Uniform Building Code.

5 ~~62.220. Information Required on Sign.~~

6 (a) ~~Every sign shall have placed within easy view the following information:~~

7 ~~(1) Name of sign erector;~~

8 ~~(2) Date of erection;~~

9 ~~(3) An approved testing laboratory label for electric signs approved by the State of~~
10 ~~Oregon;~~

11 ~~(4) City permit tag.~~

12 (b) ~~Such information shall be in sufficient size and contrast to be readable from a reasonable~~
13 ~~distance.~~

14 ~~62.170. Combined Loads.~~

15 (a) ~~Wind and seismic loads need not be combined in the design of signs and only that~~
16 ~~load producing the larger stresses need be used.~~

17 (b) ~~Vertical design loads, except roof live loads, shall be assumed to be acting~~
18 ~~simultaneously with the wind or seismic loads.~~

19 ~~62.460. Designated Arterials for Purpose of Sign Regulation.~~ In addition to streets
20 ~~designated as arterial or collector streets in the Salem Transportation System Plan adopted~~
21 ~~under SRC 64.230, the following streets shall be considered as designated arterials for the~~
22 ~~purpose of this Chapter only:~~

23 (a) ~~Those streets included in the area bounded by 13th Street, Mission Street, the~~
24 ~~Willamette River, and "D" Street.~~

25 SRC Chapter 62, Appendix I is hereby repealed.

26 **Section 22. Savings Clause.** Amendments to this Chapter do not affect any applications in effect
27 prior to the effective date of this ordinance, and do not affect any appeals that are pending upon the
28 effective date of this ordinance.

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Section 23. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

Section 24. Emergency Clause. This act being necessary for the immediate preservation of the public peace, health, and safety an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after the date of its passage.

PASSED by the City Council this 28th day of July, 2008.

ATTEST:



DEPUTY City Recorder

Approved by City Attorney: be

Checked by: V. Woods; A. Dixon

G:\Group\legal\Council\062308 Engrossed Sign Code ord.wpd

CITY OF SALEM
PLANNING DIVISION
555 LIBERTY ST. SE ROOM 305
SALEM, OR 97301-3503

DEPARTMENT OF LAND CONSERVATION &
DEVELOPMENT (50)
635 CAPITOL STREET NE, SUITE 200
SALEM, OR 97301-2540