

ORDINANCE NO. 2013-0025

Adopted by the Sacramento City Council

October 8, 2013

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 15.148 OF THE SACRAMENTO CITY CODE RELATING TO SIGN REGULATION

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. Section 15.148.025 of the Sacramento City Code is amended to read as follows:

15.148.025 Message substitution.

A. Subject to the consent of the land owner and the sign owner, a constitutionally protected noncommercial message of any type may be substituted, in whole or in part, in place of any commercial message or any other noncommercial message on a sign if the sign structure or mounting device is legal without consideration of message content. Similarly, an onsite commercial message may be substituted for another commercial message on an on-site sign if the substitution does not also involve a change of the physical structure or mounting device for the sign. Such message substitutions may be made without any additional approval or permitting.

B. The purposes of this section are to prevent any inadvertent favoring of commercial speech over noncommercial speech or of any particular noncommercial message over any other noncommercial message and to allow a change of commercial messages on an on-site sign without a new permit.

C. This section does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted. This section does not allow the substitution of an off-site commercial message in place of an on-site commercial message or the conversion of a sign to general advertising for hire.

D. In addition to message substitution, whenever a parcel has a right to display area that is unused, that area may be used for constitutionally protected non-commercial messages on temporary signs, without permits or approvals; it

may also be used for display of noncommercial messages on permanent structures, if the structure is properly permitted.

E. This section prevails over any more specific provision to the contrary within this chapter.

SECTION 2. Section 15.148.030 of the Sacramento City Code is amended to read as follows:

15.148.030 Sign permit generally required.

Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, install, or relocate, or to direct or order a person in his or her employ to erect, alter, install, or relocate, a sign within the city without first obtaining a sign permit or permits from the chief building official.

SECTION 3. Section 15.148.050 of the Sacramento City Code is amended to read as follows:

15.148.050 Application for a sign permit.

An application for a sign permit must be submitted to the chief building official upon a form provided by the city, must be accompanied by payment of all required fees, and must include the following information and documents:

A. Drawings to scale indicating the sign location, dimensions, and construction; the associated electrical wiring and components; and the method of attachment and the character of structural members to which the sign will be attached. The chief building official may also require that the applicant furnish additional information and documents, prepared by an engineer who is registered under the California Professional Engineers Act, concerning the structural design and proposed attachments.

B. Any permits or other entitlements required under title 17 of this code or required by other governmental entities with jurisdiction (e.g., Caltrans).

C. Any other information and documents the chief building official may need to determine whether the proposed sign complies with all applicable laws and regulations.

SECTION 4. Section 15.148.060 of the Sacramento City Code is amended to read as follows:

15.148.060 Issuance of sign permits.

A. Within 30 days after submission of an application for a sign permit, the chief building official shall do one of the following:

1. If the chief building official determines that the proposed sign complies with all applicable laws and regulations, then the building official shall issue the permit.

2. If the chief building official determines that the application is incomplete or that the proposed sign does not comply with all applicable laws and regulations, then the chief building official shall issue a notice to the applicant that identifies the deficiencies. Within 30 days after receiving the notice, the applicant may correct the deficiencies and resubmit the application without paying any additional fees, and the chief building official shall process the resubmission in the same way that new applications are processed. Only one resubmission is allowed. If the chief building official determines that a resubmitted application is still incomplete or that the proposed sign still does not comply with all applicable laws and regulations, then the application will be deemed denied.

B. An application will be deemed denied if the chief building official does not act on it as required by subsection A.1 or A.2 of this section within 30 days after the application is submitted or resubmitted unless the applicant has waived the 30-day requirement.

C. Every sign permit issued by the chief building official will expire if the work authorized by the permit is not commenced within 60 days after the date of the permit or if the work is suspended or abandoned for 120 consecutive days or more after the work is commenced. Before the work may be commenced or resumed after expiration, a new permit must first be obtained, and the fee therefor will be one-half the amount required for a new permit for the work, except as follows: if changes have been made or will be made in the original plans and specifications for the work, or if the suspension or abandonment exceeds one year, then the fee will be the same as the fee for a new permit.

D. The chief building official may, in writing, suspend or revoke a sign permit whenever the permit is issued on the basis of a material omission or misstatement of fact or in violation of this chapter or any ordinance.

SECTION 5. Section 15.148.090 of the Sacramento City Code is amended to read as follows:

15.148.090 Inspection of signs.

A. A person or entity that erects, alters, installs, or relocates a sign shall notify the chief building official within three business days after completion of the work for which a sign permit or permits have been issued.

B. Upon receiving the notice, the chief building official shall inspect the sign and notify the person or entity that erected, altered, installed, or relocated the sign of any deficiencies. If all identified deficiencies are not cured to the chief building official's reasonable satisfaction within 10 days after the notice of deficiencies, then the chief building official may, in writing, suspend or revoke the sign permit.

SECTION 6. Section 15.148.600 of the Sacramento City Code is amended to read as follows:

15.148.600 Exempt signs generally.

The signs specified in this section are exempt from the other provisions of this chapter, and the display area of such signs is not to be included in the cumulative display area of signs allowed for any parcel, use, or occupancy:

A. Flags. Flags that display messages other than general advertising and are displayed on private property in a manner that complies with section 15.148.620. The cumulative display area of all flags on a parcel, calculated by measuring one side of each flag, may not exceed one square foot for every three linear feet of street frontage.

B. A-Frame Signs. Portable signs that are capable of standing without support or attachment and are hinged or designed to fold up for easy moving by hand, but only if used to display messages other than general advertising and only if displayed in a manner that complies with section 15.148.620 and does not constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. Such signs are generally known as A-frame signs, sandwich signs, or sandwich-board signs and typically resemble the letter "A" but may also resemble the letters "T" (upright or inverted) or "U" or "H." Each person or entity that displays a portable sign on a city sidewalk is solely responsible for all injuries and

damage caused by the sign and shall indemnify the city against all liabilities, claims, demands, damages, and costs arising in any way from the sign.

C. Small Signs. Unilluminated signs that have a display area not exceeding four square feet; display messages other than general advertising; comply with section 15.148.620; and do not constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. The cumulative display area of all such signs on a parcel may not exceed one square foot for each five linear feet of street frontage.

D. Interior Signs. Signs located within the interior of any building or stadium, or within an enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court, or entrance of any theater; provided however, that no sign will be exempt hereunder unless it is designed, located, and intended to be viewed primarily from inside the premises and not from the public right-of-way. All illuminated signs, including interior illuminated signs, require electrical permit.

E. Temporary Signs. Sign that display messages other than general advertising and meet the following criteria are exempt "temporary signs":

1. In any R, A, or OB zone, temporary signs are allowed on a parcel so long as the cumulative display area of all temporary signs on the parcel does not exceed 10 square feet.

2. In any SC, HC, C, or M zone, temporary signs are allowed on a parcel so long as the cumulative display area of all temporary signs on the parcel does not exceed 50 square feet.

3. A temporary sign may not be located within or over the public right-of-way, except as follows: a temporary sign may be placed in that area of public right-of-way between the face of the street curb and the street side edge of the sidewalk (commonly referred to as the planting strip or the mowing strip) so long as the placement of the sign does not violate any provision of this code, including but not limited to chapter 12.28 (relating to obstructions to visibility at intersections), section 12.56.060 (relating to protection of trees), and section 15.148.620 (relating to traffic hazards); does not violate any other law or regulation; and does not otherwise constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties.

4. A temporary sign may be staked in the ground; may be tacked, pasted, or otherwise temporarily affixed to legally existing fences, structures, and buildings; and may be taped, painted, or otherwise temporarily affixed to the interior or exterior surfaces of building windows.

5. A temporary sign may not be illuminated, may not be a roof sign, and may not exceed six feet in height. Temporary signs may not be displayed on a parcel more than a total of 180 days in a calendar year.

SECTION 7. Section 15.148.670 of the Sacramento City Code is amended to read as follows:

15.148.670 Other prohibited signs.

Except as otherwise provided in this chapter, the following signs are prohibited:

- A. Signs that are located on or project over the roof of a building or structure.
- B. Pennants, streamers, bunting, and wind signs.
- C. Sidewalk clocks.
- D. Statues, real or simulated, utilized for advertising purposes.

SECTION 8. Section 15.148.1170 of the Sacramento City Code is amended by adding the following definitions:

“Business Day” means any day the city’s offices located at 300 Richards Boulevard, Sacramento, California, are open to the public.

“Display area” means the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition that forms an integral part of the display and is used to differentiate the sign from the wall or background against which it is placed, excluding the necessary supports or uprights on which the sign is placed. Where a sign has two or more display faces, the area of all faces will be included in determining the area of the sign, except that only one face of a double-faced

sign will be considered in determining the display area, provided that both faces are parallel and the distance between faces does not exceed two feet. Further, where a sign consists only of individual letters, numerals, symbols, or other similar components and is painted on or attached flat against the wall of a building, and where the individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign will be the sum of the areas of the squares or rectangles surrounding each individual sign component.

“General advertising” and “general advertising for hire” mean the enterprise of advertising or promoting other businesses or causes using methods of advertising, in contrast to self-promotion or on-site advertising.

Adopted by the City of Sacramento City Council on October 8, 2013 by the following vote:

Ayes: Councilmembers Ashby, Hansen, McCarty, Pannell, Schenirer, Warren and Mayor Johnson

Noes: None

Abstain: None

Absent: Councilmembers Cohn and Fong

Attest:

Digitally signed by Shirley A. Concolino
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Shirley Concolino, City Clerk

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