



# CITY OF SACRAMENTO

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**DIVISION OF BUILDING INSPECTIONS**  
927-10TH STREET SACRAMENTO, CALIFORNIA 95814  
ROOM 100

March 21, 1980

City Council  
Sacramento, CA

Honorable Member in Session:

Subject: Sign Code Enforcement

## SUMMARY

Full enforcement of the city sign code has not been funded since the adoption of the sign code in 1970. The council approved expenditures of \$62,000 in the 1979-80 budget with the anticipation that the council may want to proceed with full scale enforcement of the sign code during this fiscal year.

There are thousands of non-conforming signs that are existing within the city. Enforcement of the sign code will be a monumental task, requiring four new full time employees plus drawing on supervision from the Building Inspection staff already taxed to its limit by the largest construction boom in the city's history. Although it was not originally requested, we have proposed the hiring of an Administrative Assistant II to administer the program. We have also proposed that the Junior/Intermediate Typist Clerk originally requested for the program be deleted.

This program will probably generate a total number of complaints exceeding those presently received by all other functions of the building inspections program combined. Again, although we have said it before and recognize the City Council has taken preliminary action on this matter, we feel compelled to reiterate that the staff is strongly opposed to the implementation of the program because of the impending financial constraints and other pressing priorities of the city.

## BACK-GROUND:

The City Council adopted the present City Sign Code on April 4, 1970. The following provisions represent the important points of the code:

1. The sign code limits the number of signs permitted on a building and limits the size of signs based upon a formula related to the length of the front of the building facing the street.
2. The code limits the size of pole signs based upon the front footage of the lot.

Office of the City Clerk  
*Referred to  
Bud/Fin Comm*

APR 15 1980

3. Sizes and types of signs permitted are regulated depending upon the planning use zone of the sign location.
4. The sign code describes illegal signs which do not conform to the standards of the ordinance. For example, banners, flags, canvas signs, portable signs, portable signs on vehicles, statues for advertising, exposed neon tubing, and lighting that outlines a building are non-conforming and subject to removal one year after the effective date of the sign code.
5. Animated and moving signs are non-conforming three years after the effective date of the code.
6. Offsite signs, roof signs, excessive window signs, signs in excess of the number specified in the sign code are non-conforming ten years after the effective date of the code (April 4, 1980).
7. The ordinance requires the Director of Inspections to compile a list of non-conforming signs that were in existence on April 4, 1970, and which must be removed or altered to comply with the sign code.
8. The sign code states that owners of the property upon which signs are located, should have been notified in 1970 regarding the appropriate provisions of the code.

The outline of the enforcement procedure would be as follows:

1. Survey all signs other than those specified in #4 above. It is recommended that the survey be separated into segments, each survey segment would deal with a particular class of sign; ie, first would be offsite signs and billboards, second would be pole signs, third would be roof signs, etc.
2. Upon completion of each segment of the survey, owners of those signs would receive notice that their sign would be required to be removed after a reasonable length of time. The time of removal would be two years for offsite signs and billboards and one year for other types of signs. Banners, streamers, "A" frame signs, exposed neon tubing and similar signs could have as little as ten days to be removed.

It should be brought to your attention that since January 1, 1980, the Building Division has utilized a portion of the funds allocated for sign code enforcement in the 1979-80 budget to strictly enforce the code for new signs. We are pre-checking the proposed site to be assured the sign to be installed will be permitted, and also, following through on a final inspection after the sign is installed. We are also conducting final inspections on all signs issued since the adoption of the sign code.

The procedure for abating a sign that is in violation of the ordinance is as follows:

1. Obtain owners name from assessment roll.
2. Notify owners of non-conforming sign and of date of required removal. See exhibit A

3. Send second notice of removal which states unless the sign is removed within ten days, the sign will be removed by the city. See exhibit B
4. An appeal may be filed with the City Planning Commission within 10 days of the mailing of notices.
5. The appeal will be heard by the Planning Commission or by a committee of the Planning Commission to be called the Sign Code Appeals Board.
6. Any sign removed by the city becomes the property of the city.
7. The cost of removal is considered a debt owed to the city by the sign owner and may be recovered by the city by appropriate action. If the costs are assessed against the property, a hearing to confirm the costs will be held before the city council.

A time table is attached which indicates a proposed time frame for the program. Particular note should be made of the fact that major sign removal will not commence until November of 1982. Minor signs, although numerous in number, should be removed starting January 1, 1981.

#### DISCUSSION:

The ordinance directs the Building Division to notify the owners of non-conforming signs of their status and that the signs must be removed in one year, three years, or ten years depending on the type of sign. The city attorneys office feels that even though the one to ten year "grace" periods for non-conforming signs has expired, the city does have an obligation to give sign owners a reasonable notice to bring signs into conformance prior to compelling them to remove the signs. A second notice giving owners ten days to remove their signs will be sent after the appropriate time period has expired. Appeals to this notice to remove are appealable to the Planning Commission or a committee of the Planning Commission.

It should be recognized that appeals will be numerous. It should also be recognized that the numbers of signs that will be physically removed by the city will also be numerous. The process of physically abating code violations on private property (sub-standard building, abandoned auto, or sign) is a difficult procedure. These actions often invite threats of violence from property owners requiring the assistance of police officers.

We expect to receive much resistance from sign owners while enforcing this ordinance. People who have obtained permits for signs in years prior to the adoption of this ordinance will be very upset at having to remove that sign. People who have a general disregard for government authority will be difficult to handle during abatement procedures. We expect resistance from major billboard owners through legal action. We have asked the City Attorney to forward to you his comments on this program.

The enforcement of the sign ordinance will necessitate the involvement of a great deal of management time from the Building Division to see that it is

undertaken properly. The field staff on the program will be new employees who will not be familiar with enforcement procedures. The sign code has a real value for the community if handled correctly. If handled poorly, it will be very difficult to pick up the pieces in the future to get the program to work.

FINANCIAL:

New staff would be needed to enforce the sign code. It is estimated that three Field Representative I's, a CETA clerk, and an Administrative Assistant II to head up the program would be needed. Present income due to sign permit fees is approximately \$10,000 per year. It is projected that active enforcement will double this figure.

The present Building Division office space at 927 - 10th Street, Rm. 100, is hardly large enough for five more employees, therefore, additional space will need to be leased.


Cost breakdown of the sign enforcement program is as follows:

3 Field Representatives . . . . .	\$ 48,282.
1 Administrative Assistant II . . . . .	25,356.
Furniture . . . . .	2,000.
Automobiles . . . . .	4,500.
Office Space . . . . .	4,500.
Equipment . . . . .	<u>2,000.</u>
	TOTAL \$ 86,638.
Revenue from Sign Permits . . . . .	<u>20,000.</u>
New Cost of Program	TOTAL \$ 66,638.


RECOMMENDATION:

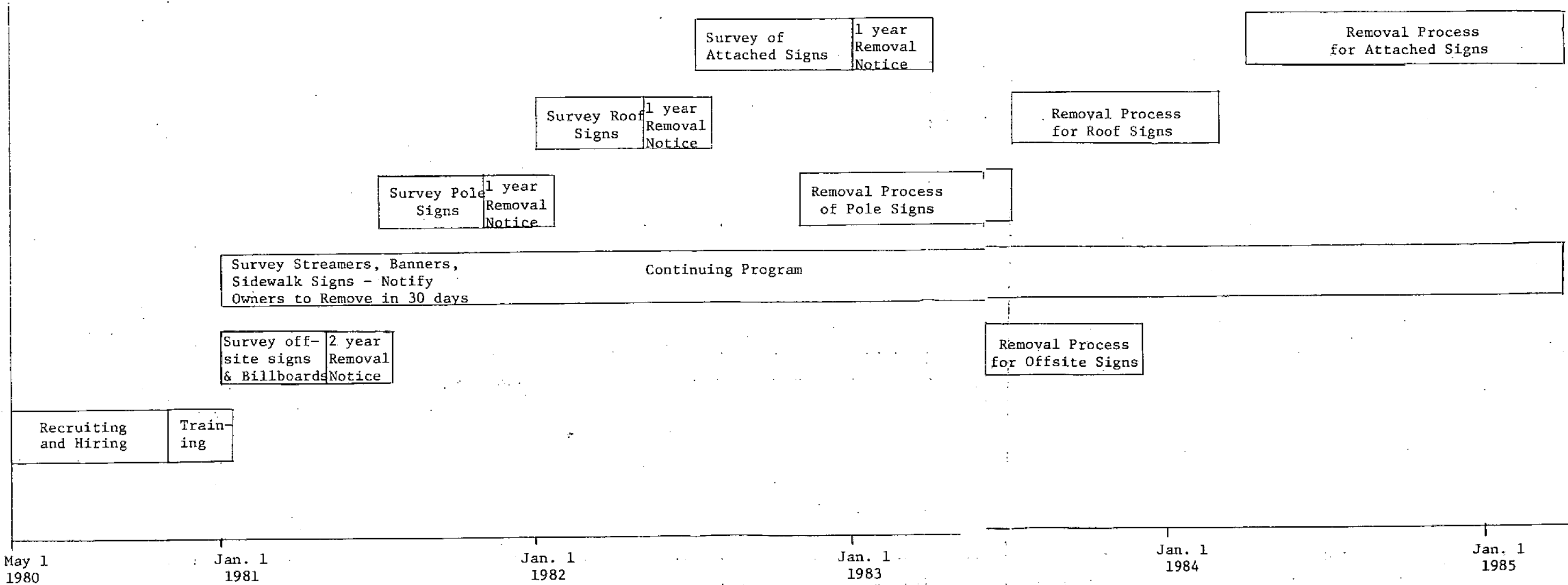
The staff does not recommend the implementation of the sign program. In the event that the City Council wishes to proceed, and since the program will be difficult and controversial, it should be staffed and operated as we have outlined above in order to achieve an efficient and effective program.

Respectfully submitted,

  
\_\_\_\_\_  
Tim Sullivan  
Director, Building Inspections Div.

Recommendation Approved:

  
\_\_\_\_\_  
Walter Slipe  
City Manager



May 1  
1980

Jan. 1  
1981

Jan. 1  
1982

Jan. 1  
1983

Jan. 1  
1984

Jan. 1  
1985

CITY OF SACRAMENTO  
 BUILDING INSPECTIONS DIVISION  
 927 - 10th Street - Suite 100

NOTICE OF NONCONFORMING SIGNS

TO:

DATE:

Served As: \_\_\_\_\_

You are hereby notified that the sign located at

(Parcel No. \_\_\_\_\_) which is approximately  
 \_\_\_\_\_ X \_\_\_\_\_ in size and containing the  
 following wording: \_\_\_\_\_  
 is in violation, to wit:

- No sign permit was obtained prior to erection.
- Sign has not been approved by Planning Commission.
- Sign has not been approved by Architectural Advisory Committee.
- Sign exceeds allowable projection over public right of way.
- Sign is below the minimum height permitted above a public way.
- Sign exceeds the maximum area permitted.
- Sign is not constructed with noncombustible or fire retardant materials.
- Sign has been altered through a change of copy of message.
- Sign does not comply with City Building Code requirements.
- Sign does not comply with Electrical Code requirements.
- Sign is not braced or anchored properly.
- Sign does not comply with the set back requirements.
- Sign has been abandoned.
- Sign constitutes a traffic hazard.
- Signs are not permitted on public areas.
- Animated and intensely lighted signs are not permitted.
- Moving signs are not permitted.
- Identification tag not affixed to sign.
- Located in a zone where not permitted.
- Other: \_\_\_\_\_

For reason or reasons checked above, the sign is declared to be a nonconforming sign and must be removed or made to comply\* with the City Sign Ordinance (No. 2868 - 4th Series), by \_\_\_\_\_

D. T. Sullivan  
 Director,  
 Building Inspections Division

\_\_\_\_\_  
 M. Calloway  
 Building Inspector  
 Condemned Buildings

\*Any alteration, repair or relocation of this sign requires a sign permit before performing such work.

Applications for sign permits may be obtained from the Building Division, Suite 100, 927 - 10th Street, prior to the issuing of a sign permit, complete plans and a picture or diagram of the sign must be approved by Planning Department.

PLEASE CONTACT ASSISTANT PLANNER RANDOLPH LUM, PLANNING DEPARTMENT,  
 915 I STREET, ROOM 308, PHONE: 449-5604.

CITY OF SACRAMENTO  
 Building Inspections Division  
 927 - 10th Street - Suite 100

NOTICE TO REMOVE ILLEGAL SIGN(S)

TO: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Served As: \_\_\_\_\_

You are hereby notified that the sign(s) located at \_\_\_\_\_  
 is (are) illegal for the following reasons:

You are further notified that if said sign(s) is (are) not removed or the violation corrected within ten (10) days of the date written above, the sign(s) shall be removed by the Director of Building Inspection in accordance with the provisions of Section 3.184 and 3.185 of the Sacramento City Code.

Any sign(s) removed by the Director of Building Inspections pursuant to these provisions shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. The cost of removal of the sign(s) by the City shall be considered a debt owned to the City by the owner of the sign(s) and the owner of the property; and may be recovered in an appropriate court action by the City or by assessment against the property. The cost of abatement or removal shall include any and all incidental expenses incurred by the City in connection with the sign(s) abatement or removal.

Any person having an interest in the sign(s) or the property may appeal the determination of the Director of Building Inspections ordering removal of the sign(s) or correction of the violation by filing a written notice of appeal with the City Planning Director within ten (10) days of the date written above.

If you wish to correct the violation, it will be necessary to obtain a sign permit from the Director of Building Inspections. If you have any further questions, you are directed to contact the undersigned at 927 - 10th Street, or call 449-5716.

D. T. Sullivan  
 Director of Building Inspections Div.

By \_\_\_\_\_  
 M. Calloway  
 Building Inspector  
 Condemned Buildings