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17.114.010 Purpose. This chapter is being adopted to protect the health, safety, property, and welfare of the public; provide a neat, clean, orderly, and attractive appearance of the community; improve the effectiveness of signs; provide for safe construction, location, erection, and maintenance of signs; prevent proliferation of signs and sign clutter; and minimize adverse visual safety factors to travelers on public highways and private areas open to public travel. To achieve this purpose it is necessary to regulate the design, quality of materials, construction, location, electrification, illumination, and maintenance of signs that are visible from public property, public right-of-ways, and private areas open to public travel. This chapter shall be construed to carry out this purpose. (Ord. 863, 2017)

17.114.015 Definitions. For purposes of this chapter, certain terms, phrases, and words shall be construed as follows: Words used in the present tense include the future; the singular tense includes the plural and vice-versa; the word "shall" is always mandatory and the word "may" is discretionary; and the masculine gender includes the feminine and vice-versa. The following terms shall mean:

A-Frame Sign. A double-faced portable sign constructed with an A-shaped frame, composed of two sign boards attached at the top and separate at the bottom. A frame signs shall not be permanently attached to the ground, but secured to the ground or sufficiently weighted to prevent the sign from being blown from its location or easily moved.

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Awning. A shelter projecting from, and supported by, the exterior wall of a building on a supporting framework. The awning may be constructed of rigid or non-rigid materials.

Banner Sign. A sign made of fabric or other non-rigid material with no enclosing framework and not qualifying as a flag.

Bench Sign. A sign on an outdoor bench.

Boundaries of the Site. The area inside the legal lot lines of a site and does not include any property in a public right-of-way.

Business. Any profession, trade, occupation, shop and every type of calling where a charge is made for goods, materials or services.

Direct Illumination. A standalone light acting as a sign to attract attention, or exposed lighting or neon tubes on the sign face.

Directional Sign. A sign located within the boundaries of a site and near areas where pedestrians, cyclists, or vehicles travel, and that is intended to inform people of what direction to travel.

Electronic Display Signs. Signs, displays, devices, or portions thereof with lighted messages that change at intermittent intervals by electronic process or remote control.

External Illumination. The light source is separate from the sign and is directed so as to shine on the sign.

Flags. Any fabric containing colors, patterns, words or symbols, typically oblong or square, attachable by one edge to a pole or anchored at only two corners. If any dimension is more than three times as long as any other dimension, it is classified and regulated as a banner regardless of how it is anchored or supported.

Freestanding Sign. A sign on a frame, pole, or other support structure that is not attached to any building.

Gross Wall Area. The entire area encompassed by the plane of a wall, including windows and doors.

Height. The vertical distance measured from grade to the highest point of the sign or sign structure.

Historical Marker. A plaque or sign erected and maintained on property, a building, or structure by an organization that is recognized for routinely identifying sites, buildings, or structures of historical value.

Internal Illumination Lighting. The light source is concealed within the sign.

Lighting. Direct, external, or internal illumination.

Maintenance. Normal care needed to keep a sign functional such as cleaning, oiling, and changing light bulbs.

Permanent Banner Sign. Any banner sign that is not allowed as a temporary sign or that does not qualify as an exempt sign under section 17.114.025 of this chapter.

Permanent Sign. A sign attached to a building, structure, or the ground in a manner requiring a permit, and made of materials intended for more than short term use including, but not limited to, freestanding signs, wall signs, and awning signs.

Portable Sign. A sign that is freestanding in design, easily movable, made of durable material as opposed to non-durable material such as cardboard, paper, fabric or pliable plastic, and is not affixed to the ground or to any part of a building.

Projecting Sign. A sign, other than a wall sign, that projects from, and is supported by, a roof or wall of a building or structure and is generally at right angles to the building.

Right of Way. A public or private area that allows for the passage of people or goods. Right-of-way includes passageways such as freeways, streets, bike paths, alleys, and walkways. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under the control of a public agency.

Readerboard Sign. Sign on which a message copy can be changed manually, in the field, through the utilization of attachable letters, numbers, symbols and other similar characters or changeable pictorial panels.

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Repair. Mending or replacing broken or worn parts with comparable materials. Repairs may be made with the sign in position or with the sign removed.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other minor projections.

Roof Sign. Any sign erected upon or over the roof of any building or structure.

Searchlights. An apparatus on a swivel that projects a strong, far-reaching beam of light.

Sign. Any materials placed or constructed so they can be viewed from a right-of-way or another property and that conveys a message or image, and includes the sign structure, display surface, and all component parts of a sign.

Sign Copy. The message or image conveyed by a sign.

Sign Face Area. The total display surface area of the sign. When the dimensions of a sign are specified, the term includes the frames or cabinets surrounding a sign; the electronic message center; any base material or supporting structure, unless none of the base material or supporting structure is related to the message or image being portrayed in the sign; and all individual pieces or panels that, when placed together, convey a message or image.

Site. The area, tract, parcel, or lot of land owned by, or under the lawful control of, one distinct ownership. Abutting platted lots under the same ownership shall be considered one site.

Street Frontage. Street(s), or public right(s)of-way parallel to the property line used to compute the area of sign(s) intended to be located as to have primary exposure on that street or right-of-way.

Structurally Altered. Any work, except maintenance work, that alters or changes the size, shape, or height of a sign. Also includes replacement of sign structure materials with other than comparable materials, for example, metal parts replacing wood parts.

Supporting Structure. A structure specifically intended for supporting or containing a sign.

Temporary Sign. A sign that is not permanently attached to a building, structure, or the ground, and that is not intended or designed to be placed permanently.

Wall Sign. A sign that is attached to, and extended no more than within 12-inches from a wall, or painted on a wall, of a building.

Window Sign. A sign located in the inside display area of a business window. (Ord. 863, 2017)

17.114.020 General Provisions. All signs in the City of Scappoose including those exempt from obtaining a sign permit, shall comply with the height limits of the underlying zone, general provisions of this section and, where applicable, with the provisions of sections 17.114.025 through 17.114.055 inclusive. Signs shall not be restricted by content.

A. Permits Required. Except as provided in section 17.114.025, Sign Permit Exemptions, of this chapter, a permit is required to erect, replace, construct, or alter the location or structure of a sign. A permit shall be issued by the Planner if the applicant files an application, filing fee, and plans which demonstrate full compliance with all provisions of this chapter and other applicable city regulations. Application for a sign permit is processed according to 17.162.

B. Sign Maintenance. All signs shall be maintained in a safe condition. Maintenance and repair of a sign, including change of sign copy, shall not require a sign permit. All signs that are damaged and pose a danger to the public shall be repaired or removed.

C. Location.

1. Except as otherwise provided in this chapter, all signs shall comply with the building setback requirements of the underlying zoning district. The setback requirement for a freestanding sign shall be measured from the signboard.

2. All signs shall be located entirely within the boundaries of a site unless specifically authorized by this chapter.
3. All signs must be installed in compliance with Chapter 12.10, Visual Clearance Areas, of the municipal code, as well as the regulations of this chapter.

D. Construction. All signs shall comply with the applicable provisions of the current Oregon State Structural Specialty Code, except as otherwise provided in this chapter.

E. Lighting. Except as otherwise provided in this chapter, signs may be externally, internally, or directly illuminated, subject to the following:

1. Lighted signs shall be placed, shielded, or deflected so as not to shine into residential dwelling units or structures, or impair the vision of the driver of any vehicle.
2. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device and/or signal.
3. Flashing lights or similar devices as well as traveling light patterns ("chaser effect") are prohibited. Changing of electronic display signs are not considered a traveling light pattern.
4. All externally illuminated signs that measure seven feet or more from the ground level to the top edge of the sign face shall be illuminated from above.
5. Searchlights are prohibited.
6. Electronic display signs are permitted only as provided in Section 17.114.050.
7. When neon tubing is employed on the exterior or interior of a sign, the capacity of such tubing shall not exceed 300-milliampere rating for white tubing or 100-milliampere rating for any colored tubing.

8. When fluorescent tubes are used for interior illumination of a sign such illumination shall not exceed 800-milliampere rating tubing behind a sign face spaced at least nine inches, center to center.
9. No direct illumination larger than 250 lumens shall be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.

F. Sign Face Area. The sign face area shall be determined as follows:

1. The sign face area of signs enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face. The sign face area does not include foundations, supports, or other essential structures that are not related to the message and images being posted in the sign.
2. When a sign is on a base material and attached without a frame, the dimensions of the base material are to be used unless it is clear that the base is not related to the message or image being posted in the sign.
3. When signs are constructed in individual pieces attached to a building wall, sign face area is determined by a perimeter drawn around all the pieces.
4. For sign structures containing multiple panels oriented in the same direction, the panels together are counted as one sign face.
5. The maximum surface area visible at one time, of a round or three-dimensional sign, is counted to determine the sign face area.

6. When signs are incorporated into awnings, the entire panel containing the sign is counted as the sign face area unless it is clear that part of the panel is not related to the message or image being posted in the sign.

G. No sign shall distract a driver, or cause a safety hazard.

H. No sign shall be placed in the public right-of-way unless written permission from the City Manager is granted. Any sign located on a utility pole, street light pole or traffic-control standard poles, street tree, or otherwise located in the public right-of-way or city-maintained areas adjacent to the public right-of-way without written approval of the City Manager shall be removed immediately and without notice. (Ord. 863, 2017)

17.114.025 Sign Permit Exemptions. The following signs are allowed in all zoning districts without a sign permit:

A. Public signs constructed or placed in a public right-of-way by, or with the approval of, a governmental agency having legal control or ownership of the right-of-way; signs owned or constructed by the City; signs required by the Fire Department for identification of buildings; signs required by law including, but not limited to, hearing notices; and signs placed in or near a right-of-way by a public utility in response to a hazard or danger to the public.

B. Directional signs, provided that freestanding directional signs shall not exceed 5 feet in height and 15 square feet in area on one sign face.

C. A single sign or historical marker not to exceed 4 square feet cut into the surface or the facade of a building, or permanently attached and not projecting more than two inches.

D. Signs located in the interior of any building, or within an enclosed lobby or court of any building or group of buildings, that are designed and located to be viewed exclusively by patrons of such use or uses.

E. Painted areas on a wall that are designed and intended as a decorative or ornamental feature, or to highlight a building's architectural or structural features.

F. Window signs as a part of the inside display area of a business, provided the window sign does not involve use of flashing or blinking lights.

G. Signs not exceeding one and a half square feet (1.5 ft²) in size and affixed to or displayed from a residential dwelling unit.

H. Holiday lights and decorations.

I. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively is five square feet or less in sign face area.

J. Flags less than 24 square feet in size measured border to border.

K. Bench Signs so long as the bench sign doesn't exceed 15 square feet, are within 20 feet of an established public transit stop, or within a commercial or industrial zone. Bench signs shall not interfere with a right of way.

L. Temporary signs given they adhere to the size requirements detailed in Section 17.114.035 and 17.114.040. (Ord. 863, 2017)

17.114.030 Prohibited Signs. The following signs are prohibited and shall be considered nuisances:

A. Any sign constructed, erected, replaced, altered, repaired, or maintained in a manner not in compliance with this chapter.

B. Permanent banner signs.

C. Roof signs.

D. Signs in public right-of-ways other than public signs installed or authorized by a governmental agency or public utility.

E. Signs placed or painted on a motor vehicle or trailer that is parked with the primary purpose of providing a sign not otherwise allowed by this chapter.

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F. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively exceeds five square feet in the sign face area.

G. Any sign that is not exempt, not a lawful nonconforming sign, or that was not erected, constructed, or placed in accordance with a permit.

H. Signs attached to a tree. (Ord. 863, 2017)

17.114.035 Signage within Residential Zones. In addition to exempt signs regulated by section 17.114.025, this section specifies the allowed signs on all land within the R-1, R-4, MH, and A-1, zoning districts, and on any site within the Downtown Overlay District, C, and EC zoning districts where the use of the land is characterized as residential.

A. Freestanding Signs

1. Maximum sign area, on one sign face, shall not exceed 32 square feet.
2. Height shall not exceed six feet.
3. Freestanding signs shall not be illuminated.
4. One freestanding sign is allowed per street frontage.

B. Temporary Signs

1. Maximum sign area for 1 or more temporary portable sign(s) or temporary freestanding signs shall not exceed 15 square feet, per property. Maximum sign area for a temporary banner shall not exceed 32 square feet.
2. Temporary signs may not be placed more than 60 days before an event and shall be removed within 7 days after the conclusion of the event.
3. Temporary signs shall not be illuminated.

C. Readerboard.

1. A permanent readerboard may be incorporated into any one, of the above permitted signs provided the readerboard assembly is integral to the sign, does not exceed 40 inches in height and constitutes no more than 60 percent of the face of the sign. (Ord. 863, 2017)

17.114.040 Signage within Commercial and Industrial Zones. In addition to exempt signs regulated by section 17.114.025, the provisions of this section regulate other allowed signs on all land zoned C, EC, LI, HI and PUA and any site zoned R-1, R-4, MH, and A-1, where the use of that land is characterized as commercial, industrial, or institutional.

A. Freestanding Signs

1. A freestanding sign may not exceed 1.5 square feet of sign area per linear foot of site frontage, provided the maximum sign face area is not more than 150 square feet per face. For calculation purposes, corner signs that face more than one street shall be assigned a site frontage by the applicant. For calculation of leased premises, the frontage shall be the tenant's frontage.
2. Height shall not exceed 24 feet.
3. Illumination may be internal, external, or direct.
4. One freestanding sign is allowed per street frontage.

B. Wall Signs

1. Maximum sign face area shall not exceed ten percent (10%) of the gross wall area of each wall to which the sign is attached or painted. In calculating maximum allowable area for a wall sign, each face of a building shall include all window, door, and wall area.
2. Where two or more uses are located in the same building, the maximum permitted area for all signs may be divided among the uses. A separate wall sign or a joint-use wall sign may be erected, provided that the maximum allowable sign area shall not be exceeded.
3. The maximum sign area for an individual wall may be distributed among any number of wall signs.
4. The wall sign shall be attached to the wall of the building, shall leave no part of the sign extending above the roofline of the building, and shall be designed as an integral component of the building design.
5. No wall sign shall project more than 12 inches from the wall to which it is attached.
6. Illumination may be internal, external, or direct.

C. Awning Signs

1. Maximum sign area shall not exceed twenty percent (20%) of the awning area.
2. The sign shall be integrated into the design and material of the awning on which it is located.
3. Illumination may be external only.

D. Temporary Signs

1. Maximum sign area for a temporary portable sign, wall sign, or freestanding sign, on one face, shall not exceed 32 square feet. Maximum sign area for a temporary banner shall not exceed 48-square feet.
2. One temporary sign is allowed per street frontage.
3. Temporary signs may not be placed more than 60 days before an event and shall be removed within 14 days after the conclusion of the event.
4. Temporary signs may not be illuminated.

E. Projecting Signs

1. The maximum sign face area, for an individual projecting sign, shall not exceed four square feet per face.
2. The lowest portion of a projecting sign shall be no less than eight feet above the ground beneath the sign.
3. Projecting signs may not be illuminated.
4. One projecting sign allowed per business.

F. Portable Signs

1. The sign shall be displayed only during the business hours of the business for which it is permitted.
2. The maximum sign face area on one sign face, or the cumulative area of multiple sign faces when there is more than one sign face, shall not exceed ten square feet.
3. The top of the sign shall not exceed six feet above the ground, except that A-frame signs shall not exceed four feet in height.
4. The sign shall be located within the boundaries of the site where the business occupant is located.
5. Portable signs may not be illuminated.
6. One portable sign is allowed per business.

G. Readerboard

1. A permanent readerboard may be incorporated into any one, of the above permitted signs provided the readerboard assembly is integral to the sign, does not exceed 40 inches in height and constitutes no more than 60 percent of the face of the sign. (Ord. 863, 2017)

17.114.050 Electronic Display Signs.

- A. Electronic display signs shall be allowed only in commercial and industrial zones, subject to the provisions of this chapter.
- B. One electronic display sign shall be allowed per site.
- C. The message on an electronic display sign shall change no more than once every ten seconds for signs with an electronic sign face of four square feet or less, and no more than once every two minutes for signs with an electronic sign face greater than four square feet.
- D. Electronic display signs may not be substituted for a nonconforming sign or mounted upon a nonconforming sign or sign structure, unless the sign and sign structure are brought into compliance with all of the provisions of this title.
- E. Lumination.
 1. An electronic display sign may not have a nighttime (dusk to dawn) lumination intensity of more than 1000 (nits) and shall not have a daytime (dawn to dusk) lumination intensity of more than 8000 (nits) over ambient light conditions.
 2. The sign shall have a mechanism that automatically adjusts the lumination level to comply with the standards in this section.
- F. Electronic display signs shall be equipped with a means to immediately turn off the display when it malfunctions. The party owning or controlling an electronic display sign shall turn off the sign or lighting within four hours of being notified by the Planner or designee that it is not in compliance with the standards of this section. (Ord. 863, 2017)

17.114.055 Nonconforming and Abandoned Signs. All signs erected after the effective date of this title, which are in violation of any provisions of this chapter are declared to be a public nuisance and, shall be removed or brought into conformance upon written notice by the City Manager or their designee.

A. Signs that have been lawfully erected prior to the date this code is adopted that do not conform to the regulations of this chapter are nonconforming signs and may continue to exist, subject to the following provisions:

1. No additions or enlargements may be made to a nonconforming sign except those additions or enlargements that are required by law.
2. Signs that are moved, replaced, or structurally altered shall be brought into conformance with this chapter.
3. A nonconforming sign that is damaged shall not be repaired if the estimated expense of repairing the sign exceeds 50% of the replacement cost of the sign as of the day before the sign was damaged. A damaged nonconforming sign that cannot be repaired shall be removed within 60 days of the date the sign was damaged.
4. Whenever a nonconforming sign is damaged and the estimated cost to repair the sign is 50% or less of its replacement value as of the day before the sign was damaged, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, if such repairs and restoration are started within 60 days of the date the sign was damaged and are diligently pursued thereafter.

B. A sign shall be deemed abandoned when:

1. The site where the sign is located has been vacated for a period of 60 days or more;
2. The sign does not have a message or image on the sign face area for a period of 60 days or more; or
3. The sign has been damaged and there has not been diligent progress in making repairs for a period of 60 days or more.

- C. If a sign is abandoned the Planner shall send notice to the property owner via regular and certified mail, return receipt requested, stating that the sign has been abandoned and must be removed.
1. The notice shall direct that the sign be removed by a specified date and shall inform the property owner of the basis for concluding that the sign has been abandoned. The notice shall also inform the property owner of their appeal rights.
 2. A property owner who disagrees with the Planner's determination that a sign has been abandoned may appeal the Planner's notice by filing a written appeal with the Planner within ten days of the date on the notice.
 3. The appeal shall identify the notice that is being appealed and explain why the Planner's determination is wrong.
 4. Upon timely receipt of an appeal, the Planner shall process the appeal in accordance with Chapter 17.162 of this code.
- D. If the abandoned sign is not removed by the specified date in the City Manager or their designee's notice and the property owner has not requested an appeal, or if the sign is not removed within the time specified in the decision rendered following the appeal, the City Manager or their designee shall cause the sign to be removed. The cost of removal shall be entered by the City Recorder on the docket of City liens against the property owner, and shall be collectible in the same manner as liens for public improvements. (Ord. 863, 2017)

17.114.060 Enforcement of Permanent Signs. Signs that violate the provisions of this Chapter are deemed a public nuisance. The City Manager or their designee may take any one or more of the following actions to enforce this Chapter: seek a fine pursuant to Chapter 17.24.030, declare the sign a nuisance and proceed pursuant to Municipal Code Chapter 8, seek declaratory and injunctive relief, revoke the sign permit or any other action authorized by law. (Ord. 863, 2017)

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17.114.065 Enforcement of Temporary Signs. Enforcement of temporary signs not conforming to regulations of this chapter shall be subject to the following provisions:

A. In addition to bringing an action for a violation pursuant to Chapter 17.24, for signs located on public utility poles, street trees, traffic sign poles, or public property, the City Manager or their designee shall cause the sign to be immediately removed without notice.

B. For temporary signs located on privately-owned property in violation of this chapter, in addition to the enforcement actions in this section, the City Manager or their designee may bring an action for abatement in accordance with Chapter 8 of the Scappoose Municipal Code. (Ord. 863, 2017)