

ORDINANCE NO. 11000 MAR 6 1973
(New Series)

AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER X, ARTICLE 1, BY ADDING DIVISION 11, CITY-WIDE ON-PREMISES SIGN REGULATIONS FOR COMMERCIAL AND INDUSTRIAL ZONES AND ADDING THERETO CERTAIN SECTIONS; AND BY AMENDING CHAPTER IX, ARTICLE 5, BY REPEALING SECTIONS 95.0101 THROUGH 95.0136 AND ADDING CERTAIN OTHER SECTIONS, ALL RELATING TO SIGNS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be amended by adding Division 11 and certain sections to read as follows:

DIVISION 11

CITY-WIDE ON-PREMISES SIGN REGULATIONS
FOR COMMERCIAL AND INDUSTRIAL ZONES

SEC. 101.1100 SAN DIEGO ON-PREMISES SIGN ORDINANCE

A. DESCRIPTION OF ORDINANCE

An ordinance relating to on-premises signs visible from public rights-of-way, prescribing regulations and standards, providing for administration and procedures, requiring licenses and the payment of fees, listing material specifications and providing for penalties.

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MAY 1 1978

02191

B. PURPOSE OF ORDINANCE

This ordinance establishes the legal framework for a comprehensive system for the regulation of on-premises signs. It presents a set of reasonable, non-arbitrary, and non-discriminatory standards and controls, which are designed to optimize communication between the citizen and his environment, to facilitate the protection not only of the public, but the aesthetic character of the City, and to ensure the availability to the business community of adequate quality on-premises signs.

C. SHORT TITLE

This ordinance shall be known as "The On-Premises Sign Ordinance."

SEC. 101.1101 DEFINITIONS

SEC. 101.1101.1 ADMINISTRATOR

The Sign Code Administrator who shall be the Building Official or a designated representative.

SEC. 101.1101.2 ANIMATED SIGN

Any sign which includes action or motion or the optical illusion of action or motion, or color changes of all or any part of the sign facing, requiring electrical energy, or set in motion by movement of the atmosphere.

Animated signs are prohibited except when an on-premises sign is constructed utilizing the polarization of fluorescent

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MAY 1 1978

11000

light by the placement of polarized light-wave filters, similar to the glare reducing light-wave filters utilized in sunglasses. Light-wave filters may rotate within the following maximum limits: Message area - limit to 9rpm; pictorals - limit to 50rpm. Copy area on such signs shall be computed with all animated parts included.

SEC. 101.1101.3 ANNEXED LAND

Any land annexed to The City of San Diego.

SEC. 101.1101.4 ARCHITECTURAL PROJECTION

Any projection not intended for occupancy which extends beyond the face of an exterior wall, not including signs.

SEC. 101.1101.5 AWNING

A temporary shelter supported entirely from the exterior wall of a building and composed of non-rigid material except for the supporting framework.

SEC. 101.1101.10 BACKGROUND AREA

The entire area of a sign on which copy could be placed.

SEC. 101.1101.11 BANNER SIGN

A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.

SEC. 101.1101.12 BOARD

The Sign Code Board of Appeals.

MICROFILMED
MAY 1 1978

11000

02193

SEC. 101.1101.13 BOARD OF APPEALS

The Sign Code Board of Appeals.

SEC. 101.1101.14 BUILDING

A structure for the shelter, support, or enclosure of persons, animals or chattel.

SEC. 101.1101.15 BUILDING FACE OR WALL OR FACADE

All windows, wall and door area of a building in one plane of elevation.

SEC. 101.1101.16 BUILDING FRONTAGE

The linear length of a building facing the right-of-way, or the linear length of the right-of-way facing the building, whichever is smaller.

SEC. 101.1101.17 BUILDING IDENTIFICATION SIGN

Any sign identifying a building by name or symbol only.

SEC. 101.1101.18 BUILDING OFFICIAL

The Director of the Building Inspection Department or a designated representative.

SEC. 101.1101.19 BUSINESS IDENTIFICATION SIGN

Any sign identifying by name or symbol the business, the operation of the business and/or the merchandise or service available at the property on which the sign is placed.

MICROFILMED

MAY 1 1978

11000

02194

SEC. 101.1101.21 CHANGEABLE COPY SIGN

A sign on which message copy can be changed through use of attachable letters and numerals or by electronic switching of lamps or illuminated tubes, including public service sign message displays or any sign which features automatic switching, such as time and temperature signs.

SEC. 101.1101.22 CITY

The City of San Diego, California.

SEC. 101.1101.23 COMMISSION

The City Planning Commission.

SEC. 101.1101.24 COMPREHENSIVE SIGN DESIGN PLAN

Building design and signs integrated into one architectural plan. The comprehensive plan must be complete in all other building, structural, and electrical requirements. Area of sign is determined by calculating the copy area of the individual signs.

SEC. 101.1101.25 COPY AREA

The area in square feet of the smallest geometric figure which can be described so as to enclose the actual copy of a sign. For illuminated signs, the entire illuminated face is to be considered the copy area. The copy area of a projecting sign is calculated on one face of the sign only.

MICROFILMED
MAY 1 1978

11000

SEC. 101.1101.26 COUNCIL

The City Council.

SEC. 101.1101.30 DIRECTIONAL SIGN

Any sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed.

SEC. 101.1101.31 DIRECTLY ILLUMINATED SIGN

Any sign designed to give artificial light.

SEC. 101.1101.32 DIRECTORY SIGN

Any sign listing the names, and/or use, and/or location of the various businesses or activities conducted within a building or group of buildings.

SEC. 101.1101.40 ELECTRIC SIGN

Any sign which has electrical wiring in, on, or attached to it.

SEC. 101.1101.41 EMBELLISHMENT

Letters, figures, characters or representations in cutouts or irregular forms or similar ornamentation attached to or superimposed upon outdoor advertising signs.

SEC. 101.1101.42 ENTRANCE CANOPY

A temporary shelter entirely or partially self-supporting and attached to the exterior wall of the building.

MICROFILMED

MAY 1 1978

11000

SEC. 101.1101.43 ERECT

To build, construct, attach, hang, place, inscribe, suspend or affix, and shall include the painting of wall signs.

SEC. 101.1101.44 EXEMPTED UNDER FLASHING SIGNS

Time-temperature and electronically controlled or remotely controlled signs are not to be considered flashing signs. The entire illuminated background in such signs should be calculated as copy area or square footage area for the signs permitted under this ordinance. Any additional copy area is to be added to the illuminated background in such signs to determine the area of the sign.

SEC. 101.1101.48 FIELD FABRICATED SIGN

An electrical sign which cannot be completely constructed in the factory and so cannot be labeled by Underwriters' Laboratory.

SEC. 101.1101.50 FACE LIFT

The designing or redesigning of a building's frontage which is adjacent to a public right-of-way so that the building materials, door frames, window frames, and signs are integrated into one unit, allowed only if the new front does not project more than four inches over the public space. Area of the signs for the building herein is the area within a line drawn around each of the sign's copy area.

MICROFILMED

MAY 1 1978

11000

SEC. 101.1101.51 FACE OF SIGN

The entire area of a sign on which copy could be placed.

SEC. 101.1101.52 FASCIA SIGN

(See Wall Sign)

SEC. 101.1101.53 FLASHING SIGN

Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Time and temperature signs and electronically controlled public service sign message devices are excluded from flashing signs.

SEC. 101.1101.54 FREESTANDING SIGN

(See Ground Sign)

SEC. 101.1101.55 FREEWAY - DEFINED

Freeway shall mean a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting land, or in respect to which such owners have only limited or restricted right or easement of access and which is declared to be a freeway as provided by the Streets and Highways Code of the State of California.

SEC. 101.1101.56 FREEWAY-ORIENTED SIGN

Any sign identifying premises where food, lodging and places of business engaged in supplying goods and

MICROFILMED 11000

MAY 1 1978

02198

services essential to the normal operation of motor vehicles and which are directly dependent upon an adjacent freeway. Signs must be within 660 feet horizontal distance from the right-of-way of said freeway, visible from the freeway, and the premises upon which the sign is located must be located within 1500 feet of a freeway exit, providing access to the premises on which the sign is located.

SEC. 101.1101.57 FRONTAGE

The length of the property line of any one premises along each legally accessible public right-of-way it borders.

SEC. 101.1101.70 GROUND SIGN

Any sign supported wholly by uprights, braces, or poles in or upon the ground including poster panels and painted bulletins. No guy wires are to be used. Any angle iron or secondary support is to be enclosed in a wood, plastic, or metal form, such that the angle iron or secondary support is not visible.

SEC. 101.1101.90 IDENTIFICATION SIGN

A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution or the occupation of the person.

MICROFILMED

MAY 1 1978

11000

SEC. 101.1101.91 ILLUMINATED SIGN (DIRECTLY
ILLUMINATED - ELECTRIC)

Any sign designed to give artificial light.

SEC. 101.1101.92 ILLUMINATED SIGN (INDIRECTLY OR
EXTERIOR ILLUMINATED - NON-ELECTRIC)

Any sign which reflects light from a source intentionally directed upon it, including silhouettes of letters or symbols placed before a background of reflected light.

SEC. 101.1101.93 ILLUMINATED SIGN (INTERNALLY
ILLUMINATED - ELECTRIC)

Any sign which has the source of light entirely enclosed within it, not visible to the eye.

SEC. 101.1101.94 INCIDENTAL SIGN

A sign pertaining to goods, products, services or facilities which are available on the premises where the sign is located.

SEC. 101.1101.125 LOT

A parcel of land which meets any of the following requirements:

A. Individually designated with a number or letter on

1. A subdivision map recorded with the County Recorder;
2. A Record of Survey Map approved by resolution of the City Council and recorded with the County Recorder after December 4, 1954; or

MICROFILMED
MAY 1 1978

3. A Division Plat approved by and filed with the Planning Department.

B. Officially proclaimed as a suitable building site, or site for other particular use, by zone variance or other San Diego Municipal Code procedure in effect prior to June 13, 1965.

C. Held as a separate parcel prior to December 5, 1954, and having a minimum of 15 feet frontage on a dedicated street.

D. Held as a separate parcel upon annexation to the City of San Diego.

SEC. 101.1101.130 MAINTAIN

To permit a sign, sign structure or any part of each to continue. Or to repair or refurbish a sign, sign structure or any part of each.

The replacing or repairing of a sign or sign structure providing not more than 50 percent of the total area of the sign which has been damaged as determined in the judgment of the Building Official.

SEC. 101.1101.131 MARQUEE

A building projection over a public right-of-way as defined in the Uniform Building Code, as adopted by The City of San Diego.

MICROFILMED

MAY 1 1978

11000

SEC. 101.1101.132 MARQUEE SIGN

A marquee sign is any sign attached to or constructed in or on a marquee.

SEC. 101.1101.140 NAMEPLATE

A non-electrical sign identifying only the name and occupation or profession of the occupant of premises on which the sign is located. If any premises includes more than one occupant, nameplate means all names and occupations or professions as well as the name of the building and directional information.

SEC. 101.1101.141 NON-ACCESSORY SIGN

A sign which directs attention to a business, commodity, service or entertainment, not exclusively related to the premises at which the sign is located, or to a business, commodity, service or entertainment which is conducted, sold or offered elsewhere than on the premises at which the sign is located.

SEC. 101.1101.142 NONCONFORMING SIGN

Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this ordinance and any amendments thereto, and which fails to conform to all the applicable regulations and restrictions of this ordinance.

MICROFILMED
MAY 1 1978

11000

SEC. 101.1101.143 NON-ELECTRIC SIGN

Any sign that does not contain electrical wiring or its own source of illumination.

SEC. 101.1101.144 NON-STRUCTURAL TRIM

The molding, battens, cappings, nailing strips, latticing, and platforms, which are attached to the sign structure and are non-structural in nature and do not contribute to the support of the sign.

SEC. 101.1101.150 OBSOLETE SIGN

Any sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted, or product available on the premises where such sign is displayed.

SEC. 101.1101.151 ON-PREMISES SIGN

Any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained, also known as appurtenant or accessory signs.

SEC. 101.1101.152 OUTDOOR ADVERTISING SIGN

Any sign which is not appurtenant to the use of the property, a product sold, or the sale or lease of the property on which displayed and which does not identify the place of business as purveyor of the merchandise or services advertised upon the sign. Such signs shall include vehicle mounted signs.

MICROFILMED
MAY 1 1978

SEC. 101.1101.153 OWNER

A person recorded as such on the records of the County Assessor and including: Duly authorized agent or attorney, a purchaser, devisee, judiciary; any person having a vested or contingent interest in the property in question.

SEC. 101.1101.160 PAINTED BULLETIN

A ground sign, the copy of which is changed on a systematic basis, in its entirety.

SEC. 101.1101.161 POLE SIGN

Any sign supported wholly by uprights, braces, or poles in or on the ground, including poster panels and painted bulletins. No guy wires are to be used. Any angle iron or secondary support is to be enclosed in a wood, plastic or metal form, such that the angle iron or secondary support is not visible.

SEC. 101.1101.163 PORTABLE SIGN

Any sign not permanently attached to the ground or to a building.

SEC. 101.1101.165 PREMISES

An area of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit.

MICROFILMED

MAY 1 1978

SEC. 101.1101.166 PROJECTING SIGN

Any sign other than a wall sign which is attached to and projects from a structure or a building face or wall. The area of a double-faced projecting sign is calculated on one face of the sign only. When any such sign has more than two faces, all additional faces shall be included in the calculation of total allowable area. No guy wires, braces, or secondary supports are to be used. Any angle iron or main support is to be enclosed in a wood, plastic or metal form such that the angle iron or main support is not visible.

SEC. 101.1101.167 PUBLIC RIGHT-OF-WAY WIDTH

The perpendicular distance across a public street, measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the City Engineer.

SEC. 101.1101.168 PUBLIC SERVICE SIGN

Any sign intended primarily to promote items of general interest to the community, such as time, temperature, atmospheric conditions, news, etc.

SEC. 101.1101.180 REAL ESTATE OR PROPERTY FOR SALE,
RENTAL, OR LEASE SIGN

Any sign pertaining to the sale, lease or rental of land or buildings.

MICROFILMED

MAY 1 1978

11000

SEC. 101.1101.181 ROOF LINE

The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

SEC. 101.1101.182 ROOF SIGN

Any sign erected upon, against, or directly above a roof, or on top of or above the parapet of a building, and which is wholly supported by said building.

SEC. 101.1101.183 ROTATING SIGN

Any sign, or portion of a sign, which moves in a revolving or similar manner, the movement of which is regulated in Chapter X, Article 1, Division 11.

SEC. 101.1101.190 SIGN

Any identification, description, illustration, or device, illuminated or non-illuminated, which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise with the exception of window display and any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information. National flags and flags of political subdivisions shall not be construed as signs.

MICROFILMED
MAY 1 1978

SEC. 101.1101.191 SIGN STICKER

A four inch by four inch self-adhesive sticker to be placed on a face of any on-premises sign bearing a number identifying the sign company which performed the installation and/or performed the inspection for a Sign Use Permit.

SEC. 101.1101.192 SIGN STRUCTURE

Any structure which supports, has supported, or is capable of supporting a sign, including decorative cover. No guy wires or braces are to be used. Any angle iron or secondary support is to be enclosed in a wood, plastic, or metal form, such that the angle iron or secondary support is not visible.

SEC. 101.1101.193 SPECIAL PURPOSE SIGN

Any sign other than a business, non-accessory, identification sign, including but not limited to traffic signs, government signs, historical or memorial plaques and temporary signs.

SEC. 101.1101.194 STREET

A public highway, road or thoroughfare which affords the principal means of access to adjacent lots.

SEC. 101.1101.195 SIGN AREA

The entire area of a sign on which copy could be placed. The area of any two-faced sign with parallel faces or "V" type signs having an interior angle of 45

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degrees or less, shall be the area of the single face, unless otherwise provided. All other multiple-faced paneled signs shall be the total area of all faces or panels. The area of painted signs, individual letter signs, trough signs, and other directly illuminated signs, shall be calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between letters and lines, as well as the areas of any devices, illuminated or non-illuminated, which are intended to attract attention.

SEC. 101.1101.196 SIGN, COMBINATION

Any sign which is supported partly by a pole and partly by a building structure.

SEC. 101.1101.197 SIGN, GROUND (POLE)

Any sign supported wholly by uprights or braces, or poles in or upon the ground including poster panels and painted bulletins. No guy wires or braces are to be used. Any angle iron or secondary support is to be enclosed in a wood, plastic, or metal form such that the angle iron or secondary support is not visible.

MICROFILMED

MAY 1 1978

11000

SEC. 101.1101.199 SIGN CODE ADMINISTRATOR.

(See Administrator)

SEC. 101.1101.200 SUBDIVISION

Any real property, improved or unimproved, which is divided into two or more parcels.

SEC. 101.1101.210 TEMPORARY SIGN

Any sign which is not permanently installed or affixed to any sign structure or building, and which is maintained for a maximum of 60 days, with the exception that construction project signs may be maintained for the duration of construction, or one year, whichever is less.

SEC. 101.1101.211 TEMPORARY WINDOW OR BUILDING SIGN

Any sign painted on the interior of a window or constructed of paper, cloth, or other light material and attached to the interior side of the window or building wall, and displayed so as to direct attention of persons outside the building to a sale of merchandise or a change in the status of the business.

SEC. 101.1101.221 UNDERWRITERS' LABORATORY

A non-profit organization which establishes standards for electrical and structural building materials which minimizes damages to the health and welfare of the public. (See Electrical Signs Specifications No. 48) Hereinafter referred to as U.L.

MICROFILMED

MAY 1 1978

11000

SEC. 101.1101.222 UNIFORM BUILDING CODE

The current edition of the Uniform Building Code, as adopted by The City of San Diego. Hereinafter referred to as U.B.C.

SEC. 101.1101.223 USE

The purpose for which a building, lot, sign, or other structure is arranged, intended, designed, occupied or maintained as established by the authorized legislative body.

SEC. 101.1101.240 WALL OR FASCIA SIGN

Any sign affixed in such a way to a building or structure including an equipment screen which visually screens in an effective and complete manner the mechanical equipment of a building, that its exposed face is parallel or approximately parallel to the plane of the building or structure to which it is affixed. Any sign face projecting more than 18 inches from the face of the building or structure shall comply with all the requirements for projecting signs. All copy area shall be parallel to the wall to which any such wall or fascia sign is affixed. When the entire face of a building is face lifted the only area of the reconstruction which is to be calculated as sign area is that which can be enclosed by lines drawn around the copy area of sign or signs.

MICROFILMED

MAY 1 1978

11000

02210

SEC. 101.1110 SIGN REGULATIONS

The City-wide sign regulations embodied in Chapter IX, Article 5, Division 1 and Chapter X, Article 1, Division 11 of this Code shall be applicable to all existing and future commercial and industrial zones unless there are specific exceptions. The following are excepted from the provisions of Chapter X, Article 1, Division 11:

1. Existing "S" suffix commercial zones (CA-S, C-1S, CS).
2. Future "S" suffix commercial and industrial zones as adopted by the Council.
3. Planned Districts which incorporate comprehensive sign regulations.
4. Special Sign Districts which incorporate comprehensive sign regulations.
5. Architectural Control Districts which incorporate comprehensive sign regulations.
6. Those uses permitted in commercial and industrial zones by Conditional Use Permits granted by the Zoning Administrator, the Planning Commission, and the City Council; provided, however, that any such permit must be issued in full compliance with the provisions embodied in Chapter X, Article 1, Division 5, of this Code; and, further provided,

MICROFILMED

MAY 1 1978

that this exception shall not apply unless the Conditional Use Permit contains comprehensive conditions regulating the use of specifically permitted signs.

7. The CN, CO, SR and M-IP Zones.
8. Signs permitted by a Comprehensive Sign Plan as set forth in Section 101.1120.

SEC. 101.1111 PERMITTED SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES.

No signs other than those permitted by Chapter X, Article 1, Division 11, shall be installed, displayed, maintained, or erected.

SEC. 101.1112 GROUND SIGNS (FREESTANDING)

A. Number and size permitted. One multi-faced ground sign is permitted for each premises having frontage on a public right-of-way. Where a premises has a frontage greater than 250 feet along the same right-of-way such a premises is permitted to have two ground signs, plus one ground sign for every additional 250 feet of frontage; or the occupant may elect to combine the allowable area of two or more ground signs, where permitted, into one ground sign with a maximum allowable area not to exceed one-half square foot for every one linear foot of frontage along the same right-of-way, up to 200 square feet maximum per face. If a sign has more than one face, the total permitted area may not exceed twice the area permitted for one face.

MICROFILMED

-22-

MAY 1 1978 11000

02212

B. More than one frontage. Where a premises fronts on more than one public right-of-way or street excluding alleys and serviceways the provisions of paragraph "A." of this section and Table I shall apply to each frontage.

C. Height limit. No ground sign may exceed in height the distance from any portion of the sign to the center of the adjoining public right-of-way, provided, however, that the maximum height of any portion of any ground sign or sign structure shall be 30 feet from street grade regardless of location, unless such a ground sign is a freeway-oriented ground sign, located within 660 feet of the freeway right-of-way and on premises within 1500 feet of a freeway exit providing access to the premises on which the sign is located. In this instance such a sign may not exceed a maximum height of 50 feet measured vertically from the sign base at ground level to the apex, or top, of the sign. Ground level shall be the average elevation of the premises or the lowest elevation of the centerline of any of the adjacent rights-of-way, whichever is lower.

D. Area. The maximum permitted area of a ground sign, except when two or more signs are combined, shall not exceed the figures shown in Table I for each face of a double-faced sign or for the sole face of a single-faced ground sign. If there are two or more ground signs, per premises, the total square footage for each sign is to be 50 percent less than set out in Table I.

MAY 1 1978
-23-
MICROFILMED 11000

02213

TABLE I

MAXIMUM PERMITTED AREAS OF GROUND SIGNS

| Public Right-of-Way Width | Traffic Speed Allowed | Area Each Face** |
|------------------------------------|-----------------------|------------------|
| 60 feet or less | 15 - 20 | 32 |
| | 25 - 30 | 50 |
| | 35 - 45 | 100 |
| | 50 - | 150 |
| More than 60 feet* | 15 - 20 | 50 |
| | 25 - 30 | 100 |
| | 35 - 45 | 150 |
| | 50 - | 200 |
| Freeway - oriented ground signs*** | | 300 |

* or designated as a major street or prime artery on the adopted General Plan Map.

** in square feet; if more than one face, the total permitted area may not exceed twice the area permitted for one face.

*** Located within 660 feet of the freeway right-of-way, and on premises within 1500 feet of a freeway exit providing access to the premises on which the sign is located.

E. Ground sign copy. Permanent copy of each face of any ground sign in commercial and industrial zones may include only the name of the occupant and the activities, goods, products, services, or facilities located on the premises. Such incidental signs as allowed elsewhere in this section are not so restricted.

MICROFILMED
MAY 1 1978

C.F. Residential proximity. Where premises zoned for commercial or industrial use are within 100 feet on the same public right-of-way of the nearest boundary of any premises zoned for single-family or multiple-family residential use, ground signs and roof signs erected and maintained on the commercial or industrial premises may not exceed 25 feet in height above the ground at the base of the building, or at the base of the sign, whichever is lower; ground signs or roof signs must be set back from the public right-of-way the same distance required for residential structures on the adjacent residential-zoned premises. This provision affects only signs on commercial and industrial premises on the same block and on the same right-of-way as residential premises.

G. Minimum clearance. Where a ground sign projects above a traffic area, such as a driveway or parking lot aisle, the minimum clearance between the bottom of the sign and the ground shall be 8 feet. When the above clearance is less than 16 feet, the clearance shall be clearly labeled at the bottom of the sign with figures legible from a distance of 30 feet.

H. Projection over public rights-of-way. Ground signs shall be prohibited from encroaching into public rights-of-way.

MICROFILMED

MAY 1 1978

I. Rotating signs. Rotating ground signs are only permissible when a rotating sign replaces two other ground signs. The rotating sign may not rotate at a rate of more than six revolutions per minute. The maximum permitted area of a rotating ground sign shall be one-half the area otherwise permitted for a stationary ground sign at the same location. Premises with frontage on two public rights-of-way may have one rotating ground sign but no other ground, roof or projecting signs.

J. Installation. No guy wires or braces are to be used. Any angle iron or secondary support is to be enclosed in a wood, metal or plastic form, so that the angle iron or secondary support is not visible.

K. Projection over roofs. Ground signs may not project over the roof of any building or structure.

SEC. 101.1113 WALL SIGNS

A. Area. Permitted area for wall signs shall be calculated in accordance with Table II.

MICROFILMED

MAY 1 1978

TABLE II

BASIS FOR CALCULATION OF AREA FOR WALL SIGNS ON A SINGLE FRONTAGE

| Public Right-of-Way Width | Area Categories | | |
|---------------------------|--|--|--|
| | Category A | Category B | Category C |
| | No ground, roof or projecting sign erected on premises | Ground sign but no roof or projecting sign erected on premises | Projecting or roof sign and no ground sign erected on premises |
| 60 feet or less | Frontage x: 3' | Frontage x: $\frac{1}{4}$ x: | Frontage x: $\frac{3}{4}$ ' |
| More than 60 feet* | 3 $\frac{3}{4}$ ' | 1 $\frac{1}{2}$ ' | 1' |

(Calculation: Linear street frontage of tenant x table factor for each category = permitted area in square feet for fascia or wall sign.)

* Or designated as a major street or prime artery by the adopted General Plan Map.

1. The frontage factor is relative to each tenant's building frontage facing on each public right-of-way, excluding alleys and serviceways. Each tenant shall have a minimum area of 75 square feet, provided this minimum does not exceed 25 percent of the total area of his facing building frontage and Category A is applicable.
2. Premises fronting on more than one public right-of-way may not combine allowable signs for one frontage with another frontage for the purpose of placing the combined area of signs on one frontage.

MICROFILMED

MAY 1 1978

3. Maximum copy area of sign: Category A - maximum 350 square feet; Category B - maximum 250 square feet; Category C - maximum 200 square feet.

B. Small letter signs. Any identification wall signs with non-illuminated letters up to but not exceeding three inches high nor four square feet in area are not restricted.

C. Mansard walls or roofs. Any building with an actual or false roof varying not more than 45 degrees from a vertical plane, or any building with a portion or all of a wall built not more than 45 degrees from a vertical plane, shall have such a mansard-type wall or roof considered to be wall space, for the purposes of determining allowable sign area and placement.

D. Projecting wall signs. Wall signs, including signs on mansard roofs and on roofs with a slope of up to 45 degrees from the vertical plane, may not project above the top of a parapet wall, the roof line at the wall, or the top of the roof or roof line, whichever is applicable.

SEC. 101.1114 ROOF SIGNS

The Zoning Administrator may approve a Conditional Use Permit for a roof sign, providing the applicant has established to the satisfaction of the Zoning Administrator that no alternative sign location exists that will provide reasonable opportunity for the applicant to communicate. If the Zoning Administrator makes the finding required herein, a roof sign may be

MICROFILMED

MAY 1 1978 -28-

11000

02218

approved, providing such sign conforms to the following provisions. The provisions of Municipal Code Section 101.0503, paragraph "B.", shall apply to an application for a Conditional Use Permit for a roof sign.

1. Roof signs are permitted instead of, but not in addition to, ground signs and projecting signs.
2. Projecting roof signs. Roof signs may not project over public right-of-way or public property.
3. Setback roof signs. All roof signs shall be set back a distance of at least three feet from all of the outside walls of the building on or over which they are located, unless the lower edge of the sign is at least seven feet above the top of the wall and surface of the roof, or unless the sign occupies 25 percent or less of the building width (or length) above which the sign is located. It is the intention of this provision to provide a clear passageway around or through the sign. Deviations from the requirements of this section may be approved by the Director of the Building Inspection Department.
4. Number of roof signs. Only one roof sign is permitted for each premises.
5. Roof signs may not rotate.

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MAY 1 1978

6. Area of roof signs. See Table III.A for total allowable area of all faces of a roof sign.

TABLE III.A
MAXIMUM PERMITTED AREAS OF ROOF SIGNS

| Public Right-of-Way Width | Traffic Speeds Allowed | Area All Faces** |
|----------------------------------|------------------------|------------------|
| 60 feet or less | 15 - 20 | 16 |
| | 25 - 30 | 25 |
| | 35 - 45 | 50 |
| | 50 - | 75 |
| More than 60 feet* | 15 - 20 | 25 |
| | 25 - 30 | 50 |
| | 35 - 45 | 75 |
| | 50 - | 100 |
| Freeway - oriented roof signs*** | | 300 |

* or designed as a major street or prime artery on the adopted General Plan Map.

** in square feet, limited to a maximum of two faces.

*** located within 660 feet of the freeway right-of-way, and on premises within 1500 feet of a freeway exit providing access to the premises on which the sign is located.

7. Height of roof signs. No roof sign may exceed in height the distance from any portion of the sign to the center of the adjoining public right-of-way; the maximum height of any portion of any roof sign or sign structure shall be 30 feet, measured vertically from ground level to the apex, or top, of the sign, regardless of location, unless such

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MAY 1 1978

a roof sign is a freeway-oriented roof sign, located within 660 feet of the freeway right-of-way and on premises within 1500 feet of a freeway exit providing access to the premises on which the sign is located. In this instance such a sign may not exceed a maximum height of 50 feet measured vertically from the ground level to the apex, or top, of the sign. Ground level shall be the average elevation of the premises or the lowest elevation of the centerline of any of the adjacent rights-of-way, whichever is lower. See Table III.B for maximum allowable heights for roof signs. See also Section 101.1112, paragraph "G."

TABLE III.B

MAXIMUM HEIGHT OF ROOF SIGNS

| Type of Roof Sign | Building Height | Maximum sign height (including any space required under the sign for clearance). |
|--------------------------------------|-----------------|--|
| Non-free freeway oriented | | |
| Non-freeway oriented | 0-15' | 7' |
| " | 16-20' | 10' |
| Freeway-oriented | 21-25' | 7' |
| " | 26-30' | 8' |
| " | 31-35' | 9' |
| " | 36-40' | 10' |

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MAY 1 1978

11000

8. Residential proximity. As set forth in Section 101.1112.
9. Installation. All roof signs shall be installed or erected in such a manner that there shall be no visible angle iron sign support structure. No guy wires, braces, or secondary supports are to be used. Any angle iron or main support is to be enclosed in a wood, plastic, or metal form, such that the angle iron or main support is not visible.

SEC. 101.1115 PROJECTING SIGNS

A. Any one tenant with frontage on a public right-of-way is permitted to have one projecting sign along that public right-of-way. The projecting sign may exist instead of, but not in addition to, a ground sign and a roof sign. Where a premises is allowed two ground signs, the occupant may elect to substitute a projecting sign for one of the ground signs. If a premises has at least 250 feet of frontage along any one right-of-way the occupant may have two projecting signs.

B. Area permitted. See Table IV for total allowable area of each face of a projecting sign.

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MAY 1 1978

11000

TABLE IV

MINIMUM ESTABLISHMENT FRONTAGE REQUIRED
TO ERECT AND MAINTAIN A PROJECTING SIGN

| Public Right-of-Way Width | Traffic Speed Allowed | Minimum Frontage | Area Each Face** |
|---------------------------|-----------------------|------------------|------------------|
| 60 feet or less | - | Under 25 | 18 |
| | 15 - 20 | 25 | 32 |
| | 25 - 30 | 25 | 50 |
| | 35 - 45 | 35 | 60 |
| | 50 - | 50 | 90 |
| More than 60 feet* | - | Under 25 | 18 |
| | 15 - 20 | 25 | 32 |
| | 25 - 30 | 35 | 60 |
| | 35 - 45 | 35 | 90 |
| | 50 - | 50 | 160 |

* or designated as a major street or prime artery on the adopted General Plan Map.

** in square feet.

C. Minimum frontage. Table IV establishes minimum frontage required to erect and maintain a projecting sign.

D. Maximum projection over public rights-of-way. A sign may not project perpendicularly beyond the property line more than five feet or two-thirds of the sidewalk, whichever is less. For allowable combinations of projection and height for projecting signs, over public rights-of-way, see Table V. If a premises has a frontage less than 25 feet, a projecting sign on such a premises is limited to a maximum projection of four feet beyond the property line.

MICROFILMED

MAY 1 1978

TABLE V

ALLOWABLE COMBINATIONS OF PROJECTION
AND HEIGHT FOR PROJECTING SIGNS

| Height Above Sidewalk or Grade to Bottom of Sign | Maximum Diagonal Projection of Corner Signs over Public Rights-of-Way (45°)* | Maximum Projection of other than Corner Signs over Public Rights-of-Way |
|--|--|---|
| 8' | 1' | 1' |
| 9' | 1'8" | 1'6" |
| 10' | 2'4" | 2' |
| 11' | 3' | 2'6" |
| 12' | 3'8" | 3' |
| 13' | 4'4" | 3'6" |
| 14' | 5' | 4' |
| 15' | 5'8" | 4'6" |
| 16' | 6'4" | 5' |

* This column may only be used if a tenant uses only one projecting sign.

E. Minimum clearance. Projecting signs shall have a minimum clearance of eight feet between the bottom of the sign and the ground. Where a sign projects above a traffic area, such as a driveway, and the clearance is less than 16 feet, the clearance shall be clearly labeled at the bottom of the sign with figures legible from a distance of 30 feet.

F. Height above roof or parapet. Projecting signs may not extend above the roof line at the wall or the top of a parapet wall.

G. Projecting sign copy. Permanent copy on each face of a projecting sign in commercial and industrial zones may include only the name of occupant and the activities, goods, products, services or facilities located on the premises.

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MAY 1 1978

11000

H. Area. See Table IV for maximum allowable areas for projecting signs.

I. Installation. All projecting signs shall be installed or erected in such a manner that there shall be no visible angle iron sign support structure above a roof, parapet or wall. No guy wires, braces, or secondary supports are to be used. Any angle iron or main support is to be enclosed in a wood, plastic or metal form such that the angle iron or main support is not visible.

J. Illumination. Any sign projecting over a public right-of-way shall be directly illuminated (electric), except for entrance canopies and awnings.

K. Rotating signs. Rotating projecting signs are not permitted.

L. Signs projecting over private property. Signs projecting over private property shall be subject to the same regulations as those projecting over public rights-of-way.

SEC. 101.1116 OTHER SIGNS

SEC. 101.1116.1 INCIDENTAL SIGNS

Up to four incidental signs may be attached to a ground sign structure or to a building wall, but may not be attached perpendicular to the wall. Such signs are restricted to trading stamps, credit cards accepted, official notices of services required by law, or trade affiliations. Area of each sign may not exceed five square feet; the total area of all such signs may not exceed ten square feet.

MICROFILMED

MAY 1 1978

11000

02225

SEC. 101.1116.2 DIRECTIONAL SIGNS

One such sign is permitted near each driveway. Area of each sign may not exceed 12 square feet. Maximum permitted height shall be 12 feet.

SEC. 101.1116.3 CHANGEABLE COPY SIGNS

Any of the types of signs permitted in this Division may be permitted as changeable copy signs.

SEC. 101.1116.4 REAL ESTATE SIGNS

No more than two signs offering the premises for sale, lease, or inspection by the public shall be permitted. The total area of all signs shall not exceed 64 square feet. Such signs may be modified to indicate that the property has been sold.

SEC. 101.1116.5 MARQUEE SIGNS

Any sign attached in any manner to a marquee or architectural projection shall comply with all requirements of Table V in Section 101.1115, for projecting signs..

SEC. 101.1116.6 AWNING OR ENTRANCE CANOPY SIGNS

Signs on awnings or removable canopies not permanently attached to or built as part of a building may have no internal source of illumination. No sign shall be installed on an awning or entrance canopy with the exception of identification signs, which shall not exceed four square feet per side. Where this is the only sign used for a business establishment, the permitted area shall be 16 square feet.

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SEC. 101.1116.7 PERMANENT WINDOW SIGNS

Signs permanently affixed to the exterior of window glass may not contain letters more than six inches high, except where a logo is used (which may be up to 16 inches maximum dimension), and may not exceed a total area of more than 30 percent of window area.

SEC. 101.1116.8 TEMPORARY WINDOW OR BUILDING SIGNS

Temporary window signs may not be attached or affixed in any manner to the exterior surface of any window or building.

SEC. 101.1116.9 PUBLIC UTILITY SIGNS AND SIGNS REQUIRED BY LAW

Nothing in this Division shall prevent the erection, location or construction of signs on private property where such erection, construction or location is required by law or ordinance nor shall any public agency or utility be prohibited from erecting signs on private property when otherwise permitted.

SEC. 101.1116.10 THEATER MARQUEES

The Zoning Administrator may approve a Conditional Use Permit for a theater marquee.

SEC. 101.1117 SPECIAL EFFECT SIGNS

SEC. 101.1117.1 ROTATING AND REVOLVING SIGNS

The Zoning Administrator may approve a Conditional Use Permit for a rotating sign, providing the applicant has

MICROFILMED

MAY 1 1978

02227

11000

established to the satisfaction of the Zoning Administrator that no alternative sign type exists that will provide reasonable opportunity for the applicant to communicate. If the Zoning Administrator makes the finding required herein, a rotating sign may be approved, providing such sign conforms to the following provisions. The provisions of Municipal Code Section 101.0503, paragraph "B.," shall apply to an application for a Conditional Use Permit for a rotating sign.

1. Maximum speed. Maximum speed of revolution or motion of a sign or any part of a sign may not exceed six revolutions or cycles per minute.
2. Non-flashing. No rotating, revolving, or moving sign or part of a sign shall be illuminated in whole or in part by any flashing or intermittent light or light source.
3. Location restrictions. If adjacent premises on the same side of the street contains an existing residence or apartment in a residential zone, existing hospital or home for the aged or convalescent home located within 100 feet horizontal line sight distance of the sign, or there is such land use within 100 feet horizontal line sight distance on the opposite side of the street or

MICROFILMED

MAY 1 1978

11000

intersection, no rotating or revolving or moving sign shall be permitted. Any such use established within the prescribed horizontal distance described herein subsequent to the installation of such sign shall not render the sign nonconforming for a period of four years.

SEC. 101.1117.2 FLASHING SIGNS AND SIGN ILLUMINATION

Permitted in commercial and industrial zones with the following restrictions:

1. Nonrotating or moving. Where a flashing sign or intermittent source of sign illumination is allowed, such sign may not revolve, rotate, or move in any other manner.
2. Light source restrictions. No stroboscopic lights, rotary beacons, chasing lights, or zip lights shall be permitted. Exposed nonflashing incandescent bulbs may be used on the exterior surface of a sign if each such bulb does not exceed 25 watts, unless such bulbs are screened by a sun screen or similar shading device.
3. Location restrictions. If adjacent premises on the same side of the street contains an existing residence or apartment in a residential zone, existing hospital or home for the aged, or convalescent home, located within 200 feet

MICROFILMED

MAY 1 1978

horizontal line sight distance of the sign, or there is such land use within 200 feet horizontal line sight distance of the sign, or there is such land use within 200 feet horizontal line sight distance on the opposite side of the street or intersection, no sign which flashes or appears to flash shall be permitted. Any such use established within the prescribed horizontal distance above subsequent to the installation of such sign shall not render the sign nonconforming for a period of four years.

4. Only a public service sign may be permitted to flash or appear to flash.
5. Electric light fixtures may project over public property only when used to illuminate a sign on a building or structure. Such fixtures shall comply with Table V, in Section 101.1113, for required ground clearances.

SEC. 101.1117.3 DISPLAY OF FLAGS, BANNERS, PENNANTS,
AND OTHER SIMILAR DEVICES.

It is unlawful to erect or maintain strings of pennants, banners or streamers, clusters of flags, strings of twirlers or propellers, flares, balloons, and similar devices of carnival character. Not prohibited are:

1. National, state, local governmental, institutional or corporate flags properly displayed.

MICROFILMED

MAY 1 1978

11000

02230

2. Holiday decorations in season.
3. Streamers, banners, and pennants used for a maximum of 60 consecutive days to call attention to the grand opening of a completely new business. Noise creating devices, such as wind propellers, are not permitted.

SEC. 101.1118 TEMPORARY CONSTRUCTION SITE SIGNS

Temporary construction site signs shall not exceed 160 square feet in area, nor shall any such sign be illuminated. Such signs may be erected for a period of time not to exceed six months, with one time extension for an additional six months.

SEC. 101.1119 TEMPORARY BANNER SIGN

Two temporary banner signs per premises calling attention to the grand opening of a completely new business shall be permitted; provided that no premises shall be permitted to utilize such a sign for more than 60 consecutive days. The total maximum area permitted shall be one-half the area permitted in Section 101.1113.

SEC. 101.1120 COMPREHENSIVE SIGN PLAN

A. The Planning Commission shall have the authority under the conditions herein provided to permit the utilization of Comprehensive Sign Plans for certain situations described herein in lieu of the sign regulations applicable to any particular commercial or industrial zone.

MICROFILMED

MAY 1 1978 11000

Comprehensive Sign Plans may be approved by the Planning Commission in the following instances:

1. For all business premises which occupy the entire frontages on both sides of a commercially zoned street for two or more contiguous blocks.
2. For shopping center developments, both new and existing; provided, that such centers shall be a minimum of ten acres; second, that such centers shall generally conform to the existing standards for commercial centers, neighborhood, community, regional and specialized, as defined in the Progress Guide and General Plan for the City of San Diego.
3. For Planned Commercial Developments, provided that the signs for all uses permitted in any such Planned Commercial Development shall be subject to the regulations for commercial and industrial signs embodied in Chapter X, Article 11, Division 11.

B. Any Comprehensive Sign Plan submitted to the Planning Commission shall include the location, size, height, color, lighting, visual effects and orientation of all proposed signs, and shall have been previously submitted, to the Planning Department, for plan approval as provided for in Chapter IX of this Code.

MICROFILMED

MAY 1 1978

11000

C. C. Exceptions to the sign regulations embodied in Chapter X, Article 1, Division 11 of this Code, may be permitted, provided that such a Comprehensive Sign Plan is presented and approved by the Planning Commission, and further provided, that the permitted signs for a Comprehensive Sign Plan as a whole are in conformity with the intent of Division 11, and further provided, such exceptions result in an improved relationship among the various signs and building facades covered by the Plan.

D. All Comprehensive Sign Plan requests shall be submitted to the Planning Commission in accordance with the procedures embodied in Chapter X, Article 1, Division 5 of this Code.

Section 2. That Chapter IX, Article 5, of the San Diego Municipal Code be amended by repealing Sections 95.0101 through 95.0136 as follows:

| | |
|-----------------|--|
| SEC. 95.0101 | DEFINITIONS |
| SEC. 95.0102 | LIMITATIONS ON USE OF APPROVED COMBUSTIBLE PLASTICS |
| SEC. 95.0103 | SPECIFIC REGULATIONS FOR CERTAIN ZONES |
| SEC. 95.0103.9 | ZONE M-1D |
| SEC. 95.0103.10 | A1-1, A1-5, A1-10 ZONES - SIGNS |
| SEC. 95.0104 | PERMITS |
| SEC. 95.0105 | PERMIT FEES |

MICROFILMED

MAY 1 1978

11000

02233

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|--------------|--|
| SEC. 95.0106 | PERMITS NOT REQUIRED |
| SEC. 95.0107 | INSPECTION |
| SEC. 95.0108 | MAINTENANCE |
| SEC. 95.0109 | STRUCTURAL DESIGN |
| SEC. 95.0110 | DISTANCE BETWEEN SIGNS |
| SEC. 95.0111 | ALLOWABLE STRESSES, MATERIALS AND DETAILS OF DESIGN |
| SEC. 95.0112 | GROUND SIGNS |
| SEC. 95.0113 | ROOF SIGNS |
| SEC. 95.0114 | WALL SIGNS |
| SEC. 95.0115 | PROJECTING SIGNS |
| SEC. 95.0116 | THICKNESS OF SIGNS |
| SEC. 95.0117 | UNAUTHORIZED SIGNS AND ELECTRICAL DEVICES |
| SEC. 95.0118 | PUBLIC PROPERTY PROHIBITION |
| SEC. 95.0119 | REMOVAL OF NON-CONFORMING SIGNS |
| SEC. 95.0120 | NATIONAL CODE REQUIREMENTS |
| SEC. 95.0121 | IDENTIFICATION |
| SEC. 95.0122 | REFLECTED ILLUMINATION PROHIBITED |
| SEC. 95.0123 | ILLUMINATED - WHEN |
| SEC. 95.0124 | ERECTION BY ELECTRICIANS - WHEN |
| SEC. 95.0125 | MAXIMUM SIGN PROJECTION |
| SEC. 95.0126 | SIGNS OVER PUBLIC PROPERTY |
| SEC. 95.0127 | ELECTRIC SIGNS |
| SEC. 95.0128 | ATTACHED SIGNS |

MICROFILMED

MAY 1 1978

| | |
|--------------|--|
| SEC. 95.0129 | NEIGHBORHOOD STREET SIGNS |
| SEC. 95.0130 | THEATER AND NEWS BULLETINS |
| SEC. 95.0131 | PERMITS REVOCABLE |
| SEC. 95.0132 | DEBRIS, WEEDS |
| SEC. 95.0133 | OUTDOOR ADVERTISING STRUCTURE DEBRIS ON PUBLIC PROPERTY |
| SEC. 95.0134 | CLOCKS |
| SEC. 95.0135 | CLOTH SIGNS |
| SEC. 95.0136 | STREET BANNERS OR DECORATIONS |

Section 3. That Chapter IX, Article 5 of the San Diego Municipal Code be amended by adding certain sections to read as follows:

SEC. 95.0100 ADMINISTRATION AND ENFORCEMENT

This Division shall be administered by the Building Official.

SEC. 95.0101 PUBLIC PROPERTY LIMITATIONS

A. No person shall place, paint or secure any lettering, advertisement, card, poster, sign or notice of any kind, or cause same to be done, on any curb, sidewalk, post, pole, lamp post, hydrant, bridge, tree or other surface located on public property except such signs as may hereinafter be lawfully authorized.

B. No advertising structure, or part thereof, shall be located over public property except as otherwise specified in detail in this Code.

MICROFILMED

MAY 1 1978

-45-

11000

02235

C. No person shall scatter, daub, or leave any paint, paste or other substance used for painting, pasting, or affixing advertising matter, upon any public street or sidewalk, nor shall any person scatter or throw or permit to be scattered or thrown, any bills, waste matter, paper, cloth or materials removed from sign structures, on any public or private property.

D. Clocks shall be permitted in street rights-of-way next to the curb at outer edge of walk, provided such clocks, constructed from non-combustible materials, are kept running and correctly keep the time of day. The bottom or pedestal part shall not exceed two feet in any outside dimension. The part of the clock carrying the dials shall have a minimum clearance of 7' 6" above the sidewalk. The entire "upper part" containing the dial shall not exceed 14 inches in thickness, each face shall not exceed a total overall gross area of five square feet, and the space occupied by the net area of the clock dials on each side shall form at least one-half of such "upper part." Said clocks shall contain no advertising other than the name of the manufacturer or designer thereof, and said name designation shall be by nameplate with engraved or embossed letters not exceeding six inches in height, provided that existing clocks whose dimensions are in excess of the requirements of Section 95.0101 shall

MICROFILMED

-46-

MAY 1 1978

11000

02236

be allowed to remain standing so long as they comply with all the other provisions of this Code. Nothing contained herein shall relieve any person from the obligation to obtain permission from the appropriate agency prior to placing any object in the public right-of-way.

E. No person shall construct or install street banners or decorations over public property except as herein permitted and only after the issuance of a valid Permit therefor. When any street banners, decorations or supports therefor are installed before the issuance of a valid Permit, the Fee shall be twice that listed below.

1. The applicant for such Permit shall pay an Application Fee of \$20.00, \$10.00 of which shall be refunded if no Permit is issued. Such Permit is granted upon the condition that the permittee shall indemnify and save free and harmless The City of San Diego against any of the liabilities mentioned in this section. The applicant shall file with the City a policy of insurance against public liability and property damage with an insurance carrier satisfactory to the City. Such public liability and property damage insurance policy shall provide coverage in amounts of not less than \$100,000 for one person injured

MICROFILMED

MAY 1 1978

in one accident; not less than \$300,000 for more than one person injured in one accident; and not less than \$25,000 with respect to any property damage in any one accident; and said policy shall be maintained in full force and effect until such time as all banners, decorations, equipment, wiring and supports have been removed as determined by the Building Official. The requirements of this section as to the amounts covered in the policy and as to the maintenance of insurance shall not be construed as limiting in any way the extent to which the permittee may be held responsible for the payment of damages to persons or property.

2. The Building Official may issue the Permit for decorations in accordance with the conditions herein imposed. The Permit shall state the period during which such decorations may be maintained and shall state the final date on which such decorations must be removed.
3. Applications for Permits shall be made in the following manner:
 - a. A written application, on prescribed forms, shall be submitted to the Building Official.

MICROFILMED

MAY 1 1978

11000

- b. The applicant shall furnish a description of the decorations to be installed, together with sketches, diagrams or other information required by the Building Official.
- c. The application shall be submitted by the sponsoring group or organization or a contractor engaged to install the decorations, and shall also be countersigned by an officer of the sponsoring group or organization.

SEC. 95.0102 PERMITS REQUIRED

A. Every person, firm or corporation shall, before erecting, installing, placing, constructing, creating by painting, reconstructing, altering or moving any sign other than an incidental sign, obtain from the Building Official a Building Permit. The Building Permit will include authorization for any electrical work within the sign. A separate Building Permit shall be required for each sign.

B. Every person, firm or corporation shall, before erecting, installing, placing, constructing, creating by painting, reconstructing, altering or moving any sign other than an incidental sign, obtain from the Building Official a Use Permit and renew the Permit biennially for as long as the sign is used. A Use permit is required for each on-premises sign. This Use Permit is applicable to one sign at one location only and is transferrable to a new owner or lessee.

MICROFILMED

MAY 1 1978

-49-

11000

02239

SEC. 95.0103 BUILDING PERMITS NOT REQUIRED

All provisions of this Code shall apply to the following signs except that a Building Permit shall not be required for:

A. Changing of the copy of a sign, bulletin board, poster board, display encasement, marquee, or maintenance where no structural changes are made; changing of interchangeable letters on signs designed for use of interchangeable letters. Electric signs are not included in this exception.

B. Temporary, non-illuminated, real estate signs, not more than 12 square feet in area, advertising the sale, lease, or rental of premises on which the sign is located. Such signs may be altered to indicate the sale of the premises.

C. Temporary, non-illuminated signs erected in connection with new construction work when such signs do not exceed 16 square feet in area, and are displayed only during such time as the actual construction work is in progress, provided that such signs are located only at the site of the construction work, and shall serve only to identify the architects, engineers, contractors and other individual firms involved in the construction, and/or proposed use of the building, but shall not contain any advertisement of any product.

D. Private or commercial nameplate identification signs, or combination nameplate and street address identification signs, when such signs do not exceed four square feet, are not illuminated, and do not project over public right-of-way.

MICROFILMED

MAY 1 1978

E. Warning or notice-type signs, such as trespass signs, private driveway, no dumping, and customer parking signs, when such signs do not exceed six square feet in area, are not illuminated, and do not project over public right-of-way.

F. Bulletin boards for charitable or religious organizations when such signs and supporting structures do not exceed 16 square feet in area are not illuminated, are erected on the premises to which the sign pertains and do not project over public right-of-way.

G. Tablets, such as memorials, cornerstones, name of a building, date of erection, use of building, when built into the walls of a building.

H. Temporary window signs.

I. Temporary banner signs and pennants.

SEC. 95.0104 INSPECTIONS REQUIRED

A. Building Permit. All work for which a Building Permit is required shall be inspected by the Building Official. The permittee or his agent shall notify the Building Official at least 24 hours in advance, that the work is ready for inspection, at the following stages:

1. When excavations for supporting footings, piling, poles, or columns have been made and before such excavations have been filled with earth or building materials of any kind.

MICROFILMED

MAY 1 1978

2. When connecting elements have been installed on supporting buildings or structures, and before the sign is attached to these elements.
3. While a field-fabricated sign is being assembled and the internal wiring and structural elements are exposed to view.
4. After erection, installation, construction, or creation by painting is completed.

The Building Official, upon notification from the permittee or his agent, shall inspect the sign and its supports and connections and shall either approve that portion of the work or shall notify the permittee wherein it fails to comply with this Code. All work shall be done in conformance with the Building Permit and the approved plans.

B. Use Permit. All signs for which a Use Permit is required shall be subject to inspection biennially by the Building Official or by a City-approved sign company holding a valid City Sign Trade License. The Building Official and his deputies are hereby authorized to enter upon any property or premises to ascertain whether the provisions of this Code are being obeyed. Such entrance shall be made during business hours unless an emergency exists. A prospective permittee shall provide all necessary access and equipment to the Building Official for the purpose of conducting the required inspection.

MICROFILMED

MAY 1 1978

SEC. 95.0105 REVOCATION OF PERMITS FOR NON-USE

If the work authorized by any Building Permit is not commenced within 60 days, or is suspended or abandoned for 120 days, the Permit shall become null and void. Any Building Permit shall expire after one calendar year from the date of issuance.

SEC. 95.0106 BUILDING PERMIT APPLICATION

Application for a Building Permit shall be made in writing upon forms provided by the City and shall state the following information:

- A. Name, address and telephone number of the applicant.
- B. Name, address and telephone number of the sign owner.
- C. Location by street number, and legal description (tract, block, lot) of the building, structure, or lot to which or upon which the sign is to be installed or affixed.
- D. A drawing to scale showing the design of the sign, including dimensions, sign size, method of attachment, source of illumination, and showing the relationship to any building or structure to which it is, or is proposed to be, installed or affixed, or to which it relates.
- E. A fully dimensioned plot plan, approximately to scale, indicating the location of the sign relative to property lines, rights-of-way, streets, sidewalks, and other buildings or structures on the premises.
- F. The maximum and minimum heights of the sign.

MICROFILMED

-53-

MAY 1 1978

11000

02243

G. The traffic speed limit on and width of adjacent public rights-of-way.

H. Number, size and location of all existing signs on the same building, lot or premises.

I. Calculations showing wind and seismic loading and demonstrating the adequacy of supports and connections to supporting structures. Seismic and wind calculations for non-electric ground signs of less than 50 square feet in area, and with a center of gravity 8 feet or less above grade, are not required.

SEC. 95.0107 PERMIT FEES

A. General. The fees prescribed in this Division must be paid to The City of San Diego for each sign installation for which a Building Permit is required by this Division and must be paid before any such Permit is issued, as herein provided.

B. Building Permit and Initial Use Permit Fee.

1. For each sign erected, installed, affixed, structurally altered, relocated, or created by painting, the Building Permit and Initial Use Permit Fee shall be \$20.00 plus 25 cents per square foot of sign area. The Initial Use Permit shall be valid for a period of two years from the date of issuance.

MICROFILMED

MAY 1 1978

11000

02244

2. For each sign erected, installed, affixed, structurally altered, relocated or created by painting, without first obtaining a Building Permit, the Fee shall be twice the amount specified above.

C. Existing Sign Use Permit Fee.

1. Each existing sign shall pay a Use Permit Fee as follows: \$10.00 plus 25 cents per square foot of sign area for the first two years, and \$10.00 plus 12.5 cents per square foot of sign area for each two years thereafter.
2. For each Use Permit not renewed within 30 days after its expiration date, or not obtained within 30 days after a written notice to obtain a Use Permit, the Fee shall be twice the amount specified above.
3. The Building Official may prorate the sign Use Permit Fees and designate the expiration date of sign Use Permits.

D. Field-fabricated Sign Inspection Fee. Each sign fabricated in the field shall have special inspection by the Building Official, for which an Inspection Fee shall be paid. The Fee shall be \$10.00 per hour, or fraction thereof, of inspection time, with a minimum of \$10.00. This shall be in addition to the other prescribed Fees.

MICROFILMED
MAY 1 1978

E. Biennial Inspection Fee. If a field inspection is made by the Building Official for the purpose of inspecting a sign for a biennial sign Use Permit, a Fee shall be charged for at the following rate: \$10.00 per hour or fraction thereof, with a minimum Fee of \$10.00. The permittee shall provide any access and equipment required for the inspection.

F. Special Fee for Signs Projecting Over Public Space. The Use Permit for each sign, or lighting fixture installed for a sign illumination, which projects over public property shall be subject to a biennial Special Fee, in addition to the Fee required by paragraph "C." of Section 95.0107. This additional Fee shall be paid when the sign Use Permit is obtained and shall be charged for at the following rates: \$1.00 per square foot of sign area for the first 50 square feet of sign area; \$2.00 per square foot for the next 50 square feet of sign area; and \$3.00 per square foot of sign area thereabove. When only lighting fixtures project over the public right-of-way, the Fee paid will be based on the size of the sign illuminated by the lighting fixtures. In addition, the above stated Fees shall be increased 50 percent for each additional six-month period for which a non-conforming sign is permitted to remain after any officially enacted abatement date, by an extension of time granted by the Sign Code Board of Appeals.

MICROFILMED

MAY 1 1978

11000

02246

G. Temporary Sign Fees.

1. For each group of banners, pennants, or carnival-type signs installed at each premises or tenant's location, the Use Permit Fee shall be \$5.00 per \$100.00 of retail value, including installation cost, for each 30 days or less. Banners, pennants or carnival-type signs may not be displayed for more than 60 consecutive days.
2. For temporary construction project signs, the Sign Use Permit Fee for each sign shall be \$20.00 for a one-year period, or any portion thereof.
3. For each other temporary sign of 50 square feet or less in sign area, installed for a period of not more than 60 consecutive days, the Use Permit Fee shall be \$10.00.
4. For Temporary Banner Signs, the sign Use Permit Fee for each sign shall be \$10.00 for each 30-day period or less. A temporary banner sign may not be displayed for more than 60 consecutive days.

H. Extension of Time Fees. Additional Fees shall be paid at the following annual rates for any existing nonconforming sign which has been granted an extension of time by the Sign Code Board of Appeals under Section 95.0123, during the additional time extension allowed: \$15.00, plus 50 cents per

MICROFILMED

-57-

MAY 1 1978

11000

02247

permitted square foot of sign area, plus \$1.00 per square foot in excess of the maximum permitted sign area, plus \$10.00 per foot or portion thereof in excess of the maximum permitted sign height, plus \$10.00 per linear foot of encroachment into any required setback area. These Fees may be prorated, based upon the length of the allowed time extension.

SEC. 95.0108 CONDITIONS FOR SIGN USE PERMIT

All signs, together with all of their supports, braces, guys, connections and anchors, shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary, and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

Any crazing, fading, chipping, peeling, flaking of paint or plastic and any mechanical or structural defect shall be corrected before a sign Use Permit is issued.

MICROFILMED

MAY 1 1978

SEC. 95.0109 SIGN TRADE LICENSE

A. Any person, firm, or corporation, licensed by The City of San Diego to engage in the business of erecting, hanging, rehangng, placing, constructing, installing, structurally altering, relocating, or painting on-premises signs may obtain a Sign Trade License from the Building Official. A sign trade licensee may perform biennial inspections of on-premises signs. The Fee for a Sign Trade License shall be \$100.00 per annum.

B. If the Building Official finds that any holder of the Sign Trade License has failed to comply with the provisions of this Code or other applicable Ordinances of The City of San Diego, he may, after conducting a public hearing, before the Sign Code Board of Appeals, revoke the Sign Trade License of such person or business.

SEC. 95.0110 SIGN IDENTIFICATION

A. Each sign for which a sign Use Permit is required shall have affixed to it an official City of San Diego sticker bearing a number which identifies the installing or inspecting agency.

B. The sign sticker shall be installed on the bottom or lower right-hand corner of the sign, where it is readily visible from the public right-of-way ^{or} of some equally accessible place.

MICROFILMED

-59-

MAY 1 1978 11000

02249

C. Display of a sign without a City of San Diego sign sticker shall constitute a violation of this Code and the Building Official may proceed as provided by Section 95.0119.

SEC. 95.0111 STRUCTURAL DESIGN

A. General. Signs and sign structures shall be designed and constructed to resist wind and seismic forces as specified in this section. All bracing systems shall be designed and constructed to transfer horizontal forces to the foundations. For signs mounted on buildings, the vertical and horizontal loads shall be transmitted through the structure of the building to the ground in such manner as not to overstress any of the elements thereof.

The overturning moment produced from horizontal forces acting on a sign shall in no case exceed two-thirds of the dead load resisting moment. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structure of the supporting building. The weight of earth superimposed over footings may be used in determining the dead load resisting moment. Such earth shall be carefully placed and thoroughly compacted.

MICROFILMED

MAY 1 1978

11000

B. Wind loads. Signs and sign structures shall be designed and constructed to resist wind forces as specified in the Uniform Building Code as adopted by The City of San Diego.

C. Combined loads. Wind and seismic loads need not be combined in the design of signs or sign structures; only that loading producing the larger stresses need be used.

D. Seismic or wind loads need not be considered in the design of non-electric ground signs 50 square feet or less in sign area and eight feet or less in height to center of gravity.

Vertical loads shall be assumed to act simultaneously with wind or seismic loads in designing signs and their supports.

E. Allowable stresses. The design of wood, concrete, aluminum, or steel members shall conform to the requirements of the Uniform Building Code as adopted by The City of San Diego. Vertical and horizontal loads exerted on the soil shall not produce stresses exceeding those specified in the Uniform Building Code as adopted by The City of San Diego.

The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners.

MICROFILMED
MAY 1 1978

11000

Working stresses for wind or seismic loads combined with dead loads may be increased as specified in the Uniform Building Code as adopted by The City of San Diego.

F. Anchorage. Members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either horizontal or vertical directions shall not exceed allowable values. Braced ground signs shall be anchored to resist the specified wind or seismic load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to pull-out equivalent to a force 25 percent greater than the required resistance to overturning.

Portable ground signs supported by frames or posts rigidly attached to the base shall be so proportioned that the weight and size of the base will be adequate to resist the wind pressure specified herein.

Signs attached to masonry, concrete, or steel shall be safely and securely fastened thereto by means of approved metal anchors, bolts, or expansion screws of sufficient size and strength to support the loads applied.

No wooden blocks, plugs, or anchors of wood used in connection with screws or nails shall be considered an adequate connection, except in the case of signs attached to wood framing.

MICROFILMED

MAY 1 1978

No anchor or support for any sign shall be connected to, or supported by, an unbraced parapet wall, unless such wall is designed in accordance with the requirements for parapet walls specified in the Uniform Building Code as adopted by The City of San Diego.

SEC. 95.0112 CONSTRUCTION AND MATERIAL STANDARDS

A. General. The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed, and erected in conformance with the requirements of this Code.

B. Materials. Materials of construction for signs and sign structures shall be of a quality and grade allowed for buildings in the Uniform Building Code as adopted by The City of San Diego.

If the frame or cabinet of a sign is to be fabricated of steel, the steel shall be galvanized or painted with rust-inhibiting paint.

Anchors and supports of wood, when embedded in the soil or within six inches of the soil, shall be pressure-treated with an approved preservative. Such treated wood members shall be marked or branded by an approved agency.

C. Restrictions on combustible materials. All signs and sign structures erected in Fire Zone 1 shall have structural supports of incombustible materials.

MICROFILMED

MAY 1 1978

Ground signs may be constructed of any material meeting the requirements of this Code, except in Fire Zone 1b. 1.

Combination signs, roof signs, wall signs, projecting signs, and signs on marquees shall be constructed of incombustible materials, except as provided in paragraph "D." of Section 95.0112. Combustible materials other than approved plastics shall not be used in the construction of electric signs.

D. Nonstructural trim. Nonstructural trim and portable display surfaces may be of wood, metal, approved plastics, or any combination thereof.

E. In Fire Zone 1, temporary wooden signs may be installed provided structural supports are at least of 3" by 3" in cross-section and the display surface is at least 3/4" thick plywood.

SEC. 95.0113 REQUIRED CLEARANCES

A. General. All types of signs shall conform to the clearance and projection requirements of this section.

B. Clearance from High Voltage Power Lines. Signs shall be located not less than six feet horizontally or twelve feet vertically from overhead electrical conductors which are energized in excess of 750 volts. The term "overhead conductors" as used in this section, means any electrical conductor, either bare or insulated, installed

MICROFILMED

MAY 1 1978

11000

above the ground except such conductors as are enclosed in approved metal conduits.

C. Projection over Alleys. A sign or sign structure shall not project into any public alley below a height of 16 feet above grade, nor project more than 12 inches where the sign structure is located between 16 feet and 18 feet above grade. The sign or sign structure may project not more than 36 inches into the public alley where the sign or sign structure is located more than 18 feet above grade.

SEC. 95.0114 ELECTRICAL WORK

A. The electrical supply for a directly illuminated sign shall be a separate circuit or circuits, not connected to other building wiring. Such wiring shall comply with the National Electric Code and shall be authorized by Electrical Permit.

B. All directly illuminated signs shall be approved and labeled by Underwriters' Laboratory.

C. The electrical wiring for and labeling of illuminated signs shall comply with the National Electrical Code as adopted by The City of San Diego.

SEC. 95.0115 PLASTIC

The Building Official shall require that sufficient technical data be submitted to substantiate the proposed use of any plastic material and, if it is determined that the evidence submitted is satisfactory for the use intended,

MICROFILMED
MAY 1 1978

he may approve its use. Manufacturer's recommendations will be utilized when available and applicable. The following requirements represent the minimum acceptable, for normal conditions:

1. Acrylic Plastic.
 - a. Thickness minimum: .125 inches.
 - b. Edge retaining angles minimum height: one inch plus 1.66 of an inch for each linear foot of perpendicular face.
2. Fiberglass.
 - a. Thickness minimum: .080 inches.
 - b. Facing supports shall be required only on large panels to limit deflection to two inches under a 20 pound load.

SEC. 95.0116 STEEL DECORATIONS AND TRIM

All grades of steel shall be galvanized or properly primed and top coated for corrosion resistance.

SEC. 95.0117 DESIGN AND FABRICATION OF PLASTIC SIGN FACES

A. When a sign face is of sufficient size to cause bowing or sagging of the face due to the weight of the plastic, the face must be supported or hung from the top edge.

B. Tiebacks must be positioned in order that each individual tieback is subjected to approximately the same load. The tieback system must be capable of resisting both

MICROFILMED 11000

the positive and negative design wind loads. In no case will the faces of a double-faced sign be interconnected.

C. Ribs shall be a minimum of .250 of an inch thick and three inches deep. The ribs will run parallel to the short dimension and extend to the edges of the face.

D. Bumpers shall be designed to resist buckling under the positive design wind load and with a resilient tip. The tip of the bumper shall be positioned at least one inch from the face. Each bumper shall be positioned for equal design loading.

SEC. 95.0118 EXISTING SIGNS

A Use Permit for every sign in existence on the effective date of this ordinance shall be obtained within 150 days from that date. Signs in existence on the date of enactment of this ordinance which do not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous regulations, shall be regarded as nonconforming signs which may be continued from the effective date of this ordinance for a period not to exceed two years before conformance or removal. Any sign owner, whether a sign user or a sign lessor or lessee, may seek relief from this provision by appealing to the Sign Code Board of Appeals in accordance with the provisions set forth in Section 95.0122 through Section 95.0125 for a longer use period.

MICROFILMED

MAY 1 1978 11000

SEC. 95.0119 NONCONFORMING SIGNS AND THEIR REMOVAL

Nonconforming signs may be declared "Public Nuisances" and then shall be abated as prescribed by law.

SEC. 95.0120 SIGNS ON ANNEXED PROPERTY

Use Permits for existing signs located on newly annexed properties shall be obtained within three months after the effective date of the annexation.

SEC. 95.0121 THE SIGN CODE BOARD OF APPEALS

There is hereby created a Sign Code Board of Appeals. The Board shall consist of five voting members, who shall serve without compensation. The members of the Board shall be appointed by the Mayor and confirmed by the Council. The members shall serve two-year terms and each member shall serve until his successor is duly appointed and qualified. Two members of the Board as originally constituted shall be appointed for one-year terms so that the terms of not more than three members shall expire in any year. The expiration date shall be March 1. During March of each year the Mayor shall designate one member as Chairman. However, in the absence of such designation, the Board shall, on or after April 15, select a Chairman from among its members.

The Planning Director or a designated representative, the Building Official or a designated representative, and

MICROFILMED

MAY 1 1978

11000

the City Attorney or a designated representative, shall serve as non-voting members of the Board and shall act in an advisory capacity.

The Board shall meet regularly once a month or oftener, if necessary, for the transaction of business. It shall establish its own rules and procedures necessary or convenient for the conduct of its business.

Three members of the Board shall constitute a quorum. The affirmative vote of not less than three members shall be necessary for any action by the Board.

SEC. 95.0122 POWERS AND DUTIES OF THE SIGN CODE
BOARD OF APPEALS

The Sign Code Board of Appeals is empowered to: 1) grant extensions of time in order to prevent or to lessen difficulties and unnecessary hardships inconsistent with the objectives of this code; 2) hear and decide appeals by a sign user, owner or other concerned party, regarding the application of the provisions of this Division.

SEC. 95.0123 EXTENSIONS OF TIME

The Sign Code Board of Appeals may grant such an extension of time that it deems to be reasonable, but not to exceed five years, to the owner of a nonconforming sign if, after hearing testimony at a public hearing, it determines that the immediate correction or removal of an existing sign will create a hardship for the Owner or

MICROFILMED
MAY 1 1978

11000

user and, although different from that permitted by provisions of this Code, will not be detrimental to its neighborhood environment for a limited period of time.

SEC. 95.0124 APPEAL TO THE SIGN CODE BOARD OF APPEALS

An appeal regarding the application of this Division may be made to the Sign Code Board of Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City, or by any resident of the City. Such appeal shall be filed within ten days from the date on which the decision on the application being appealed was made.

1. Appeals shall be in writing and shall be filed in duplicate in the office of the City Clerk upon forms provided and shall specify wherein there is a misapplication of this Division or a resulting unnecessary hardship.
2. An appeal filed with the City Clerk within the time specified in this section stays proceedings in the matter.
3. Upon the filing of an appeal, the Sign Code Board of Appeals shall set the matter for public hearing and shall give notice of the time and purpose of such hearing in accordance with the procedure set forth in paragraphs "3.a." or "3.b." of this section.

MICROFILMED

MAY 1 1978 11000

- a. By depositing in the United States mail, postage prepaid, at least ten days prior to the date of such hearing, a notice addressed to the owner of each parcel of land lying within the subject property and within 300 feet of the exterior boundaries of the subject property. The last known name and address of each owner as shown in the records of the County Assessor may be used for this notice.
 - b. By at least one publication of a notice in the City official newspaper, not less than ten days prior to the date of the hearing.
4. In addition to the methods set forth in paragraphs "3.a." and "3.b." of this section, the Sign Code Board of Appeals may use other methods which it finds to be desirable in giving proper notice of the public hearing.
 5. The mailed notices referred to in paragraph "3." of this section shall be headed "NOTICE OF PUBLIC HEARING" in letters not less than one inch in height and shall recite in legible characters the following:
 - a. The boundaries of the subject property. A diagram or plat may be substituted for this description.

MICROFILMED

11000

-71- MAY 1 1978

02261

- b. The date, time, place, and subject of the hearing.
 - c. A statement that any person may, but is not required to, appear and be heard.
 - d. A statement that a copy of the appeal, together with plans and other data pertinent to the appeal, are available for public inspection in the Building Inspection Department.
6. The Board shall forward to the Building Official the duplicate copy of the appeal and instruct the Building Official to transmit to the Board a report on his decision and actions regarding the case along with findings, and all evidence, maps, plans and exhibits used by the Building Official in making his decision in the case.
7. Upon the date set for the hearing, the Board shall hear the appeal unless for cause the Board shall on that date continue the matter. If a date and time certain for the continued hearing is announced in the open meeting, no further notice need be given.

MICROFILMED

MAY 1 1978

SEC. 95.0125 DECISION OF THE SIGN CODE BOARD OF APPEALS

1. After conducting a public hearing on an appeal, the Sign Code Board of Appeals may, by resolution, affirm, reverse, or modify in whole or in part an order or decision of the Building Official or grant an extension of time for correction or removal of nonconforming signs providing the factually matters produced at the hearing establish that:

- a. There are special circumstances or conditions applying to the sign in question for which the adjustment is sought. Such conditions shall not have resulted from any act of the applicant subsequent to the adoption of the applicable zoning ordinance.
- b. The aforesaid circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the applicant of the use, for a reasonable amount of time, of the property in question and that the extension of time granted by the City is the minimum extension of time that will accomplish this purpose.

MICROFILMED

MAY 1 1978

11000

- c. The granting of the extension of time will be in harmony with the general purpose and intent of the regulations of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
 - d. The granting of the extension of time will not be inconsistent with the planning objectives of the Progress Guide and General Plan For The City of San Diego or any adopted community or precise plan for the area.
2. The resolution shall be filed with the City Clerk, Zoning Administrator, the Building Official, the County Recorder of San Diego County and a copy shall be mailed to the applicant. The resolution shall not be filed with the County Recorder if the resolution is a denial of the extension of time.
 3. The decision of the Sign Code Board of Appeals shall be final.

SEC. 95.0126 ENFORCEMENT

A. It shall be unlawful for any person to erect, place, construct, reconstruct, alter, maintain or move any sign, or to do any act contrary to or in a manner contrary to any direction, instruction, specification, or provision contained in this Code or any notice lawfully given or posted pursuant to the provisions of this Code or to do any act without any

MICROFILMED
-741
MAY 1 1978 11000

02264

permit hereby required or contrary to the conditions upon which any permit has been issued pursuant to this Code; or to refrain from doing or taking, or to fail to do or take, any act or precaution required to be done or taken prior to, or in doing, anything permitted as in this Code or in any regulation or specification adopted by this Code provided by any notice lawfully given or posted pursuant to the provisions of this Code; and whether or not in any such case it is expressly stated that the doing of or the failure to do the thing mentioned, shall be lawful.

B. Every person who violates any of the provisions of the Code, or who causes, suffers, or permits any act or thing to be done in contravention or in violation of any of the provisions of this Code, or who neglects or refrains from doing anything required to be done by any of the provisions of this Code, or who carries out or who suffers, causes, or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Code, or who fails to comply with any order, direction, or notice given under this Code, may be deemed to be guilty of a misdemeanor and shall be liable to the penalties imposed by Section 95.0127. For each day that a violation is permitted to exist, it shall constitute a separate offense.

C. Where any sign or part thereof contravenes this Ordinance or where any sign is in such a condition as to

MICROFILMED

-75- MAY 1 1978 11000

02265

be in danger of falling or is a menace to the safety of persons or property, the Building Official shall give to the owner or person in charge of the sign written notice specifying the danger of the violation, ordering the cessation thereof and requiring either the removal of the sign or the carrying out of remedial work in the time and in the manner that the notice shall specify. Such notice shall be posted by registered mail, return receipt requested. In the event of failure to comply after 10 days from receipt of said notice, the Building Official may request that the City Council declare the sign a public nuisance, and such sign may be abated in the manner prescribed by applicable law.

D. In the event the Building Official determines that a sign does not conform to the provisions of this Code, the Building Official shall give written notice to the owner of the sign or, if the sign owner cannot be located, to the owner of the building or premises upon which the sign is located. Failure to remove the sign or correct the conditions existing within 60 days from the date of the written notice shall constitute a violation of this Code and subject the owner of the sign or building to the penalties prescribed in Section 11.12.

E. Upon discontinuance in business or occupancy of any establishment, the Building Official may require the removal

MICROFILMED

-76- MAY 1 1978

11000

02266

of the on-premise signs advertising or identifying the establishment according to the procedure specified in Section 95.0119.

SEC. 95.0127. PENALTIES

Upon conviction, any person who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor, and such person may be punished by a fine of \$500 or by imprisonment in the County Jail for not more than six months.

SEC. 95.0128 LIABILITY

The provisions of this Code shall not be construed as relieving or limiting in any way the responsibility or liability of any person erecting or owning any sign, for personal injury or property damage resulting from the placing of a sign, or resulting from the negligence or willful acts of such person, its agents, employees, or workmen in the construction, maintenance, repair or removal of any sign erected in accordance with a permit issued hereunder. Nor shall it be construed as imposing upon the City or its officers or employees any responsibility or liability by reason of the approval of any signs, materials or devices under the provisions of this Code.

SEC. 95.0129 CONFLICTING PROVISIONS

If any other provisions of the Municipal Code conflict with the provisions of this Division, the more restrictive provisions shall apply.

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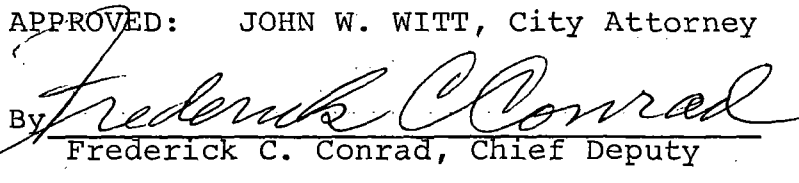
SEC. 95.0130 SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Code. The City Council hereby declares that it would have passed this Code, and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Chief Deputy

FCC:nr
2-20-73

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MAY 1 1978

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MAP 6 1973

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1973 MAR 5 AM 10:40
SAN DIEGO, CALIF.

| Councilmen | Yeas | Nays | Excused | Absent |
|---------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| Gil Johnson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Henry L. Landt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Floyd L. Morrow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bob Martinet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Allen Hitchcock | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Bates | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Mary Anne Nease, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 20 1973, and on MAR 6 1973

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Mary Anne Nease, Deputy.

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MAY 1 1978

Office of the City Clerk, San Diego, California

Ordinance Number 11000 Adopted MAR 6 1973

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ATTORNEY (S)

RECEIVED
CITY CLERK'S OFFICE

1973 APR -5 AM 8:57

SAN DIEGO, CALIF.

* City of San Diego
202 C Street
12th Floor
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AMEND SECS. 95.0101

I, **Patricia M. Applestill** hereby certify that **San Diego Daily Transcript** is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the **principal clerk** of said newspaper; that the

ORDINANCE NO. 11000

to a true and correct copy of which this certificate is annexed was published in said newspaper on **March 16, 1973**

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

March 26, 1973

Patricia M. Applestill

(Signature)

287"

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62270