

Amend 12-7-64 3165  
3-10-65 3182

ORDINANCE NO. 2984

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**TITLE:** An ordinance regulating the erection, construction, repair, alteration, location or maintenance of signs and billboards within the City of Albany, Oregon; providing for the issuance of permits and fees therefor; the revocation of permits; inspection and fees therefor; repeal of conflicting ordinances; and providing penalties for violation thereof.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

**Section 1: SHORT TITLE**

This ordinance shall hereafter be known and cited as the "Sign Regulations".

**Section 2: DEFINITIONS**

As used in this ordinance unless the context otherwise indicates:

- a) The term "sign" shall mean and include every sign, billboard, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee, awning, canopy, and shall include any announcement, declaration, demonstration, display illustration or insignia used to advertise or promote the interests of any person when the same is placed out of doors in view of the general public.
- b) "Illuminated sign" shall mean any sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as a part of the sign proper.
- c) "Facing" or "surface" shall mean the surface of the sign upon, against, or through which the message is displayed or illustrated on the sign.
- d) "Incombustible material" shall mean any material which will not ignite at or below a temperature of 1200° Fahrenheit during an exposure of five minutes and will not continue to burn or glow at that temperature.
- e) "Other advertising structure" as used in this ordinance shall mean any marquee, canopy, awning or as further defined herein.
- f) "Person" shall mean and include any person, firm, partnership, association, corporation, company or organization of any kind.
- g) "Structural trim" shall mean the molding, battens, cappings, nailing strips, latticing, and platforms which are attached to the sign structure.
- h) "Erect" shall mean to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs.
- i) "Plastic materials" are those wholly or principally from standardized plastics listed in the Uniform Building Code.

**Section 3: PERMITS REQUIRED**

It shall be unlawful for any person to erect, alter or relocate within the City of Albany any sign or other advertising structure as defined in this ordinance, without first obtaining an erection permit from the Building Inspector and making payment of the fee required by Section 6 hereof. All illuminated signs shall, in addition, be subject to the provisions of the Electrical Code, and the permit fees required thereunder.

**Section 4: APPLICATION FOR ERECTION PERMIT**

Application for sign permits shall be made upon blanks provided by the Building Inspector, and shall contain or have attached thereto the following information:

- a) Name, address, and telephone number of the applicant.
- b) Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
- c) Position of the sign or other advertising structure in relation to nearby buildings or structures.
- d) Two (2) sketches showing the method of attachment to the building or in the ground.
- e) Name of person, firm, corporation or association erecting structure.



Section 5: PERMIT ISSUED IF APPLICATION IN ORDER

It shall be the duty of the Building Inspector, upon the filing of an application for a sign permit to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and if it shall appear that the proposed structure is in compliance with all the requirements of this ordinance and all other laws and ordinances of the City of Albany, he shall then issue the sign permit. If the work authorized under a sign permit has not been completed within six (6) months after date of issuance, the said permit shall become null and void.

Section 6: PERMIT FEES

Every applicant, before being granted a permit hereunder shall pay through the Building Inspector to the office of the City Recorder the following permit fee for each such sign or other advertising structure regulated by this ordinance:

All signs requiring a permit other  
than temporary signs . . . . . \$2.50 per sign  
Temporary signs . . . . . \$1.00 per sign

Section 7: PERMIT REVOCABLE AT ANY TIME

All rights and privileges acquired under the provisions of this ordinance or any amendment thereto, are mere licenses revocable at any time by the City Council upon violation of this ordinance and all such permits shall contain this provision.

Section 8: UNSAFE AND UNLAWFUL SIGNS

If the Building Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this ordinance, he shall give written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, such sign or other advertising structure may be removed or altered to comply by the Building Inspector at the expense of the permittee or owner of the property upon which it is located. The Building Inspector shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Inspector may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.

Section 9: NUMBER, AMPEREAGE AND VOLTAGE TO BE ON SIGN

Every sign or other advertising structure hereafter erected shall have painted in a conspicuous place thereon, in letters not less than one inch in height, the ampereage and the voltage of any electrical apparatus used in connection therewith.

Section 10: WIND PRESSURE AND DEAD LOAD REQUIREMENTS

All signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than twenty (20) pounds per square foot of area; and shall be constructed to receive dead loads as required in the Building Code or other ordinance of the City of Albany.

Section 11: REMOVAL OF CERTAIN SIGNS

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within ten (10) days after written notification from the Building Inspector, and upon failure to comply with such notice within the time specified in such order, the Building Inspector is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached.

Section 12: EXEMPTIONS

The provisions and regulations of this ordinance shall not apply to the following signs, provided, however, said signs shall be subject to the provisions of Section 8:

- a) Real estate signs not exceeding eight (8) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are located only.
- b) Professional name plates not exceeding four (4) square feet in area.
- c) Signs painted on the exterior surface of a building or structure, provided, however, if said signs have raised borders, letters, characters, decorations or lighting appliances, they shall be subject to the provisions of Section 11 and all applicable provisions of this ordinance.
- d) Bulletin boards not over sixteen (16) square feet in area for public, charitable or religious institutions when the same are located on the premises of said institutions.



- e) Signs denoting the architect, engineer or contractor when placed upon work under construction, and not exceeding thirty-two (32) square feet in area.
- f) Occupational signs denoting only the name and profession of an occupant in a commercial building, public institutional building or dwelling house, and not exceeding six (6) square feet in area.
- g) Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.
- h) Traffic or other municipal signs, legal notices, railroad crossing signs, danger, and such temporary, emergency or non-advertising signs as may be approved by the City Council.

**Section 13: OBSTRUCTION TO DOORS, WINDOWS OR FIRE ESCAPES**

No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape.

**Section 14: SIGNS NOT TO CONSTITUTE TRAFFIC HAZARD**

No sign or other advertising structure as regulated by this ordinance shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

**Section 15: FACE OF SIGN SHALL BE SMOOTH**

All signs or other advertising structures which are constructed on street lines, or within five (5) feet thereof, shall have a smooth surface and no nails, tacks or wires shall be permitted to protrude therefrom except electrical reflectors and devices which may extend over the top and in front of the advertising structures.

**Section 16: GOOSE NECK REFLECTORS**

Goose neck reflectors and lights shall be permitted on ground signs, roof signs, and wall signs, provided, however, the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property.

**Section 17: SPOTLIGHTS AND FLOODLIGHTS PROHIBITED**

It shall be unlawful for any person to maintain any sign which extends over property not owned by him or which is wholly or partially illuminated by floodlights or spotlights.

**Section 18: OBSCENE MATTER PROHIBITED**

It shall be unlawful for any person to display upon any sign or other advertising structure any obscene, indecent or immoral matter.

**Section 19: GROUND SIGNS**

- a) **Definition.** Ground signs as regulated by this ordinance shall include any sign supported by uprights or braces placed upon the ground, and not attached to any building.
- b) **Construction.**
  - (1) **Materials Required.** All ground signs for which a permit is required under this ordinance, shall have a surface or facing of incombustible material; provided, however, that combustible structural trim may be used thereon.
  - (2) **Letters, etc., to be secured.** All letters, figures, characters or representatives in cut-out or irregular form, maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built to the sign structure and shall comply with all requirements in Section 15.
- c) **Location.**
  - (1) **Height Limitation.** None, as long as there is compliance with load requirements.
  - (2) **Space between sign and ground and other signs and structures.** Ground signs shall have an open space not less than two (2) feet between the base line of said sign and the ground level. This open space may be filled in with a platform or decorative lattice work which does not close off more than one-half of any square foot of such open space.
  - (3) **Set-back Line.** No support for a ground sign shall be nearer the street than the building line established by law.
  - (4) **Not to Mislead, Interfere With, or Confuse Traffic.** All ground signs shall conform to the provisions of Section 14.



- d) Erection.
- (1) Bracing, Anchorage and Supports. All ground signs shall be securely built, constructed and erected upon posts and standards sunk at least three (3) feet below the natural surface of the ground.
  - (2) Supports, etc., to be Creosoted. All posts, anchors and bracing of wood shall be treated to protect them from moisture by creosoting or other approved methods when they rest upon or enter into the ground.
  - (3) Wind Pressure, and Dead Load Requirements. All ground signs shall conform to the requirements of Section 10.
- e) Premises to be Kept Free of Weeds, etc. All ground signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

Section 20: WALL SIGNS

- a) Definition. Wall sign as regulated by this ordinance shall include all flat signs of solid face construction other than neon or plastic signs which are placed against a building or other structure and attached to the exterior front, rear, or side wall of any building, or other structure.
- b) Construction.
- (1) Materials Required. All wall signs for which a permit is required under this ordinance, shall have a surface or facing of incombustible material; provided, however, that combustible structural trim may be used thereon.
- c) Location.
- (1) Limitation on Placement and Area. No wall sign shall cover wholly any wall opening, nor project beyond the ends or top of the wall to which it is attached, and any one wall sign will not exceed an area of five hundred (500) square feet.
  - (2) Projection Above Sidewalk and Set-back Line. No wall sign shall be permitted to extend more than ten (10) inches beyond the building line, and shall not be attached to a wall at a height of less than ten (10) feet above the sidewalk or ground.
  - (3) Obstruction to Door, Windows or Fire Escapes. No wall sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.
- d) Erection.
- (1) Supports and Attachments. All wall signs shall be safely and securely attached to the building wall by means of galvanized metal anchors, bolts, or expansion screws of not less than one-half (1/2) inch in diameter embedded in said wall at least four (4) inches; provided, however, that such signs may rest in, or be bolted to strong, heavy metal brackets or saddles set not over eight (8) feet apart, each of which shall be securely fixed to the wall as hereinbefore provided. In no case shall any wall sign be secured with wire, strips of wood or nails.
  - (2) Wind Pressure and Dead Load Requirements. All wall signs shall conform to the requirements of Section 10.

Section 21: ROOF SIGNS

- a) Definition. Roof signs as regulated by this ordinance shall mean any sign, other than neon or plastic sign, erected, constructed and maintained wholly upon or over the roof of any building with the principal support on the roof structure.
- b) Construction.
- (1) Materials Required. Every roof sign, including the upright supports and braces thereof, shall be constructed entirely of incombustible materials; provided, however, that combustible structural trim may be used thereon.
- c) Location.
- (1) Height and Area Limitations. No roof sign shall have a surface or facing exceeding three hundred (300) square feet, nor have its highest point extended more than twenty (20) feet above the roof level.
  - (2) Set-back from Roof Edge. No roof sign shall be erected or maintained with the face thereof nearer than five (5) feet to the outside wall toward which the sign faces.
  - (3) Space Between Sign and Roof. All roof signs shall have a space at least five (5) feet in height between the base of the sign and the roof level, and have at least five (5) feet clearance between the vertical supports thereof.
  - (4) Prohibited Obstructions. No roof sign shall be placed on the roof of any building or structure in such manner as to prevent free passage from one part of said roof to any other part thereof or interfere with openings in said roof and shall comply with Section 13 hereof.



d) Erection.

- (1) Bracing, Anchorage and Supports. Every roof sign shall be thoroughly secured to the building by iron or other galvanized metal anchors, bolts, supports, rods or braces. When erected upon buildings which are not constructed entirely by fireproof material, the bearing plates of said sign shall bear directly upon masonry walls and intermediate steel columns in the building.
- (2) Wind Pressure, and Dead Load Requirements. All roof signs shall conform to the requirements of Section 10 of this ordinance.

Section 22: PROJECTING SIGNS

a) Definitions.

- (1) Projecting sign as regulated by this ordinance shall include any sign which is attached to a building or other structure and extends beyond the line of the said buildings or structure or beyond the surface of that portion of the building or structure to which it is attached.
- (2) Horizontal projecting sign means any sign which is greater in width than in height.
- (3) Vertical projecting sign means any sign which is greater in height than in width.

b) Construction.

- (1) Every projecting sign, including the frames, braces and supports thereof, shall be in compliance with the Building Code of the City of Albany and the Electrical Code of the City of Albany.
- (2) Illumination. No floodlight or spotlight nor reflectors of the goose neck type shall be permitted on projecting signs.
- (3) Limitation of Glass. The lettering or advertising designs to be illuminated may be composed of glass, approved plastic, or other transparent or semi-transparent incombustible material. Any glass forming a part of any sign shall be safety glass or plate glass at least 1/4 inch thick and in case any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass. One section, not exceeding three (3) square feet in area, constructed of wire glass or safety glass shall be permitted on each side of a sign.
- (4) Movable Parts to be Secured. Any movable part of a projecting sign such as a cover of a service opening shall be securely fastened by chains or hinges.

c) Location.

- (1) Projection over Public Property. Every projecting sign shall be placed at least ten (10) feet above the public sidewalk over which it is erected, and a distance not greater than three (3) feet from the face of the wall to which it is attached, measuring from the point of the sign nearest thereto, nor shall any sign or part thereof extend nearer the curb line than two (2) feet. Every projecting sign erected over public driveways, alleys and thoroughfares shall be placed not less than fifteen (15) feet above the level of same. Every sign under a marquee shall be at least seven and one-half (7½) feet above the sidewalk and not more than four (4) feet long and ten (10) inches wide.
- (2) Obstruction and Traffic Hazards. Every projecting sign shall be erected in full compliance with Sections 13 and 14 of this ordinance.

d) Erection.

- (1) Bracing, Anchorage and Supports. Projecting signs shall be attached with adequate and secure methods of fastening as approved by the Building Inspector.

Section 23: TEMPORARY SIGNS

- a) Definition. Temporary signs as regulated by this ordinance shall include any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board or other light materials, with or without frames, intended to be displayed for a short period of time only.

b) Construction.

- (1) Materials and Area Limitations. No temporary sign of combustible material shall exceed forty (40) feet in one of its dimensions or one hundred-twenty (120) square feet in area.

c) Location.

- (1) Obstruction to Doors, Windows and Fire Escapes. No temporary sign shall be erected, so as to prevent free ingress to or egress from any door, window or fire escape, nor shall such sign be attached to any stand pipe or fire escape.

d) Erection.

- (1) Anchorage and Support. Every temporary sign shall be attached to the wall or steel cables, and no strings or wood slats for anchorage or support purposes shall be permitted.

- e) Duration of Permits. Permits for temporary signs shall authorize the erection of said signs and their maintenance for a period not exceeding thirty (30) days.



- f) Advertising Permitted. The advertisement contained on any temporary sign shall pertain only to the business, industry or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political or religious nature.

Section 24: HOME OCCUPATION SIGNS

- a) See section 201.03 of Ordinance No. 2916, as amended.

Section 25: REVOCATION OF PERMITS

The Building Inspector is hereby authorized and empowered to revoke any permit issued by him upon failure of the holder thereof to comply with any provisions of this ordinance.

Section 26: PENALTIES

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding FIVE HUNDRED DOLLARS (\$500.00) or by imprisonment in the city jail not exceeding thirty (30) days, or by both such fine and imprisonment. Every day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

Section 27: SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 28: ORDINANCES REPEALED

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed by the Council: October 11, 1961

Approved by the Mayor: October 11, 1961

*W. R. Schepers*

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Mayor

Effective Date: November 10, 1961

ATTEST:

*Ernest W. Dehan*  
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City Recorder