

Box Elder County Land Use Management & Development Code

Article 5: Regulations of General Applicability

Chapter 5-3 - Sign Regulations

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5-3-010. Purpose.

The purpose of this chapter is to eliminate excessive and confusing sign displays that create potential hazards to motorists, pedestrians, property, to improve appearance and views within the major transportation corridors by setting requirements for the location, type, number of, size, height, and lighting of signs and to preserve and improve the aesthetic values, economic prosperity, and visual qualities of Box Elder County.

5-3-020. Definitions.

A Frame Sign: A sign constructed of wood, plastic, or metal, having a solid surface for written advertising with two sides not exceeding 6 square feet on a side attached at the top to allow the sign to stand in an upright position weighted or anchored sufficiently at the bottom to prevent blow overs and to be movable at will.

Abandoned Sign: A sign which, for a period of at least one (1) year or longer no longer advertises or identifies a legal business establishment, an existing product or activity, or accurate information.

Alterations: A change or rearrangement in the structural parts or design whether by extending on a side, by increasing in area or height, or by relocating or change in position.

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Awning Sign: A sign which is integral with or placed on a translucent awning or other “fabric” covering a framework and which is backlit.

Billboard: A freestanding sign that identifies or communicates a commercial or non-commercial message regarding an activity, service, product, or matter that is not conducted on or related to the lot or parcel where the sign is located.

Canopy Sign: A sign which is mounted on and supported by a canopy and may be found either above the canopy or hanging beneath the canopy, but in all cases mounted perpendicular to the building.

Changeable Copy: A sign on which text or copy is changed manually or electronically, but not including poster panels or painted bulletins.

County Road: Any roads built or maintained in whole or in part by Box Elder County or with the aid of Box Elder County funds.

Fascia Sign: A sign which is erected on or above the roof line of a building and which is wholly or partially supported by the building.

Freestanding Sign: A sign which is supported by one or more upright columns, poles, or braces, in or upon the ground.

Identification: A sign displayed to indicate the name or nature of a building, or of a use.

Illuminated Sign: A sign equipped with artificial lighting devices for the purpose of improving the sign’s visibility. This definition shall include internally and externally lighted signs.

Interstate Highway: Roads that receive federal aid or are considered to be part of the National Highway System.

Marquee Sign: A permanent roof like shelter extending from part or all of a building face and constructed of some durable material.

Mobile Sign: A sign mounted on trailer or frame, lighted or unlighted, which is not permanently attached to a structure or the ground.

Monument Sign: A sign mounted directly, or in close proximity, to the ground, and not over six (6) feet in height from the top of any required landscaped berm to the top of the sign cabinet which is incorporated into some form of landscaping design scheme, planter box, or berm.

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Non-conforming Sign: A sign or sign structure which lawfully existed at the time an applicable zoning or other ordinance became effective, but which does not presently conform to all the requirements of this Code.

Official business directional sign: A sign erected and maintained by the state or an entity authorized by the state to indicate to the traveling public the route and distance to public accommodations or commercial services for the traveling public.

Off-premises Sign: Any sign, including a billboard or general outdoor advertising device, that advertises or directs attention to a business, commodity, service, activity, or matter conducted, sold, or offered elsewhere than on the same lot or parcel upon which such sign is located.

On-premise Sign: A sign which advertises products or services available on the premises where the sign is located.

Portable and temporary signs: A sign, with or without changeable copy, intended for temporary use which is not permanently affixed to the ground or a structure. To include A Frame Signs and Mobile Signs.

Projecting Wall Sign: A sign which is affixed to an exterior wall or building or structure and which projects more than 18 inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.

Roof Sign: A sign which is erected on or above the roof line of a building and which is wholly or partially supported by the building.

Rotating Sign: A sign which revolves three hundred sixty (360) degrees with continuing motion.

Sign: Any object, device, display, or structure, or a part thereof, used to visually convey a commercial and/or noncommercial message and design for the purpose of directing, attracting attention, or making known the subject thereof, but not including the lawful display of merchandise.

Sign Area: For signs that have a frame or a separate background, the area of a sign that is used for writing, representation, emblem or other display purposes located within the area of the frame or separate background containing the display, excluding the structural supporting framework, bracing or wall provided such wall meets zoning ordinance regulations and is clearly incidental to the display itself. In computing sign area, only one side of a back-to-back or double face sign shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than thirty degrees (30°). For signs that do not have a frame or a

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separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display, including any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. When a low profile sign is mounted on a base rising a maximum of three feet and consisting of materials matching the predominant materials used in the construction of the principal building on the premise where the sign is located, the area of the base shall not be included in the calculation of sign area.

Sign Height: The distance in vertical feet from the elevation of the adjacent dedicated public street, at the edge of the pavement, to the highest point of the sign structure. For property with an elevation higher than the adjacent public street, the height shall be measured from ground level at base of sign to the highest point of the sign structure. The ground shall not be altered for the sole purpose of providing additional sign height.

Snipe Sign: A sign which is attached to a public utility pole, light fixture poles, canopy supports, or the supports for another sign.

State Road: Any roads built or maintained in whole or in part by the state or with the aid of state funds.

Tourist-oriented directional sign: A sign erected and maintained by the state or an entity authorized by the state to indicate to the traveling public the route and distance to points of scenic, historic, cultural, educational, religious, and recreational interest.

5-3-030. Interpretation.

The requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Code, the Box Elder County ordinances, or other laws. However, the requirements of this Chapter shall prevail over conflicting provisions of any other requirement in this Code unless a different standard is expressly authorized.

In interpreting and applying the provisions of this Code, the sign regulations contained herein are declared to be the minimum standards allowable for the purpose set forth. The types of signs allowed by this Code shall be plenary and sign types not specifically allowed as set forth within the Code shall be prohibited. It is not intended by this Chapter to interfere with nor abrogate nor annul any easement, covenants, nor other agreements between private parties existing at the time of the effective date of this Code; provided, however, that where this Code imposes a greater restriction upon signs, and the location thereof requires or imposes other conditions than those required or imposed by other laws, ordinances, or restrictions, the provisions of this Code shall control.

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In matters of interpretation, the provisions of this chapter shall be interpreted by the Zoning Administrator or designee.

5-3-040. Severability.

This Chapter is hereby declared severable. In the event that any provision in this Chapter is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or the enforcement of either this Chapter as a whole or any parts not declared invalid or unconstitutional.

5-3-050. General Regulations.

- A. Except as provided in this Code, no sign shall be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, or have the text of the sign changed, except in conformity with the regulations herein specified for the use district in which it is located. No permit is required for the maintenance of a sign nor is a permit required to change copy on painted, printed, or changeable copy signs.
- B. All signs hereafter erected in Box Elder County shall comply with the current standards of the National Electrical Code, the Uniform Building Code, and all other ordinances of Box Elder County.
- C. Unless otherwise specified in this Chapter, all signs may be illuminated. However no sign may utilize:
 - 1. An exposed incandescent lamp with an external reflector without a sunscreen or comparable diffusion;
 - 2. Any exposed incandescent lamp in excess of 15 watts unless a screen is attached;
 - 3. Any revolving beacon light.
- D. If any provision of this chapter conflicts with any provision of other codes, then the more restrictive provision shall apply.
- E. No person may engage in the business of erecting, altering, relocating, constructing, or maintaining signs without a valid Utah contractor's license and a valid business license. All persons involved in the maintenance, installation, or relocation of signs near or upon the public right-of-way or property shall agree to hold harmless and indemnify Box Elder County, its officers, agents, and employees, against any and all claims of negligence resulting from such work insofar as this Code has not specifically directed the placement of a sign. Such persons shall also maintain insurance to indemnify Box Elder County against any form of liability to a minimum of \$1,000,000.00.

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- F. An Illuminated sign shall direct their light downward and be installed so that the light source cannot be seen by adjacent properties.

5-3-060. Signs Not Regulated By This Chapter.

These regulations pertain to all signs within Box Elder County, but shall not be construed to apply to:

- A. Official traffic or government signs installed for the benefit of the public, including official business directional signs and tourist-oriented directional signs;
- B. On-premise signs attached to windows or walls which are clearly of a temporary nature and which promote specific sales for short periods of time;
- C. Signs erected on private property and unaffiliated with any particular business being operated on that property which do not exceed twelve (12) square feet;
- D. Campaign election signs;
- E. Flags of any nation or flags of any government or non-commercial organization;

These provisions are not intended to regulate the copying of signs or the messages contained in the sign. This Chapter also does not regulate building design. Although not regulated by this Chapter the above signs may still require a building permit.

5-3-070. Inspections.

The Building Official of Box Elder County shall have the following duties in regard to sign inspections:

- A. To make an initial inspection of any sign that requires a building permit upon the completion, erection, reconstruction or remodeling of the same and notification of said completion, erection, reconstruction or remodeling. This inspection shall be made to assure compliance with the provisions of these regulations, other ordinances of Box Elder County and conditions precedent to the issuance of a conditional use permit if applicable.
- B. To inspect each sign for which a complaint of non-compliance with local ordinances is made in writing to the building official.
- C. To make routine compliance checks of all signs to ensure conformance to these

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regulations, other ordinances of Box Elder County and conditions precedent to the issuance of a conditional use permit if applicable.

5-3-080. Enforcement.

The Zoning Administrator of Box Elder County is hereby vested with the duty of enforcing the sign regulations of this Code and in the performance of such duty is empowered and directed:

- A. To issue sign permits to construct, alter, or repair signs which conform to the regulations of Box Elder County.
- B. To determine whether the construction, alteration, or maintenance of any sign is in conformance with regulations of Box Elder County and the conditions imposed precedent to the issuance of a conditional use permit, if applicable.
- C. To issue a notice of violation to any person having charge or control over the sign, and person who receives a direct pecuniary benefit from displaying the sign, or any person who is otherwise responsible for the erection, alteration, or maintenance of any sign found by the Zoning Administrator to be unsafe or dangerous, or in violation of the ordinances of Box Elder County.
- D. To institute any appropriate action or proceedings in any case where any sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of any ordinance of Box Elder County, including, but not limited to the zoning ordinance, to accomplish the following purposes:
 1. To prevent such unlawful erection, construction, re-construction, alteration, repair, conversion, maintenance or use, and
 2. To restrain, correct, or abate such violation.
- E. To abate and remove any unsafe or dangerous sign which is not repaired or made safe within 5 business days after giving appropriate notice to the person having charge, control, or benefit of any such sign. In such an event, the person having charge, control, or benefit of such sign shall pay to Box Elder County the costs incurred in such removal within 30 calendar days after written notice is mailed to such person.
 1. Upon failure to pay the costs incurred in abating and removing an unsafe or dangerous sign, Box Elder County may, by action of its County Commission, place a lien against property owned by the person having charge, control or benefit of such sign to assure compliance with this provision. This provision for abatement and removal shall not apply to any sign for which a notice of violation is presently being appealed under the provisions of Chapter 2 of this Code.
 2. This provision for abatement and removal shall not apply to any sign for which

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a notice of violation is presently being appealed under the provisions of Chapter 2 of this Code.

- F. To abate and remove any illegal sign other than unsafe or dangerous signs which is not made conforming within 60 business days after giving appropriate notice to the person having charge, control or benefit of any such sign. In such event, the person having charge, control or benefit of any such sign shall pay to Box Elder County the costs incurred in such removal within 30 calendar days after written notice is mailed to such person. Upon failure to pay the costs incurred in abating and removing an illegal sign, Box Elder County may, by action of its County Commission, place a lien against property owned by the person having charge, control or benefit of such sign to assure compliance with this provision. This provision for abatement and removal shall not apply to any sign for which a notice of violation is presently being appealed under the provisions of Chapter 2 of this Code.
- G. To abate and remove any non-maintained or abandoned sign which is not repaired or put into use within 10 business days after giving appropriate notice to the person having charge, control or benefit of any such sign. In such event, the person having charge, control or benefit of any such sign shall pay to Box Elder County the costs incurred in such removal within 30 calendar days after written notice is mailed to such person. Upon failure to pay the costs incurred in abating and removing a non-maintained or abandoned sign, Box Elder County may, by direction of its County Commission, place a lien against property owned by the person having charge, control or benefit of such sign to assure compliance with this provision. This provision for abatement and removal shall not apply to any sign for which a notice of violation is presently being appealed under the provisions of Chapter 2 of this Code.

5-3-090. Violations & Penalties.

Any violations of this Chapter shall be subject to the enforcement procedures and penalties set forth in Chapter 2-4 of this Code.

5-3-100. Sign Permit & Permit Fee Required.

All signs hereafter erected within Box Elder County shall be erected, reconstructed, or remodeled only in accord with the authority authorized by the sign permit issued by the County, unless such sign is not regulated as listed in Section 5-3-060. Application for a sign permit shall be made to the Zoning Administrator and shall be accompanied by a fee to defray the expenses to the County incurred in the administration of this Chapter. Such fee shall be established by resolution of the County Commission. A sign permit shall be issued by the Zoning Administrator if the proposed sign is found by the Zoning Administrator to be in

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compliance with the provisions of this Code and other ordinances of the County. If the Zoning Administrator feels it is in the County's best interest that the sign should be presented to and reviewed by the Planning Commission that right is reserved. A building permit issued through the Box Elder County Building Official shall also be obtained when required.

A property owner may apply for a sign permit as provided in this section. An agent of a property owner shall provide a notarized authorization.

A. Procedure. An application for a sign permit shall be considered and processed as provided in this subsection.

1. A complete application shall be submitted to the Zoning Administrator in a form established by the Administrator along with any fee established by the County's schedule of fees. The application shall include at least the following information:
 - a. The name, address and telephone number of the applicant and the applicant's agent, if any;
 - b. A statement by the applicant demonstrating how the sign permit request meets the approval standards of Subsection 2-2-150(E) of this section;
 - c. A plot plan showing the following:
 - 1) Applicant's name;
 - 2) Site address;
 - 3) Property boundaries and dimensions;
 - 4) Layout of existing and proposed buildings, parking, landscaping, and utilities; and
 - 5) Adjoining property lines and uses within one hundred (100) feet of the subject property.
 - d. An elevation drawing showing:
 - 1) Type of sign;
 - 2) Sign location in relation to nearest property line;
 - 3) Sign face design;
 - 4) Sign height;
 - 5) Sign face area;
 - 6) Sign illumination details; and
 - 7) Reflective elements and materials.
2. After an application is determined to be complete, the Zoning Administrator shall approve, approve with conditions or deny the application within five (5) business days pursuant to the standards set forth in Section 5-3-110(B) below. Any conditions of approval shall be limited to conditions needed to conform the sign permit to approval standards.
3. After making a decision the Zoning Administrator shall give the applicant written notice of the decision.
4. A record of all sign permits shall be maintained in the office of the Zoning

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Administrator.

- B. Approval Standards.** The following standards shall apply to the issuance of a sign permit.
1. A sign shall conform to applicable provisions of Chapter 5-3 of this Code.
 2. All signs shall be inspected by a designated officer of the County immediately after installation. The permittee shall request inspection within five (5) business days after installation.
 3. Building, electrical, and other permits shall be required as provided in the applicable building codes adopted by the County.
- C. Appeal.** Any person adversely affected by a final decision of the Zoning Administrator regarding a sign permit may appeal that decision to the Board of Adjustment as provided in Section 2-2-180 of this Code.
- D. Effect of Approval.** Approval of a sign permit shall authorize an applicant to:
1. Construct the sign as indicated on the permit, if no building, electrical, or any other permits are required.
 2. If a building, electrical, or any other permits are required, such permits shall be obtained prior to construction.
- E. Amendment.** The procedure for amending any sign permit shall be the same as the original procedure set forth in this section.
- F. Expiration.** A sign permit shall expire and have no further force or effect if the sign authorized by the permit is not installed within one hundred eighty (180) days after approval.

5-3-110. Non-Conforming Signs.

Non-conforming signs may adversely affect the public health, safety, and welfare. Additionally, such signs may adversely affect the aesthetic characteristics of Box Elder County and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of such signs.

A non-conforming sign that is permanently affixed to the ground or to a building may continue to be used, except that the non-conforming sign:

- A. Shall not be replaced, except in conformity with the provisions of this ordinance;
- B. Shall not be enlarged, altered, or rebuilt except in conformance with this ordinance, but it may be repaired to the extent necessary to maintain it in a safe and sanitary condition;

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and

- C. Shall not be replaced, expanded or modified by another non-conforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on non-conforming signs shall be permitted.
- D. Repair, reconstruction, and maintenance of a sign shall only include those actions required to restore the advertising sign to its original structural and mechanical condition. Such actions shall not include increasing the size or height of the advertising sign, converting the advertising sign to a multiple message or adding any attachments to the advertising sign.
- E. A non-conforming sign damaged by fire, wind, earthquake, or other calamity may be restored as it existed previously and its use may be continued as long as the non-conforming sign had not been previously abandoned, and so long as restoration is started within one (1) year and is diligently pursued to completion.

5-3-120. Maintenance & Repair.

All signs shall be maintained in good condition, in such a manner as to preserve the condition, aesthetics, and life of such signs. Moving parts shall be maintained in operable condition. Signs designed to be lighted shall be maintained with a full array of lighting as intended by the design of each such sign.

Any signs not meeting the following provisions shall be repaired or removed in accordance with the following provisions:

- A. The area on private property around the sign on which it is erected shall be properly maintained clear of brush, trees, and other obstacles so as to make signs readily visible.
- B. All burned-out bulbs or damages panels must be replaced within a reasonable time.
- C. All sign copy shall be maintained securely to the face and all missing copy must be replaced within a reasonable time.
- D. All signs shall be designed, constructed, installed, and maintained so that public and traffic safety are not compromised.

5-3-130. Sign Overlay Zoning Districts.

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There are hereby created four overlay zoning districts (S-1, S-2, S-3, & S-4) to regulate the sign type, sign effects, sign dimensions, number of signs, and sign location in Box Elder County. The Sign Overlay Zoning Districts are as follows:

S-1 – Signs generally fronting on County roads and some State roads. Mostly residential/home business and some small commercial.

S-2 – Signs generally fronting on State roads and some County roads. Mostly commercial and some home business.

S-3 – Signs fronting on an interstate highway.

S-4 – No signs allowed in this zone.

* Except where a property that is zoned commercial/manufacturing falls within the S-1 overlay zone it is reviewed according to S-2 overlay zone standards.

* All “unzoned” areas shall comply with S-1 overlay zone, except where S-2 overlay zone regulations are approved as part of a Site Plan application.

* Sign Zone S-3 falls within a buffer 200 feet from the centerline of the interstate highway they front on.

5-3-140. Codes & Symbols.

In the following section the sign type, sign effects and copy content, sign dimensions, number of signs, and sign location which are allowed in the various districts are shown as “permitted” indicated by a “P” in the appropriate column (headed by the overlay zoning district designation), or as “administrative conditional uses,” indicated by a “C1” in the appropriate column. If a regulation applies in a given district, it is indicated in the appropriate column by a number to show the linear or square feet required. If the regulation does not apply, or if it is not allowed in a given district, it is either not named in the use list or is indicated in the appropriate column by a dash, “-.”

5-3-150. Sign Types, Effects, Dimensions, Numbers, and Locations by Overlay District.

SIGN OVERLAY DISTRICT				
“P” = Permitted Uses “C” = Conditional Uses “A” = Applies “-“ = Not permitted				
	S-1	S-2	S-3	S-4

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		SIGN TYPE				
A	1	ON-PREMISE SIGNS				
		a. Free Standing	P	P	C1	-
		b. Marquee	P	P	-	-
		c. Projecting Wall	P	P	-	-
		d. Roof	P	P	-	-
		e. Fascia	P	P	-	-
		f. Canopy	P	P	-	-
		“P” = Permitted Uses “C” = Conditional Uses “A” = Applies “-“ = Not permitted	S-1	S-2	S-3	S-4
		g. Under Canopy	P	P	-	-
		h. Monument	P	P	-	-
		i. Awning	P	P	-	-
		j. Portable and Temporary	P	P	-	-
	2	OFF-PREMISE SIGNS				
		a. Free Standing	-	-	C1	-
B	1	SIGN EFFECTS				
		ON-PREMISE SIGNS (BILLBOARDS EXCLUDED)				
		a. Identification	P	P	P	-
		b. Illuminated	P	P	P	-
		c. Rotating	-	P	P	-
		d. Changeable Copy	P	P	P	-
		OFF-PREMISE SIGNS				
a. Illuminated	-	-	C1	-		
b. Changeable Copy	-	-	C1	-		

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C	SIGN DIMENSIONS					
	1. Sign Height (in feet)	10	30	40	-	
	2. Maximum Sign Area on Premise (total in square feet)		250	672	-	
	Non-home occupation (per sign face)	40	150	-	-	
	Home occupation (total in square feet) * The following applies to S-1 only: Minimum = 2 square feet Maximum = 16 square feet 2 square feet for every ½ acre of land use zone (i.e. R-1-20 = 2 square feet, RR-2 = 8 square feet)	*16	16	-	-	
	“P” = Permitted Uses “C” = Conditional Uses “A” = Applies “-” = Not permitted	S-1	S-2	S-3		
3. Maximum Sign Area off Premise (in square feet) with minimum spacing of 2,000 feet. (Billboards)	-	-	672	-		
D	NUMBER OF SIGNS					
	ON-PREMISE SIGNS					
	1	a. Free Standing	1	1	1	-
		b. Marquee	1	1	-	-
		c. Projecting Wall	1	1	-	-
		d. Roof	1	1	-	-
		e. Fascia	1	2	-	-
		f. Canopy	1	1	-	-
	OFF-PREMISE SIGNS					
	2	a. Free Standing	-	-	1	-
	b. Roof	-	-	-	-	

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E	LOCATION OF SIGNS				
	1. Minimum Setback from Public Right-of-Way (in feet)	10	10	10	-
	2. Minimum Distance Between Signs Off-Premise “billboards” minimum spacing in lineal feet	-	-	2000	-

NOTE - Signs are not permitted on public property or within the public right-of-way or above the public right-of-way.