

## Chapter 16.26 SIGN REGULATIONS.

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### Section 16.26.05 Enforcement and Penalties.

Any sign not expressly allowed by this chapter is prohibited. The Director or his authorized representatives shall be vested with the duty of enforcing this chapter and in performance of such duty, shall be empowered and directed to:

- (1) Issue Permits.** To issue permits to construct, alter, or repair signs, which conform to the provisions of this title. The expiration date for such permits shall be one hundred and eighty (180) days from issuance, to allow sufficient time to complete the construction, alteration or repairs.
- (2) Determine Conformance.** To ascertain that all signs, constructions and re-constructions or modifications of existing signs are built, altered, modified or constructed in conformance with this chapter by conducting an initial inspection or re-inspection upon the completion of construction, erection, re-erection, or modification of any sign for which a permit has been issued and an inspection request is made. This shall also include the inspection of temporary electrical signs. The Director may authorize the Building Inspector to make such inspections.
- (3) Legal Action.** The Director or his authorized representative shall be empowered to institute any appropriate action or proceeding in any case where any sign is illegally erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of any County Ordinance, by issuing notices by mail and posting of such notices upon the sign for the specified period of time as follows:

  - (a) Issuing a Written Notice of Violation.** A Notice of Violation may be issued to the person who owns the property upon which the sign is located or the person having charge or control or benefit of any sign found to be unsafe, dangerous or in violation of this Title, particularly when the County is contemplating removal of said sign. Notice may be mailed to the property owner's address as contained in the County Tax Rolls and posted upon the sign for five (5) working days prior to removal. Such official may also issue criminal citations and swear to information against violators.
  - (b) Removal of Dangerous Sign.** If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after giving said notice, the Director or his authorized representative may at once abate and remove the sign, and the person having charge, control or benefit of any such sign shall pay to the County within thirty (30) calendar days after written notice is mailed to such person, the costs incurred in such removal. In the event the Director determines there is imminent danger the sign may be removed without prior notice, but such notice shall then be mailed immediately.
  - (c) Abate and Remove Illegal Sign.** If a permanent sign is installed without a permit, or is otherwise illegal as defined by this Title, and is not made conforming within thirty (30) calendar days after written notice has been given, the Director or his authorized representative may at once abate and remove the sign. If the name and/or address of the owner cannot be reasonably determined, notice may be given by posting such notice upon the sign itself for the thirty (30) day period. The person responsible for any such illegal sign shall be liable for the cost incurred in the removal thereof and the County is authorized to effect the collection of said cost.
  - (d) Removal of Temporary Sign.** If a Temporary Sign posted upon private property, without a permit, or is otherwise illegal as defined by this Title, the Director may provide a written notice to abate or remove said Temporary Sign. The time period for removal of such sign shall not exceed seventy two (72) hours. All costs pertaining to the removal of said sign shall be borne by the property owner and/or persons or company responsible for product or service that is advertised by the sign. The County is authorized to effect the collection of such costs.
  - (e) Removal of Sign on Public Property.** Any sign posted upon public property may be removed by the County without prior notice. In that event, the sign must be retained by the County for a period of thirty (30) calendar days prior to destruction, to allow the owner to claim such sign if desired. Failure of the County to remove said signs shall not constitute approval of the illegal placement of any such signs, nor waive the right to later remove the sign. Any costs associated with the removal of such signs shall be paid by the person responsible for such posting. The County is authorized to effect the collection of such costs.

**(f) Removal of Abandoned Sign.** Each sign, which is non-maintained, abandoned, or identified as a discontinued use shall be removed within forty five (45) calendar days after a written notice or posting on such sign, a notice of non-maintenance, abandonment or discontinuance as described in this chapter. All costs of such removal shall be paid by the owner of such sign

**(g) Right to Appeal.** Any person who has been ordered to alter or remove any sign or has had a sign removed by the County, or any person whose application for a sign permit has been denied, may appeal to the Board of Adjustment by serving written notice to the Director with ten (10) days of the order or denial, except in the case of a removal on the grounds of safety, the filing of such appeal shall stay the removal of such sign pending the outcome of the appeal to the Board of Adjustment.

**(4) Penalties.** It shall be unlawful for any person to violate any of the provisions of this chapter. Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of the provisions of this chapter shall be guilty of a Class "C" Misdemeanor, and upon conviction thereof may be punished by a fine or imprisonment in the County Jail. Each and every day a violation occurs shall constitute a separate offense.

(2003-22, Amended, 11/24/2003, Effective date, 12/19/2003., [Prior Text](#))