



**ORDINANCE NO. 775**

**AN ORDINANCE ADOPTING THE UNIFORM SIGN CODE, 1994, COPYRIGHTED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, WITH ADDITIONAL PROVISIONS RELATING TO SIZE AND HEIGHTS OF SIGNS IN VARIOUS ZONES, FOR THE CITY OF REXBURG, IDAHO; REQUIRING COPIES OF SAID CODE TO BE KEPT IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND FOR SEVERABILITY; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG:

**SECTION I:** That certain document known as the Uniform Sign Code, 1994, copyrighted by the International Conference of Building Officials is hereby adopted as the sign code for the City of Rexburg, with such additional provisions as may be provided by Ordinance or Resolution of the Rexburg City Council. The purpose of this code is to promote the development of better sign construction and to provide minimum standards to safeguard life, health, safety, property and public welfare by regulating structural requirements for all signs and sign structures located outside of buildings.

**SECTION II:** An additional Chapter, Chapter 15, is hereby added to the Uniform Sign Code to include the following:

Section 1501. No sign may be placed or constructed so that any portion thereof is placed or projects into any public right-of-way.

Section 1502. The maximum heights of any sign shall be twenty-four (24) feet from ground level to the top of the sign. The only exception to this is through obtaining a conditional use permit granted in advance by the City Planning and Zoning Commission.

Section 1503. The definition of a "sign" and illustrations and definitions of various types of signs are attached as Schedule "A" hereto and incorporated as a part of this Ordinance. This Schedule is not intended to be all-inclusive, but is to be for illustrative purposes in assisting in the understanding and compliance with the intent of this Ordinance. Schedule "B" attached hereto and incorporated as a part of this Ordinance is a table graphically setting out the regulations pertaining to signs in the various zones of the City.

Section 1504. Permits and Fees.

A. Permits Required. Except as otherwise provided in this Code, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in this City, or cause the same to be done, without first obtaining a sign permit. A permit shall not be required for a change of copy of any sign, nor for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued in accordance with this Code, provided that the sign or sign structure is not altered in any way.

B. Permission to install. No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or authorized representative of the owner.

C. Signs Not Regulated By The Code. An application for any sign or advertising display or structure for which no specific regulation in this Ordinance is applicable shall be considered by the Planning and Zoning Commission under the conditional use permit procedure as outlined in the Planning and Zoning Ordinance, and such application shall be approved or denied in harmony with the intent of these regulations.

D. Permit Fee. An application fee shall be paid in accordance with the current fee schedule maintained by the Planning and Zoning Department, as approved by the Planning and Zoning Commission.

**SECTION III:** There shall hereafter be kept on file in the office of the City Clerk, three (3) copies of the Uniform Sign Code, 1994, duly certified by the Clerk, for use and examination by the public.

**SECTION IV:** Any person, firm or corporation violating any provision of this Ordinance shall, if in violation, be subject to the following civil penalties or remedies:

A. If a sign is placed in or projects into any public right-of-way, it may be immediately removed by the City at the owner's expense.

B. If in violation of some other provision of this Ordinance, the City may cause a written notice to be given requiring that the violation be corrected within fourteen (14) days and if the owner or person responsible for the violation fails to comply, the violator shall pay a civil penalty of \$50 per day for each day in violation and the City shall have the right to remove the sign at the owner's expense, or both.

C. The City may seek injunctive relief through the courts for enforcement of the provisions of this Ordinance and in addition to the relief sought shall also be entitled to its attorneys fees and costs.

**SECTION V:** The sections of this Ordinance are severable and the invalidity of a section shall not affect the validity of the remaining sections.

**SECTION VI:** This Ordinance shall become effective upon its passage, approval and publication in the manner provided by law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 5th day of July, 1995.

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Nile L. Boyle, Mayor

(SEAL)

ATTEST:

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Rose Bagley, City Clerk

