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SIGNS

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LAND CODE

ARTICLE 6

SIGNS

[NOTE: Except as otherwise noted, the provisions of Article 6 of the Land Code were enacted on October 27, 1989 by Ordinance No. 89-1.]

CHAPTER 1. GENERAL PROVISIONS

Section 6-101. Purpose.

Signs are herein regulated to promote traffic safety, safeguard public health and comfort, facilitate police and fire protection, prevent adverse community appearances and the overcrowding of land, and protect the character of the area in which signs are located. The sign regulations are designed to permit maximum legibility and effectiveness of signs and to prevent over concentration, improper placement, and excessive height, bulk and area. In general, it is intended that signs of a general commercial nature be prohibited in areas where commercial activities are prohibited and that signs in less restrictive business and industrial areas be regulated to the extent necessary to protect the character of the area and to conserve property values. Further, that because the aesthetic value of the total environment does affect economic values of the community, and the unrestricted proliferation of signs can and does detract from the economic value of the community, it is the intent of this Article to provide limiting controls, where necessary, to preserve community scenic, economic and aesthetic values.

Section 6-102. Definitions.

Certain words in this Article are defined for the purpose of this Article, as follows, unless the contrary clearly appears from the context:

(1) Area of copy. The square or rectangular area which fully encloses the extreme limits of the message, copy, announcement or decoration of a sign.

(2) Awning sign. Any sign constructed of fabric-like nonrigid material which is a part of a fabric or flexible plastic awning. Permanent awnings are herein defined as marquees.

(3) Banner. Any sign, except an awning sign, made of flexible, fabric-like material, for temporary use.

(4) Building. A "building" is an edifice, structure or construction of any kind which is located or proposed to be located on a lot.

(5) Building Code(s). The term building codes shall be those codes adopted by the Tribal Council of the Tribe and codified in the Health and Safety Code of the Colorado River Indian Tribes.

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(6) Changeable copy sign (manual). Any sign on which copy is changed manually and copy is shown on the same sign face such as reader boards with changeable letters or changeable pictorial panels, but not limited to the above. Poster panels and painted boards are not changeable copy sign.

(7) Construction sign. Any temporary sign erected during construction which may indicate the project name and the names of architects, engineers, landscape architects, contractors, subcontractors, developers, rental agencies, financial institutions, or other principals involved in the sponsorship, design, and construction of a structure or project.

(8) Copy (permanent and temporary). The wording or pictorial graphics on a sign surface either in permanent or removable form.

(9) Cut-outs. Part of the copy of an outdoor advertising sign which extends beyond the edge or border of the sign. Sometimes called a "top-out" or "extension".

(10) Double-faced outdoor advertising signs. Outdoor advertising sign structures placed back to back with a distance between the backs of the signs of not greater than three feet (3').

(11) Erect. To assemble, build, construct, attach, hang, install, place, raise, suspend, affix, paint, or in any way bring into being or establish.

(12) Face of sign (sign face). The entire surface area of a sign upon, against or through which copy is placed.

(13) Flashing sign. Any sign which contains an intermittent, blinking, scintillating or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source.

(14) Front yard. A "front yard" is a clear unoccupied space on the same lot with a building, extending across the entire width of the lot and situated between the front line of the building and the front line of the lot.

(15) Ground sign. Any sign erected on a supporting structure, mast, post, or pole and not attached, supported or suspended to or from any building or structure. Sometimes called a "detached", "free-standing" or "pole" sign.

(16) Height of sign. The "height of a sign" is the vertical distance measured from the mean curb level to the level of the highest point of the sign and, in the case of a sign not adjoining a street or highway, the "height of a sign" is the vertical distance of the average elevation of the ground immediately adjoining the sign to the level of the highest point of the sign.

(17) Identification sign. Any on-premise sign located on a nonvacant premise which carries only the name, address, or both, of a building, business,

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development, establishment, firm or individual located on the premise, and no other message, copy, announcement or decoration.

(18) Information sign. Any on-premise sign containing no other message, copy, announcement, or decoration other than instruction or direction to the public. Such signs include but are not limited to signs identifying the following: rest rooms, public telephones, walkways, entrance and exit drives, freight entrances and traffic direction.

(19) Internal illumination. A light source concealed or contained within the sign itself, such as a neon tube, which becomes visible in darkness by shining through a translucent surface.

(20) Major access corridors. All U.S. and state highways, Mohave Road and Agnes Wilson Road.

(21) Mansard-type roof. A roof having the appearance of being flat with at least two (2) sloping sides not in excess of forty-five (45) degrees from the vertical.

(22) Marquee. Any hood or awning of permanent construction without pillars or posts which is supported from the wall of a building and extends beyond the building, building line or property line.

(23) Marquee sign. A sign erected, stenciled, engraved on, attached to, or suspended from a marquee or canopy.

(24) Mechanical movement. Refers to animation, revolution, rotation or any other movement of any or all parts of a sign.

(25) Multiple-sided sign. Any sign having more than two (2) geometric surfaces upon which copy is placed.

(26) Neon tube illumination. A light source supplied to a sign by a luminescent gas which is bent to form letters, symbols or other shapes, or contained within an illuminated sign.

(27) Nonconforming sign. Any sign which is lawfully erected and maintained prior to such time as it came within the purview of this Article and any amendments thereto, but fails to conform to all applicable regulations and restrictions of this Article.

(28) Off-premise sign. Any sign or structure, pictorial or otherwise, regardless of size or shape which directs attention to a business, commodity, profession, service or entertainment conducted, sold, offered, manufactured or provided at a location other than the premises where the sign is located or to which it is affixed. Sometime called non-point-of-sale sign.

(29) On-premise sign. Any sign or structure, pictorial or otherwise, regardless of size or shape which directs attention to a business, commodity,

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profession, service or entertainment conducted, sold, offered, manufactured or provided at a location on the premises where the sign is located or to which it is affixed.

(30) Outdoor advertising sign. Any off-premise, off-site, poster panel, billboard or non-point-of-sale sign.

(31) Parapet wall. That portion of any building wall that rises above the level of the roof line.

(32) Portable sign. Any sign which rests upon the ground, a structure, frame, building, or other surface. Such signs include but are not limited to the following: trailer signs, sandwich board signs, sidewalk or curb signs.

(33) Poster. Any sign made of a rigid, semi-rigid or nondurable material such as paper or cardboard, other than billboard copy.

(34) Product sign. Any sign attached to outdoor vending machines, stands, gasoline pumps, and display rack which directs attention to products dispensed therefrom.

(35) Projecting sign. Any sign which is erected on or attached to a building, wall or structure and extends beyond the building wall more than twelve (12) inches.

(36) Projection. The distance by which a sign extends beyond the building or structure wall.

(37) Real estate sign. Any on-premise sign pertaining to the sale, rental, development or lease of a lot, tract of land, structures or a portion thereof where the sign is located.

(38) Roof line. The juncture of the roof and the perimeter wall of the structure.

(39) Roof sign. Any sign, including outdoor advertising, attached to and extending from a roof of a structure or building, but shall not include emblems of religious orders.

(40) Signable area. That area of the facade of a building free of windows or doors to which a sign may be erected.

(41) Sign. Any identification, description, animation, illustration or device, illuminated or nonilluminated, which is visible from any right-of-way and directs attention to any realty, product, service, place, activity, person, institution, performance, commodity, firm, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, poster, bulletin board, pennant, placard or temporary sign designed to identify or convey information, with the exception of Tribal, state or national

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flags. Unless otherwise indicated herein, the term "sign" shall include any identification or advertising device, including "billboards" which are permanent in nature.

(42) Temporary sign. A sign which requires a permit and is permitted for a period of no longer than thirty (30) days.

(43) Tribe or Tribal. The words "Tribe" or "Tribal" shall refer to the Colorado River Indian Tribes.

(44) V-type sign. An outdoor advertising sign structure constructed in the form a "V" with an angle no greater than forty-five (45) degrees and at no point separated by a distance greater than five (5) feet.

(45) Wall sign. Any sign, other than a projecting sign, which is erected upon, against or through any wall or facia of a building or a structure not projecting more than twelve (12) inches from a wall; or a window sign when its wording exceeds six (6) inches in height. The following are not wall signs: Wall identification signs and commemorative plaques not more than four (4) square feet in area, memorial cornerstones or tablets providing information on building erection or commemorating a person or event.

(46) Window sign. Any sign painted, stenciled or affixed on a window, which is visible from a right-of-way.

(47) Windblown sign. Any banner, flag, pennant, spinner, streamer, moored blimp or gas balloon.

## CHAPTER 2. ON-PREMISE SIGNAGE

### Section 6-201. Purpose.

On-premise advertising signs are herein regulated in the interest of promoting traffic safety, safeguarding public health and preventing adverse community appearance, and protecting the character of the area in which they are located. The regulations are designed to permit maximum legibility and effectiveness of signs and to prevent their over concentration, improper placement, and excessive height, bulk and area. In general, it is intended that signs of a general commercial nature be prohibited in areas where commercial activities are prohibited and that signs in less restrictive business and industrial areas be regulated to the extent necessary to protect the character of the area and to conserve property values.

### Section 6-202. Design Regulations.

All signs provided for in this Article shall be consistent with all definitions and shall comply with all standards and regulations of this Article.

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a. Table of basic design elements. Except for ordinary maintenance or repair, no ground sign, projecting sign, wall sign, or part thereof may be erected, altered, constructed, changed, converted, enlarged or moved unless in conformity with the following table:

TABLE OF BASIC DESIGN ELEMENTS  
Type of Sign

<u>Conditions Facing Sign</u>	Wall/Facia		Ground		Projecting	
	Area (Max. Sq. Ft.)	Height (Max. Feet)	Area (Max. Sq. Ft.)	Height (Max. Feet)	Area (Max. Sq. Ft.)	Height (Max. Feet)
Traffic Lanes						
2 or 3	*	**	75	30	25	+
4 or more	*	**	150	30	40	+

\* Two (2) square feet per lineal foot of each building wall facing a public street or facing a private access way if a building has no frontage on a public street.

\*\* See § 6-203(j)(2)

+ See § 6-203(f)(1) - (5)

b. Sign area computation.

1. The sign area of a wall sign which consists of individual letters that are erected directly onto a wall exclusive of any sign surface, is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines fully enclosing all sign words, copy or message.
2. The sign area of signs with three (3) or more sides (multiple-sided signs) containing copy, message, decoration or announcement visible from a street or highway is measured as the sum of the areas of any two (2) adjacent sides.
3. The sign area of any other sign is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines which fully encloses all extremities of the sign, exclusive of its supports.

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### c. Construction standards.

1. Compliance with building codes. All signs shall comply with the appropriate detailed provisions of the Tribal building codes, including the Uniform Sign Code as adopted by the Tribe. In the event of a conflict between this Article and a requirement of the Tribal building codes, the more restrictive provision shall apply, unless specifically stated herein to the contrary.
2. Clearance from high voltage power lines. Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the Tribal electrical code specifications, provided that no sign, except government traffic signs, shall be installed closer than ten (10) feet horizontally or vertically from any conductor or public utility guy wire.

### Section 6-203. Specific Sign Regulations.

a. Awning and marquee signs. Awning and marquee signs are permitted in all areas except conservation and residential areas. Individually cut out words may be attached to, stenciled or otherwise affixed onto awnings. Identification signs suspended no more than one foot from the underside of a canopy or marquee are permitted provided such signs shall not exceed a height of six (6) inches, nor shall such signs extend outside the length or width of its marquee or canopy. Awnings and marquees shall not extend into or over the front yard spaces by more than twenty (20) percent, unless a specific use exception has been issued by the Tribe.

### b. Changeable copy signs (manual or automatic).

1. Any premise permitted by this Article to erect a wall or ground sign, in lieu of using the maximum sign area for that premise as provided for in the Table of Basic Design elements, may substitute one-half of the maximum sign area to erect a manual changeable copy sign. Such changeable copy sign may take the form of a wall or ground sign subject to the regulations which apply to each of these signs. When any other ground sign is located on the premise, all ground-changeable copy signs must be physically part of that sign.
2. Automatic changeable copy time and temperature signs are permitted in all areas, except conservation, residential and agricultural areas. Such signs may take the form of wall, ground, or projecting signs subject to the regulations which apply to each of these signs. Ground supported time and temperature signs shall be permitted only where any sidewalk or pedestrian walkway is at least eight feet (8') wide and has a clearance of at least nine feet (9') from the sign at its lowest extremity.

c. Ground signs. Except within residential areas, any premise may display one (1) ground identification sign provided the building or structure in which the



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activity is conducted is set back at least thirty feet (30') from the edge of all immediately adjacent streets or one foot from a highway right-of-way. All of the following additional standards shall also apply.

1. All ground signs shall be built in accordance with the standards in the Table of Basic Design Elements.
2. Unless authorized by the Tribal Council, no part of a ground sign, including projecting, may extend into or over an existing public right-of-way.
3. Unless the owner of the sign and the property owner agree in writing to relocate and remove the sign, including projection, at no expense to the Tribe, no part of a ground sign including projection may extend into or over a right-of-way.
4. All ground sign structures or poles shall be selfsupporting structures erected on or set into and permanently attached to concrete foundations. Such structures or poles shall comply with the building codes of the Tribe.
5. If a ground sign faces on two (2) or more streets or highways, then for purposes of determining compliance with the standards of the Table of Basic Design Elements the street frontage which provides the greater height and area allowance shall govern and control.
6. All ground signs must comply with all other provisions of this Article.

d. Illuminated signs. The following types of sign illumination are permitted with the following conditions and limitations:

1. Any bare bulb or bare neon illumination is permitted, except in conservation and residential areas, or within five hundred (500) feet of any such area.
2. Any light from any illuminated sign or flood light used to illuminate a sign shall be shaded, shielded or directed so that the light intensity or brightness shall not interfere with the safe vision of motorists or bicyclists, as determined by the Tribal Police Chief. Any light source used to illuminate a sign shall not be visible from a residential zoning district.
3. All internal illumination shall not exceed ten (10) foot candles measured at a distance of ten (10) feet from the sign.
4. All electrical illuminated signs shall have a disconnecting switch located in accordance with the provisions of the National Electric Code as implemented by the Tribe.

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5. For all illuminated signs, applications for both a sign permit and an electrical permit shall be submitted for approval by the Tribe prior to the installation of any illuminated sign.
6. All illuminated signs must comply with all provisions of this Article.
  - e. Off-street parking signs. Whenever off-street parking is not located on the premises of a business, one (1) identification sign no larger than sixteen (16) square feet in area and eight (8) feet in height may be erected directing persons to the off-premise parking area.
  - f. Projecting signs. Except along the sides of buildings or structures which face or front such areas and in conservation or residential areas, any premise may display one identification projecting sign on each street frontage in accordance with the standard in the Table of Basic Design Elements provided that any projecting sign which is not internally illuminated and is suspended to allow the sign to swing due to wind action shall not exceed sixteen (16) square feet of surface area. All of the following additional standards shall also apply:
    1. All projecting signs must maintain a clear height of nine (9) feet above the ground, and all projecting signs may not project more than five (5) feet from the building wall or two-thirds (2/3) the width of the sidewalk, whichever is less. No part of a projecting sign, including projections, may extend into or over a public right-of-way, unless authorized by the Tribe. Projecting signs which extend into or over the front yard spaces by more than twenty (20) percent are permitted after a special use exception has been issued by the Tribe.
    2. All projecting signs must be fastened directly to the supporting building wall, and the supporting structure must be physically integrated into the sign.
    3. All projecting signs at the intersection of building corners shall intersect at right angles to the building front.
    4. No projecting sign shall extend above the roof line or the parapet wall.
    5. Buildings having two (2) or more stories may not locate signs higher than the second story or twenty-four (24) feet whichever is less.
    6. All internally lighted projecting signs must comply with section 6-203(d)(2) to (6), "Illuminated signs".
    7. All projecting signs shall be constructed entirely of metal or other noncombustible material.
    8. All projecting signs must comply with all other provisions of this Article.
  - g. Temporary signs. After the issuance of a temporary sign permit pursuant to this Article, the following signs may be erected:

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1. For a total period not to exceed thirty (30) days, unlighted on-premise portable signs, banners, and windblown signs such as pennants, flags, and streamers for special events.
  2. Construction signs are permitted on a construction project site. The total signage shall not exceed thirty-two (32) square feet in sign area in conservation, agricultural or residential areas or exceed sixty-four (64) square feet in all other areas. Any construction sign shall not be erected prior to issuance of a grading or building permit and shall be removed within fifteen (15) days after issuance of a certificate of compliance.
  3. For a total period not to exceed thirty (30) days, unlighted signs directing persons to yard sales, garage sales or similar events, provided that such signs are removed within five (5) days of the occurrence of the event. Any such sign shall not exceed sixteen (16) square feet in area.
  4. For a total period not to exceed thirty (30) days, unlighted signs directing persons to special events such as fairs, rodeos, parades and sporting contests. Total signage shall not exceed thirty-two (32) square feet.
- h. Tract identification signs. Except in conservation areas, one on-premise permanent subdivision, church, apartment, fraternal organization, or community facility identification sign for each street frontage is permitted, subject to the following conditions and limitations:
1. The area of copy of each tract identification sign may not exceed thirty-two (32) square feet, and
  2. No extremity of a sign structure used to support or decorate tract identification signs shall exceed an area of one hundred sixty (160) square feet or be located to impair traffic visibility as determined by the Tribal Police Chief or exceed four (4) feet in height when located within thirty (30) feet of a public right-of-way.
- j. Wall signs. Wall signs, in accordance with the standards in the Table of Basic Design Elements, are permitted in all areas, except in conservation areas. Wall signs may be attached flat to or mounted away from the building wall, but may not project more than twelve (12) inches from the wall of a building or structure. The following additional requirements with respect to wall signs shall apply:
1. More than one (1) wall sign may be erected provided the total surface area allowed in these regulations is not exceeded; and
  2. All wall signs are subject to the following height limitation:
    - A. No wall sign may extend above parapet walls or above roof lines of buildings with parapet walls; and

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- B. No wall sign may extend above the lower eaves line of a building with a pitched roof, except if the roof is a mansard-type roof in which case the sign may be attached flat against, but not extend above, the roof.

k. Miscellaneous (product, information and political signs). To prevent accidents and clutter, to maintain property values and to promote readability for motorists, the following regulation is enacted. No information sign or product sign may exceed six (6) square feet in area. No political sign may exceed twenty-four (24) square feet in area. The total signable area for political signs, information signs, and product signs located on any premise may not exceed thirty-two (32) square feet. Information and product signs are permitted in all zoning districts, except residential, mobile home, and Tribal governmental areas. Political signs are permitted in all zoning districts provided no political sign shall be erected earlier than the established filing date for an election or shall remain longer than fifteen (15) days after the election.

### Section 6-204. Permitted Signs.

Subject to any conditions herein provided or any other laws, regulations or ordinances of the Tribe, the following signs are permitted in all areas as follows:

- a. Flags, emblems, or insignia of any Tribal, national or state government, or other political subdivision.
- b. Governmental signs of any type.
- c. Notice of any judicial or public proceeding posted by public officers or employees in the performance of their duties pursuant to laws, ordinances, regulations, policies and procedures.
- d. Political signs, information and product signs pursuant to Section 6-203(k).
- e. Real estate signs. One on-premise real estate unlighted sign located entirely on any premise which is offered for sale, rent or lease provided that:
  - 1. The maximum area of a real estate sign in residential areas is six (6) square feet. In all other areas, the maximum area of a real estate sign is thirty-two (32) square feet provided no sign shall exceed eight (8) feet in height; and
  - 2. All real estate signs must be removed with ten (10) days after the sale, rental, lease or development of the premise.
- f. Signs required or specifically authorized for a public purpose by an law, statute, regulation or ordinance. The location, number, type, size and illumination of such signs may be of any type authorized by law, statute, regulation or ordinance.

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g. Signs of government, public utility, public service, railroad companies or their contractors which aid safety, indicate installations or repairs, or which show the location of underground facilities.

h. Community watch signs. An appropriate number of such signs may be erected after approval by the Tribal Police Department.

Section 6-205. Prohibited Signs.

The following signs are expressly prohibited within all areas:

a. Any sign which the Tribal Police Chief determines obstructs the view of motorists or bicyclists using any street, private driveway, approach to any street intersection, or which interferes with the effectiveness of or obscures any traffic sign, device or signal.

b. Illuminated, highly reflective signs or spotlights which the Tribal Police Chief determines hampers the vision of motorists or bicyclists.

c. Signs, lights, rotating disks, words and other devices which resemble traffic signals, traffic signs or emergency vehicle lights.

d. Signs, lights, rotating disks, words and other devices not erected by public authority which may be erroneously construed as governmental signs or emergency warning signs.

e. Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairways, ladder or opening intended as a means of ingress or egress or providing light or air.

f. Any sign placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on, over or across any public street, right-of-way, property or thoroughfare, unless authorized by the Tribe.

g. Any newly created flashing signs, traveling lights, or signs animated by lights of changing degrees of intensity, except signs in public rights-of-way.

h. Any newly erected sign which mechanically moves except signs on public rights-of-way.

i. Any newly erected roof sign, unless authorized by the Tribe.

j. The tacking, posting, or otherwise affixing of signs of a miscellaneous character visible from a public way located on the outside walls of buildings, barns, sheds, trees, poles, fences or other structures provided unit number identification signs authorized by this Article, mailbox and paper tube identification signs which do not exceed one (1) square foot in area, and signs which warn the public against danger shall be allowed.

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k. Any newly erected message, copy or announcement which uses a series of two (2) or more signs placed in a line parallel to a street or highway carrying a single message, copy or announcement part of which is continued on each sign.

l. Any sign which pertains to a business, profession, commodity or service which is vacant, unoccupied or discontinued for a period of one (1) year or more; any part of a sign which is unused for a period of one (1) year or more; or any sign which pertains to an event or purpose which no longer applies shall be deemed abandoned. An abandoned sign is prohibited and shall be removed by the owner of the sign or the lessee of the premise. Upon failure to remove a sign within ten (10) days of written notice by the Building Official, the Building Official is hereby authorized to cause removal of such sign at the expense of the owner or lessee of the building or property on which such sign is located.

m. Any sign unlawfully erected or maintained.

### Section 6-206. Nonconforming Signs.

a. Within ninety (90) days after the effective date of this Article:

1. Any existing nongovernmental flashing sign shall stop flashing;
2. Any portable sign, banner or windblown sign not authorized by section 6-203(g)(1) shall be removed;
3. Any existing sign which mechanically moves shall cease its movement;
4. Any message, copy or announcement which uses a series of two (2) or more signs following one another placed parallel to a street or highway carrying a single message, copy or announcement part of which is contained on each sign shall terminate.
5. Any existing off-premise sign that is not covered by an existing sign permit shall be removed.

b. Nothing in this Article shall prevent the ordinary maintenance or repair of a nonconforming sign or replacement of a broken part of a nonconforming sign. Whenever any nonconforming sign, or part thereof is altered, replaced, converted or changed, the entire sign must immediately comply with the provisions of this Article.

c. Nonconforming signs which are destroyed or damaged by fifty (50) percent or more of their value shall not be rebuilt or repaired except in conformance with this Article.

d. Any nonconforming sign in existence on the date of enactment shall apply for a permit for such sign within ninety (90) days of the date of enactment of this Article. Any nonconforming sign not specified in section 205(a) through (f) shall receive a permit indicating it is a nonconforming sign. Any sign

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conforming or nonconforming that does not obtain a permit shall be considered abandoned and removed pursuant to section 205(l).

Section 6-207. Conditional Uses.

In order to permit the location and construction of signs, the Tribe under uniform rules, standards and regulations set forth in this section may grant conditional uses herein provided. Under this authority, the Tribe shall determine the facts of a particular case and their applicability to the provisions of this section and no permit for such signs shall be issued without the approval of the Tribe. In passing on any case under the authority of this section and as a further guide for its decision, the Tribe shall consider, among other things, the character and use of buildings and structures adjoining or in the vicinity of the property mentioned in the application, accessibility of light and air to the premises and to the property in the vicinity, the type of electric illumination for the proposed use with special reference to its effects on nearby structures and the glare.

a. To permit new and existing on-premise roof signs in business and industrial areas, after a finding by the Tribe that:

1. No ground or projecting sign can be erected on the premise which will comply with this Article;
2. No wall of a building or structure on the premise is closer than one hundred twenty (120) feet from the edge of a street or highway.
3. The erection or continuance of the roof sign shall not adversely interfere with accessibility of light and air to nearby properties;
4. The erection or continuance of the roof sign will not interfere with fire protection.
5. The roof sign is not located within five hundred (500) feet of a residential area; and
6. The area of the roof sign complies with the area allowance for ground signs provided in the Table of Basic Design Elements.

b. To permit in shopping center areas either of the following: (i) one on-premise ground identification sign of an area and height as permitted in the Table of Basic Design Elements for each public street frontage with direct access; or (ii) one (1) on-premise ground identification sign for the entire retail establishment of the height allowable in the Table of Basic Design Elements and a surface area not to exceed a maximum of two hundred (200) square feet for retail establishments less than six hundred thousand (600,000) square feet of gross building area or a maximum of three hundred (300) square feet for retail establishments greater than six hundred thousand (600,000) square feet of gross building area, after a finding by the Tribe that:

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1. The sign will be located on a tract of land comprising three-quarter (3/4) acres of more containing at least one (1) building or a group of buildings with more than three (3) nonresidential establishments;
2. The building or group of buildings was built as one (1) entity with regard to common architectural features, planned or built contemporaneously in time, or built by a common contractor;
3. Approved signs will not contain any other message, copy of announcement except to identify the name of the retail center or its establishments;
4. No other ground sign is located within the shopping center or shopping area or located on any premise which was formerly part of the shopping center and shopping area; and
5. Signs greater than two hundred (200) square feet must be set back from a building or property line a distance, measured from the front and back faces of the sign, equal to the height from the ground.

c. In all other cases, to permit new signs in specific cases which vary from the specific terms of this Article which will not be contrary to the public interest and where, owing to special circumstances, a literal enforcement of the provisions of this Article will, in an individual case, result in unnecessary hardship, and provide that the spirit of this Article shall be observed, public safety and welfare secured, and substantial justice done. Such variance shall not permit any use not permitted by the zoning code for such district. A request for a conditional use may be granted in such cases, upon a finding by the Tribe that the following conditions have been met:

1. That the granting of the permit for the conditional use will not adversely affect the rights of adjacent property owners or residents;
2. That the strict application of the provisions of this Article of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
3. That the conditional use desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and
4. That granting the conditional use desired will not be opposed to the general spirit and intent of this Article.



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## CHAPTER 3. OFF-PREMISE SIGNAGE (OUTDOOR ADVERTISING SIGNS)

Section 6-301. Purpose.

Outdoor advertising signs are herein regulated in the interest of promoting traffic safety, safeguarding public health and preventing adverse community appearance and the overcrowding of land, and protecting the character of the area in which they are located. The regulations are designed to permit maximum legibility and effectiveness of signs and to prevent their over concentration, improper placement, and excessive height, bulk and area. It is recognized that, unlike on-premise signs which are in actuality a part of a business, outdoor advertising is a separate and distinct business. With a view to this distinction, outdoor advertising signs are regulated differently from on-premise signs. In general, it is intended that outdoor advertising signs be located away from residential areas, that such signs be regulated to permit industry standard size signs, to protect the character of the area wherein outdoor advertising signs are located, and to conserve property values in these areas, and that outdoor advertising signs be constructed and located to prevent damage from toppled signs.

Section 6-302. Design Regulations.

All outdoor advertising signs shall be consistent with all definitions and shall comply with all standards and regulations of this Article. Except for ordinary maintenance, poster panel replacements, copy changes, or repair not involving structural, material or electrical changes, no outdoor advertising signs, or part thereof, shall be erected, altered, constructed, changed, converted, enlarged or moved unless in conformity with this Article.

a. Area of outdoor advertising signs. Except for outdoor advertising signs with cutouts, no outdoor advertising sign may exceed six hundred seventy-five (675) square feet in area, with a maximum length of sixty (60) feet. The sign area is measured by finding the area of the minimum imaginary rectangle or square of vertical and horizontal lines which fully enclose all extremities of the sign, excluding support, base or apron, unless such copy, message, announcement or decoration appears on the base or apron. The maximum area of all cutouts appearing on any outdoor advertising sign may not exceed ten percent (10%) of the area of the outdoor advertising sign. The sign area of a cutout is measured by finding the area of the imaginary rectangle or square of vertical and horizontal lines which fully enclose all extremities of the cutout. The allowable sign area of signs with equal size and shape for both double-faced (back-to-back) and V-type signs is measured by computing the area of only one side of the sign.

b. Height. No outdoor advertising sign, including cutouts, base, apron, supports, supporting buildings or structures and trim, shall exceed a height of thirty-five feet (35') from the roadbed of the adjacent road or highway to which the display is oriented or a height of thirty-five feet (35') from the grade on which it is constructed, whichever is greater.

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### c. Construction standards.

1. Compliance with building codes. All signs shall comply with the appropriate detailed provisions of Tribal building codes. All signs shall be built in accordance with plans prepared and ink signed by a licensed civil engineer and submitted to the Building Official.
2. Clearance. Clearance from high voltage power lines. Outdoor advertising signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the Tribal building codes provided that in no case shall an outdoor advertising sign be erected closer than ten (10) feet horizontally or vertically from any conductor or public utility guy wire.
3. Clear sight triangles. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all ninety degree (90°) angle intersections of public rights-of-way, and private driveways, through the following measures:
  - A. There shall be no man-made visual obstruction, except by a maximum of two (2) posts or columns of up to one (1) foot in cross section.
  - B. The two forty-five degree (45°) angle corners of the clear sight triangle shall be located thirty feet (30') from the road intersection and ten feet (10') from the intersections of private driveways or alleys with streets or alleys.
  - C. No sign or any portion thereof shall extend over a property line onto an adjacent property or right of-way.
  - D. No sign shall interfere with a driver's or pedestrian's view of public rights-of-way or in any other manner impair public safety, or interfere with the safe operation of a motor vehicle on public streets. This includes, but is not limited to, the driver's view of approaching, merging or intersection traffic. There shall be a minimum clearance of fourteen feet (14') between the grade and the lowest extremity of the sign, exclusive of supports.
  - E. Only freestanding signs shall be allowed.
  - G. No sign shall be attached to or painted on natural features, such as trees, shrubs or rocks.
  - H. No more than two (2) faces of a single sign may be viewable at one time.
4. Setback requirements. All outdoor advertising signs with an area greater than two hundred (200) square feet shall not be erected within an established setback or building line. No outdoor advertising shall be erected within established road right-of-way lines or future right of-way lines that have been established by a specific plan, unless the sign is a wall

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sign. All outdoor advertising signs shall be placed within six hundred feet (600') of right-of-way but no closer than one (1) foot to any right-of-way.

5. Spacing signs. Along major access corridors, outdoor advertising signs shall be located five hundred feet (500') apart. Along all other streets, outdoor advertising signs shall be located three hundred feet (300') apart. Governmental signs, and outdoor advertising signs no more than seventy-five (75) square feet in area which provide directional information about religious sites shall not be counted nor shall measurements be made from them for purposes of determining compliance with spacing requirements. The minimum distance between outdoor advertising signs shall be measured linearly along the nearest edge of the pavement between points directly opposite the sign. Spacing requirements shall apply only on outdoor advertising signs located on the same side of the street or highway.

#### Section 6-304. Specific Outdoor Advertising Sign Regulations.

Outdoor advertising signs which comply with the provisions of this Article and which contain no more than two (2) surfaces facing in one direction are permitted in all industrial areas, business areas, and pursuant to an approved ground lease for such signs in open areas.

#### Section 6-305. Prohibited Signs.

The provisions contained in section 6-204 are expressly made applicable to all outdoor advertising structures.

### CHAPTER 4. SIGN PERMITS

#### Section 6-401. Application, Issuance.

Application for sign permits for use or construction shall be made as other building permits are applied for, to the Building Official, who shall have authority to pass on them, issuing permits for those that conform to the provisions of this Article. The following special requirements shall be complied with before a sign permit is issued:

- a. The applicant shall provide evidence that the applicant has a valid agricultural, business or ground lease or other evidence of possession or right to conduct activities on the property where the sign is to be located;
- b. If the proposed sign advertises activities located off premises, the valid agricultural, business or ground lease for the premises shall indicate that off-premise advertising is authorized under the terms of the lease and under this Article. For land held other than by lease, the applicant shall show that the proposed sign is authorized under this Article; and

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c. A sketch containing the proposed copy for a sign, the sign's dimension, the type of sign (using categories defined in this Article) and proposed materials shall also be submitted.

d. If the sign is of a type not allowed under this Article for the use in question, a copy of the action taken by the Tribe authorizing the special use shall be submitted.

### Section 6-402. Fees.

A sign permit and a plan-checking fee shall be paid in accordance with the schedule established by the Tribe. Fees shall be waived for Tribal enterprises. Such waiver shall not relieve the obligation of the Tribal Enterprise to comply with the provisions of this Article.

### Section 6-403. Exemptions.

The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Article or any other law or ordinance regulating the same.

a. The changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exemption.

b. Customary maintenance shall not be considered an erection or alteration which requires a permit. "Customary maintenance" means any activity performed on an advertising display for the purpose of actively maintaining the display in its existing approved physical configuration and size dimensions at the specific location approved on the permit for the duration of its normal life. Customary maintenance includes the following activities:

1. The changing of advertising message, including temporary alteration of the outside dimensions of a display in the form of add-ons or cut-outs as incident to a change in copy.
2. The routine replacement of border and trim.

Customary maintenance does not include the following (all of which acts shall be considered as a placing of a new advertising display):

1. Raising the height of the display from ground level.
2. Relocation of all or a portion of a display.
3. Adding a back-up panel facing to a single panel display.
4. Increasing any dimension of any panel facing.

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5. Turning the facing direction of a single facing display.
6. Any repair or refurbishing of a display that exceeds fifty percent (50%) of the value of the display in its preexisting state shall be considered as an act of placing a new advertising display. Detailed records of the direct and indirect costs shall be retained by the permittee for a period of four (4) years from the date the repair work is completed and shall be available to the Tribe.

c. Temporary signs directing persons to yard sales, garage sales, or similar events shall not require a permit. Such signs must be removed within five (5) days of the event. Such signs shall comply with all other applicable provisions of this Article.

d. Government signs erected pursuant to the exercise of a governing body's police power to protect health, welfare and safety shall not require a permit. In addition, such signs that pertain to traffic regulation may be located within a road right-of-way.

#### Section 6-404. Conditions Precedent to Issuing.

The Building Official shall not issue any permit for the construction, reconstruction, extension, repair or alteration of any signs, or part thereof, unless the plans, specifications and intended use of such sign, or part thereof, conform in all respects to the provisions of this Article. Each application for a permit shall contain such information as may be necessary to enable the Building Official to determine whether the application complies with the provisions of this Article and shall be accompanied by a plat, in duplicate, drawn to such scale as the Building Official may require, showing the actual dimensions of the signs, the area to be built upon, the size and situation of all existing buildings involved in the application, the names of all streets upon which the lot abuts or, in the discretion of the Building Official in lieu of such plat, the application shall be accompanied by such information as the Building Official may require to enable action upon such application. If an application does not conform to the provisions of this Article, it shall be disapproved by the Building Official, who shall notify the applicant in writing, with the reasons for the disapproval.

#### Section 6-405. Liability.

The granting of a sign permit shall not be deemed to be a permit for or approval of any violation of these regulations. The provisions of these regulations shall not be construed as relieving or limiting in any way the responsibility or liability of any person, firm, corporation, 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 issuance of a permit be construed as imposing upon the Tribe or its officers or employees, any responsibility or liability by reasons of the approval of any signs, material or devices under the provisions of this Article. Nothing contained in this Article

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shall be deemed to constitute a waiver or renunciation of the sovereign immunity of the Tribe for any purpose.

### Section 6-406. Permit Identification.

A Permit Identification Sticker shall be issued for each sign for which a permit is issued. This Permit Identification shall be placed in the lower right hand corner of the sign and shall remain thereon at all times. Replacement stockers for a lost or destroyed Permit Identification Sticker may be obtained from the Building Official for good cause shown and payment of a Ten Dollar (\$10.00) replacement fee.

## CHAPTER 7. ENFORCEMENT

### Section 6-701. Penalties.

Any person controlling or managing any building, sign or land wherein or whereon there shall be placed or there now exists any sign in violation of this Article, any person who shall assist in the commission of any violation of this Article, any person who shall build contrary to this Article after plans and specifications have been submitted to and approved by the Building Official, or any person who shall omit, neglect or refuse to do any act provided for in this Article, shall be subject to a fine not to exceed \$1,000 per occurrence. Each day that the violation exists shall be considered a separate occurrence. In addition, the Tribe reserves the right to utilize any other method allowed by the laws applicable to the Colorado River Indian Reservation to ensure compliance with this Article. Any person in violation of this Article shall be issued a citation by the Building Official or other authorized Tribal law enforcement officials. The violator shall have the option of paying the penalty within fifteen days of the date of the citation or requesting a hearing in Tribal Court. The Tribal Court shall have jurisdiction over all such disputes. Any citation that is not paid within the required period or where a hearing is requested shall be referred to the Tribal prosecutor for prosecution. Any person failing to pay a citation and who does not request a hearing shall be subject to a doubling of the fine and be responsible for court costs. Any person who requests a hearing shall be responsible for court costs if the citation is upheld.

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