

An ordinance of the Haines Borough amending Haines Borough Code Title 18, Chapter 18.90 to provide clarification of purpose, sign standards by district, off premise signage, portable and sandwich signage.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Chapter 18.90. Haines Borough Code Chapter 18.90 is amended as follows:

18.90.010 Purpose

The purpose of this ordinance is to encourage the effective use of signs as a means of communication for information and commerce in the borough, to direct traffic effectively and safely, to offer equitable means for business identification while protecting the safety, welfare and aesthetics of the community by regulating the design, construction and placement of signs to prevent confusion and traffic hazards.

18.90.020 Applicability – Effect.

A. This ordinance is enforceable in the Townsite Planning/Zoning District, the Mud Bay Planning/ Zoning District and the Lutak Planning/Zoning District.

B. This ordinance shall provide guidance for the effective use of signs outside of a planning/zoning district.

C. All signs areawide must comply with AS 19.25.075 – 19.25.180 as it may apply.

18.90.030 Administration

A. Permits. A permit is required prior to the placement of any sign except those specifically exempted under 18.90.040.

1. An application for a sign permit shall be made on a form supplied by the borough. Such application may be considered part of a land use permit application or may be considered separately; if considered separately, the application shall be accompanied by a fee as established by the Assembly.

2. The owner of the property, structure, lot or premise proposed for the placement of a sign must file the application for a permit.

3. The permit application shall include a document identifying sign dimension, materials, placement, design, elevation, cross section, plot plan showing the proposed location of the sign on a lot or building, and method of illumination, if any.

4. A sign permit application will be reviewed and either approved, disapproved or advanced to the Planning Commission when a variance from the provisions of this code is requested by the manager or designee within five working days after receipt of a completed application. An application is complete when the manager or designee determines that all information pertinent to the design, construction, and placement of the proposed sign is available in the application packet.

B. Variances Allowed. Relief from any provisions of this ordinance may be provided only with written approval of the manager upon favorable recommendation by the Planning Commission made by motion at a public meeting.

C. Enforcement. The placement of any sign without a sign permit, except those specifically exempted under 18.90.040, shall result in a warning letter, and if unresponsive, a \$100 fine.

18.90.040 Exemptions

The following signs are exempt from regulations under this chapter provided such signs are on the business premise and conform to standards set forth in this chapter and AS 19.25.075 – 19.25.180 as it may apply:

A. Installed Free-standing, Projecting, Façade, Window and Awning signs (ref. 18.90.060) in existence before September 9, 2014. Such signs shall not be replaced, moved, enlarged, altered or reconstructed except in compliance with this chapter;

B. Legal notices, directional, traffic and parking signs, temporary paper signs serving notice of a public event or a hazard and informational signs erected by a government agent or directed by a government agent.

C. Real estate signs up to six square feet placed on the subject property or premises advertising sale, lease or rental

D. Political signs up to 24 square feet displayed on private property. A political sign advertising a candidate or persuading a position on a vote may be erected no more than 60 days prior to the election date for that candidate or issue and must be removed no later than seven days following the election date.

E. Small informational signs not exceeding one square foot and bearing only property numbers, directional arrows, post office box numbers, names of occupants of premises, information such as Open/Closed, awards, commendations or credit card signs displayed on the premises or property.

F. Temporary display window signs on the interior surface of a window.

G. A Directory or sign of six (6) sq. ft. or less affixed to a building and giving information about the occupants of a residential or office building.

H. Signs on vehicles used for commercial purposes containing information related to the vehicle's commercial use, attached mechanically, magnetically or painted on the surface of the vehicle.

I. Construction Signs. During construction, repair or alteration of a structure or infrastructure, temporary signs that denote the architect, engineer, financier or grantor, contractor or builder, or which denote the name of the structure and or its use of occupants may be erected on the construction site, Total square footage of sign or signs per site shall not exceed 32 sq. ft.

J. Work of Art, such as murals that neither directly nor indirectly contain commercial messages, and illustrations on boards used to cover doors and windows during a business closure.

K. Temporary sign used to advertise casual and isolated sales not made in the regular course of business placed on private property while items are for sale. In this instance, only one sign shall be allowed, no larger than 16 square feet. Sign may identify product for sale and shall not identify the business name. Sign is not allowed for more than two consecutive days.

18.90.050 General Provisions

A. All permitted signs shall be located, installed or placed so as to achieve their purpose without constituting a hazard to vehicle operations, pedestrians or aircraft.

B. It is the intent of this section that commercial signs shall not be located, installed, placed or maintained on streets, alleys or sidewalks. Variance from this intent shall be allowed only with written approval of the manager upon favorable recommendation by the Planning Commission at a public meeting.

C. Lighting. If illuminated, no lighted sign shall cause beyond the property line on which it is located, installed or placed or adversely affect the safe vision of motor vehicle operations or pedestrians. Blinking, flashing, rotating, pulsing illuminating devices which have a changing light intensity are not allowed except blinking neon signs placed in the window of a commercial or establishment during business hours, providing the neon sign does not exceed 20% of the window area. Signs with internal lighting are allowed only by district.

D. Materials. 1. All elements of signs intended for permanent placement shall be constructed of rigid, weather-proof materials. 2. Signs intended for temporary placement shall be constructed of weather-

resistant, tear-resistant materials; lettering shall be water-proof and signs reasonably affixed or supported.

E. Placement. No sign shall extend more than four (4) ft. above a structure; the top of any sign shall not be installed to exceed thirty (30) ft. height restriction.

F. Substantial Condition. Signs shall be maintained in good repair. Any sign not in substantial, sturdy condition will be subject to removal as a public nuisance as provided by code [Cite].

18.90.060 Sign Definitions, Placement, Dimensions

A. Off-Premise Signs.

1. Definition. Off-premises signs are signs that are located, affixed, installed, placed, erected or maintained on a structure, lot, facility or premise (a) not owned by the person or business entity or interest served by the sign; and (b) not the physical location of the business entity or interest served by the sign. (c) Off-premise signs may be free-standing, portable, affixed or painted directly on a structure.

2. Placement. Off-Premises signs a) are allowed on municipal streets, alley or sidewalks only with written approval of the manager upon favorable recommendation by the Planning Commission at a public meeting and the Alaska Department of Transportation where applicable; b) require written consent of the property owner filed with the application; c) may not be in the required property set-back; d) may not exceed one per person, business entity or interest served; and e) if portable, may not be displayed outside of posted business hours or applicable time frame.

3. Dimension. Off-Premise Signs shall not exceed a) sixteen (16) sq. ft. in area per sign face; b) two sign faces per sign structure; and c) maximum height of four (4) ft.

B. Free-standing signs.

1. Definition. Free-Standing signs are a) signs supported by one or more posts or legs permanently installed in the ground or concrete; and b) sandwich signs.

2. Placement. a) shall not be located, installed or placed within twenty-five (25) ft. of a street or alley intersection line except when less than six and one-half (6.5) sq. ft. per surface and maximum height is less than forty-two (42) inches, and with the approval of the Alaska Department of Transportation where applicable; b) if off-premises, require written approval of the manager upon favorable recommendation by the Planning Commission at a public meeting, as provided for in ----cite section of code above.

3. Dimension. a) if off-premise: as provided for in _____cite code above; . b) if on premises of business, entity or interest: not to exceed thirty-two (32) sq. ft.

C. Projecting and Marquee Signs.

1. Definition. Signs that are mounted perpendicular to a structure's façade, usually attached to the structure on a mounted post and supported with guy wires, but may also be hung under a marquee or canopy.
2. Placement. a) Projecting signs with the building end attached to the façade shall have sufficient size and number of guy wires to secure the street end of the sign to safely suspend the sign and prevent swinging. Marquee signs do not need to be attached at one end or be supported with guy wires; b) shall have clearance of seven (7) ft. above grade; c) shall not extend within three feet of a street, curb or traveled way; d) shall not extend above the structure's roof peak or eave. ; e) are limited to one per business frontage facing public property.
3. Dimension. a) A marquee sign size is the actual dimension of the sign mounted to provide seven (7) ft. clearance above grade and not extending beyond the limits of the marquee.;
b) The dimensions of a projecting sign attached to a building are relative and shall conform to the following, with the horizontal length measurement beginning at the façade of the building:

Length	Height
8 ft.	16 inches
7 ft.	22 inches
6 ft.	28 inches
5 ft.	34 inches
4 ft.	36 inches
3 ft.	42 inches
2 ft.	48 inches

D. Façade Signs.

1. Definition. Signs painted directly onto a face (façade) of a structure or an independent sign affixed directly and parallel to the façade of a structure.
2. Placement. Signs placed on the side of a structure.
3. Dimension. There are no limitations on the dimensions of a façade sign on a front façade. Façade signs on facades other than the front façade shall not exceed ten (10) percent of the total sq. ft. of the façade, or thirty-two (32) sq. ft., whichever is greater.

E. Sandwich Signs.

1. Definition. Signs with two opposing faces attached at the top and with a limited connector to allow the sign to open into an "A" shape.
2. Placement. See "Free-standing signs, Placement."

3. Dimensions. Maximum sign height four (4) ft. and a maximum sign width is two (2) ft. Minimum sign height is two (2) ft. six (6) inches with a width of one (1) ft. three (3) inches [2.5 ft. X 1.25 ft.]

F. Window Signs.

1. Definition. Signs created when lettering and or an image(s) is painted or applied directly onto a window.

2. Placement. See definition.

3. Dimensions. Shall not exceed twenty (20) percent of window area

G. Awning Signs.

1. Definition. Signs created by printing, painting or applying words or letters to an awning or awning fringe.

2. Placement.

3. Dimensions.

H. Banners.

1. Definition. Signs created by printing, painting or applying words, letters and or images to cloth.

2. Placement.

3. Banners require a minimum clearance of eighteen (18) ft. above streets and alleys and seven (7) ft. above sidewalks , provided the banner also receives approval of the Alaska Department of Transportation, where applicable.

18.90.080 Signs by District

A. Townsite Planning/Zoning District

1. Commercial, Waterfront, Waterfront Industrial, Heavy Industrial, Light Industrial, Multiple Use zones :

a) Allowed Signs

1. all signs not prohibited by this chapter are allowed up to a total signage area to not exceed one hundred sixty (160) sq. ft. per business, entity or interest premise

2. internally lit signs are allowed

b) Prohibited Signs/materials/processes

1. beacons
 2. inflatable signs and tethered balloon
 3. signs advertising activities or products no longer offered on the premises, including sales and events for a civic, public or nonprofit purpose
 4. signs towed on wheels or wheeled trailers behind vehicles
 5. placement of any type of handbill, flyer, brochure or sticker on public property or on a vehicle parked on public property
2. Rural residential, Rural Mixed Use and Residential
- a) Allowed Signs
 1. one sign, not to exceed eight (8) sq. ft., to identify a home occupation, cottage industry, vacation home rental or Bed & Breakfast business
 - b) Prohibited Signs
 1. Off-premise signs
 2. all signs and processes prohibited by this chapter
3. Significant Structure Area Zone
- a) Allowed Signs.
 1. Freestanding signs, including sandwich signs, provided the total height of the sign, including supports, is less than eight feet.
 2. Projecting signs, provided they do not extend over public property.
 3. Wall-mounted signs, provided total sign area per building wall shall not exceed five percent of the total square foot area of that building wall, or 16 square feet, whichever is greater.
 4. Banners
 - b) Prohibited Signs: Neon, flashing, back-lit or internally lit signs, whether they are on the outside of the building or placed in a window.
 - c) In addition to the other placement standards of this chapter, signs in the SSA shall not be mounted on building roofs, extend above building eaves, or cover architectural features such as windows, doors or building trim.

B. Mud Bay Planning /Zoning District. Reference 18.70.030 B.3.e.(7).

1. Allowed Signs

- a) one sign, not to exceed eight (8) sq. ft., to identify a home occupation, cottage industry, vacation home rental or Bed & Breakfast business

2. Prohibited Signs

- a) Off-premise signs
- b) all signs and processes prohibited by this chapter

C. Lutak Inlet Planning/Zoning District. Reference 18.70.030 C.3.j.

1. Sign Standards.

- a) Signs permanently affixed to structures shall not exceed 32 square feet.
- b) Permanent signs not affixed to a structure shall not exceed 16 square feet.
- c) Only non-electrified signs will be permitted.
- d) Temporary signs shall be removed within 10 days after the date of sale or the event or condition advertised. Temporary signs shall not exceed 16 square feet per side.