

ORDINANCE NO. 2054

*Repealed by 3946*

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ERECTION OF SIGNS, BILLBOARDS AND OTHER ADVERTISING DEVICES, PROVIDING FOR THE ISSUANCE OF PERMITS THEREFORE AND REPEALING ORDINANCE NO. 542 OF THE CITY OF KIRKLAND.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Definitions. COMMERCIAL SIGN: The term "commercial sign," shall mean any exterior sign or device conveying a message advertising or attracting the attention of prospective patrons, customer, users, and without limiting the foregoing shall include all signs not specifically included within the definitions below, and shall specifically include political signs advertising candidates or issues.

"NON-COMMERCIAL SIGN" shall mean any exterior residential name-plate, ornamental or otherwise, erected for the purpose of identifying a residence; or permanent sign for naming and identifying an institution, semipublic, public or recreational development or building, or an apartment building or a subdivision.

"PUBLIC SIGN" shall mean a sign of interest and benefit to the general public, such as a directional sign designating routes or location; traffic control sign such as "Stop", "Speed Limit", etc; safety sign such as "School Crossing", "Bus Loading" etc; special event sign or device such as "Firemen's Ball", Fourth of July or Christmas decoration, "U.G.N." or "Red Cross" drives, etc.

"REAL ESTATE SIGN" shall mean the temporary 5 or 6 square foot sign customarily employed by real estate brokers or agents or home owners for the purpose of attracting attention to real estate.

LICENSING OFFICIAL: The term "Licensing Official" shall mean the City official designated by the Manager by administrative order, who shall issue permits, establish regulations, be charged with the enforcement of this chapter, and who shall make such other administrative determinations as are required hereunder.

PROHIBITED DEVICES: It is unlawful to erect or maintain strings of pennants, banners or streamers, festoons of lights, clusters of flags, strings of twirlers or propellers, flashing or blinking lights, flares, balloons, and similar devices of carnival character. Not prohibited are (1) national, state and institutional flags properly displayed; (2) Christmas decorations in season; and (3) streamers, banners, etc., used for one week to call attention to the grand opening of a completely new business building.

EMBLEMATIC DESIGNS: Building or site developments which are an integral part of a total design and may identify a location or building, such as a sculpture, fountains, landscaping, pylons, walls or lighting, will not be considered commercial signs provided such developments are not a direct source of light. Such designs may include as an incidental element the name of the location or building or institution or, in directory form, the names of the business occupants of the property. Such developments may extend to the street right-of-way line provided no structures or parts are higher than 3 feet between the building line and the street right-of-way line.

Section 2. Sign Permit -- When required: A permit from the licensing official shall be required for the erection and maintenance of any exterior sign.

Such sign permit shall contain the name of the person to whom the permit is issued, the location at which the sign is to be erected and maintained, the period of time for which said permit shall be valid and such other data as may be required by regulations to identify the purpose, type, size and character of the sign.

In all districts classified as "Residential", noncommercial signs, real estate signs and public signs located on the property being advertised, shall be permitted. All other signs shall be prohibited.

In all districts classified other than residential, all signs including commercial signs shall be permitted; provided that said signs comply with the Uniform Sign Code presently in effect in the city, with the requirements of the City Building Code, and with the requirements of this section.

On public land or in public rights-of-way permanent or temporary public signs may be permitted, subject to the regulations prescribed by the Kirkland Traffic Code and ordinances of this City. Real estate or business signs of the sandwich, tripod, or 'A' frame type which are directional in nature, may be placed on the shoulders of street rights-of-way, at least three feet from the traveled portion of the roadway, and during the daylight hours from sunrise to sunset, provided the location does not create a traffic hazard. The signboard size shall not exceed 30 inches in width or height. Such sandwich tripod or 'A' frame type signs shall be prohibited on paved sidewalks located on public rights-of-way.

No commercial signs shall be located on any property other than that property upon which the advertised business is located.

Section 3. Duties of the Director of Public Works, or his authorized representative:

1. Applications for the erection of exterior signs shall be filed with the City Building Department. Such applications shall be accompanied by drawings which clearly delineate the sign, its size, shape, materials, color, lettering, number and wattage of lights, or other devices which are a part of the installation. The drawings shall show the method of fastening or anchoring the sign to a building or the footings and foundation and column designed for free-standing signs. Drawings shall also be submitted indicating the relationship of a proposed sign to the total structure to which it would be attached.
2. The Building Department shall review the drawings and inspect the site or the building upon which the sign is to be applied and determine that the anchoring or fastening methods are sufficiently safe and meet the requirements of the City Building Code, including the uniform sign code chapter.

Section 4. The denial of a sign application based on the application of the standards set forth in this ordinance may be appealed by the applicant to the City Council for review and determination. The procedure for appeal to the City Council including time for filing of such appeal shall be the same as the procedures

set forth in Ordinance 710 for appeal to the Council from decision of the Board of Adjustment. The decision of the City Council shall be final.

Section 5. Nonconforming signs:

1. Any sign, billboard or other advertising device constructed prior to the effective date of this ordinance, which was nonconforming as to any applicable ordinance then in effect, including but not limited to ordinance No. 542 of the City of Kirkland and which does not conform to the requirements of this Ordinance is hereby declared to be a nuisance. The owner of such sign, billboard or other advertising device shall, within 90 days from the effective date of this ordinance either remove such sign, billboard or other advertising device or make such modifications thereto as will bring it into conformity with this ordinance. No modification work shall be done without first obtaining a permit as required by this ordinance.

The City Manager is hereby directed to cause to be removed at the expense of the owner thereof, any sign, billboard, or other advertising device declared by this section of this ordinance to be a nuisance. The procedure to be followed by the City Manager, shall be the same as the procedure for abating dangerous buildings as set forth in Ordinance No. 204 provided however, that the City Manager shall not order the removal of such sign, billboard or other advertising device by anyone other than the owner thereof within the 90 day period set forth in this section above.

2. Any sign, billboard, or other advertising device constructed prior to the effective date of this ordinance and which sign, billboard or other advertising device conformed to the requirements existing under Ordinances in effect prior to the adoption of this Ordinance, but which fail to conform to the requirements of this ordinance, shall either be modified to conform to the requirements of this ordinance or be removed within one year from the effective date of this ordinance and any such sign billboard or other advertising device not so removed or modified within said one year period is hereby declared to be a nuisance.

Commencing one year from the effective date of this ordinance, to-wit: The 1st day of July, 1970, the City Manager is hereby directed to cause to be removed at the expense of the owner thereof, any sign, billboard, or other advertising device declared by this section of this ordinance to be a nuisance. The procedure to be followed by the City Manager shall be the same as the procedure for abating dangerous buildings as set forth in Ordinance No. 954.

Section 6. Any person willfully violating any of the provisions of this ordinance shall be guilty of a misdemeanor.

Section 7. Severability If any provision, sentence clause, section, or part of this ordinance is held illegal, invalid, or unconstitutional or unapplicable to any person, or circumstance illegality, invalidity, unconstitutionality or inapplicability shall not effect or impair any or the remaining provisions, sentences, clauses, sections or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the intent of the City Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, sentence, clause, section or part had not been included therein and if the person or circumstances to which the ordinance or any part thereof is inapplicable had been specifically exempted therefrom.

Section 8. This ordinance shall be in force and take effect 5 days from and after its passage by the Council and publication as required by law.

PASSED by the City Council in regular meeting on the 16th day of June, 1969.

SIGNED in authentication thereof on the 16th day of June, 1969.

William C. Woods  
Mayor

Attest:

Tam J. Redner  
Director of Administration and Finance  
(ex officio City Clerk)  
Approved as to form:

Ralph J. [Signature]  
City Attorney