

3. **Maintenance Responsibility.** The landowner shall be responsible for the maintenance of all landscaped areas. Periodic weed control shall be required, and plant materials listed on the most current noxious plant material list adopted by the Board shall not be allowed as landscaping, and must otherwise be managed in compliance with applicable State and County regulations.

## SECTION 4-250 ILLUMINATION STANDARDS

- A. **Purpose.** This section establishes standards for controlling illumination to prevent intense glare or direct illumination that would create a nuisance detract from the use or enjoyment of adjoining property or cause traffic hazards to motorists.
- B. **Standards.** Exterior illumination shall not cast glare directly onto adjacent properties. Low Pressure Sodium (LPS) lamps are the preferred illumination source but other sources can be considered depending upon the filtering, shielding, height and number of sources. Mercury vapor lamps are discouraged. Streetlights used for illumination of public ways are encouraged to be 20 feet or less in height. Outdoor lighting used for decorative effects (architectural illumination, flag and monument lighting, illumination of trees, bushes, etc.) should be located, aimed, or shielded so as to minimize stray light trespassing across property boundaries.

## DIVISION 4-3.SIGN REGULATIONS

### SECTION 4-300. PURPOSE

The purpose of this Division is to provide a comprehensive system of reasonable, effective, consistent, content-neutral and non-discriminatory standards for signs. These standards control the construction, size, type, location and maintenance of signs and sign structures within the unincorporated portions of Eagle County so as to:

- A. **Protect Appearance.** Protect the appearance of the community and enhance the attractiveness of Eagle County as a place to live, do business and visit.
- B. **Identification.** Enable places of residence and commerce to be easily identified and allow the communication of information necessary for the conduct of business.
- C. **Compatible.** Permit signs that are compatible with their surroundings and aid in orientation, but preclude placement in a manner that conflicts with the principal uses of the site, adjacent land uses, or adjacent signs, or interferes with, obstructs the vision of, or distracts motorists, bicyclists or pedestrians.
- D. **Limit Size and Number.** Limit the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business.

- E. **Lessen Hazards.** Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement or installation, illumination, animation and excessive height, area and bulk of signs that compete for the attention of motorists, bicyclists and pedestrians.
- F. **Safety.** Protect the public from the dangers of unsafe signs, and require signs to be constructed, installed and maintained in a safe manner.

#### SECTION 4-310. APPLICABILITY

- A. **General.** The provisions of this Division shall apply to the display, construction, erection, alteration, use, maintenance and location of all signs within the unincorporated areas of Eagle County, except as specifically exempted in Section 4-310 B., Exempt Signs. All signs displayed, constructed, erected or altered after the date of the adoption of this Division shall be in conformance with its applicable provisions. All signs that are existing at the time of the adoption of this Division shall not be altered or enlarged without being in conformance with this Division.
- B. **Exempt Signs.** The following types of signs shall be allowed in all zone districts and are not subject to the requirement to obtain a sign permit, pursuant to Section 4-350, Procedure to Obtain Sign Permit. This exemption shall not be construed to relieve the owner from complying with any other applicable provisions of this Division.
  - 1. **Signs Less than Six (6) Square Feet in Area.** All signs, whether permanent or temporary, that do not exceed six (6) square feet in sign area, provided that there is not more than one (1) such sign per individual business, parcel, lot, or group of contiguous lots under single ownership.
  - 2. **Signs Required By Law.** Signs required or specifically authorized for a public purpose by any law.
  - 3. **Public Notices.** Public notices or signs relating to an emergency.
  - 4. **Traffic Signs.** Signs erected in public rights-of-way by a local, state or federal governmental agency controlling or directing traffic.
  - 5. **Information Signs on Public Property.** All information signs on or directing people to public property, provided such signs are related to the use of the property and are erected and maintained by the agency responsible for the public property.
  - 6. **Official Notices Posted By Government.** Official government notices and notices posted by governmental officers in the performance of their duties to provide warning, necessary information, direction or other regulated purposes.
  - 7. **Hazard Warning Signs.** Temporary or permanent signs erected by a public utility company or construction company to warn of dangerous or hazardous conditions.
  - 8. **Temporary Signs.** Temporary signs for a special civic event, such as pennants or banners. Such displays may be erected three (3) weeks prior to the opening of the event and shall be removed one (1) week after completion of the event.

9. **Historic Plaques.** Memorial tablets or commemorative plaques installed by an historical agency, including cornerstones for buildings.
10. **Scoreboards.** Scoreboards used for athletic events, provided they do not exceed twenty (20) feet in height and sixty-four (64) square feet in size.
11. **Holiday Decorations.** Decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday.
12. **Signs Affixed to Vehicle.** Any signs permanently affixed to a truck, train, automobile, airplane or other operable vehicle that is not placed in a location for the purpose of advertising a product, service or activity or to direct people to a business or activity located on the premises or nearby.
13. **Flags.** Flags of any state, nation, government and any other flag not specifically used for advertising purposes. Flags shall not exceed sixty-four (64) square feet in size.
14. **Works of Fine Art.** Works of fine art that in no way identify or advertise a product or business.
15. **Religious Emblem.** Any religious emblem or insignia.
16. **Addresses.** Mail boxes, address numbers or residential nameplates.
17. **Gravestones.** Any gravestone.

#### SECTION 4-320. PROHIBITED SIGNS

The following types of signs or advertising devices are expressly prohibited in all zone districts:

- A. **Structurally Unsafe.** Signs that are structurally unsafe or constitute a hazard to safety or health by reason of inadequate maintenance or dilapidation.
- B. **Signs Blocking Ingress or Egress.** Signs that have been installed or maintained so as to prevent free ingress or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape, except those signs that may be required by other codes, regulations, or ordinances.
- C. **Signs Obstructing Visibility.** Signs that obstruct or interfere with traffic signs or signals or with the visibility of operators of vehicles, bicycles or other conveyances using the public right of way or that are located within a clear vision area.
- D. **Signs Resembling Traffic Control Devices.** Signs that are of a size, location, movement, content, coloring or manner of illumination that may be confused with or construed as a traffic control device, but have not been erected or authorized to be erected by a governmental agency.

- E. Metal Signs.** Signs with metallic surfaces, unless such surfaces are treated to reduce reflection from sunlight or artificial illumination.
- F. Signs Creating Optical Illusion.** Signs that create an optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
- G. Signs With Moving Parts.** Signs with visible moving, revolving or rotating parts, flashing or fluttering lights or other illuminating devices that have a changing brightness or intensity or color or any mechanical movement or apparent movement achieved by electrical, electronic or mechanical means, except for time, temperature and date signs or holiday decorations.
- H. Displays With Open Light Bulbs.** External displays, other than temporary decorative holiday lighting, that consist of unshielded or open light bulbs.
- I. Signs Making Sounds.** Any sign that contains a radio, phonograph, whistle, bell or other sound-making device.
- J. Signs Without Adequate Clearance From Power Lines.** Signs that have been constructed or maintained with less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by State law.
- K. Off-Premises Signs.** Signs not located upon the property or business identified or advertised by the sign.
- L. Vehicle Signs.** Signs placed on vehicles or trailers that are parked or located for the apparent purpose of advertising a product, service or activity or to direct people to a business or activity located on the premises or nearby.
- M. Portable Signs.** Portable or wheeled signs or advertising devices, except for operable and licensed motorized vehicles and licensed trailers used in the pursuit of regular day-to-day business having the name of the permitted use(s) or service(s) offered.
- N. Obsolete Signs.** Signs that are located on property that becomes vacant and unoccupied for a period of six (6) months or more, or a sign that pertains to a time, event or purpose that no longer applies shall be considered obsolete. The sign face of an obsolete sign shall be removed by the owner of the sign or the owner of the property. A sign that is not so removed by the owner may be removed by the Planning Director, as authorized by Section 4-370, Violations and Penalties. Provided, however, that the following types of signs shall be excepted from these provisions:
- 1. Exception for Change of Ownership.** Permanent signs displayed on a business temporarily suspended because of a change of ownership or management of the business shall not be construed to be obsolete unless the property remains vacant or the business is closed for a period of six (6) months or more.
  - 2. Exception for Seasonal Business.** Permanent signs displayed on a business that is open

only on a seasonal basis shall not be construed to be obsolete unless the property remains vacant or the business is closed for a period of twelve (12) months or more.

- O. Obscene Signs.** Signs or pictures of an obscene, indecent or immoral character, such as will offend public morals or decency in accordance with constitutional standards.
- P. Three Dimensional Signs.** Three (3) dimensional signs, such as statues, real or simulated, utilized for advertising purposes.
- Q. Balloons.** Balloons or similar types of lighter-than-air objects tethered to the ground by lines or other methods, except for those used in conjunction with special events that do not exceed three (3) days in duration.
- R. Signs on Natural Features.** Signs painted on rocks or other natural features.

#### SECTION 4-330. SIGN STANDARDS APPLICABLE IN ALL ZONE DISTRICTS

- A. Relationship to Other Regulations.** The County's sign standards recognize other regulations pertaining to signage (such as the State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984). Where any provision of this Section covers the same subject matter as other applicable regulations, the more restrictive regulation shall apply.
- B. Signs Limited to On-Premises Advertising.** Signs shall identify or advertise interests conducted only on the lot of the sign location.
- C. Comprehensive Sign Plan.** All buildings or lots containing more than one (1) business shall be required to submit a comprehensive sign plan showing all proposed signage in the building or lot. The comprehensive sign plan shall allocate to individual businesses their portion of the total sign area permitted for the building or lot. It shall also contain provisions that ensure that all signs in the building or on the lot will have a consistent appearance in terms of color, size, shape, lettering, graphics and illumination.
- D. Conform to Other Codes.** Signs and sign structures shall be designed and constructed to conform to the Eagle County Building Resolution and the National Electric Code, including but not limited to consideration for wind loads, seismic loads, allowable stresses, materials and anchorage requirements. The following shall also be required:
  - 1. Safety Standards.**
    - a. Wind Load.** Signs over ten (10) feet in height and/or forty (40) square feet in surface area shall be engineered to withstand a wind loading of a minimum of thirty (30) pounds per square foot of sign area without failure of face retention system or sign structure. Engineering data sufficient to prove the reliability of the structure and the foundation shall be submitted with the drawings at the time of permit application.
    - b. Electric Wiring.** Electrical wiring for energizing an electrical sign shall be

underground, in the case of freestanding signs, and behind the sign cabinet, in the case of wall or projecting signs. All electrical work shall be in conformance with the Eagle County Building Resolution and the National Electric Code, which may require an electrical permit that will be subject to review by the Eagle County Building Department.

- c. **Support.** Roof signs, signs mounted on marquees, or projecting signs, shall be engineered in such a manner that no guy wires are needed for support, other than for the sign structure itself.
  - d. **Damage By Moving Vehicles.** Anchors and supports shall be guarded and protected when near driveways, parking lots or similar locations where they could be damaged by moving vehicles. Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied. No anchor or support of any sign, except flat wall signs, shall be connected to or supported by a parapet wall that is not braced.
  - e. **Unsafe Signs Are a Violation.** Signs in danger of falling down or that become insecure or otherwise represent an unsafe condition shall constitute a violation under the provisions of this Division and shall be removed or corrected by the sign owner.
2. **Maintenance Standards.** Signs and sign structures shall be maintained at all times in a state of good repair, with all braces, bolts, clips, supporting frame and fastenings free from deterioration, insect infestation, rot, rust or loosening. All signs shall be kept neatly finished, including all metal parts and supports thereof that are not galvanized or of rust resistant metals.

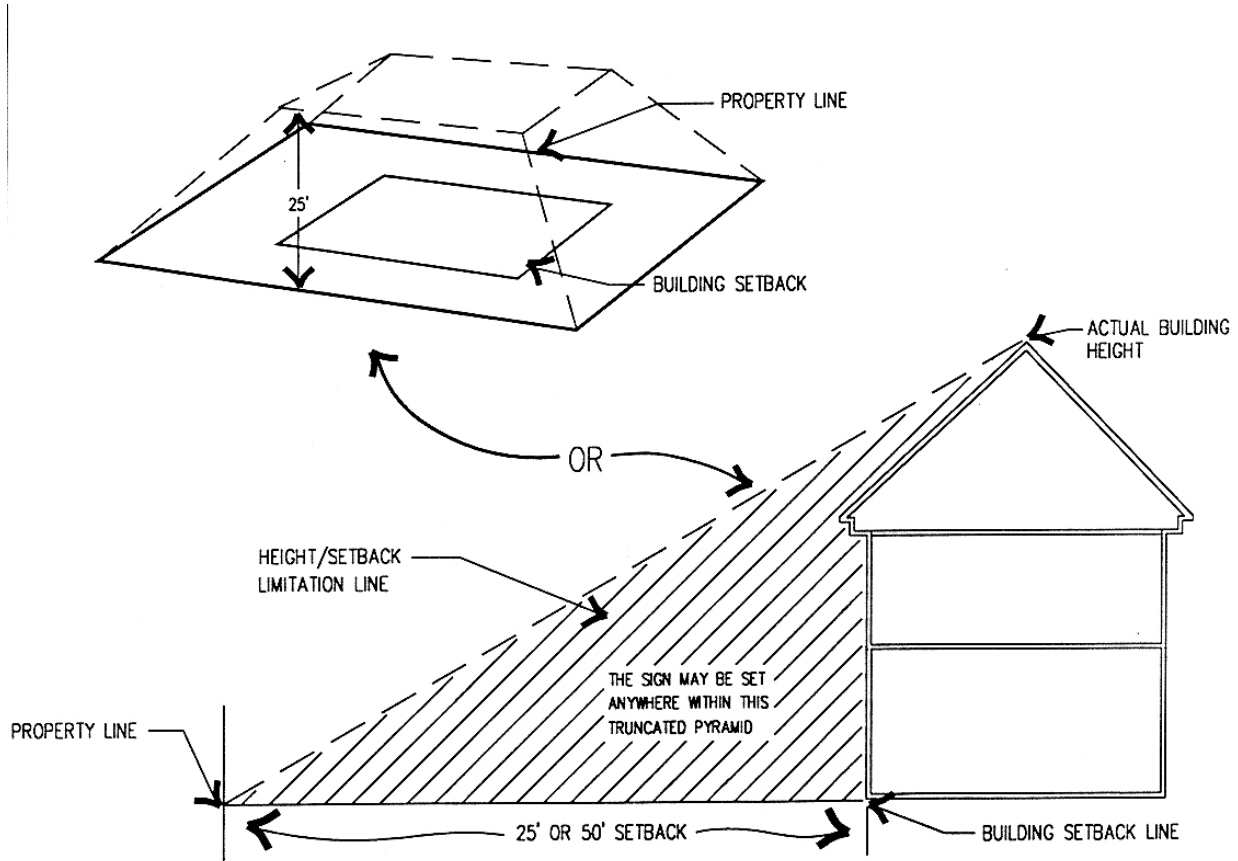
#### E. Sign Area Measurement.

1. **Area To Be Measured.** The area of a sign shall be measured in conformance with this Section, provided that the structure or bracing of a sign shall be omitted from measurement unless such structure or bracing is made part of the message or face of the sign. Where a sign has two (2) display faces, the area of one (1) side shall be considered the total area for that sign.
2. **Sign With Backing.** The area of all signs with backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas in each square, rectangle, triangle, portion of a circle or any combination thereof that creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, nonstructural trim or other component parts not otherwise used for support.
3. **Signs Without Backing.** The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof that creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character.

4. **Combined Signs.** The area of any sign having parts both with and without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle or any combination thereof constituting the smallest single continuous perimeter enclosing the extreme limits of either of the following combinations:
    - a. **Display Surface.** The display surface or face of the sign including all frames, backing, face plates, nonstructural trim; or
    - b. **Other Parts.** Other component parts not otherwise used for support.
- F. **Illumination.** Illumination of any sign permitted by this Division shall meet the following standards:
1. **Shade, Shield or Direct.** Illuminated signs shall be shaded, shielded or directed to not cause glare or otherwise adversely impact residential areas.
  2. **Not Cause Hazard.** Neither the direct or reflected light from any light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares or approaches to public thoroughfares.
  3. **Not Blink, Flash or Move.** No sign shall have blinking, flashing, moving or fluttering lights or other illuminating devices that have a changing light intensity, brightness or color.
  4. **Not Resemble Traffic Device.** Colored lights shall not be used at any location or manner so as to be confused with or construed as a traffic control device.
- G. **Height and Setback Calculation.** Height and setback calculations for signs in all zone districts shall be determined by the following method:

No sign shall extend above the planes formed by intersecting imaginary lines from the lot lines to the setback lines, at a height of twenty-five (25) feet, (when existing building(s) conform to the required setbacks) or to the top of the tallest building on the lot, whichever is greater. The truncated pyramid formed by these planes is the height/setback limit. All signs in all zone districts shall conform to the above calculation, unless specifically exempted. Refer to the illustration on the following page.

**HEIGHT/SIGN SETBACK CALCULATION**



The formula for calculating sign height and/or setback is:

$$\frac{\text{sign setback}}{\text{bldg. setback}} = \frac{\text{sign height}}{\text{bldg. height}}$$

Example: Setback requirement for an 8' high sign on a vacant lot with a 50' setback is:

$$\frac{?}{50} = \frac{8}{25} = 16' \text{ from the property line.}$$



**SECTION 4-340. SIGN STANDARDS APPLICABLE TO SPECIFIC ZONE DISTRICTS**

- A. Signs Allowed in All Residential, Agricultural and Resource Zone Districts.** The following signs shall be allowed by sign permit in all Residential, Agricultural and Resource Zone Districts, as identified in Section 3-210, Residential, Agricultural and Resource Zone Districts.
- 1. Residential Identification Sign.** One (1) residential building, lot or occupant identification sign per dwelling unit (identifying the name and/or address), provided the total sign area does not exceed twelve (12) square feet.
  - 2. Special Use Identification Sign.** One (1) identification sign per approved special use, provided the total sign area does not exceed thirty-two (32) square feet, or as further restricted under the conditions of the special use permit.
  - 3. Subdivision Identification Sign.** One (1) identification sign per subdivision entrance in residential developments, provided that the sign area of each sign shall not exceed thirty-two (32) square feet and the maximum height of such signs shall not exceed eight (8) feet. Such signage shall not be required to meet the height/setback calculation, provided that the sign shall not be located within an intersection clear zone and shall not impede drainage.
  - 4. Identification Sign for Model Home.** One (1) identification sign per model home within an approved subdivision, provided that the sign area does not exceed sixteen (16) square feet and the maximum height shall not exceed six (6) feet. Such signage shall not be required to meet the height/setback calculation, provided that the sign shall not be located within an intersection clear zone and shall not impede drainage.
  - 5. Sign For Vacant Land.** One (1) sign for the sale, rent or lease of vacant land, provided that the total sign area shall not exceed sixteen (16) square feet, the sign is not illuminated, and the sign is limited to one (1) sign per parcel, lot, or group of contiguous lots under single ownership. Said sign shall be removed within seven (7) days following completion of the land sale, rental or lease.
  - 6. Sign For Dwelling Units.** Signs for the sale, rental or lease of dwelling units under construction or to be constructed, provided that no more than one (1) sign is located adjacent to each street abutting the subdivision, and providing that the total sign area of each sign does not exceed sixteen (16) square feet. No such sign shall remain erected for more than two (2) years or until the last dwelling unit is sold, whichever comes first.
  - 7. Construction Sign.** One (1) construction sign for each construction project not to exceed thirty-two (32) square feet in sign area. Two (2) individual tradesmen may display separate signs, not to exceed sixteen (16) square feet each, in addition to the thirty-two (32) square foot construction sign. Such signs may be erected ten (10) days prior to beginning construction and shall be removed after six (6) months or upon completion of construction whichever is later. Construction signs shall not count toward the total sign area allowed per lot

- B. Signs Allowed Only in Certain Residential, Agricultural and Resource Zone Districts.** The following signs shall only be allowed by sign permit in the residential, agricultural or resource zone districts specified herein.
- 1. Signs Advertising Products Raised on Premises.** Signs advertising the sale of products produced or raised on the premises shall be allowed in the Resource (R), Resource Limited (RL), Agricultural Residential (AR), Agricultural Limited (AL), Rural Residential (RR) and Fulford Historical (FH) zone districts, provided that the total sign area shall not exceed twenty-four (24) square feet and shall not be illuminated.
  - 2. Directory Sign.** One (1) directory sign shall be allowed for each lot, parcel, or group of contiguous lots under single ownership located in the Residential Suburban Low Density (RSL), Residential Suburban Medium Density (RSM), Residential Multi-Family (RMF) zone districts. The sign shall not exceed sixteen (16) square feet in sign area or eight (8) feet in height. Directory signs may be illuminated, in compliance with the provisions of this Division. One (1) individual directory sign, not exceeding eight (8) square feet in sign area, shall also be permitted for each multifamily structure.
- C. Signs Allowed In Commercial And Industrial Zone Districts.** The following signs shall be allowed by sign permit in the Commercial and Industrial zone districts identified in Section 3-220, Commercial and Industrial Zone Districts.
- 1. Individual Business Signs.** Individual businesses shall not exceed one (1) square foot of sign area per linear foot of building frontage for the first thirty-two (32) feet and one-third (1/3) of a square foot of sign area per linear foot of building frontage in excess of thirty-two (32) feet. In no case shall the total sign area for an individual business exceed a maximum of sixty-four (64) square feet, per street frontage.
  - 2. Multiple Business Signs.** Multiple businesses (business or shopping centers) shall be required to submit a comprehensive sign plan showing all proposed signage within the business center. The comprehensive sign plan shall comply with the provisions of Section 4-340.D.2., Comprehensive Sign Plan and the following standards:
    - a. Business Center.** The business center itself shall be allowed one (1) square foot of sign area per linear foot of building frontage for the first thirty-two (32) feet and one-third (1/3) of a square foot of sign area per linear foot of building frontage in excess of thirty-two (32) feet. In no case shall the total sign area for a business center exceed a maximum of sixty-four (64) square feet, per street frontage.
    - b. Individual Business.** Each individual business within the business center shall be allowed twenty (20) square feet of sign area in addition to that permitted for the business center.
    - c. Allocation to Businesses.** Allocation of total aggregate sign area to individual businesses or tenants is not specified by these Regulations, but instead shall be the responsibility of the property owner or authorized agent.

3. **Directory Sign.** One (1) directory sign per street frontage shall be allowed, identifying the individual businesses within the business center, provided that the total sign shall not exceed forty (40) square feet in area nor ten (10) feet in height. The directory sign shall not be included in the total sign area allowed for the business center, and shall not be required to meet the height and setback calculation, provided that the sign shall not be located within an intersection clear zone nor shall it impede drainage.
4. **Directional Signs.** Directional signs shall be allowed, provided that the total sign area of each sign shall not exceed six (6) square feet or eight (8) feet in height. Directional signs shall not be included in the total sign area allowed per individual business or multiple business and shall not be required to meet the height/setback calculation, provided that the signs shall not impair visibility for traffic movement and shall not impede drainage.
5. **Sign for New Business.** One (1) sign shall be permitted for each new or relocated business, for a period not to exceed thirty (30) days, to allow the business sufficient time to install a permanent sign. The area of the sign shall not exceed thirty-two (32) square feet, which shall not be included in the total sign area allowed for each business.
6. **Sale, Rent or Lease Sign.** One (1) for sale, for rent or for lease sign per business shall be allowed, provided that the total sign area of each sign shall not exceed sixteen (16) square feet in sign area. Said sign shall be removed within thirty (30) days of completion of the sale, rent or lease of the business. This temporary sign shall not be included in the total sign area allowed for each business.
7. **Sign for Vacant Land.** For sale, for rent or lease signs advertising vacant land shall be allowed, provided that the total sign area of all such signs shall not exceed sixteen (16) square feet and shall be limited to one (1) sign per parcel, lot or group of contiguous lots under single ownership. Said signs shall be removed within seven (7) days following completion of the land sale, rental or lease. These signs shall not be included in the total sign area allowed for each business.
8. **Construction Sign.** One (1) construction sign for each construction project shall be allowed, not to exceed thirty-two (32) square feet in sign area. Two (2) individual tradesmen may display separate signs not to exceed sixteen (16) square feet each in addition to the thirty-two (32) square foot construction sign. Such signs may be erected ten (10) days prior to beginning construction and shall be removed after six (6) months, or completion of construction, whichever is later. Construction signs shall not be included in the total sign area allowed for each business.
9. **Window Signs.** Window signs shall be allowed, provided that no more than twenty-five (25) percent of the exterior window area, per street frontage, is covered by signs. Window signs shall not be included in the total sign area allowed for each business.

**D. Signs Allowed in a Planned Unit Development (PUD).**

1. **PUD Sign Plan.** Signs within a Planned Unit Development (PUD) shall comply with all provisions of this Division, unless specifically varied by the approval of a comprehensive sign plan for the development. If a comprehensive PUD sign plan has been approved by the Board of County Commissioners, the provisions of that sign plan shall supersede any conflicting parts of this Division.
2. **Comprehensive Sign Plan.** Any Planned Unit Development may, by or through its managing body, submit to the County a comprehensive sign plan for the control and regulation of signs within the PUD. The application and review procedures to amend an approved PUD, as specified in Section 5-240 F.3.m., Amendment, shall be followed for the review and approval of the PUD sign plan and any amendments thereto.
3. **Application and Review Procedures.** No application for a sign permit in a PUD shall be approved by Eagle County unless the application has been authorized for submission by the managing body of the PUD. Applications shall be submitted to the Eagle County Planning Department, together with two (2) copies of a sketch of the proposed sign(s) and any other pertinent information. The staff shall review the application to determine whether the proposed signage is consistent with the comprehensive PUD sign plan, as approved by the Board of County Commissioners.

#### SECTION 4-350. PROCEDURE TO OBTAIN A SIGN PERMIT

The following procedure shall be followed in order to erect and maintain a sign after the effective date of these regulations (which was February 21, 1989). A sign permit shall also be required at any time the area of an existing sign is increased.

- A. **Permit Required.** A sign permit for all signs shall be obtained from the Planning Department, unless the sign is specifically listed as exempt, pursuant to Section 4-310 B., Exempt Signs. No permit shall be required for the maintenance of a sign or for a change of copy, provided that the sign conforms to the standards of this Division.
- B. **Pre-Existing Signs.** A sign permit shall not be required for signs erected prior to May 8, 1978, provided that said signs conform to the standards of this Division.
- C. **Application Form.** Application for a permit to erect or display a sign in Eagle County shall be made to the Eagle County Planning Department on standard forms provided by the Department. Application forms shall be completed and signed by the property owner or authorized agent, and submitted with the appropriate fee, as established from time-to-time by Eagle County. Only complete applications shall receive consideration for approval.
- D. **Drawing.** All requests for a sign permit shall be accompanied by a drawing that is fully drawn to dimensions, showing the sign structure and proposed lighting. A site plan shall also be submitted, showing the location, setbacks, height and sign area of all proposed and existing signage on the lot.
- E. **Electrical Permit.** All requests for a new illuminated sign or that require replacement or extension of electrical wiring shall be accompanied by an application for an electrical permit.

- F. Inspection.** The applicant shall request an inspection by Eagle County within three (3) months of the date of issuance of a sign permit. The sign permit shall expire three (3) months after its date of issuance if the sign has not been inspected and received final approval. A single three (3) month time extension may be granted by the County, if the extension is requested by the applicant in writing prior to expiration of a valid permit.
- G. Permit is For Life of Sign.** A sign permit shall be issued for the life of the sign.
- H. Amendments.** If, after a sign permit has been issued by Eagle County, it becomes necessary to change, modify, or alter the structural characteristics of the sign, or otherwise deviate from the terms or conditions of said permit, such amendment may be allowed, upon approval by the County, without additional permit fees being assessed. Such approval may only be granted by the County upon a finding that said amendment conforms to the provisions of this Division. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Eagle County Planning Department.

#### SECTION 4-360 NONCONFORMING SIGNS

- A. General Provisions.** Section 4-300, Purpose, describes the County's intentions for the administration of signs in Eagle County. In order to reach those intentions, the eventual termination of signs that do not conform to these regulations is both reasonable and desirable.
- B. Policy for Legally Nonconforming Signs.** The provisions of this Section allow nonconforming signs to continue, while at the same time assuring that the neighborhood in which the nonconforming sign exists will eventually benefit from the substantial compliance of permanent and temporary signs with these regulations.
- C. Determination That Sign is Legally Nonconforming.** A legally nonconforming sign is any sign that:
- 1. Does Not Conform to Original Sign Regulations.** Was lawfully erected as of the effective date of this Division, which was February 21, 1989, and has been lawfully maintained in accordance with the provisions of any prior regulations, but does not conform to this Division; or
  - 2. Does Not Conform to Amended Sign Regulations.** Was lawfully erected as of or after the effective date of this Division, which was February 21, 1989, and has been lawfully maintained in accordance with the provisions of this Division, but which sign, by reason of amendment to the provisions of this Division after the effective date hereof, does not conform to this Division.
- D. Continuation of Legally Nonconforming Signs.**
- 1. Sign May Not Be Changed.** Any legally nonconforming sign may be continued in operation and maintained after the effective date of this Division, which was February 21, 1989, provided no such sign shall be changed in any manner that increases the nonconformity of such sign.

2. **Burden Rests Upon Owner.** The burden of establishing a sign to be legally nonconforming under this Division rests entirely upon the person claiming such status for a sign.
- E. Termination of Legally Nonconforming Signs.** The right to use, operate or maintain a legally nonconforming sign shall terminate upon any of the following:
1. **Abandonment.** Signs pertaining to activities or occupants that are no longer using a property shall be removed from the premises within six (6) months after the associated activity or occupant has vacated the premises. Any such sign not removed within the required period shall constitute a nuisance and shall be subject to removal by action of Eagle County.
  2. **Violation.** Any violation of this Division and/or any pre-existing Eagle County sign provisions shall immediately terminate the right to maintain such sign.
  3. **Destruction, Damage or Obsolescence.** The right to maintain any legally nonconforming sign shall terminate whenever the sign sustains damage in excess of fifty (50) percent of its replacement cost, or becomes obsolete or substandard to the extent that the sign becomes a hazard.
  4. **Condemnation.** The Board of County Commissioners may choose to condemn a nonconforming sign. Recommendations for condemnation may be made by the Planning Director, when the sign is found to be in violation of this Division.
  5. **Failure to Maintain.** The right to continue use of a legally nonconforming sign shall terminate if the sign is not maintained in good structural and visual condition, as determined by the Board of County Commissioners, based upon the recommendations of the Planning Director.

#### SECTION 4-370. VIOLATIONS AND PENALTIES

- A. **Inspection and Order to Repair.** The Planning Director shall inspect and shall have the authority to order the repair, alteration, painting or removal, at the owner's expense, of any sign that constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.
- B. **Written Order.** When the Planning Director finds that a violation of this Division exists, he shall issue a written order to the alleged violator. The order shall specify those provisions of this Division that the individual may be in violation of and shall state that the individual has ten (10) days from the date of the order in which to correct the alleged violation, or to file a variance application with the Planning Department.
- C. **Removal of Obsolete Sign.** If, upon inspection, the Planning Director finds that a sign has been abandoned, he shall issue a written order to the owner of the sign and/or owner or occupant of the premises stating the nature of the violation and requiring that person to remove or repair the sign within ten (10) days from the date of the order. In cases of emergency, the Planning Director may