

Chapter 15.44

SIGN CODE

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15.44.010 Purpose.

A. Signs are an important issue for the City, its business owners and local residents. When abused, signs can create a visual blight which detracts from the quality of the environment and the experience of visitors to Moab. When signs are unduly restricted, however, it may create a hardship for merchants who rely on effective signage to identify their establishments and thus be successful in their business venture. All signs and lighting impact the economics, aesthetic value and character of a community. It is thus in the City's best interest to adopt a sign code which protects the public health, safety and welfare of its citizens and business community. It is the intent of the City to create an atmosphere of partnership with the business community in order to achieve economic stability of Moab while at the same time protecting residential areas and resources that draw visitors to Moab.

B. It is the purpose of the sign ordinance to:

1. Promote traffic and pedestrian safety;
2. Reduce visual clutter;
3. Increase the readability and effectiveness of signs;
4. Encourage individuality and creativity;
5. Promote city beautification;
6. Encourage fair business representation through signage; and
7. Enable the fair and consistent enforcement of these sign provisions. (Ord. 00-03 (part), 2000: Ord. 92-02 § 1, 1992)

15.44.020 Scope.

This chapter shall govern and control the erection, remodeling, enlarging, moving, alteration, operation and maintenance of all signs within all zones. It also provides penalties for violations of this code. Nothing contained in this chapter shall be deemed a waiver or variance of the provisions of any other articles or sections in this code applicable to signs. Signs located in areas governed by several sections of this code shall comply with all such

sections. In the case of contradicting requirements or provisions, the more restrictive shall apply. (Ord. 00-03 (part), 2000; Ord. 92-02 § 2, 1992)

15.44.030 General provisions.

A sign permit shall be required for the placement, construction, and/or alterations of all signs, unless a sign qualifies as an exempt sign or an identified temporary sign. The provisions in Sections [15.44.040](#) through [15.44.100](#) are required before a permit shall be granted. (Ord. 00-03 (part), 2000; Ord. 92-02 § 3, 1992)

15.44.040 Size and height limitations.

A. On Highway.

1. *Height Limitations.* There shall be a twenty-eight-foot height limitation for all signs that front on a highway (includes freestanding, wall and roof signs).
2. *Size Limitations.* The size limitations for signs fronting a highway are as follows:
 - a. Two hundred fifty-six square feet maximum square footage per lot;
 - b. One hundred sixty square feet per individual sign face;
 - c. Formula for maximum square footage is two square feet for each linear foot of frontage along a public right-of-way;
 - d. The total square footage on a lot with two tenants must be divided between the tenants with proportions decided by the tenants and/or landlord(s).

B. Off Highway.

1. *Height Limitations.* There shall be a twenty-foot height limitation for all signs that front off of a highway (includes freestanding, wall and roof signs).
2. *Size Limitations.* The size limitations for signs that do not front a highway are as follows:
 - a. One hundred sixty square feet maximum square footage per lot;
 - b. Formula for maximum square footage is one square foot for each linear foot of frontage along a public right-of-way;
 - c. The total square footage on a lot with two tenants must be divided between the tenants with proportions decided by the tenants and/or landlord(s). (Ord. 00-03 (part), 2000; Ord. 92-02 § 3.01--3.04, 1992)

15.44.050 Projecting and suspended signs.

- A. Projecting and suspended signs shall have a height limit maximum of twenty-eight feet or the height of the wall of the building, whichever is lower.
- B. They shall have an eight-foot minimum vertical clearance above sidewalks, walking areas, or rights-of-way and thirty-six square feet maximum size per sign face.
- C. Owners of projecting signs that project over public rights-of-way must furnish proof of liability insurance for such signs before being issued a permit. (Ord. 00-03 (part), 2000; Ord. 92-02 § 3.05, 1992)

15.44.060 Roof signs.

- A. No roof sign shall exceed four feet above the wall line or top of the exterior wall; however, if the peak of the roof is over four feet above the wall line, roof signs cannot exceed the height of the peak.
- B. All roof signs must adhere to a twenty-eight-foot overall height limitation. (Ord. 00-03 (part), 2000; Ord. 92-02 § 3.06, 1992)

15.44.070 Intermittent light, flashing or moving lights prohibited.

- A. Lighted signs that flash, blink, create the appearance of movement, have moving light elements, or which otherwise change brightness, color, or lighting intensity, including intermittent display, lampbanks that change electronically, including time and temperature signs, are strictly prohibited. Christmas lights that are displayed during the month of December are exempt from this provision. All lighted signs shall additionally comply with Section [17.09.465](#).
- B. Electronic variable message signs (EVMS) are prohibited.
- C. Real time video projected on outdoor display screens, outdoor video projection screens, and outdoor LED screens or outdoor display screens of any type are prohibited for use as signs, including in windows.
- D. Lighted signs on property near a residential area shall be subdued and shall not be allowed to penetrate beyond the property in such a manner as to annoy or interfere with nearby residential properties. (Ord. 19-03 Att. 1 (part), 2019; Ord. 14-10 (part), 2014; Ord. 00-03 (part), 2000; Ord. 92-02 §§ 3.07, 3.08, 1992)

15.44.080 Signs in residential zones.

- A. No advertising signs of any kind shall be allowed in any residential zone, except signs pertaining to the sale or lease of residential property, name plates, institutional signs, or signs indicating the existence of an office of a professional person, a home occupation, guest apartment and/or bed and breakfast establishment.

- B. Lighted signs in residential zones must be indirect and no more than twenty-five watts total.
- C. Residential signs, except for apartments and public and religious institutional signs, shall not exceed four square feet.
- D. Apartments and guest apartments may be allowed up to sixteen square feet of signage if they have more than four units; four-plexes, tri-plexes and two-household dwellings may be allowed up to eight square feet of signage. (See Sections [15.44.200](#) and [15.44.210](#) for exceptions to the four square foot rule).
- E. Political signs in residential zones may not exceed four square feet and are subject to all other restrictions as listed in Section [15.44.200\(E\)](#).
- F. Freestanding signs in residential zones may not exceed five feet in height measured from grade. (Ord. 19-13 § 21 (part), 2019; Ord. 00-03 (part), 2000: Ord. 92-02 § 3.09, 1992)

15.44.090 Public and religious signs in residential zones.

- A. Public, public educational or religious institutional signs shall be located entirely upon the premises of that institution, shall not exceed an area of fifty square feet per frontage and shall comply with Section [17.09.465](#).
- B. If mounted on a building, these signs shall be flat wall signs and shall not project above the roof line; if ground mounted, the top shall be no more than five feet above ground level.
- C. Nonprofit, charitable and private institutional signs in residential zones shall not exceed four square feet. (Ord. 19-03 Att. 1 (part), 2019; Ord. 00-03 (part), 2000: Ord. 92-02 § 3.10, 1992)

15.44.100 Flags.

Flags other than government flags, i.e., country and state, shall be added towards the maximum allowable signage. Flag poles that display government flags shall not exceed thirty-five feet in height in commercial zones. (Ord. 00-03 (part), 2000: Ord. 92-02 § 3.11, 1992)

15.44.110 Computations.

The following principles set out in Sections [15.44.120](#) through [15.44.180](#) shall control the computation of signs. (Ord. 00-03 (part), 2000: Ord. 92-02 § 4, 1992)

15.44.120 Height-Computation.

The height of a sign shall be computed as the distance from the highest attached component or the sign to the nearest sidewalk, curb, or street crown, whichever is highest. (Ord. 00-03 (part), 2000: Ord. 92-02 § 4.01, 1992)

15.44.130 Area of individual signs-Computation.

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.02, 1992)

15.44.140 Area of multifaced signs-Computation.

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back-to-back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two inches apart, the sign area shall be computed by the measurement of one of the faces. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.03, 1992)

15.44.150 Number of freestanding signs per lot-Computation.

A. *Primary Frontage.* One freestanding sign per lot; one additional freestanding sign is permitted if property has more than two hundred feet of frontage (for exceptions, see Section [15.44.170](#)). Two freestanding signs on one property must be separated by one hundred feet and the second sign shall not be higher than fifty percent of the allowed height.

B. *Secondary Frontage.* One freestanding sign is allowed on each additional frontage and shall not be higher than fifty percent of the allowed height. Two freestanding signs on one property must be separated by one hundred feet, and the second sign shall not be higher than the fifty percent of the allowed height. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.04, 1992)

15.44.160 Setbacks-Computation.

Signs may not block traffic visibility.

If a sign is located at an intersection, the following rules apply:

A. Signs located within a twenty-five-foot triangle (measured twenty-five feet from the street corner both ways) must be under two and one-half feet tall, or should have over eight feet of clearance to the bottom of the sign. This triangle shall be maintained in an open manner so as to provide proper clear view area.

B. All advertising signs shall be set back from public streets a distance at least equal to the distance that buildings are required to be set back within the zone in which the signs are located. Signs in C-4 zones have a twenty-five-foot setback with the exception of monument signs, which shall be set back at least two feet from the City right-of-way. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.05, 1992)

15.44.170 Shopping centers/office building complexes-Sign allowance.

Only one freestanding sign is allowed for shopping centers and office building complexes which lease to three or more businesses on one lot of record. The group freestanding sign identifying the shopping center/office building complexes and its businesses may use all sign area allowed for that lot. In addition, individual businesses may have one square foot of signage for each front line of building up to a maximum of one hundred twenty-eight square feet per business to identify their building. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.06, 1992)

15.44.180 Off-premises signs.

Off-premises signs shall be regulated the same as on-premises signs. The total allowable square footage of signage per lot for both off-premises and on-premises signs is determined according to the total linear street frontage of the lot upon which the sign is located. (Ord. 00-03 (part), 2000; Ord. 92-02 § 4.07, 1992)

15.44.190 Prohibited signs.

Signs which are erected after the adoption of this code and do not comply with the provisions of this chapter are prohibited. Other prohibited signs include the following:

- A. *Parked Vehicle Signs.* Parked vehicles with a sign painted or placed on them and parked for the expressed intent of directing attention to a business are prohibited. This provision does not include vehicles used regularly in the course of conducting daily business activities.
- B. *Signs On Public Rights-of-Way.* No private sign shall be placed on public rights-of-way.
- C. *Signs Attached to Public Property.* No private sign shall be attached to public property or public utility poles.
- D. Signs are not permitted on benches or other public service fixtures except bicycle racks. Signs on bicycle racks may not exceed one square foot in size. (Ord. 00-03 (part), 2000; Ord. 92-02 § 5-5.03, 1992)

15.44.200 Temporary signs.

A. *General Provisions.*

1. Temporary signs shall be figured in the total square footage allowed per lot.

2. Sign owners must, designate areas where temporary signs will be displayed.
3. Temporary signs displayed outside of designated areas require a permit.
4. Temporary signs must be maintained and in good condition while being displayed.
5. Signs less than six square feet in size and associated with an event do not require a permit.

B. *Mobile Changeable Copy Signs.* Mobile changeable copy signs shall not exceed thirty-two square feet and shall not be displayed for more than thirty consecutive days.

C. *Balloon Signs.* Balloon signs are allowed to be displayed for up to thirty days per lot per year.

D. *Construction Signs.*

1. No more than one construction sign identifying a project to be built and the project participants shall be allowed per lot.
2. Construction signs in residential zones shall not exceed six square feet in area and five feet in height. In commercial zones the sign area shall not exceed fifty square feet and shall not exceed eight feet in height.
3. Construction signs must not exceed the time period of construction and/or the day the business opens, whichever comes first, and shall be counted into the square footage of the total footage allowed for the lot.
4. An additional thirty-two square feet is allowed in commercial zones for artist renditions of the project.
5. Proposed development signs may be allowed for ninety days prior to ground breaking.

E. *Political Campaign Signs.*

1. Political campaign signs require a permit (the fee for which is specified in the Master Fee Schedule, Chapter [3.50](#)), shall pertain to a specific election and shall be displayed not earlier than forty-five calendar days prior to that election.
2. Political campaign signs shall not be located closer than one hundred fifty feet to any designated polling place.
3. Political campaign signs shall not exceed thirty-two square feet in commercial zones and four square feet in residential zones.
4. Political campaign signs shall be removed within one day after the election day. The candidate or persons responsible for the placement of a political campaign sign shall be responsible for its removal.

F. *Real Estate Signs.*

1. In residential zones, real estate signs shall not exceed six square feet and shall not exceed five feet in height.
2. In commercial zones, real estate signs shall not exceed thirty-two square feet.

3. Real estate signs must be placed on the premises of the property being sold.
4. Only one real estate sign per street frontage, per real estate company is allowed. (Ord. 19-29 (part), 2019; Ord. 00-03 (part), 2000; Ord. 92-02 § 6-6.05, 1992)

15.44.210 Exempt signs.

Sign permits are not required for the following signs unless the limitations and requirements of this section cannot be met. In such cases a sign permit is required.

- A. *Public Signs.* Signs era noncommercial nature, erected by, or on the order of, a public officer in the performance of his duty, such as, but not limited to safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, informational signs and the like.
- B. *Integral Signs.* Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of metal or other permanent-type construction and made an integral part of the structure.
- C. *Private Traffic Direction Signs.* Signs directing traffic movement into a premises or within a premises not exceeding two square feet in area for each sign. Horizontal directional signs on paved areas and flush with paved areas are exempt from these standards. Only one exempt directional sign is allowed per frontage, per lot.
- D. *Service Sign.* A sign that is incidental to a use lawfully occupying the property upon which the sign is located, and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, entrance and exits, etc. These signs shall not exceed two square feet in size.
- E. *Name Plates.* A nameplate shall contain only the name and address of a resident.
- F. *Temporary Decorations.* Temporary decorations or displays clearly incidental and associated with national or local holiday celebrations for a period not to exceed ninety days per year, per lot.
- G. *Nonbusiness Temporary Signs.* Temporary signs not associated with businesses may be displayed not more than thirty days per year or exceed six square feet in size. Examples include garage sale signs, puppies-for-sale signs, agricultural produce sales, etc.
- H. *Rear Entrance Signs.* Rear entrance signs, when associated with pedestrian walk-through buildings. These signs shall not exceed sixteen square feet in area and shall be flush-mounted, identifying only the name of the establishment and containing directional information.
- I. *Menu Signs.* Menu signs at drive-in restaurants which are not readable from the nearest public right-of-way; and signs not visible beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way.
- J. *Private Warning or Instructional Signs.* Private warning or instructional signs such as "No Soliciting," "No Trespassing," "Beware of Dog," or other similar types of signs not exceeding two square feet per sign.

K. *Murals*. Murals must be painted or attached to the walls of buildings and are exempt from this chapter except for the lettering and logo portion of the mural.

L. *Pennants, Window Dressings and Window Banners*. Pennants, window dressings and window banners are exempt from the provisions of this chapter. (Ord. 00-03 (part), 2000: Ord. 92-02 § 7-7.12, 1992)

15.44.220 Design, construction, maintenance and liability.

A. All signs shall be designed, constructed, and maintained to comply with applicable provisions of the Uniform Building Code, electrical code and all other codes of the City.

B. All signs shall be maintained and in good structural condition.

C. Sign owners are liable for their signs.

D. The City, the official and other agents of the City shall in no way be liable for damages caused by signs. (Ord. 00-03 (part), 2000: Ord. 92-02 § 8, 1992)

15.44.230 Abandoned signs.

A sign which meets the following criteria shall be considered an abandoned sign:

A. A sign which identifies an establishment, service(s), goods, or product(s) which are no longer provided on the premises where the sign is located. A sign which remains in such condition for a period of one month and which sign is otherwise conforming, shall have its copy vacated within thirty days from when the stated circumstances commenced. If the copy remains vacant for a period of six months or more from the date the stated circumstances commenced, the sign structure shall be removed by the sign owner. Removal shall be within five working days following the expiration of the six-month period.

B. A sign which identifies a time, event or purpose which has passed or no longer applies. Such sign shall be removed by the sign owner within three working days from time the event or purpose has passed or no longer applies.

C. An off-premises advertising sign which is vacant of copy or which advertises an establishment, service(s), goods or product(s) which no longer exist. Such sign which remains in the defined condition for a period of one month, shall be removed by the sign owner within five working days of the end of the one-month period.

D. When building mounted and painted wall signs or murals are removed, the face of the structure shall be treated to conform to surrounding building conditions. Such removal shall not leave any evidence of the sign's existence. (Ord. 00-03 (part), 2000: Ord. 92-02 § 9, 1992)

15.44.240 Permit procedures and enforcement.

The following procedures set out in Sections [15.44.250](#) through [15.44.330](#) are required to obtain a sign permit in the City. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10, 1992)

15.44.250 Permit--Required.

If a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected or altered on a lot, the sign owner shall secure a sign permit from the official prior to the construction, placement, erection or alteration of such a sign. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.01, 1992)

15.44.260 Applications.

- A. All applications for sign permits of any kind and for approval shall be submitted to the official.
- B. One application and permit may include multiple signs on the same lot.
- C. An application for construction, creation, or installation of a new sign or for the structural alteration of an existing sign shall be accompanied by detailed drawings to scale of all existing and proposed signs on a lot and must show:
 - 1. The height of all signs on a lot;
 - 2. The square footage of all individual signs on a lot;
 - 3. The total combined square footage of all signs on a lot;
 - 4. A site plan indicating length of street frontage, location of buildings, parking lots, driveways, landscaped areas and all existing and proposed signs on the site--includes wall signs, projecting signs, suspended signs, roof signs, freestanding signs, window signs, murals, flags, etc.;
 - 5. The overall dimensions, design, structure, materials, proposed copy and illumination specifications of all signs requiring a permit on a lot; and
 - 6. Photograph(s) of the lot. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.02, 1992)

15.44.270 Fees.

- A. Each application for a sign permit shall be accompanied by the applicable fee, which shall be established by resolution by the City Council. (Ord. 06-11 (part), 2006; Ord. 00-03 (part), 2000; Ord. 92-02 § 10.03, 1992)

15.44.280 Action on application.

Within five days of the date of submittal of an application the official shall review it for completeness and compliance. If the applicant complies to all the sign ordinance regulations, the official shall issue a permit to erect or alter such sign according to specifications in the application within fifteen days upon receipt of a completed application. If the official finds the application incomplete, the official shall send to the applicant a written notice of the application's deficiencies, with appropriate corrections or references to the applicable section of this chapter. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.04, 1992)

15.44.290 Inspections.

The official shall cause an inspection for each permit issued for the erection of new signs and the structural alteration of existing signs. If the signs do not comply, the official shall issue the applicant written notice of the deficiencies and shall allow thirty days from the date of notice for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If sign(s) comply upon final inspection, the official shall sign a final inspection notice and the permit becomes binding until changes are made to the permitted sign or ownership of the sign changes. The official may also periodically inspect lots to see that sign owners comply to the provisions of this chapter. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.05, 1992)

15.44.300 Renewal of sign permits.

It is the intent of this chapter for the renewal sign permitting process to be tied in with yearly business license renewal. If sign owners comply to the provisions of this chapter and make no structural alterations or changes to their existing registered and permitted signs, the City shall automatically renew sign permits every year by June 30th. The renewal sign permit fee shall be waived if the sign owner has not constructed, placed, erected, or structurally altered existing registered signage to a lot. A new application must be processed and an applicable fee shall be charged for signs constructed, placed, erected, or structurally altered to existing registered signage to a lot. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.06, 1992)

15.44.310 Lapse of sign permit.

- A. A sign permit shall lapse automatically if the permit is not renewed or if the business license for the premises lapses or is revoked.
- B. Sign permits shall lapse for abandoned signs.
- C. Once a sign permit lapses, a new sign permit is required with the appropriate fees. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.07, 1992)

15.44.320 Registration of existing signs.

- A. After the ordinance codified in this chapter is approved, all signs (including previously permitted signs) must be registered with the City by the sign owner within a two-year period.
- B. Sign owners that have not received a previous permit for their sign(s) must obtain a sign permit.
- C. Existing nonconforming signs that do not comply with this chapter shall be kept on record with the City. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.08, 1992)

15.44.330 Nonconforming sign.

A nonconforming sign may not be moved to a new location, structurally altered, enlarged, or replaced unless it is made to comply with the provisions of this chapter. If a nonconforming sign changes ownership, the sign(s) must comply with the provisions of this chapter within six months of close of purchase. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.09, 1992)

15.44.340 Violations.

- A. The following constitute violations of this chapter:
 - 1. The installation, maintenance, operation or alteration of any sign which is not in compliance with the provisions of this chapter or this municipal code.
 - 2. The installation, maintenance, operation, or alteration of any sign in a manner contrary to any plan or permit issued by the City.
 - 3. The installation, operation, maintenance or alteration of any sign requiring a permit without first obtaining a permit or after a permit has been revoked.
 - 4. Failure to remove a sign that is installed, operated, maintained or altered in violation of this chapter or this municipal code.
 - 5. Failure to renew a sign permit upon expiration. (Ord. 00-03 (part), 2000: Ord. 92-02 § 10.10, 1992)

15.44.350 Notice, enforcement and penalties.

- A. For purposes of enforcement, each day that a sign is maintained or operated in violation of this chapter or this municipal code shall constitute a separate offense, punishable as provided under this section.
- B. Prior to any enforcement action, the City code enforcement officer shall issue a written notice of violation to any person, firm or entity owning or operating a sign in violation of this chapter or the provisions of this municipal

code, which notice shall allow the sign owner or operator thirty calendar days in which to correct or abate any violation.

C. Any violation which is not corrected within thirty calendar days of written notice from the City shall be subject, at the option of the City, to administrative, civil and criminal enforcement as provided in this chapter.

D. The City may commence a civil action to enjoin or abate any ongoing or continuing violation of this chapter or this municipal code. In any civil action an injunction may issue upon proof of a violation of this chapter or this municipal code and without further showing of irreparable harm. Violations of this chapter constitute a Class B misdemeanor, as defined under the Utah Code, as amended, and as such, the court may attach a fine up to one thousand dollars for each violation. Additionally, the City is entitled to recover its reasonable attorney fees and court costs in any civil action where a violation is established.

E. In addition to all other remedies for violations, any business that fails or refuses to abate or correct any sign violation under this chapter or this municipal code following the issuance of a written notice of violation shall be subject to a business license revocation, as provided under Chapter [5.04](#) of this municipal code.

F. City code enforcement personnel shall have no authority to issue or renew a sign permit for a sign which is not in conformity with the provisions of this chapter or this municipal code. The official may suspend or revoke a permit issued under the provisions of this chapter if it is discovered that the permit was issued in error as a result of incorrect, incomplete, or inaccurate information supplied by the applicant or its agent, or where the permit is otherwise found to have been wrongfully issued as a result of misrepresentation by the permittee. A permit issued in violation of law or under a mistake of fact made by the permittee shall not confer any vested property right upon the applicant. Prior to revocation under this section, the official shall deliver written notice to the applicant explaining the basis for the revocation.

G. Upon final inspection by code enforcement personnel, the issued permit is binding until such time changes are made to the permitted sign or ownership of the sign changes. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.11, 1992)

15.44.360 Unsafe, illegal and nonmaintained signs.

The official shall issue written notice of violation to the sign owner found in violation of this code or any sign found unsafe, illegal or not maintained. (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.12, 1992)

15.44.370 Removal of signs.

If any unsafe sign is not repaired or made safe within five days after giving such written notice, the official shall remove the sign. If any sign is found in violation of this code, illegal, or not maintained and is not made conforming to this code within thirty days after given written notice, the official may remove such sign(s). The sign owner shall pay the City within thirty days after written notice the cost incurred to remove such sign(s). (Ord. 00-03 (part), 2000; Ord. 92-02 § 10.13, 1992)

15.44.380 Right of appeal/variance.

A. Any person who is issued a written notice of violation, or any person who is denied a sign permit, or who objects to the conditions attached to a sign permit, or any interpretation of this chapter or this municipal code by the code enforcement officer may appeal that decision or seek a variance before the appeal authority by filing a written notice of application within thirty calendar days of any adverse decision, notice or order. Failure to appeal or apply for a variance within the time provided shall render the decision final and result in waiver of any further rights to contest or review the decision.

1. Hearings before the appeal authority shall be conducted informally. The appeal authority shall be empowered to hear all relevant testimony and review all documents and items of physical evidence in reaching its decision. The appeal authority in Utah has jurisdiction only in variances for minor departures from the regulation. Persons seeking a variance are entitled to see the By-Laws of the Appeal Authority, Land Use Development and Management Act, Title [10](#), Chapter 9, Cities and Towns, which outlines procedures for a variance.
2. The appeal authority's authority to render decisions is limited to the following:
 - a. Appeals of staff decisions concerning the application or interpretation of this chapter or this municipal code to a sign permit, permit application or written notice of violation.
 - b. Variances to the strict application of this chapter or this municipal code where an applicant can show extreme or unreasonable hardship, special circumstances due to site constraints or surrounding land uses, or where a variance is essential to the enjoyment of a substantial property right associated with the parcel.
 - c. The applicant bears the burden of proof in showing an error of interpretation of this code by the staff, and in showing entitlement to a variance. Variances shall be permitted only where consistent with the spirit of this municipal code. A variance cannot substantially affect the General Plan nor be contrary to public interest. In no case shall the appeal authority issue a variance resulting in the expansion in scope of a nonconforming use.
3. The appeal authority may attach conditions to any variance to mitigate the harmful effects of the variance, address concerns of neighboring property owners or otherwise promote the policies contained in this chapter and this municipal code. A sign variance shall run with the property to which it attaches for so long as the sign shall remain in use. An interruption in use for a period of six consecutive months or more shall result in the lapse of the variance.
4. The appeal authority shall have thirty calendar days to hear and render their binding decision. The decision of the appeal authority can be contested and/or appealed only through the judicial system per Utah State Law. (Ord. 10-06, 2010; Ord. 00-03 (part), 2000; Ord. 92-02 § 11, 1992)

15.44.390 Definitions.

A. General Definitions.

1. "Alteration" means a change or rearrangement in the structural part of design whether by extending on a side, by increasing in area or height, or by relocating or change in position. Alterations shall include changes to all support and frame members including panels. Alterations shall not be interpreted to include changing outdoor bulletin or other similar signs which are designed to accommodate changeable copy.
2. *Building, Front Line of.* "Front line of building" means the line of that face of the building or structure nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches whether enclosed or unenclosed, but does not include uncovered steps less than four feet above grade and eaves overhanging less than two feet.
3. "Clear view area" means a triangular area formed by the intersection of lines extended from the front facet of the curb and a line connecting them at points twenty-five feet from the intersection of the lines.
4. "Frontage" means the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting such street to the furthest distant lot line intersecting the same street.
5. "Illegal sign" means any sign erected or altered after the effective date of the ordinance codified in this chapter governing signs from which this chapter was derived, not complying with the provisions thereof, unless such provision was expressly waived or granted a variance, is an illegal sign.
6. "Lot" means any piece or parcel of land, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer of ownership.
7. "Nonconforming sign or sign structure" means a sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, yard spacing, animation, lighting or other regulations prescribed in the zone in which it is located.
8. "Official" means the City's designated official to enforce this chapter.
9. "Shopping center" means any group of three or more businesses on one lot of record.
10. "Sign" means any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.
11. "Sign face" means one continuous surface with no visual breaks separated from any other sign face by at least six inches.
12. "Sign owner" means the owner, user, property owner, applicant or person having charge or control of a sign.
13. "Sign setback" means the minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line.

14. "Sign structure" means anything constructed or erected supporting a sign which requires locations on or below the ground or attached to something having locations on or below ground.

B. The following are individual sign definitions which are specific types of signs included within the general definitions above.

1. "Animated sign" means a sign which involves motion or rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights, including EVMS or other electric, electronic or computer changeable signs, including time and temperature signs.

2. "Balloon sign" means advertisement supported by a balloon anchored to the premises where the advertised use is conducted, product or commodity sold, service performed, or business name is located.

3. "Banner sign" means any sign of lightweight fabric or similar material. National, state or municipal flags are not considered banners.

4. "Beacon" means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotates or moves.

5. "Changeable copy sign" means a sign, or portion thereof, on which copy is changed manually in the field; e.g., readerboards with changeable letters.

6. "Construction sign" means a sign identifying an existing or proposed development project which may contain the name of the project, name and address of construction firms, architects, engineers, developers, etc.

7. "Electronic variable message sign (EVMS)" means a sign using electronics to display copy or graphics with changeable message where the lettering is made up of lights or matrix elements.

8. "Flag" means any fabric, banner or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.

9. "Flashing sign" means a sign which has or appears to have motion or rotation of the lighting elements, or displays flashing or intermittent light including EVMS and time and temperature signs.

10. "Freestanding sign" means a permanent sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

11. "Illuminated sign" means a sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

12. "Monument sign" means a sign less than six feet in height above the curb. It is to be flush to the ground or a gap less than twelve inches from the ground permanently affixed, and is to be incorporated into the landscape or architectural design scheme and has to display the name of the building, occupants and/or business.

13. "Name plate" means a sign indicating the name and/or address of a person legally occupying the premises.
14. "Off-premises sign" means an advertising sign which directs attention to a use, product, commodity or service not related to the premises on which the sign is located.
15. "On-premises sign" means a sign directing attention to a use conducted, product, commodity sold, service performed or business name upon the premises on which it is located.
16. "Pennant sign" means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designated to move in the wind.
17. "Portable sign" means a sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs converted to sidewalk signs, balloons used as signs and umbrellas used for advertising.
18. "Projecting sign" means a sign which is affixed to an exterior wall or building or structure solely supported by and projecting away from the building.
19. "Property sign" means a sign related to the property upon which it is located and offering such information as address, name of occupancy for residential uses, sale or lease of the property, warning against trespassing, any hazard, or other danger on the property.
20. "Proposed development sign" means a sign announcing intent to construct a new development project.
21. "Real time video" or "video players" means projection of real time video footage, or any video footage, to an LED or any other display screen.
22. "Roof sign" means a sign which is erected partly or wholly on the roof of the building. This includes any sign mounted to a building which extends above the highest portion of the roof structure. Notwithstanding the foregoing, a sign structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy, or parapet of a building.
23. "Suspended sign" means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.
24. "Temporary sign" means any sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed outdoors for a limited period of time.
25. "Wall sign" means a sign that is either painted on a wall or its facing; or a sign which is affixed to an extension wall or building or structure and which does not project more than eighteen inches from the building or structure wall.
26. "Window sign" means any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or

upon the window panes or glass and is visible from the exterior of the window. (Ord. 14-10 (part), 2014; Ord. 00-03 (part), 2000; Ord. 92-02 § 12, 1992)

The Moab Municipal Code is current through Ordinance 21-14, passed July 13, 2021.

Disclaimer: The City Recorder's Office has the official version of the Moab Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

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