

Chapter 9

SIGN REGULATIONS

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3-9-1: TITLE:  

This chapter shall be known and may be cited as the *CITY OF ELKO SIGN ORDINANCE*. (Ord. 608, 10-28-2003)

3-9-2: ADOPTION OF INTERNATIONAL BUILDING CODE, APPENDIX H:  

There is hereby adopted for the purpose of prescribing regulations governing signs, that certain code known as the international building code, appendix H, entitled "Signs", recommended by the International Code Council, Inc., being particularly the latest edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, such to become effective upon the effective date hereof. One copy of the latest edition being adopted shall be approved by the city council and placed on file in the office of the city clerk. From the date on which such filed edition of said code shall take effect, the provisions thereof shall be controlling within the limits of the city. The code is hereby adopted as the rules and regulations for the governing of signs. In the event any of the provisions of the latest edition of the international building code, appendix H, conflict with any of the provisions of this chapter, the provisions of this chapter shall govern and be controlling. (Ord. 639, 9-13-2005)

3-9-3: PURPOSE:  

It is the intent of this chapter to promote and protect the health, safety and welfare of the citizens of the city by establishing standards to ensure the placement of safe, effective signage throughout the city. Specific regulations and standards are intended to address the following:

A. To ensure that signs erected within the city are constructed of safe, durable materials and secured in a manner adequate to withstand physical stresses.

B. To protect and enhance property values and create an attractive economic and business climate.

C. To protect and enhance the physical beauty and appearance of the community.

D. To reduce sign or advertising distractions and obstructions that may adversely affect or conflict with traffic control signs, signals and other traffic control devices.

E. To reduce visual clutter along streets and roadways thus providing each sign user an opportunity for effective identification and advertising by addressing the quantity, height and area of freestanding signs on all sites. (Ord. 608, 10-28-2003)

3-9-4: DEFINITIONS:  

ABANDONED SIGN: A sign which no longer identifies or advertises a bona fide business, service, product or activity and which has been operationally discontinued for a period of two (2) years.

BLANKETING: The partial or complete shutting off of the face of one sign by another sign.

DIRECTIONAL SIGN: A sign designed for the purpose of guiding and directing pedestrians or vehicular traffic to a specific site.

FREESTANDING SIGN: A sign supported permanently upon the ground by footings, poles, pylons and not attached to any building.

OFF PREMISE SIGN: A sign which advertises a business, activity, use, product or service and is located off the property providing the business, activity, use, product or service.

ON PREMISE SIGN: A sign which advertises a business, activity, use, product or service and is located on the same property providing the business, activity, use, product or service.

PORTABLE SIGN: A sign not permanently affixed to the ground or to a building or structure that is designed easily to be moved from place to place.

SIGN: Any commercial communication device intended to attract attention to and advertise a business, service, activity or product. Such definition includes any letters, figures, symbols, trademarks or other copy meant to aid in such advertisement.

TEMPORARY SIGN: A sign (including a portable sign), pendant, valance or advertising display constructed of cloth, canvas or other light material (with or without frames), intended to be displayed for a limited period of time only. (Ord. 608, 10-28-2003)

3-9-5: GENERAL PROVISIONS:  

A. Permit Required; Application: No sign shall hereafter be erected, reerected, constructed, reconstructed or altered without first having obtained a sign permit from the city building department. Application for a sign permit shall be made upon forms provided by the city and shall be accompanied by such information as may be required to ensure conformance with regulations contained within this chapter.

B. Placement Restrictions:

1. No sign shall be placed within any utility, access or drainage easement.
2. No permanent sign or sign foundation shall be placed within any public street right of way without first having obtained approval of a revocable permit to occupy the right of way from the city council, or authorized city personnel.
3. No sign shall be erected or placed that shall impede the safe movement of vehicles and/or pedestrians, or obstruct any signs for traffic control, direction to public facilities, or for regulatory notice, warning or other public purposes. No sign shall obstruct the view of a fire hydrant.
4. No signs shall be attached to any public utility poles or structures, nor traffic control devices, posts or signs.

C. Airport Restrictions: All sign heights and locations shall be subject to Elko regional airport airspace restrictions as set forth by part 77 of the federal aviation regulations. (Ord. 608, 10-28-2003)

3-9-6: EXEMPTED SIGNS:  

The provisions of this chapter shall apply to all signs erected in the city, except for the following, which shall be exempt from conformance with provisions contained within this chapter:

A. Construction signs having an area not in excess of fortyeight (48) square feet, provided such signs are erected no more than sixty (60) days prior to construction, are confined to the site of

construction, and are removed not more than thirty (30) days after completion of construction and prior to occupancy.

B. Government signs for traffic control, for direction to public facilities, or for regulatory notice, warning or other public purposes.

C. Real estate signs, provided they are removed within seven (7) days of the sale, rental or lease of the subject property; and provided, that such signs not exceed more than thirty two (32) square feet of area, shall not be illuminated and shall be set back at least ten feet (10') from all property lines.

D. Permitted special event (election) signs as outlined in Nevada Revised Statutes.

E. Political signs, provided they are located and removed in accordance with Nevada Revised Statutes. (Ord. 608, 10-28-2003)

3-9-7: PERMITTED FREESTANDING SIGNS:

A. Specified: Each property, lot or parcel of record within any commercial or industrial zoning district of the city is permitted the following:

1. One freestanding sign on each street frontage, except that a gasoline service station may have one additional trade name or pricing sign if the premises has only one street frontage and except that an automotive dealership may have one sign for each new car dealership. Frontage along a freeway or interstate highway is not considered street frontage.
2. Directional or instructional signs which do not advertise a business, other than the business logo but which identify restrooms, public telephones, walkways or signs providing direction, such as parking lot entrances and exit signs and those of a similar nature. Directional signs are limited to one sign per driveway approach and shall not exceed an area of six (6) square feet.
3. Off premise signs shall observe a minimum separation distance of six hundred feet (600').

B. Sign Height:

1. The maximum height of a freestanding sign shall be twenty five feet (25') if located on property abutting a street right of way having a twenty five (25) mile per hour or less speed limit.
2. The maximum height of a freestanding sign shall be thirty five feet (35') if located on property abutting a street right of way having a speed limit greater than twenty five (25) miles per hour.
3. The maximum height of a freestanding sign shall be forty five feet (45') if located on property within one hundred feet (100') of the Interstate Route 80 right of way.

C. Sign Area:

1. The maximum area of a freestanding sign shall be two (2) square feet of sign area for every one linear foot of building frontage facing the adjacent street.
2. The maximum sign area of a freestanding sign proposed on vacant, undeveloped land shall be one square foot for every one foot (1') of property frontage along the adjacent street.

D. Nonpermitted Freestanding Signs: Freestanding signs, other than exempted signs and signs authorized as part of an approval of a conditional use permit for a medical office use, professional office use, multi-family residential use or similar conditional use, are not permitted in any residential zoning district. (Ord. 608, 10-28-2003)

3-9-8: TEMPORARY SIGNS:

A. Permitted; Requirements: Temporary signs may be placed in any commercial or industrial zoning district of the city, subject to the following requirements and other applicable provisions stated in this chapter:

1. Each lot or parcel of record may have two (2) temporary signs, each sign not to exceed sixteen (16) square feet in size, or one temporary sign, not to exceed thirty two (32) square feet in size.
2. No temporary sign shall obstruct or impair the use of the public sidewalk by pedestrians or impair the use of public or private streets or driveways, traffic control signs, bus stops, fire hydrants, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.
3. A temporary sign shall be designed to be stable under all weather conditions, including high winds.
4. A temporary sign may be internally illuminated.

5. A temporary sign shall be placed only with the consent of the property owner.
6. A temporary sign may be placed for a period of time of up to sixty (60) days at which time the sign shall be removed or replaced.
7. No temporary sign shall be placed without first having obtained a sign permit or sign clearance from the city planning or building department.
8. No temporary signs shall be placed within the public street right of way except for areas improved with sidewalk or landscaping, provided the sign is set back a minimum of three feet (3') from the curb face of the roadway and a minimum unobstructed sidewalk area five feet (5') in width is maintained for pedestrian use, and provided the temporary sign is removed from the sidewalk at dusk.

B. Placement In Residential Districts Prohibited: Temporary signs, other than exempted signs, are not permitted in any residential zoning district. (Ord. 608, 10-28-2003)

3-9-9: OFF PREMISES AND ON PREMISES SIGNS:

Off premises and on premises signs are permitted in any commercial or industrial zoning district in accordance with the provisions of this chapter, but are not permitted in any residential zoning district. (Ord. 608, 10-28-2003)

3-9-10: ABANDONED SIGNS:

All abandoned signs and abandoned sign support structures shall be removed by the property owner or owner of the premises within three (3) months after abandonment. (Ord. 608, 10-28-2003)

3-9-11: MODIFICATION OF STANDARDS:

In any zoning district, the planning commission, upon demonstration of just cause, may modify any or all of the provisions contained within this chapter under the variance procedures contained within section [3-2-22](#) of this title. Additionally, the planning commission may include the following criteria when evaluating and considering a modification of sign regulations contained within this chapter:

- A. Blanketing of the proposed sign by other signs or structures in the area.
- B. Multiple businesses on the same property or multiple tenants within the same building.

C. Topographic features, such as grade differential between the subject property and the adjacent roadway. (Ord. 608, 10-28-2003)

3-9-12: ILLUMINATION:  

All signs shall be designed and installed to direct and shield light away from any residential district and adjacent streets, in accordance with section [3-2-3](#) of this title. Techniques, such as use of opaque sign backgrounds, may be required to control illumination spillover and meet this objective. (Ord. 608, 10-28-2003)

3-9-13: ADMINISTRATION AND ENFORCEMENT:  

A. The administration and enforcement of this chapter shall be the responsibility of the city building and planning departments.

B. This chapter is not intended to conflict with or supersede other sections of the city code pertaining to the installation of signs. In the event of a conflict, the most stringent provision shall prevail. (Ord. 608, 10-28-2003)