

ORDINANCE NO. 17

A RESOLUTION REGULATING AND RELATING TO THE ERECTION, CONSTRUCTION AND MAINTENANCE OF ADVERTISING STRUCTURES, AND THE PLACING AND MAINTENANCE OF SIGNS IN THE COUNTY OF WALLA WALLA; LICENSING AND REGULATING THE OCCUPATION OF OUTDOOR ADVERTISING; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; REQUIRING THE PERMISSION OF THE OWNER OR LESSEE OF PROPERTY UPON WHICH AN ADVERTISING STRUCTURE OR SIGN BOARD IS LOCATED; PROVIDING PENALTIES FOR THE VIOLATION OF THIS RESOLUTION AND REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT THEREWITH.

SECTION 1. This resolution shall be known as the Outdoor Sign Resolution of Walla Walla County.

SECTION 2. This resolution is hereby enacted under the authority conferred on the Board by R. C. W. 36.18.12 for the public health, safety, and welfare.

SECTION 3. DEFINITIONS. Wherever in this resolution the following terms and words are used, the intent and meaning shall be interpreted as follows:

Area of Sign Face or Sign Face Area--For the purposes of this resolution in determining the permit fee to be charged, the area of the sign face or the sign face area shall be deemed to include all space on one side only within the marginal lines of the surface which bears the advertisement or within the frame bordering such surface, inclusive of pictorial embellishments; and in the case of a skeleton sign, all that area within the marginal lines of the lettering or border.

Sign Board--Any sign or advertisement used as an outdoor display by painting or affixing on the surface a picture, emblem, words, figures, numerals, or lettering, for the purpose of making anything known, the matter advertised or displayed being remote from its origin or point of sale, or for the use of which any charge is made for advertising thereon.

Business or Occupation of Outdoor Advertising--The business of renting or selling space by the owner of any sign board or other outdoor advertising structure to any other party for a valuable consideration.

Board--The Board of County Commissioners of Walla Walla County.

Commission--The Walla Walla County Planning Commission.

Sign--The word sign shall mean any device or surface on which letters, figures, numerals, illustrations, designs, or other symbols are painted, printed, stamped, raised, or in any manner attached and used for display.

SECTION 4. LICENSE. No person, firm or corporation shall, after the effective date of this act, engage or continue in the business or occupation of outdoor advertising as defined herein within the unincorporated territory of the County of Walla Walla until such person, firm or corporation shall have secured from the Commission a license to engage in the business of outdoor advertising, said license to be known as a Sign License.

The fee for a Sign License shall be the sum of Twenty-five (\$25.00) Dollars per year, payable annually in advance. All licenses issued hereunder shall expire at midnight on the 31st day of December of the year of issuance.

SECTION 5. PERMIT. No sign board as defined hereinabove shall be erected by any person, firm or corporation in the unincorporated territory of the County of Walla Walla except as prescribed in this resolution and until a permit therefor shall have been issued by the Commission. No permit shall be granted until an application has been filed with the Commission showing plans and specifications, including dimensions, material, and details of construction of the proposed structure, the exact location of the proposed structure, or until all of the provisions of this resolution relating to such structure shall have been complied with, or until after the applicant has paid the required fee for every such permit. The Commission may prescribe suitable regulations consistent with the provisions of this resolution concerning the form and contents of all applications for the various forms of permits herein required. The fee for each sign board shall be based on the area in square feet of the sign face as follows:

For a sign face area of less than 50 square feet	: \$1.25 per sign board;
For a sign face area of 50 to 99 square feet, inclusive	: \$1.50 per sign board;
For a sign face area of 100 to 199 square feet, inclusive	: \$1.75 per sign board;
For a sign face area of 200 to 299 square feet, inclusive	: \$2.00 per sign board;
For a sign face area of 300 to 399 square feet, inclusive	: \$2.25 per sign board;
For a sign face area of 400 square feet or more	: \$2.50 per sign board.

Each such permit shall remain in force for the term of one year from and after the first day of January of each year and may be renewed after the first day annually; PROVIDED, however, that the permit fee for a sign board erected between the 1st day of July and the 30th day of September in any calendar year shall be one-half of the pertinent annual fee set forth hereinabove for the remainder of the calendar year in which such sign board is erected; and PROVIDED FURTHER, that for a sign board erected between the 1st day of October and the 31st day of December in any calendar year, no fee shall be charged or collected for any part of the calendar year in which such sign board shall have been erected but a permit must be obtained for such sign board and the full annual fee must be paid for the subsequent calendar year prior to or upon the date of the erection of such sign board. Except as hereinbefore provided, all permits issued after the first day of January shall expire on the 31st day of December following the date of issuance unless sooner terminated for cause by the Commission.

SECTION 6. APPLICATION. Applications for licenses and permits shall be made to the Commission and shall be accompanied by the fees applicable thereto as hereinbefore provided. They shall be in writing upon forms furnished by the Commission and shall contain the full name and post office address of the applicant and such other information as the Commission may require, and shall be signed by the applicant, or by his duly authorized agent. Application for permits shall state also the location of the structure, device or display for which the permit is asked, and shall be accompanied by construction plans thereof, provided, however, that in case the applicant has theretofore filed with the Commission copies of standard specifications used by the applicant in the construction and erection of advertising structures, then such application may refer to such standard specifications in lieu of being accompanied by such construction plans. Applications shall also offer evidence that the owner or other person in control or possession of the property upon which such location is situated has consented to the placing and/or maintenance of such advertising structure or sign. The Commission or such official as may be designated by the Commission shall examine said applications and if they comply with the provisions of this resolution, shall grant the license and/or permits asked

for, which shall be in effect, except as hereinbefore provided in SECTION 5 above, unless revoked until the end of the calendar year in which issued. Thereafter permits and licenses shall be renewed for a twelve months' period on the first day of January of each year upon proper application and payment of the fees set forth hereinabove.

SECTION 7. DISPLAY OF PERMIT TAGS REQUIRED. Permits issued under this resolution shall bear distinguishing Tag Numbers. Corresponding Tag Numbers shall appear on Permit Tags issued with said permits. For purposes of identification, each sign board heretofore erected or which may be hereafter erected, maintained or displayed shall have upon its face or frame in readily legible form and manner the Permit Tag issued for such sign board and the expiration date thereof.

SECTION 8. REVOCATION OF LICENSES AND PERMITS. Permits granted under the terms of this resolution shall be non-transferable as to the location of the sign board for which the permit is granted but may be transferable as to ownership of the sign board. Licenses and permits may be revoked by the Commission for violation of any provision of this resolution after a hearing, had upon five (5) days notice to the licensee or permittee. Such notice may be made personally upon such licensee or permittee or by registered mail addressed to such licensee or permittee at the address indicated upon his license or permit record. When a license or permit has been revoked, a new license or permit shall not be granted to the same licensee or permittee for a period of not less than thirty days nor more than six months.

SECTION 9. LIMITATION ON GRANTING PERMITS. No permit shall be granted for the erection, construction or maintenance of any outdoor advertising structure, sign, device or display within the following:

- a. Within areas zoned for R-1 Residential, R-2 Residential, Suburban, and Recreational use.
- b. Within a distance of 300 feet of the intersection or junction of a public highway with another public highway or with a railway at a point in the judgement of the Commission where it would interfere with the view of a vehicle, train or other moving object on the intersecting or joining highway or railway.
- c. If placed in such a manner as to prevent any traveler on any public highway from obtaining a clear view of approaching vehicles for a distance of five hundred (500) feet along said highway.
- d. Within three hundred (300) feet of any public park, reservation, public forest, or public playground and in public view therefrom.
- e. Any point or site of particularly scenic natural beauty the public view of which in the judgement of the Commission would materially be obstructed by the erection or maintenance of outdoor advertising structures, signs or devices.
- f. Any point or site which, upon the petition of owners or lessees of real property located within two hundred (200) feet thereof opposing the use of such point or site for the purposes of outdoor advertising, and which in the judgement of the Commission, is or would be injurious to the property in the vicinity thereof, or would injuriously affect any public interest or endanger the safety of persons traveling upon or using an adjacent highway or highways.

SECTION 10. EXCEPTIONS. The provisions of this resolution shall not apply to outdoor advertising structures, devices or displays upon or within the building or premises wherein or whereon the goods advertised are manufactured, produced or sold, or the business or profession advertised is

carried on or practiced, or which advertise the real property upon which the same may be for sale, lease or rent, providing that such structures, devices or displays shall not endanger the safety of persons using the highways.

Nothing contained in this resolution shall be deemed or construed to apply to advertising structures or signs used exclusively to display official notices issued by any court or public office, or posted by any public officer in the performance of a public duty, or by a private person in giving a legal notice.

SECTION 11. ADVERTISING SIGNS PROHIBITED. The following advertising signs or their erection or maintenance are prohibited:

a. Any sign or any part of any sign within the right of way of any public highway.

b. Any sign on private property, the written consent from the owner of which has not been obtained.

c. The placing, tacking, nailing, or pasting of card, cloth, wood, or metal signs upon any tree, stump, rock, fence post or fencing, power or telephone poles or other advertising sign boards or signs without written permission from the owner or owners of such power or telephone poles or such sign boards or signs, or upon any building unless the product advertised is sold within the building on which the signs are placed, tacked, nailed, or pasted.

d. Any advertising sign, if visible from any highway, which simulates any directional, warning, danger, or information sign such as permitted under the provisions of this resolution, or if likely to be mistaken for any such permitted sign, or if intended or likely to be construed as giving warning to traffic, such as by the use of the words "Stop" or "Slow Down."

e. Any sign which exhibits or displays any immoral or unlawful act, suggestion, business or purpose.

f. Any sign which is unsafe or insecure or is in such condition as to be a menace to the safety of the public.

Any sign or advertisement prohibited by this section may be taken down, moved, or destroyed by any official directed to do so by the Commission.

SECTION 12. UNLAWFUL TO DISFIGURE SIGNS. It shall be unlawful for any person to mutilate or disfigure in any way any lawful sign, advertisement, or sign board in the County of Walla Walla outside the corporate limits of any city or town except by an authorized public official acting under the direction of the Commission or Board.

SECTION 13. UNSAFE AND UNLAWFUL SIGNS. Whenever it shall appear to the Commission that any sign has been constructed or erected or is being maintained in violation of any of the provisions of this resolution or is unsafe and insecure or is in such condition as to be a menace to the safety of the public, the Commission shall thereupon issue or cause to be issued a notice in writing to the owner, if the whereabouts of such owner is known, informing such person of the violation of this resolution and/or the dangerous condition of such sign and directing him to make such alteration or repair thereto, or to do such things or acts as are necessary or advisable to place such structure in a safe, substantial and secure condition and to make the same comply with the requirements of this resolution within such reasonable time as shall be stated in such notice. If such owner cannot be

found, or his whereabouts cannot be ascertained with reasonable diligence, the Commission shall attach or cause to be attached to such structure a notice of the same import as that required to be sent to the owner thereof when such owner is known. Upon failure to comply with such notice within the time mentioned, the commission shall cause such sign or part thereof as is constructed or maintained in violation of this resolution to be torn down and shall charge the expense of such tearing down to the person so notified; provided, however, that nothing contained herein shall prevent the Commission from adopting such precautionary measures as may be necessary or advisable in case of imminent danger to place such sign in a safe condition, the expense of which shall be paid by the owner. Every person maintaining a sign shall, upon removal from the premises where the sign is located and maintained, forthwith remove such sign.

SECTION 14. CONSTRUCTION REQUIREMENTS AND RESPONSIBILITY FOR SIGNS. Every sign board, whether now or hereafter erected, shall be securely built, firmly anchored, maintained in a safe condition, and so constructed as to be able to bear a lateral wind pressure of at least thirty (30) pounds per square foot of area.

The adequacy of design for any outdoor advertising structure remains the responsibility of the erector.

Licensees and permittees shall protect and save harmless the County of Walla Walla from all damage to persons or property by reason of accident resulting from the neglect or willful acts of its agents, employees or workmen in the construction, maintenance, repair or removal of their signs in the County of Walla Walla outside the corporate limits of any city or town.

SECTION 15. DUTIES AND POWERS. It shall be the duty of the Commission to notify the Board of violations of this resolution. The Board is hereby authorized to hear appeals from decisions or orders of the Commission with the authority to uphold or reverse such decisions or orders of the Commission, to make and enforce orders and regulations for the enforcement of this resolution, and to prosecute and maintain in the name of the County of Walla Walla actions for the violations thereof and recover penalties therefor.

SECTION 16. PENALTIES. Any violation of this resolution shall be a misdemeanor and any structure or sign erected or maintained contrary to the provisions of this resolution shall be construed as a violation of this resolution. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this resolution shall be subject to a fine of not less than Ten (\$10.00) Dollars nor more than Two Hundred (\$200.00) Dollars, together with costs of action, and in default of payment thereof, to imprisonment in the county jail for a period of not more than six (6) months, or until such fine and costs be paid.

Each day that a violation is permitted to exist shall constitute a separate offense. Compliance therewith may be enforced by injunctive order at the suit of the County. All fees collected under the provisions of this resolution shall be collected by the County Treasurer, who shall deposit the same in the current expense fund of Walla Walla County.

SECTION 17. CONFLICT. The provisions of all resolutions or parts of resolutions of the County of Walla Walla in conflict with the provisions of this resolution are hereby repealed.

SECTION 18. SAVING CLAUSE. In the event any section of this resolution shall be declared or adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such adjudication shall in no manner affect the other sections of this resolution, which shall be in full force and effect as if the said section or said sections so declared or adjudged invalid or unconstitutional were not originally a part hereof.

SECTION 19. EFFECTIVE DATE. This resolution shall take effect and be in force on the first day of January, 1952.

This resolution recommended this 13th day of November, 1951.

WALLA WALLA COUNTY PLANNING COMMISSION

Ward Graham, Chairman  
Edward G. Watson, Executive Secretary

This resolution adopted and passed this 10th day of December, 1951.

BOARD OF COUNTY COMMISSIONERS OF  
WALLA WALLA COUNTY, WASHINGTON

Orin M. Walker, Chairman  
Preston Hanson, Commissioner  
Arthur E. Cox, Commissioner

Attest:

Walter Kimmerly  
County Auditor & Ex-officio  
Clerk of the Board