

WW 02



**Ordinance No. 100001**

AN ORDINANCE relating to the size and location of signs; amending Section 3-B and Section 4 of Ordinance 90138 to increase certain filing fees.

*11/4/76 Bee*

COMPTROLLER  
FILE NUMBER \_\_\_\_\_

**Council Bill No. 97894**

INTRODUCED: NOV 8 1976	BY: EXECUTIVE REQUEST
REFERRED: NOV 8 1976	TO: Budget
REFERRED:	
REFERRED:	
REPORTED: NOV 22 1976	SECOND READING: NOV 22 1976
THIRD READING: NOV 22 1976	SIGNED: NOV 22 1976
PRESENTED TO MAYOR: NOV 23 1976	APPROVED: NOV 23 1976
RETD. TO CITY CLERK: NOV 29 1976	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

ORDINANCE 106001

AN ORDINANCE relating to the size and location of signs;  
amending Section 3-B and Section 4 of Ordinance 90138  
to increase certain filing fees.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 3-B of Ordinance 90138, as  
last amended by Ordinance 103382, is further amended to read  
as follows:

Section 3-B. (Sign Variances.)

3-B.1 Upon written application and payment of a filing  
fee of \$75.00, the Hearing Examiner is authorized to issue  
sign variances in the following instances, but only when the  
issuance of such sign variance is within the intent and pur-  
poses of this ordinance and will not be contrary to the  
public interest, detrimental to the public welfare or safety,  
injurious to property in the vicinity, and will not make  
difficult the viewing and comprehending by motorists and  
pedestrians of official or conforming signs, or increase the  
density of signs along a designated landscaped and/or scenic  
view section to an extent tending to constitute a hazard to  
traffic safety or a detriment to the appearance of the  
neighborhood, or impinge upon a view of scenic interest:

(a) Business signs composed of letters, numbers or  
designs individually painted or mounted directly on a build-  
ing and measured by totalling the areas contained in the  
least rectangle enclosing all portions of each letter,  
number or design.

(b) Business signs on a building which extend not more  
than 12 feet in height above the face of the building, pro-  
vided that the maximum permitted area of such signs, except

1 for oil company service station signs, shall be reduced by  
2 50 per cent.

3 (c) Time, temperature and/or stock index recording  
4 devices as part of a business sign.

5 (d) Business signs on a building face of 5,000 square  
6 feet or more the area of which exceeds 250 square feet but  
7 which in no case exceeds 5 per cent of the face of the  
8 building.

9 (e) Free standing business signs on the same premises  
10 with business signs on the face of a building and not subject  
11 to being added together and limited to the area permitted on  
12 the face of the building as provided in Section 3-A, where  
13 such free standing signs are more than 100 feet from the  
14 face of the building and from each other, or where the busi-  
15 ness engaged in is outdoor merchandising and the grounds of  
16 the premises are more significant to the business than any  
17 structures on the premises.

18 (f) Business signs of such increased height as may be  
19 necessary to provide reasonable identification to a business  
20 whose existing signs are obscured by subsequent construction,  
21 landscaping or natural vegetation.

22 (g) Business signs of such increased area as may be  
23 necessary to incorporate such sign as an architectural  
24 element of a building.

25 (h) Existing nonconforming advertising or business  
26 signs visible from but not primarily oriented to the traveled  
27 way of a designated landscaped and/or scenic view section.

28 (i) New advertising signs or business signs which do  
not conform to the provisions of this ordinance which are to  
be erected at an elevation significantly lower than the  
grade of the traveled way of a designated landscaped and/or

1 scenic view section and visible therefrom, but to be primar-  
2 ily oriented to a roadway other than such designated section.

3 3-B.2 No sign variance shall be authorized for signs  
4 which flash or move, except for time, temperature and stock  
5 index recording devices. The Hearing Examiner may attach  
6 such conditions regarding the location, character, color and  
7 other features of the sign as the Hearing Examiner may deem  
8 necessary in the public interest to carry out the intent and  
9 purposes of this ordinance. Sign variances authorized by  
10 the Hearing Examiner shall become void after the expiration  
11 of one year if no building permit has been issued in accordance  
12 with the plans for which such variance was authorized. Any  
13 sign variance granted under this ordinance may be revoked by  
14 order of the Hearing Examiner when it is shown by satisfactory  
15 proof that:

16 (a) the application for the sign variance contained  
17 any material misrepresentation of fact, or

18 (b) the special conditions and circumstances origi-  
19 nally justifying the granting of a sign variance have changed  
20 or terminated in which case the sign shall be considered  
21 nonconforming. It shall be unlawful for the owner or lessee  
22 of the sign or the owner or operator of the premises upon  
23 which said sign is located to fail to remove such sign  
24 within 30 days after revocation of the sign variance, except  
25 where the sign becomes nonconforming.

26 Section 2. That Section 4 of Ordinance 90138, as last  
27 amended by Ordinance 103382, is further amended to read as  
28 follows:

Section 4. (Nonconforming, Dilapidated and Abandoned  
Signs)

1           4.1 All nonconforming signs shall either be made to  
2 conform with the provisions of this ordinance or be removed  
3 within three (3) years of the date such signs became or  
4 become nonconforming, and it shall be unlawful for the owner  
5 or lessee of such sign or the owner or operator of the  
6 premises upon which such sign is located to fail to remove  
7 such sign after said period of time has expired. The Hearing  
8 Examiner, upon written application therefor and payment of a  
9 filing fee of \$75.00 may extend the time for removal of such  
10 nonconforming signs for a period not to exceed an additional  
11 seven (7) years upon finding that:

12           (a) The extension of time will not be unduly detrimen-  
13 tal to the intent and purposes of this ordinance as set  
14 forth in Section 1 hereof, and

15           (b) There is a substantial unamortized investment in  
16 the sign made prior to the effective date of any ordinance  
17 which would prohibit the erection of such sign, or

18           (c) Construction or related activity on the proposed  
19 highways, or the Pike Plaza Redevelopment Project designated  
20 in Section 2-A, or other proposed redevelopment projects  
21 along the east side of the Alaskan Freeway from Union Street  
22 to South Connecticut Street, is not scheduled to begin for  
23 six (6) or more months, provided that in such case the time  
24 extension shall not exceed the actual or anticipated delay.

25           4.2 No nonconforming sign shall be in any manner al-  
26 tered, reconstructed or moved without being made to comply  
27 in all respects with the provisions of this ordinance, pro-  
28 vided that nothing herein shall prohibit the normal mainten-  
ance or repair of any nonconforming sign where no major  
structural alterations are made, nor the painting or repaint-

1 ing of the face thereof, nor the changing of the message on  
2 the surface of the sign face on signs designed for change-  
3 able copy. The cost of such maintenance, repair, painting  
4 or message changing shall not be cause for a request for an  
5 additional period of time to recover such costs. All business  
6 and advertising signs shall be maintained in a safe, present-  
7 able condition, including replacement of defective parts,  
8 painting, repainting, cleaning and other acts required to  
9 maintain the sign. All abandoned business signs shall be  
10 removed.

11 4.3 From time to time, the Superintendent of Buildings  
12 shall cause to be mailed to the owners of property upon  
13 which abandoned signs or signs in need of repair are located,  
14 notice of the existence of such sign, its noncompliance with  
15 the provisions of this ordinance and the time within which  
16 the sign must be repaired or removed. At least sixty (60)  
17 days before the termination of the period of time allowed  
18 for removal of nonconforming signs, the Superintendent of  
19 Buildings shall cause to be mailed to the owners of property  
20 upon which a nonconforming sign is located notice of the  
21 existence of such sign and the time within which the sign  
22 must be made to conform or be removed. The mailing of such  
23 notice shall constitute a convenience to the owner, and the  
24 failure to give such notice or to receive the same shall in  
25 no way impair the enforcement of this ordinance. It shall  
26 be unlawful for the owner or lessee of such sign or the  
27 owner or operator of the premises upon which such sign is  
28 located to fail to repair, conform or remove such sign  
within 60 days after such notification.

(To be used for all Ordinances except Emergency.)

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 22 day of November, 1976, and signed by me in open session in authentication of its passage this 22 day of November, 1976.

*[Signature]*  
President of the City Council.

Approved by me this 29 day of November, 1976.

*[Signature]*  
Mayor.

Filed by me this 29 day of November, 1976.

Attest: *[Signature]*  
City Comptroller and City Clerk.

(SEAL)

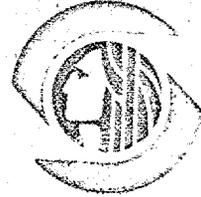
Published .....

By *[Signature]*  
Deputy Clerk.

# Your City, Seattle

Executive Department-Office of Management and Budget

Walter R. Hundley, Director  
Wes Uhlman, Mayor



September 30, 1976

The City Council  
City of Seattle

Honorable Members:

Transmitted herewith is the 1977 Proposed Executive Budget and proposed legislation implementing certain provisions of that budget and the Data Processing Plan. It should be noted that several pieces of documentation and certain other information as outlined below will be provided to the City Council on or about the dates indicated.

## I. Budget in Brief

The 1977 Budget in Brief will be available on October 6, 1976. On that date, OMB will provide copies of that document to the City Council.

## II. Salary Adjustments

The 1977 Proposed Budget contains a reservation in Finance-General of approximately \$6.9 million for salary increases effective September 1, 1976, for the period January-December, 1977 and increases effective September 1, 1977 for the period September-December, 1977. The magnitude of these increases was not known at the time the Proposed Budget went to print. The September 1, 1976 increase is now known and on approximately October 29, 1976, OMB will transmit to the Council the following:

- (1) Legislation providing for the appropriation of funds for the period September-December, 1976 for salary increases;
- (2) Budget errata which provide for distribution to program categories of a portion of the monies currently reserved in Finance-General in the 1977 Proposed Budget;
- (3) Budget errata to correct typographical and other errors in the 1977 Proposed Budget.

## III. Issue Papers

As was the case last year, OMB will provide to the City Council a series of Issue Papers addressing certain issues previously identified by the City Council, the Mayor or OMB. These will be transmitted to the Council on or about October 22, 1976.

The City Council  
Page 2  
September 30, 1976

#### IV. Budget Coding

OMB is currently compiling budget coding (line item detail) by program category for use by OMB, the City Council and ultimately IFS' coding. OMB will provide the Council with a copy of this coding when it is completed. It should be noted that this material will be a copy of hand-written materials which OMB will not provide in typed form.

#### V. Budget Balance

As sent by the Mayor to the printer, the 1977 Proposed Budget was in balance. Council action on September 23, 1976 in over-riding the Mayor's veto of Ordinance 105860 (placing a charter amendment on the November 2, 1976, general state election ballot) has put the Budget \$85,000 out of balance. The position of the Mayor with regard to this imbalance is that the Mayor's Proposed Budget was submitted to the City Council in balance and that a specific Council action has put the Budget out of balance and it is therefore the responsibility of the Council to provide specific funding for this item. Council action on the Budget must include increasing Object 4111-Election Expenses in Finance-General by \$85,000 to bring the Budget back into balance.

#### VI. Ordinances

The 1977 Proposed Budget, like its predecessors, is accompanied by a large number of ordinances designed to implement various program and fiscal aspects of the Budget. The ordinances are summarized briefly below. Details will be provided upon request.

The most common feature of these ordinances is increased fees. Several ordinances speak to increase in fees or the alteration of fee structures. The amusement license structure is proposed for change - to bring the fee structure more into line with the admission tax, which is not levied upon licensed activities. A single ordinance proposes to raise regulatory license fees in order to permit the City to more nearly recover its costs in regulating licensed activities.

Other ordinances speak to new or higher fees for a variety of health, land use and building matters.

The rationale behind each fee increase or fee imposition will be provided upon request.

#### ORDINANCE SUMMARIES

##### Group A - Fund Ordinances

1. Anti-Recessionary Grant Fund - Legislation is proposed to establish a new City fund to permit receipt and disbursement of and proper

and separate accounting for Federal anti-recessionary countercyclical funds. Title II of the Public Works Employment Act of 1976 (P.L. 94-369) authorized this one-time program to provide state and local governments with funds for basic services. The intent is to maintain employment during times of high national unemployment. Payments are to be based in part upon the Federal Revenue Sharing allocation formulas and partly upon the relationship the unemployment rate for a state or local area bears to the national rate. At the time the 1977 Proposed Budget was printed the President had not signed the appropriations bill for this program.

2. Revenue Sharing Abandonment - These two ordinances would abandon small appropriations and/or allocations of General Revenue Sharing money. The monies have not been used nor will they be used for the purposes originally intended. The abandonments and recissions include:

a.) MARKET STREET DEVELOPMENT	- Recission	\$ 5,500
b.) AID TO L.I.D.'s	- Recission	65
c.) FILIPINO YOUTH ASSOCIATION	- Abandonment	1,801
d.) HOME DELIVERED MEALS	- Abandonment	60
e.) SENIOR SERVICES AND CENTERS-	Abandonment	8,783
TOTAL		<u>\$ 16,229</u>

3. Revenue Sharing and Anti-recessionary Appropriations - These two ordinances would appropriate the anticipated City revenues and fund balances from these sources. For 1977, as for 1975 and 1976, the sole use to which these funds will be put is to pay for a portion of the personal services costs of the Fire Suppression and Patrol Operations Categories of the Fire and Police Departments respectively.

4. Fund Transfers - Over \$ 1 million from two long inactive City funds (Special Revolving Fund, Series "A", the predecessor of the L.I.D. Guaranty Fund; and Seattle Fire District Number 5 Fund, the depository for property tax proceeds of King County Fire District Number 5, which is served by the Seattle Fire Department) is proposed to be transferred to the General Fund. Opinions from the City's Corporation Counsel, which are available upon request, indicate that both transfers are legal.

5. Abolition of Fund - Contingent Fund "C", the temporary resting place for monies collected from a variety of sources (utility occupation tax, general business and occupation tax, admission tax, animal licenses, business licenses, fines and forfeits, etc.), will disappear if this ordinance is approved. At present, monies received during a month from this fund's sources are not distributed to the ultimate recipient funds (General and Parks and Recreation) until the last day of the month. This means that up to several million dollars ultimately destined for recipient funds is locked up in Contingent Fund "C" for periods of from one to 31 days, thereby exacerbating the cash problems of the recipient funds.

The primary practical function of Contingent Fund "C" is to permit payment of refunds due to tax and fee payers. The 1977 Proposed Budget includes an amount in Finance-General to pay these refunds.

This will permit the abolition of Contingent Fund "C" and promote a somewhat better cash position during certain times of the year for the General and Parks and Recreation funds.

Group B - Taxes

1. Utility Occupation Tax - Cable Television - Cable television franchisees, through 1976, have paid the City a 6 percent franchise fee based upon gross subscriber revenue. Federal Communications Commission rules forbid local jurisdictions from imposing franchise fees of more than 3 percent of gross subscriber revenue unless regulation costs in excess of the revenue generated by such a fee could be demonstrated. In Seattle, a 3 percent fee would generate more than the cost of the City's Office of Cable Communications. The City recently authorized multi-year franchises for local cable communications companies. No franchise fee was included in that ordinance. The attached ordinance would extend the utilities occupation tax to cable communications companies at a 3 percent rate. The tax will be based upon gross income.

2. Business and Occupation Tax  
The Business and Occupation Tax Ordinance (Ordinance 72630) is the subject of several proposed amendments. One change would bring penalties into line with those imposed under the Utilities Occupation Tax (Ordinance 62662). Another would raise the minimum tax from \$2.00 per quarter and \$8.00 per year to \$5.00 per quarter and \$20.00 per year in order to bring the amount collected more into line with return processing costs. Other changes concerning the B & C tax relate to fees.

Group C - Licenses, Fees and Charges

1. Business Licenses - General - The basic business registration fee for businesses subject to the Business and Occupation Tax is proposed at \$10.00 for 1977 - up from \$1.00. This is being proposed to more nearly recover the costs of setting up an account.

A new small business license of \$10.00 per year is being proposed for those businesses grossing less than \$5,000. Businesses holding this license would be exempt from the reporting and payment requirements of the Business and Occupation Tax.

2. Business Licenses - Regulatory - A proposed ordinance would amend Ordinance 48022 to raise the fees for more than 25 licenses. These increases are proposed to permit the City to recover more fully its processing and regulation costs. A listing of the licenses affected is included in the discussion of General Fund revenues in the Proposed Budget.

Also being proposed is a restructuring of the City's amusement licenses. The proposal would establish a fee structure, based upon the "per

play" charge for amusement devices, which would more nearly approximate the revenue which could be derived from the imposition of the City's 5 percent Admission Tax upon these activities. The Department of Licenses and Consumer Affairs is preparing a package of back-up information for later transmittal to the City Council. A proposal, alluded to in the 1977 Proposed Budget, which would change the fee structure for the City's cabaret license to reduce fee-imposed barriers to entry is not being forwarded with the Proposed Budget because it is expected to have no impact upon revenues. It is anticipated that this proposal will be transmitted to the City Council late in 1976. Several licenses are proposed for repeal. Another proposed ordinance is designed to impose penalties for the late renewal of licenses.

### 3. Land Use and Building Fees

Three ordinances are being proposed to increase fees for various land use permits and services: subdivisions, short subdivisions, planned unit developments, zoning map changes, administrative conditional uses, council conditional uses, appeals, variances and sign control variances. The proposed fees are designed to allow the City to recover a higher percentage of its processing, investigation and review costs. These costs far exceed fee revenue according to studies by the Building Department, the Department of Community Development and the Office of Management and Budget.

Also being proposed are increases in the permit fees for buildings, boilers, electrical work, elevators and signs. The legislation proposing these increased fees will be transmitted to the City Council within a few weeks. It does not accompany the 1977 Proposed Budget because these fees will be based upon 1977 estimated costs including the September 1, 1976, salary adjustment.

### 4. Park and Recreation Fees

Ordinance 96453 permits the Superintendent of Parks and Recreation to establish, pursuant to City Council Resolution, fees and charges for activities, facilities and services provided by the Department of Parks and Recreation. A resolution is being proposed, pursuant to which fees for 1977 would be established. These include:

- (a) Raising the moorage fee from 95 cents to \$1.10 per dock foot;
- (b) Increasing fees at the South Area Athletic Complex in Tukwila;
- (c) Imposing a zoo entrance fee;
- (d) Imposing admission fees at the new aquarium designed to help make the facility nearly self-sufficient in terms of operating costs;
- (e) Imposing court fees at the new indoor tennis center at least sufficient to meet operating costs; and
- (f) eliminating annual and semi-annual golf cards for all but senior citizens and persons aged 17 and under.

Details concerning these fee changes and new fees are provided in the 1977 Proposed Fee Schedule.

5. Public Health Fees and Charges

An increase is being proposed for side sewer permit fees in order to bring cost recovery back to the historical level of 40 percent. Permit fees for side sewer repair will not be increased under this proposal.

Also proposed are increases in fees for sewage disposal system permits and for reports on water supply or individual sewage disposal systems. A new fee is proposed for water samples. All these proposed fees are intended to permit the Department of Public Health to recover its costs associated with these activities. Other fee increases referred to in the 1977 Proposed Budget require King County approval only.

6. Other Fees and Charges

(a) Board of Public Works Fees - Board of Public Works contract administration fees are proposed at \$5.50 per day - up from \$4.00. This increase would mean that General Fund expenditures for Board contract administration activities would be balanced by Board-generated General Fund revenues.

(b) Human Rights' Affirmative Action and Contract Compliance Fees - The fee established by Ordinance 102812 would be replaced by an equal fee under a more workable proposal.

(c) Street Vacations - A proposed ordinance would require government agencies and non-profit institutions requesting street vacations to pay the General Fund an amount equal to the costs incurred in processing the vacation. This amount would almost certainly be less than the amount (one-half of assessed valuation) normally paid for street vacations.

(d) Vehicle Overload Permits - State law requires all cities to impose certain minimum fees for vehicle overload permits. The minimum annual fee has been raised to \$50. The City's present annual fee is \$40. The Board of Public Works will transmit to the City Council a resolution authorizing the increase to \$50.

(e) Public Utility Inspection Fees - Section 30B of Ordinance 90047 permits the City Engineer to establish these fees. For 1977, the City Engineer will impose a 10 percent surcharge upon present fees.

(f) Signs for Magic Carpet Extension - An ordinance is being proposed which would appropriate \$5,000 from the Transit Fund to help pay for signs related to the proposed extension of Magic Carpet transit service into the Denny Regrade. Concurrence of the Municipality of Metropolitan Seattle is required for this proposed appropriation.

(g) Mutual and Offsetting Benefit Agreements - Lease agreements and legislation will be sent to the City Council soon concerning 17 properties leased from the City under mutual and off-setting benefit agreements. All 17 will be required to pay some cash rent in 1977.

These ordinances have not been reviewed by the Corporation Counsel, although a complete set of these ordinances with a copy of this letter has been forwarded to the Law Department.

The City Council  
Page 7  
September 30, 1976

OMB is prepared to provide you with any information you may need to proceed with your review of the Mayor's 1977 Proposed Budget. Please feel free to call on OMB staff as you require their assistance.

Sincerely,

Wes Uhlman  
Mayor

by

Walter R. Hundley  
Budget Director

WRH:RVC:GP:ms

Attachments

# DRAFT

1  
2 AN ORDINANCE relating to the location and size of signs adjacent to certain  
3 freeways, expressways, parkways and scenic routes; amending Sections  
4 3-B1 and 4.1 of Ordinance 103382 to provide the increase of certain fees.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

5 Section 1. That Section 3-B1 of Ordinance 103382 is amended to  
6 read as follows:

7 Section 3-B. (Sign Variances).

8 3-B.1 Upon written application and payment of a filing fee of  
9 \$75.00, the Hearing Examiner is authorized to issue sign variances in the  
10 following instances, but only when the issuance of such sign variance is  
11 within the intent and purposes of this ordinance and will not be contrary  
12 to the public interest, detrimental to the public welfare or safety,  
13 injurious to property in the vicinity, and will not make difficult the  
14 viewing and comprehending by motorists and pedestrians of official or  
15 conforming signs, or increase the density of signs along a designated  
16 landscaped and/or scenic view section to an extent tending to constitute  
17 a hazard to the appearance of the neighborhood, or impinge upon a view of  
18 scenic interest;

19 (a) Business signs composed of letters, numbers or designs indi-  
20 vidually painted or mounted directly on a building and measured by totaling  
21 the areas contained in the least rectangle enclosing all portions of  
22 each letter, number or design.

23 (b) Business signs on a building which extend not more than 12  
24 feet in height above the face of the building, provided that the maximum  
25 permitted area of such signs, except for oil company service station signs,  
26 shall be reduced by 50 percent.

27 (c) Time, temperature and/or stock index recording devices as  
28 part of a business sign.

(d) Business signs on a building face of 5,000 square feet or  
more the area of which exceeds 250 square feet but which in no case  
exceeds 5 percent of the face of the building.

1 (e) Free standing business signs on the same premises with busi-  
2 ness signs on the face of a building and not subject to being added  
3 together and limited to the area permitted on the face of the building  
4 as provided in Section 3-A, where such free standing signs are more  
5 than 100 feet from the face of the building and from each other, or  
6 where the business engaged in is outdoor merchandising and grounds  
7 of the premises are more significant to the business than any  
8 structures on the premises.

9 (f) Business signs of such increased height as may be necessary  
10 to provide reasonable identification to a business whose existing signs  
11 are obscured by subsequent construction, landscaping or natural  
12 vegetation.

13 (g) Business signs of such increased area as may be necessary  
14 to incorporate such sign as an architectural element of a building.

15 (h) Existing nonconforming advertising or business signs visible  
16 from but not primarily oriented to the traveled way of a designated  
17 landscaped and/or scenic view section.

18 (i) New advertising signs or business signs which do not conform  
19 to the provisions of this ordinance which are to be erected at an  
20 elevation significantly lower than the grade of the traveled way of a  
21 designated landscaped and/or scenic view section and visible there-  
22 from, but to be primarily oriented to a roadway other than such  
23 designated section.

24 Section 2. That Section 4.1 of Ordinance 90138, as last amended  
25 by Ordinance 103382, is further amended to read as follows:

26 Section 4. (Nonconforming, Dilapidated and Abandoned Signs)

27 4.1 All nonconforming signs shall either be made to conform  
28 with the provisions of this ordinance or be removed within three (3)  
years of the date such signs became or become nonconforming, and it  
shall be unlawful for the owner or lessee of such sign or the owner  
or operator of the premises upon which such sign is located to fail

1 to remove such sign after said period of time has expired. The  
2 Hearing Examiner, upon written application therefor and payment of  
3 a filing fee of \$75.00 may extend the time for removal of such non-  
4 conforming signs for a period not to exceed an additional seven (7)  
5 years upon finding that:

6 (a) The extension of time will not be unduly detrimental to  
7 the intent and purposes of this ordinance as set forth in Section 1  
8 hereof, and

9 (b) There is a substantial unamortized investment in the sign  
10 made prior to the effective date of any ordinance which would prohibit  
11 the erection of such sign, or

12 (c) Construction or related activity on the proposed highways,  
13 or the Pike Plaza Redevelopment Project designated in Section 2-A, or  
14 other proposed redevelopment projects along the east side of the  
15 Alaskan Freeway from Union Street to South Connecticut Street, is  
16 not scheduled to begin for six (6) or more months, provided that in  
17 such case the time extension shall not exceed the actual or antici-  
18 pated delay.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

(To be used for all Ordinances except Emergency.)

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the ..... day of ....., 19 .....,  
and signed by me in open session in authentication of its passage this ..... day of  
....., 19 .....

President ..... of the City Council.

Approved by me this ..... day of ....., 19 .....

Mayor.

Filed by me this ..... day of ....., 19 .....

Attest: .....  
City Comptroller and City Clerk.

(SEAL)

Published.....

By .....  
Deputy Clerk.

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

NOV 22 1976

Your Committee on

BUDGET

to which was referred

C.B. 97894

Relating to the size and location of signs; amending Section 3-B and Section 4 of Ordinance 90138 to increase certain filing fees.

RECOMMEND THAT THE SAME DO PASS

*Jim Hill* BUD.  
Chairman

Chairman

Committee

Committee

# Affidavit of Publication

## STATE OF WASHINGTON, KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a.....

ORDINANCE NO 106001

was published on Nov 30, 1976

*B. Abbott*  
Subscribed and sworn to before me on

Nov 30, 1976

*E. Anderson*  
Notary Public for the State of Washington,  
residing in Seattle.

**ORDINANCE 108001**

AN ORDINANCE relating to the size and location of signs, amending Section 3-B and Section 4 of Ordinance 90133 to increase certain filing fees.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 3-B of Ordinance 90133, as last amended by Ordinance 103382, is further amended to read as follows:

**Section 3-B. (Sign Variances.)**

3-B.1 Upon written application and payment of a filing fee of \$75.00, the Hearing Examiner is authorized to issue sign variances in the following instances, but only when the issuance of such sign variance is within the intent and purposes of this ordinance and will not be contrary to the public interest, detrimental to the public welfare or safety, injurious to property in the vicinity, and will not make difficult the viewing and comprehending by motorists and pedestrians of official or conforming signs, or increase the density of signs along a designated landscaped and/or scenic view section to an extent tending to constitute a hazard to traffic safety or a detriment to the appearance of the neighborhood, or impinge upon a view of scenic interest:

(a) Business signs composed of letters, numbers or designs individually painted or mounted directly on a building and measured by totaling the areas contained in the least rectangular enclosing all portions of each letter, number or design.

(b) Business signs on a building which extend not more than 12 feet in height above the face of the building, provided that the maximum permitted area of such signs, except for oil company service station signs, shall be reduced by 50 per cent.

(c) Time, temperature and/or stock index recording devices as part of a business sign.

(d) Business signs on a building face of 3,000 square feet or more the area of which exceeds 250 square feet, but which in no case exceeds 5 per cent of the face of the building.

(e) Free standing business signs on the same premises with business signs on the face of a building and not subject to being added together, and limited to the area permitted on the face of the building as provided in Section 3-A, when such free standing signs are more than 100 feet from the face of the building and from each other, or where the business engaged in is outdoor merchandising, and the grounds of the premises are more significant to a business than any structure on the premises.

(f) Business signs of such increased height as may be necessary to provide reasonable identification to a business whose existing signs are obstructed by subsequent construction, landscaping or natural vegetation.

(g) Business signs of such increased area as may be necessary to incorporate such sign as an architectural element of a building.

(h) Existing nonconforming advertising or business signs visible from but not primarily oriented to the traveled way of a designated landscaped and/or scenic view section.

(i) New advertising signs or business signs which do not conform to the provisions of this ordinance which are to be erected at an elevation significantly lower than the grade of the traveled way of a designated landscaped and/or scenic view section and visible therefrom, but to be primarily oriented to a roadway other than such designated section.

3-B.2 No sign variance shall be authorized for signs which flash or move except for time, temperature and stock index recording devices. The Hearing Examiner may attach such conditions regarding the location, character, color and other features of the sign as the Hearing Examiner may deem necessary in the public interest to carry out the intent and purposes of this ordinance. Sign variances authorized by the Hearing Examiner shall become void after the expiration of one year if no building permit has been issued in accordance with the plans for which such variance was authorized. Any sign variance granted under this ordinance may be revoked by order of the Hearing Examiner when it is shown by satisfactory proof that:

(a) the application for the sign variance contained any material misrepresentation of fact, or

(b) the special conditions and circumstances originally justifying the granting of a sign variance have changed or terminated in which case the sign shall be considered nonconforming. It shall be unlawful for the owner or lessee of the sign or the owner or operator of the premises upon which said sign is located to fail to remove such sign within 30 days after revocation of the sign variance, except where the sign becomes nonconforming.

Section 2. That Section 4 of Ordinance 88133, as last amended by Ordinance 103382, is further amended to read as follows:

**Section 4. (Nonconforming, Dilapidated and Abandoned Signs)**

4.1 All nonconforming signs shall either be made to conform with the provisions of this ordinance or be removed within three (3) years of the date such signs became or become nonconforming, and it shall be unlawful for the owner or lessee of such sign or the owner or operator of the premises upon which such sign is located to fail to remove such sign after said period of time has expired. The Hearing Examiner, upon written application therefor and payment of a filing fee of \$75.00 may extend the time for removal of such nonconforming signs for a period not to exceed an additional seven (7) years upon finding that:

(a) The extension of time will not be unduly detrimental to the intent and purposes of this ordinance as set forth in Section 1 hereof, and

(b) There is a substantial unamortized investment in the sign made prior to the effective date of any ordinance which would prohibit the erection of such sign, or

(c) Construction or related activity on the proposed highway, or the Pike Plaza Redevelopment Project designated in Section 2-A, or other announced redevelopment projects along the east side of the Alaskan Freeway from Union Street to South Connecticut Street is not scheduled to begin for six (6) or more months, provided that in such case the time extension shall not exceed the actual or anticipated delay.

4.2 No nonconforming sign shall be in any manner altered, reconstructed or moved without being made to comply in all respects with the provisions of this ordinance, provided that nothing herein shall prohibit the normal maintenance or repair of any nonconforming sign where no major structural alterations are made, nor the painting or repainting of the face thereof, nor the changing of the message on the surface of the sign face on signs designed for changeable copy. The cost of such maintenance, repair, painting or message changing shall not be cause for a request for an additional period of time to rectify such costs. All businesses and advertising signs shall be maintained in a well-maintained condition, free from placement of defective messages and being repainting, cleaning and other acts required to maintain the sign. All abandoned business signs shall be removed.

4.3 From time to time, the Superintendent of Buildings shall cause to be mailed to the owners of property upon which abandoned signs or signs in need of repair are located, notice of the existence of such sign, its non-compliance with the provisions of this ordinance and the time within which the sign must be repaired or removed. At least sixty (60) days before the termination of the period of time allowed for removal of nonconforming signs, the Superintendent of Buildings shall cause to be mailed to the owners of property upon which a nonconforming sign is located, notice of the existence of such sign and the time within which the sign must be made to conform or be removed. The mailing of such notice shall constitute a convenience to the owner, and the failure to give such notice or to receive the same shall in no way impair the enforcement of this ordinance. It shall be unlawful for the owner or lessees of such sign or the owner or operator of the premises upon which such sign is located to fail to repair, conform or remove such sign within 60 days after such notification.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall become a law under the provisions of the City Charter.

Passed by the City Council the 22nd day of November, 1976, and signed by me in open session in authentication of its passage this 22nd day of November, 1976.

SAM SMITH,

President of the City Council.  
Approved by me this 28th day of November, 1976.

WES UHLMAN,

Mayor.  
Filed by me this 12th day of November, 1976.

Attest: E. L. KIDD,  
City Comptroller and  
City Clerk.

(Seal) By W. ANGEVINE,  
Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, November 26, 1976.  
(C-719)