



## ***TOWN OF LA CONNER PLANNING COMMISSION***

### **Meeting Notice**

January 20, 2026 6PM

Upper Maple Center, La Conner WA, and Livestreamed  
Information is below and on the Town Website

Skagit County Washington  
Incorporated 1890  
[www.townoflaconner.org](http://www.townoflaconner.org)

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### **Agenda**

#### **I. Convene**

#### **II. Public Comments (All Topics) – Time Limit 3 Minutes**

#### **III. Minutes:** Approve Minutes from the January 6, 2026 meeting.

#### **IV. Old Business**

1. Status Report – Public Participation Program.
2. Discussion of Sign Code

#### **V. New Business**

1. Joint Planning Commission and Town Council Meeting – Discussion

#### **VI. Closing Comments:**

Live Streaming Info: <https://laconnerwa.portal.civicclerk.com/>

## TOWN OF LA CONNER PLANNING COMMISSION MEETING MINUTES January 6, 2026

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The Planning Commission meeting was called to order at 6:00 pm

Commissioners present: Tracy McCain, Maya Ojalehto, Sommer Holt, and Timothy Corey

Staff: Ajah Eills and Jennifer Herring

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### **PUBLIC COMMENT**

None

### **MINUTES:**

Commissioner Ojalehto moved to approve the minutes; the motion was seconded by Commissioner McCain.

**Motion to approve the minutes carried unanimously.**

### **PERMIT APPLICATION:**

Commissioner Holt opened public hearing for LU25-66HDR. Planner Eills presented the staff report, explaining that the proposal was to construct a roof covering over an existing deck. The proposed materials included a surface composite, brown aluminum railing, and glass paneling. They recommended approval of the application. Commissioner Corey asked if the roofing material matched the existing roof of the house; Planner Eills confirmed that it did. Commissioner McCain asked whether the composite material was allowed under the code. Planner Eills clarified that it was permitted because it replicates wood. Commissioner Holt opened the hearing for public comments. With no public comments the hearing was closed. **Commissioner McCain made motion to approve LU25-66HDR and Commissioner Corey seconded. Motion passed unanimously.**

### **OLD BUSINESS:**

Planner Eills provided a status report on the Public Participation Program. They announced that the Art Commission would be holding an open meeting at the La Conner Swinomish Library on January 13th at 1:30 pm regarding the Creative District project. Commissioner Corey inquired about the level of involvement the Planning Commission might have in the creative district project. Planner Eills responded that no direct involvement by the Planning Commission was expected at this time.

Discussion then moved to proposed Sign Code changes. Planner Eills reviewed revisions made in response to the previous meeting and asked for Commission feedback. Planner Eills also introduced the possibility of adopting a Dark Sky policy into the Town's code. Currently, lighting is only controlled in the code under the Historic Preservation District (HPD) and under public nuisance. Commissioners discussed potential Dark Sky policy, including impacts along the boardwalk and wildlife areas, encouraging pedestrian-level lighting, the use of diffusers, and directing lights downward. Safety concerns related to adequately lighting dark areas of La Conner were also discussed. Planner Eills stated that this would likely be introduced as a new section of the code rather than incorporated into existing chapters. Kirill Fortygin noted that similar elements of this already

exist in the Skagit County code. Planner Eills confirmed that La Conner could adopt the County code on this subject. It was decided to come back to this topic again at a future meeting. Additional proposed Sign Code changes were then discussed, including the civic streetscape, banner regulations, sign definitions, and lighting standards. Commissioner Holt suggested limiting commercial exterior lights in the HPD being to white lights only. Kirill Fortygin brought up specifying color temperature. Planner Eills stated it was possible to add in the code warm color spectrum/range.

The Commission then moved to proposed changes to the HPD color standards. Planner Eills explained the anticipated timeline for these code updates, estimating that once approved by the Commission and forwarded to Town Council, the process would take a couple of months and would also require State review. Planner Eills confirmed that the historic time period had been added to the proposed code as requested, and that color specifications would require a hex code match rather than a specific paint brand. **Commissioner Ojalehto made motion to present code color changes for approval to Town Council. Commissioner Corey seconded. Motion passed unanimously.**

#### **NEW BUSINESS:**

Planner Eills presented the 2026 Goal Setting memorandum and invited Commissioners to discuss or suggest additional goals for the upcoming year.

#### **COMMISSIONER COMMENTS/STAFF COMMENTS:**

None

With no further business Commissioner Corey moved to adjourn the meeting at 7:00 pm. Seconded by Commissioner Ojalehto. **Motion carried unanimously.**

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Chair

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Date

## Sign Definitions

# Chapter 15.115 SIGNS

Sections:

[15.115.010 Purpose.](#)

[15.115.020 Applicability.](#)

[15.115.025 Definitions.](#)

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[15.115.120 Nonconforming signs.](#)

[15.115.122 Inspection.](#)

[15.115.124 Maintenance.](#)

[15.115.126 Removal.](#)

[15.115.130 Appeal of planning commission or planning director decision.](#)

**15.115.010 Purpose.**

The purpose of this chapter is to regulate signage in an effort to keep the town of La Conner a safe and attractive place in which to live and do business, to reserve and reflect the historic character of the community and assure consideration of:

- (1) Pedestrians, motorists, cyclists, visitors, residents, home occupations, shops, other buildings, and real property;
- (2) Safety through care in placement, sizing and illumination of signs so as to avoid visual clutter, distraction or obstruction of vision of pedestrians and motorists, or obstruction of right-of-way;
- (3) Economy for those erecting signs, or maintaining or modifying already-existing signs, through care in style and construction by providing adequate time to replace signs which do not comply with the new standards; by protecting property values; and by preserving the community character which attracts visitors and new residents and sustains business development;
- (4) Aesthetic benefits to business districts and the community at large through consistency in style, placement, scale and harmony of signs with buildings and natural settings;
- (5) Compatibility of signs with the architectural and historical qualities of La Conner;
- (6) General safety and welfare of the public, through fair and consistent enforcement of these sign regulations. [Ord. 1222 § 2, 2023; Ord. 671 § 7.1, 1995.]

### **15.115.020 Applicability.**

- (1) This chapter shall apply to all signs as defined by this code except traffic signs erected under the authority of the town, signs directing traffic or parking on private property, signs stating business hours, vending machines, and state agency recommended signs. Private traffic and parking signs shall not exceed two square feet in area.
- (2) The town council intends that to the fullest extent authorized by Chapter [47.42](#) RCW, the Highway Advertising Control Act – Scenic Vistas Act, now or as hereafter amended, shall also govern any street, bridge, pier or dock in the town of La Conner. [Ord. 1222 § 2, 2023; Ord. 671 § 7.2, 1995.]

### **15.115.025 Definitions.**

**The following words and terms when used in this chapter shall mean as follows, unless a different meaning clearly appears from the context:**

- (1) “Abandoned sign” means a sign that no longer correctly identifies or advertises any person, business, lessor, lessee, owner, product or activity on or off the premises on which the sign is located.

- (2) "Banner sign" means any sign intended to be hung, with or without framing, which possesses characters, letters, symbols, emblems, trademarks, illustrations or ornamentations applied to fabric or similar flexible material. Flags, decorative banners, canopy (awning) signs ~~and temporary signs~~, treated elsewhere in this chapter, shall not be considered banner signs. Banner signs for community events shall be treated as temporary signs unless they are placed on public property.
- (3) "Canopy sign" means a temporary or fixed shelter supported entirely from the exterior wall of a building without other means of support to the ground upon which a sign may be erected upon or against and which contains advertising copy. For the purpose of this chapter, canopy shall include awning.
- (4) "Civic Streetscape" means signs placed with Town authorization on publicly owned lands, streets, or rights-of-way; this includes festive and seasonal elements as well as other place-making décor. Civic Streetscapes shall not be associated with any one business or event but rather designed to benefit the Town as a whole.
- (5) "Commemorative plaque" means a memorial plaque, sign, plate or tablet which is permanently affixed to or near the structure, object or event it is intended to commemorate and which displays no advertising.
- (6) "Directional sign" means a sign which contains specific directional information and contains no advertising.
- (7) "Directory sign" means a sign which displays exclusively the names, logos and locations of occupants or uses of a building or complex. No other advertising shall be included.
- (8) "Flashing sign" means a sign, or a portion thereof, which changes light intensity in a repetitive pattern, or uses electrical energy to provide motion or the illusion of motion.
- (9) "Freestanding sign" means a sign connected permanently to the ground and not connected to a building.
- (10) "Indirect lighting" means a frontal light source separated from the sign surface illuminating the sign surface by means of a spotlight or similar fixture.
- (11) "Neon lighting" means a sign illuminated by glass tubes filled with neon gas or gaseous elements.
- (12) "Portable sign" means any moveable sign which is not permanently affixed to the ground, a structure or a building.

- (13) "Premises" means real property on which businesses advertised by the signs mentioned in this code are situated.
- (14) "Projecting sign" means a sign which is attached to and projects or hangs from a structure, wall or building face further than six inches.
- (15) "Reader board sign" means a sign on which copy may be easily changed by manual or electronic means without reworking, repainting, or otherwise altering the physical composition of the sign.
- (16) "Roof sign" means a sign erected above or upon a principal roof of a building or structure.
- (17) "Sandwich board sign" means an A-framed moveable sign made of wood, metal, or other substantive material.
- (18) "Sign" means ~~a publicly displayed advertising, directional, or informational notice, or any other device that may be displayed to attract attention to a business or event.~~ "Any device, display, or structure that is visible from a public place and that has words, letters, figures, designs, symbols, logos, illumination, or projected images. This definition does not include architectural elements incorporated into the structure or facade of a building."
- (19) "Sign face" means any surface of a sign upon which there is lettering or other advertising.
- (20) "Sign height" means the vertical distance from grade to the highest point of a sign or any projection thereof.
- (21) "Off-premises sign" means a sign which advertises goods, products, or services which are not sold, manufactured, or distributed, or events not held on the premises on which the sign is located.
- (22) "Streamer" means an attention attracting device consisting of one or more pennants, balloons, ribbons, reflectors, fringes or similar objects strung together on a common line, pole or sign structure, or attached to one or more products offered for sale.
- (23) "Temporary sign" means a sign or advertising display without a frame which is displayed for a limited time only.
- (24) "Wall sign" means a sign attached parallel to, and within six inches of, the wall, which is supported by and confined within the limits of such wall, and which displays only one surface.
- (25) "Window sign" means a sign placed upon the interior or exterior surface of a window. Not included is a statement of business hours.

### **15.115.030 Signs exempt from certificate of authorization.**

The following signs are exempt from the permit requirements of this chapter, and shall not be included in the computation of sign size area for regulated signs. This shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with any other applicable law or ordinance. Exempt signs are:

(1) Signs associated with active construction posted during the construction period, and 30 days after an occupancy permit has been issued, subject to the following:

(a) One unilluminated, double-faced sign is permitted for each public street upon which the project fronts;

(b) No sign shall exceed 24 square feet in area or eight feet in height, or be located closer than 20 feet from the property line of the adjoining property; and

(c) Signs must be removed by the date of first occupancy of the premises or one year after placement of the sign, whichever occurs first;

(2)(a) Signs up to eight square feet in area that are posted on developed residential property or buildings actively for sale, lease, or rental, limited to one sign per street frontage. Signs must be removed within 30 days of the sale, lease, or rental process being completed; and

(b) Signs up to 24 square feet in area that are posted on undeveloped residential property or commercial or industrial property or buildings actively for sale, lease, or rental, limited to one sign per street frontage. Signs must be removed within 30 days of the sale, lease, or rental process being completed;

(3) Traffic control signs established by the Manual on Uniform Traffic Control Devices (MUTCD), installed by a government entity, or authorized by the public works department;

(4) Signs required by law pursuant to LCMC [15.115.020](#);

(5) Temporary signs no larger than 16 square feet, to be removed within five days following cessation of the activity related to the sign. Community Event banners may be up to 52 square feet. -New businesses may have temporary signs in addition to their permitted signs, for a period of not more than 30 days from the date of their opening. Temporary signs shall not incorporate or include flags, spinners, pennants, ribbons, balloons, or similar devices;

(6) Signs relating to construction in progress, which shall total no more than 16 square feet;

(7) Signs posted on or attached to the inside of store front windows; provided, that such signs do not occupy more than 40 percent of the window, and provided that the signs do not have any form of flashing, strobing, or moving lights;



(8) Signs within a building (not in a window) that are not intended to be viewed from a public right-of-way;

(9) The flag of a government or noncommercial institution, such as a school. Such flags are not to exceed 48 square feet. Flags greater than 48 square feet are permitted in Commercial, Transitional Commercial, and Industrial Zones; provided, that any square footage of such flag greater than 48 square feet shall be applied to the overall permitted signage of the property;

(10) Window merchandise displays;

(11) Commemorative plaque signs, in compliance with LCMC [15.115.040](#);

(12) Signs required for the safe navigation of the Swinomish Channel;

(13) Vehicle signage, except that large, billboard-type signs are not permitted on vehicles;

(14) Official or legal notices issued and posted by any public agency or court; and

(15) Temporary signs shall not be placed on any sidewalk or other public right-of-way.

(16) Signs placed as part of the Civic Streetscape.

[Ord. 1222 § 2, 2023; Ord. 1211 § 2(A), 2022; Ord. 1030 § 1, 2009; Ord. 963 § 2, 2005; Ord. 671 § 7.3, 1995.]

### **15.115.040 General requirements.**

(1) All signs to which this chapter applies shall conform to the general requirements set forth in LCMC [15.115.050](#) through [15.115.100](#) regardless of whether a certificate of authorization is required.

(2) The planning director shall review all sign permit applications for compliance with this code. At the discretion of the planning director, a sign permit application may be referred to the planning commission for final decision. [Ord. 1222 § 2, 2023; Ord. 1030 § 1, 2009; Ord. 671 § 7.4, 1995.]

### **15.115.050 Total allowable sign area.**

Includes all signs and all sides and stories of buildings unless otherwise exempted under LCMC [15.115.030](#).

(1) The total allowable sign area per building shall be the larger of 20 square feet or seven percent of any facade. Facade square footage shall be calculated as the vertical surface between the ground and roof line including all doors, windows, and parapet walls. Seven percent shall be determined by an as-built drawing or legal verification if deemed necessary by the planner or planning commission.

(2) A directory sign on a multi-business building shall not exceed five square feet per business to a maximum of 30 square feet per building and shall not be included in the total allowable sign area.

(3) Commemorative plaques or other signs in a residential zone shall be no larger than three square feet. [Ord. 1222 § 2, 2023; Ord. 671 § 7.4.A, 1995.]

### **15.115.060 Number of signs allowed.**

(1) Single Business Buildings. No more than three signs, one of which may be freestanding or projecting.

(2) Multi-Business Buildings.

(a) No more than one per business outside an entrance or dock, flat mounted or projecting.

(b) Additional signage per business is allowed if it is part of building directories.

(c) One building identification sign per side facing a public thoroughfare will not be counted in the seven percent allowable sign area.

(3) One flatly affixed commemorative plaque allowed per building. [Ord. 1222 § 2, 2023; Ord. 1132 § 3, 2015; Ord. 671 § 7.4.B, 1995.]

### **15.115.070 Allowable sign types.**

All signs shall conform to the height and setback requirements of the zone in which they are located. Signs may not exceed the height, width and depth of the building to which they are attached.

(1) Awning/Canopy Sign.

(a) Minimum eight feet clearance from ground;

(b) The entire awning shall not be considered a sign, except the face area of the awning to which the advertising copy is attached or placed, shall be considered a sign.

(2) Directional Sign.

(a) May be no more than nine square feet;

(b) Shall provide directions to public facilities such as restrooms, parks, parking lots, museums, and marinas;

(c) Directional signs may be off premises.

(3) Directory Sign.

- (a) One per right-of-way or public access venue for multi-business buildings;
- (b) Shall not exceed five square feet per business to a maximum of 30 square feet per building per directory;
- (c) Shall not be included in the total allowable sign area;
- (d) A business is allowed one off-premises sign in an approved directory with the written permission of the property owner.

(4) Freestanding Sign.

- (a) May not exceed 10 feet in height;
- (b) Shall have a landscaped area twice the size of the sign area at the base of the sign;
- (c) Limited to one per building regardless of the number of businesses within the building;
- (d) Not allowed if a building already has a projecting sign.

(5) Projecting Sign.

- (a) Shall project no more than four feet from building;
- (b) Must leave at least eight feet of clearance from the ground;
- (c) Are limited to one per building entrance regardless of the number of businesses within the building or advertised on the sign;
- (d) Are not allowed if the building already has a freestanding sign;
- (e) If projecting over a public right-of-way, a hold harmless agreement must be provided to, and approved by, the town of La Conner;
- (f) If the same copy is on both sides, count one side in the sign area allotment; if different copy is on both sides, count both sides in the sign area allotment.

(6) Window Sign.

- (a) Window graphics may not occupy more than 25 percent of the total area of the window in which they are displayed.
- (b) Not to be included in total sign area allotment.

(7) Sandwich Board Sign.

(a) Siting.

(i) Only one sign allowed per business on private property but not in a designated parking area or fire lane. The sandwich board sign can be no larger than two feet wide by three feet high;

(ii) Not included in the total sign allotment;

(iii) Not permitted on public property, except those businesses without adequate space on their property may place a sandwich board sign within the right-of-way (as close as practical to the business building), providing it can be placed in a safe location and meets the following requirements, as approved by the planning director:

(A) Must comply with the clear visibility triangle requirements set forth in LCMC [15.75.130](#).

(B) Ensure drive access aprons and ADA access are kept clear.

(C) Allow the minimum standard of four feet clear pedestrian passage on the sidewalks.

(D) No sandwich board signs on the boardwalk.

(8) Signs painted on walls.

(9) ~~Official~~ Community Event Banners.

(a) If an applicant is applying to place a Banner on Town-owned property, they must receive approval from the Town Council. Community Event Banners placed on private property shall be regarded as temporary signs, however, the display limitations in LCMC 15.115.070 (9) (e) still apply. Banners may only promote official community events or events approved by the town council.

(b) Proposed banner design must be submitted to the planning department for approval at least six weeks in advance of the event.

~~(c) All approved banners must meet current banner specifications provided by the town public works department.~~

(d) If an applicant is applying to place a banner on Town-owned property, the following Banner Message and Content restriction apply.

(i) Primary content: event name and date;

(ii) Secondary content: sponsor logos only – fonts must be 50 percent of primary content font;

(iii) There should be no commercial content through sponsorship identity.

(e) Display Limitations.

(i) The banner may be displayed a maximum of three weeks prior to the event.

(ii) Where time conflicts occur, the town council will decide the priority display of the banners.

(f) Installation and Removal. All banner installations and removal on publicly owned property, including streets and rights-of-way, will be conducted by the public works department staff.

(10) Flat affixed signs.

(11) Wayfinding Signs. Wayfinding signs are deemed essential to the orderly growth of the community, and especially the downtown area. Wayfinding signs shall be permitted for groups of three or more users, with designs and locations approved by the town council. When located on public property, users shall pay an annual fee to the town, which fee shall be established and amended from time to time by resolution of the town council. Users shall be selected on a first come, first served basis.

(12) Reader Board Signs. Reader board signs are intended to provide information to the community. Reader board signs are permitted only on public property. If an electronic message is used, that message is not defined as internally illuminated. [Ord. 1222 § 2, 2023; Ord. 1211 § 2(A), 2022; Ord. 1167 § 2, 2018; Ord. 1132 § 3, 2015; Ord. 1084 § 1, 2012; Ord. 1030 § 1, 2009; Ord. 963 § 2, 2005; Ord. 887, 2003; Ord. 671 § 7.4.C, 1995.]

### **15.115.080 Lighting.**

(1) Indirect lighting only allowed.

(2) Colored, flashing or intermittent lighting not allowed. Exterior neon signs are prohibited. [Ord. 1222 § 2, 2023; Ord. 887, 2003; Ord. 671 § 7.4.D, 1995.]

### **15.115.085 Building Exterior Lighting**

(1) Buildings are allowed decorative exterior warm toned lighting provided that flashing, strobing, or intermittent lights is not allowed. Lighting must be directed away from adjoining properties so that not more than one foot-candle of illumination leaves the property boundaries. Use of light shields or diffusers to reflect glare is encouraged.

### **15.115.090 Allowable design materials and maintenance.**

(1) Signs shall be made of professional quality and durable materials, such as metal or wood.

(2) Sign design shall be consistent with the district and neighborhood when in the Historic Preservation District.

(3) Signs must be maintained and not left in disrepair, damaged condition, or in need of painting or material replacement. [Ord. 1222 § 2, 2023; Ord. 1030 § 1, 2009; Ord. 887, 2003; Ord. 671 § 7.4.E, 1995.]

### **15.115.100 Compliance.**

All signs requiring a certificate of authorization must comply with this code. No sign shall be permitted unless it conforms to the provisions of this chapter. Any sign located within the town's Historic Preservation District shall be made of materials compatible with the historic nature of the town and surrounding buildings, and colors selected from the historic palette. [Ord. 1222 § 2, 2023; Ord. 1030 § 1, 2009; Ord. 671 § 7.4.F, 1995.]

### **15.115.110 Prohibited signs.**

The following exterior signs are prohibited:

- (1) Abandoned signs or signs in poor repair. Obsolete signs shall be removed within five days following termination of use;
- (2) Bench signs;
- (3) Billboards;
- (4) Flashing, revolving or any other moving signs, including streamers, banner signs (except those approved as temporary signs), and sandwich board signs worn by a person. A clock with moving hands and a barber pole are permitted;
- (5) Off-premises signs except those exempted in LCMC [15.115.030](#) and [15.115.070](#)(3)(d) and directional signs;
- (6) Roof mounted signs, including any signs painted directly on a roof surface;
- (7) Signs which restrict the visibility of traffic or traffic control devices, which block fire lanes, create a safety hazard for pedestrian or vehicular traffic or block vistas, viewpoints, view corridors or visual access to the shoreline;
- (8) Signs attached to rocks, trees, utility poles, street signs or any other public property;
- (9) Backlighted signs;
- (10) Signs with colored lighting;
- (11) Portable signs other than sandwich board signs;
- (12) Any sign that is otherwise allowed, but does not comply with the provisions of this chapter;

(13) Signs that purport to be, or are, an imitation of or resemble an official traffic sign or signal;

(14) Signs that are the primary use of the land on which they are located;

(15) Signs that are attached to fences; and

(16) Inflatable signs. [Ord. 1222 § 2, 2023; Ord. 1084 § 2, 2012; Ord. 963 § 2, 2005; Ord. 887, 2003; Ord. 671 § 7.5, 1995.]

### **15.115.120 Nonconforming signs.**

(1) Signs with certificates of authorization granted before the present sign ordinance adoption may be continued subject to provisions of subsection (2) of this section. Any sign without a current certificate of authorization shall be removed within 10 days of notice. The burden of establishing a sign to be legally nonconforming under this section rests upon the person or persons, firm, or corporation claiming such legal status for a sign.

(2) Loss of nonconforming status occurs when:

(a) A sign is altered or replaced in any way in structure. Change of lettering style and routine maintenance are permitted.

(b) A sign is relocated.

(c) Any new sign is erected or placed in connection with the business using the nonconforming sign.

(d) The type of a business changes.

(e) Change of business name in a directory sign does not constitute loss of nonconforming status.

(3) With notification of loss of nonconforming status, the sign must be brought into compliance with this chapter and a new sign permit secured. An increase in nonconforming status will be construed to be a violation of this chapter and such sign will be subject to removal.

(4) Structural repairs to nonconforming signs shall not be permitted. [Ord. 1222 § 2, 2023; Ord. 887, 2003; Ord. 671 § 7.6, 1995.]

### **15.115.122 Inspection.**

Signs may be inspected periodically by the planning director, code enforcement officer, or other administrative official for compliance with this and other codes of the municipality. [Ord. 1222 § 2, 2023.]

### **15.115.124 Maintenance.**

All signs and components thereof shall be kept in good repair and in a safe, neat, clean and attractive condition. Any sign not maintained in accordance with this section shall be subject to the enforcement and removal provisions contained in LCMC [15.115.126](#). [Ord. 1222 § 2, 2023.]

### **15.115.126 Removal.**

(1) If any permanent sign shall be unlawfully installed, erected or maintained in violation of any provisions of this chapter, the owner or the person or firm maintaining same shall, upon written notice by the administrative official, make such sign conform to the provisions of this chapter, or shall remove it within 30 days. Said party shall only be authorized to exercise the appeal rights set forth in LCMC [15.115.130](#) after application has been made and permit fees paid, if applicable. Provided, the 30-day appeal period shall commence upon the date of notice, whether a permit was applied for or not.

(2) If any temporary sign shall be unlawfully installed, erected or maintained in violation of any provisions of this section, the owner or the person or firm maintaining same shall, upon written notice by the planning director, code enforcement officer, or other designated administrative official, make such sign conform to the provisions of this chapter, or shall remove it within two business days. In the event compliance is not obtained, enforcement action including the imposition of penalties shall be brought by the town attorney.

(3) If any order of the planning director, code enforcement officer, or other designated administrative official, as set forth in subsection (1) or (2) of this section, is not complied with, the official may cause such sign to be removed at the expense of the owner or lessee.

(4) Signs which the planning director, code enforcement officer, or other designated administrative official finds upon public streets, sidewalks, rights-of-way, or other public property may be immediately removed by the official without prior notice. For signs that appear to the code administrator to have substantial value (that is, other than poster board types of signs), the sign will be retained for five business days and the code administrator shall make a reasonable attempt to notify the sign owner that the sign has been confiscated and extend an offer for the owner to retrieve the sign within this five-business-day time period. Hazardous signs shall be removed in accordance with the International Building Code. This section does not create any liability by the city for failing to retain the sign for the time specified or for the manner in which the sign is stored, maintained or disposed of, or for failure to notify the owner. [Ord. 1222 § 2, 2023.]

### **15.115.130 Appeal of planning commission or planning director decision.**

An appeal of a planning commission or town planner decision may, by any aggrieved person, be made to the hearing examiner, in writing, within 10 days of the decision and payment of an appeal fee hereby set at one-half the original fee for a sign permit. The decision of the hearing examiner is final. [Ord. 1222 § 2, 2023; Ord. 1030 § 1, 2009; Ord. 671 § 7.7, 1995.]